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“Garden-Variety” Emotional-Distress Award Can Be Worth Millions Of Dollars

California Employment Law on **September 22, 2026**

Glick v. City of Los Angeles, 121 Cal. App. 5th 151 (2026)

Two male LAPD officers (Stephen Glick and Alfred Garcia) obtained a jury verdict for gender discrimination and retaliation after they were treated more harshly than their female partners during an investigation into the alleged mistreatment of a suspect who had been in police custody. When a police union representative complained to a high-ranking LAPD official about the disparate treatment of the male vs. female officers, the official allegedly responded, “This is something guys do, not females.” Although the officers had stipulated that they were making “no claim for mental and emotional distress over and above that usually associated with the physical injuries claimed” (sometimes referred to as “garden-variety emotional distress damages”), the jury awarded Glick approximately $8.6 million and Garcia $4.5 million, principally for emotional distress damages.

The trial court ordered a new trial unless Glick and Garcia accepted reductions to $250,000 and $125,000, respectively, reasoning that “garden-variety” emotional-distress damages should remain comparatively modest. The Court of Appeal reversed and reinstated the original judgment, holding that there is no fixed ceiling on emotional distress damages and that expert or medical testimony is not required when the alleged distress is within ordinary jurors’ experience. The Court also reinstated Glick’s future economic damages because his testimony about changing his plans to retire at age 50 instead of 55 was admissible and supported by an economist’s calculation.

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