

# Daily Journal

FEBRUARY 21, 2018

## TOP VERDICTS OF 2017

The largest and most significant verdicts and appellate reversals in California in 2017

### TOP PLAINTIFFS' VERDICT BY IMPACT

## Coyle v. Regents of the University of California

case  
INFO

**Retaliation**  
**Riverside County**  
**Superior Court Judge**  
**John W. Vineyard**

**Plaintiff's Lawyers:**  
J. Mira Hashmall, Casey B. Sypek, Miller Barondess LLP

**Defense Lawyers:**  
Nancy J. Sheehan, Amanda L. Iler, Porter Scott APC



CASEY SYPEK



MIRA HASHMALL

**“As a woman of color I hope this case sends a strong message not only to universities but to employers across the country. Working women have been silent for too long.”**

J. Mira Hashmall, Miller Barondess LLP

Michele Coyle lost her job as an in-house attorney while trying to do the right thing and her legal team made sure that justice would be served, even in a legal battle against the University of California.

She was fired for informing executives in the UC system about rampant gender and racial discrimination by former UC Riverside executive vice chancellor and provost Dallas M. Rabenstein.

Coyle was fired, despite the fact that she was hired as the school's chief counsel specifically for her experience in addressing those types of problems.

It seems the timing of Coyle's revelation was inconvenient for UC leadership because it arrived on the eve of a major audit on exactly the same topic, to be conducted by The Office of Federal Contract Compliance Programs, plaintiff's attorneys argued. So they decided to keep it quiet.

“She had been brought in to UC Riverside specifically because of her experience in employment law, to help improve the climate for people of color and women on the campus and she was essentially punished for doing her job,” said J. Mira Hashmall of Miller Barondess LLP, the lead attorney on

the case.

“After years of very strong performance reviews and praise from all aspects of the campus, Coyle was fired on the eve of an audit specifically focused on discrimination and other harassment and retaliation on the campus,” she said. “They were afraid she would speak the truth.”

Coyle, who worked as UC Riverside chief counsel from 2006 to 2012, claimed she and other women were discriminated against by the university's former executive vice chancellor and provost, *Dallas M. Rabenstein*. *Coyle v. Regents of the University of California*, RIC1503362 (Riverside Super. Ct., filed March 19, 2015).

The jury agreed, ruling in February 2017 that Coyle was wrongfully terminated in a \$2.5 million verdict.

Hashmall said incidents of attorneys being fired for carrying out their duties are extremely rare, especially for high-powered lawyers at major institutions.

“She really was victimized because of her courage,” Hashmall said. “It's no wonder that women today have

trouble speaking up when they have been wronged when it can happen to an experienced high level attorney in a leadership position.”

Hashmall added that Coyle wasn't just riding a recent wave of public feminism. She filed the lawsuit before Harvey Weinstein's downfall, before #metoo and #timesup became popular.

“As a woman of color I hope this case sends a strong message not only to universities but to employers across the country,” Hashmall said. “Working women have been silent for too long.”

Nancy J. Sheehan, a shareholder with Porter Scott APC who represented the UC Regents, declined to comment. The UC Regents did not respond to a request for comment.

Casey B. Sypek, who second chaired the case, has won many impressive victories for major corporate clients. She said this one felt different, representing an individual who had been wronged for doing the right thing.

“It's very different and it's really powerful and personal,” she said. “It makes the case that much more interest-

ing and challenging at the same time.”

Sypek added that it was very apparent from speaking to jurors after the verdict that they were passionate about the case, and not just the female jurors.

“The men and women of the jury were disturbed by how UC treated our client.” She said. “We hope our case similarly resonated with men and women across America.”

Hashmall said jurors were particularly disturbed by a story about Rabenstein responding to a female professor's complaint that she was being discriminated against by colleagues.

“His suggestion was for her to change departments and essentially change her career path to her detriment and let the harassers and discriminators stay where they were.”

The attorneys were also able to convince the jury that this was a pattern of behavior, that Rabenstein would often make derisive comments about female leaders at the university who had been hired by a previous regime while systematically promoting male colleagues ahead of them.

They also contended that he rarely promoted women who held positions of power and would accuse them of being abrasive or overly ambitious if they came to him requesting a raise.

— Joshua Sebold