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Lawyer Sues Venter's Synthetic Genomics "Boys Club" over Gender Bias



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Against a contentious backdrop of a gender gap in the life sciences, a lawyer who spent more than eight years managing intellectual property at San Diego's Synthetic Genomics (SGI) has sued the star-studded company for discriminating against women.

In a state civil lawsuit filed September 7, Teresa Spehar alleges that SGI is permeated by a "boy's club" atmosphere that routinely discriminated against Spehar and other female employees. Her suit alleges that SGI pays men more than women for "substantially similar

work,” and that the company’s male executives denigrate women, discount their contributions, and exclude women from significant roles and decision-making at the company.

The human genome pioneer J. Craig Venter co-founded the company in 2005. According to the lawsuit, Spehar joined in 2008, and was the company’s first in-house lawyer.

As Synthetic Genomics’ vice president of intellectual property, Spehar was excluded from executive meetings involving partnerships, deals, and decisions involving intellectual property, according to the lawsuit. Spehar, whose salary at SGI was \$275,000, according to her attorney, also contends that her male co-workers were paid more for equivalent work. She is seeking unspecified damages from the company, which terminated her employment in June.

In a statement released Wednesday through a spokeswoman, Synthetic Genomics CEO Oliver Fetzter proclaims, “Discrimination because of gender goes against everything I stand for.” Fetzter declines to comment specifically on the litigation, and says SGI will vigorously defend itself against the allegations. Spehar’s gender discrimination claims are without merit, he says.

Fetzter’s statement acknowledges a broader context to the complaint, saying, “across the life science industry there is a persistent gap in male and female representation on Boards and in C-Suites. This has been an area of focus and commitment from the Synthetic Genomics board and our entire leadership team. We have a full diversity initiative internally and gender diversity is an important focus area within that initiative.”

“I believe diversity brings differing perspectives and management styles and this diversity of thinking plays a role in driving innovation,” Fetzter adds. “At Synthetic Genomics, we work to ensure that women are valued, supported and encouraged to be at the forefront of our highly innovative and critical work.”

But the facts reflect a different reality, according to [Josh Gruenberg](#), a San Diego lawyer representing Spehar.

Out of the top 14 executives at Synthetic Genomics, Gruenberg says only two are women today. According to the lawsuit, there are no women in seven C-level positions at SGI; two of the company’s nine vice presidents are female; three of 13 senior directors are women; two of 10 directors are female; and three of 17 senior scientists are women.

“My client will say there were never any executive meetings where this was discussed, Gruenberg said. “The lack of women [in leadership roles] was never a focus of the company.”

Fetzter’s statement indicates the company may adopt a “best athlete” defense. The CEO asserts that “Synthetic Genomics is committed to an environment with a positive culture in which the best minds—regardless of gender, ethnicity or race—are equally valued.” In other words, corporate rewards flow to the best and brightest—and Synthetic Genomics is rich in talent.



Synthetic Genomics CEO Oliver Fetzer (left) and co-founder J. Craig Venter (far right) at SGI press conference during BIO International Convention in June. (BVBigelow photo)

Venter continues to serve as chairman and co-chief scientific officer. Venter’s co-founders include the Nobel laureate Hamilton Smith, who also is listed as co-chief scientific officer, and Juan Enriquez, managing director of Excel Venture Management. All three also serve on the company’s 11-member board, which includes CEO Fetzer, Draper Fisher Jurvetson managing director Steve Jurvetson, Plenus chairman and CEO Alfonso Romo, and Raydiance chairman and CEO Barry Schuler. The only woman on the board is former Genoptix CEO Tina Nova, who is now the CEO of Molecular Stethoscope.

The 13-page complaint includes a specific allegation that Venter made a crude comment to Michele Champagne, SGI’s former director of nutritional product development, that “mortified and humiliated” her during an August 31, 2016, dinner meeting with executives from General Mills, a major corporate client. According to the allegation, when Venter arrived at the meeting, he wrapped his arm around Champagne and said loudly, “Looks like you’re the only one without a penis here,” or words to that effect.

Asked for Venter's response to this allegation, a Venter representative referred Xconomy to SGI, saying "the suit pertains to them." Carin Canale-Theakston, the outside spokeswoman who provided Fetzer's statement, said SGI would not comment on specific claims.

According to Gruenberg, Champagne "really expected some help and comfort from her co-workers" at the dinner, but no one objected that evening, or tried to address the issue afterward. Gruenberg added that Spehar expected SGI's management to discuss the incident, or to arrange training on appropriate policies regarding gender discrimination and harassment. "Instead," according to the lawsuit, "Champagne simply disappeared with no explanation and everything was 'swept under the rug.'"

According to Spehar's lawsuit, "women progressively flee the organization over the years as a result of [SGI's] discriminatory practices."

Spehar, who holds a doctorate in pharmacology and molecular sciences from the Johns Hopkins University School of Medicine and a law degree from San Diego's Western School of Law, did not flee, however.

Gruenberg alleges that SGI fired his client three months ago, after she complained about the company's pervasive gender bias. "It's going to be difficult for the company to show cause," Gruenberg said. "There's not one document that indicates her performance was criticized while she was there."

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