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St. Louis lawyer hit with \$30 million civil verdict

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St. Louis lawyer hit with \$30 million civil verdict

BY ROBERT PATRICK • rpatrick@post-dispatch.com > 314-621-5154 STLtoday.com | Posted: Monday, March 7, 2011 11:36 am | (14) Comments

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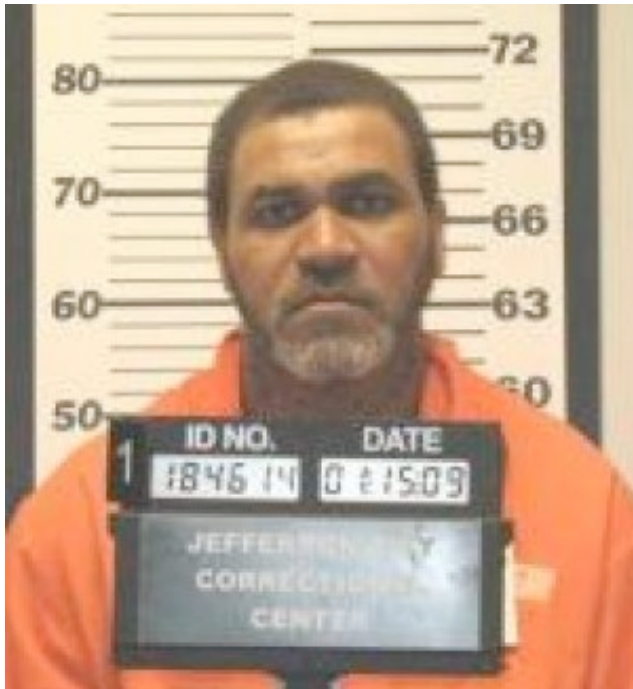
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BY ROBERT PATRICK • rpatrick@post-dispatch.com > 314-621-5154

Eric Tolen, who is serving a 65-year prison sentence and now owes \$30 million to two victims. (2009 Missouri Department of Corrections photo)

ST. LOUIS • A former federal lawyer serving a 65-year prison sentence for molesting five teenage boys has been ordered to pay two of those former victims \$30 million, lawyers for the boys said Monday.

The civil suit, filed last year, said that Eric Tolen, 49, molested both boys from October 2006 - April 2007. One was forced to pay Tolen with sexual favor "I.O.U.s" for "cigarettes, food, illegal drugs and gifts," lawyers said.

The teens, identified by initials in court documents to protect their identities, were between 13 and 15 at the time and are now 19.

Reached by telephone Monday, E. Ryan Bradley, one of the lawyers representing the victims, said that the victims and their relatives were very satisfied with the verdict. "Our goal was to make sure that this child molester never profits from this in any way and. . . (we) hope that this result will prevent others in the future from engaging in similar conduct."

Bradley's firm called the award "one of the largest, if not the largest, personal injury award ever recorded in St. Louis County."

Tolen's response to the lawsuit was tossed out because he violated a court order, Bradley said. Tolen also

did not appear during a bench trial in front of Circuit Judge Michael T. Jamison in September.

Jamison on Jan. 28 awarded each teen \$14.5 million in compensatory damages and \$520,000 in punitive damages. They had been awarded \$15 million in compensatory and \$20,000 in punitive damages in October, but their lawyers were concerned that a bankruptcy filing by Tolen could wipe out all the compensatory damages.

Tolen filed for bankruptcy in April. The case was dismissed in September before his debts were discharged. At one point in the bankruptcy process, he said he had \$8,500 in assets, \$5,600 in income per month from his mother and a \$5,000 mortgage payment. He owed more than \$820,000, including what appeared to be \$625,000 towards a mortgage.

Bradley said that the lawyers did not announce the verdict before Monday because they were pursuing Tolen's assets. They filed a second civil suit against Tolen's mother, saying he transferred his assets to her after his conviction.

Bradley said that Tolen's house was once worth roughly \$1 million and they believe he also owned commercial property, but not \$30 million worth.

"I don't think he's got near that. But there are assets out there to be had. We just don't know to what extent," he said.

After a 2008 jury trial, Tolen was convicted of 36 counts of statutory sodomy and one count of witness tampering. He was sentenced to 25 years in prison for the crimes involving one victim and 10 more years for convictions involving four other boys. He was acquitted of one charge of attempted statutory sodomy.

Tolen's victims told jurors that Tolen offered them gifts such as motorcycles, bicycles or cigarettes in exchange for sex acts. Tolen had hired the teens to do odd jobs around his home, first in Olivette, then later in Town and Country, where he moved in 2000.

Tolen was hired in the civil division of the U.S. Attorney's office in St. Louis in 1987, a spokeswoman said, and fired in 1999. Tolen sued, claiming that his firing was motivated by race and because he failed to convince an older brother to make an incriminating statement in a bank robbery prosecution. The suit also said that in 1998, Tolen was placed on leave and told that he was being investigated for representing his mother in federal court and for child molestation.

More recently, Tolen had a law practice in Overland and represented a onetime Overland mayor and the St. Charles City Council.

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