

Appellate Court Reverses \$13 Million Gender Discrimination Verdict

“The California Court of Appeal reversed a blockbuster \$13 million judgment that was entered against UCLA in favor of one of its former professors of medicine, Dr. Lauren Pinter-Brown. Dr. Pinter-Brown sued for alleged gender discrimination and unlawful retaliation. The appellate court determined that the trial judge committed a ‘series of grave errors’ that were ‘cumulative and highly prejudicial’ to UCLA and that evidenced ‘the trial court’s inability to remain impartial’,” reports Tony Oncidi in Proskauer’s *California Employment Law Update*.

“Among other things, the trial judge told the prospective jurors assembled in his courtroom that ‘the arc of the moral universe is long,’ quoting Dr. Martin Luther King, and that ‘if you are selected as a juror, your job will be to help bend that arc toward justice.’ The judge then proceeded to give what can only be described as a multimedia civics lesson about invidious discrimination through the years in which he showed the jurors a video and made solemn reference to civil rights leaders who had marched from Selma to Montgomery, Alabama in the 1960s as well as Rosa Parks, Cesar Chavez, Harvey Milk, Atticus Finch, the internment of Japanese Americans during World War II, the passage of the 19th Amendment giving women the right to vote and the advent of gay marriage.”

‘As the judge concluded his remarks, he exhorted the prospective jurors: ‘[Y]ou as jurors in this case are going to become Dr. King. It’s going to be your job to help bend that arc toward justice by rendering a verdict based on the law and the evidence that you are going to be hearing in this case.’ Not surprisingly, counsel for UCLA immediately moved for a

mistrial based upon the judge's remarks and requested that a new panel of jurors be assembled. The judge denied the motion and assured the parties that he gives the same presentation before all trials in his courtroom."

Read the article.