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Court Reverses $10 Million Sexual Harassment Verdict Due To Judge's "Bizarre Comments"

California Employment Law Update on **April 14, 2025**

On April 7, 2025, the California Court of Appeal reversed a whopping $10 million verdict in favor of an employee in a sexual harassment case due to the trial judge's improper evidentiary rulings and inappropriate comments during the post-judgment phase of trial. *Odom v. Los Angeles Cmty. Coll. Dist.*, No. B327997, 2025 WL 1021951, at *1 (Cal. Ct. App. Apr. 7, 2025).

Sabrena Odom, a tenured Los Angeles Community College ("LACC") professor, sued LACC and one of its top administrators for sexual harassment and retaliation. After a three-week trial, the jury awarded plaintiff a total of $10 million for past and future mental suffering and emotional distress damages.

The appellate court reversed, finding that the trial judge improperly admitted 20-year old newspaper articles regarding the administrator-defendant's alleged stalking and sexual assault of a previous partner. The judge also erred in allowing "me too" testimony from a student at LACC regarding her complaint against a different administrator.

The trial court committed additional error when the judge made "extreme and bizarre" racial and gender-based comments to defendant's counsel, a Black woman, during the post-judgment phase of trial. Among other things, the judge talked about "miscegenation" and the societal impact of mixed-race football players as well as his support for Black Lives Matter. He also repeated an offensive joke he heard as a young lawyer about female secretaries doing a better job providing sexual favors than typing. The judge eventually recused himself after defendant's counsel moved to disqualify him.

The Court of Appeal found the $10 million jury award to be "excessive" in that plaintiff continued to work through the close of trial and had no economic damages. The Court agreed with defendants that there is no precedent for this high of an award absent economic or debilitating injuries, and the award was grossly disproportionate to awards in comparable cases; the Court remanded for a new trial.

This case is just the latest example of a “nuclear” verdict rendered by a California jury and serves as yet another reminder to employers of the unparalleled benefits of having an arbitration program, as we have previously reported. We will continue to monitor this case for updates.

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