

Judge: Woman in Silicon Valley gender suit liable for \$276K

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A woman who lost a high-profile gender discrimination lawsuit against a Silicon Valley venture capital firm is liable for about a quarter of the roughly \$1 million in legal costs the company is seeking, a judge said Wednesday in a tentative ruling.

San Francisco Superior Court Judge Harold Kahn issued the ruling a day before attorneys for plaintiff Ellen Pao and Kleiner Perkins Caufield & Byers are due in court.

A jury in March found that Kleiner Perkins did not discriminate or retaliate against Pao.

The case became a flashpoint in an ongoing discussion about gender inequity at elite technology and [venture capital firms](#), where women are grossly underrepresented.

Kleiner Perkins is seeking more than \$970,000 in legal costs from Pao, much of it for experts the [company](#) called to testify at trial. Pao's attorneys have called the amount excessive.

Kahn said the company is entitled to \$276,000.

The fees for experts that Kleiner Perkins is seeking should be scaled down to reflect Pao's more limited financial resources, the [judge](#) said.

"There is no doubt that KPCB has 'vastly' greater economic resources

than Ms. Pao," he wrote in the ruling.

Heather Wilson, a spokeswoman for Pao, said she did not have an immediate comment.

Kleiner Perkins spokeswoman Christina Lee said the judge had reached a fair result.

The company has said it offered Pao \$964,000 before the trial to settle the case, but she did not respond. Pao's attorney, Alan Exelrod, said the offer was not made in good faith and had no reasonable expectation of acceptance.

"This tentative ruling recognizes that our settlement offer was reasonable and made in good faith," Lee said. "It also recognizes the cost rules still apply when a plaintiff refuses a reasonable settlement offer and forces the parties to go through an expensive trial."

The firm has said it would wave all legal costs if Pao did not appeal. Pao has since filed a notice of appeal.

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