

## Jury awards former news anchor Sandra Maas more than \$1.5M in discrimination lawsuit against KUSI



Ken Fitzgerald, attorney for KUSI, shows a video of Allen Denton and Sandra Maas during the opening statements Feb. 14 in the San Diego Superior Court civil trial in a case former anchor Sandra Maas brought against her former employer McKinnon Broadcasting Co. She alleged pay inequity and age and gender discrimination. (K.C. Alfred/The San Diego Union-Tribune)

The jury found for Maas in her whistleblower claim, but found that KUSI had not discriminated based on age or gender, nor had the news organization engaged in malice

## SAN DIEGO —

A San Diego Superior Court jury on Thursday awarded former news anchor Sandra Maas nearly \$1.6 million from the company that owns KUSI, finding that the TV station had violated equal pay laws by paying her substantially less than her longtime co-anchor.

Jurors deliberated for about a day before reaching the verdict in the suit from Maas, who alleged that McKinnon Broadcasting Co. violated the state's Equal Pay Act, age and gender discrimination law, and whistleblower retaliation code.

The jury also found for Maas in her whistleblower claim, but found that KUSI had not discriminated based on age or gender, nor had it engaged in malice.

The jury awarded her \$200,000 for the equal pay claim, \$1.295 million for past and future lost wages, and \$80,000 for emotional distress.



Former KUSI anchor Sandra Maas listens to closing arguments during her trial against KUSI at the Hall of Justice on Wednesday. The jury deliberated about a day before reaching a verdict.

(Kristian Carreon/For The San Diego Union-Tribune)

Maas was not in court for the verdict, but attended remotely via Microsoft Teams. When she arrived at the courthouse shortly after the verdict, she hugged supporters and spoke to reporters.

“The message is always use your voice,” she said. “If you’re silent, nothing will change.”

Maas she was thankful to the jury, and also for support she received from several local journalists, including women and men.

Maas had been seeking up to \$2.5 million in lost earnings and \$5.4 million for past and future emotional distress, among other damages.

KUSI’s attorney Ken Fitzgerald said the award was “a fraction” of the \$7.9 million Maas’ attorneys asked for.

“We are disappointed with the jury’s verdict, but heartened that they did not agree that Ms. Maas was entitled to the enormous sums of money she was seeking,” Fitzgerald said.

“We are also heartened by the fact the jury found that McKinnon Broadcasting did not act with malice, fraud or oppression and did not award punishment by way of punitive damages.

He said his client intends to file an appeal.

“We continue to believe that Sandra Maas was treated fairly and paid based on her merit,” Fitzgerald said.

Attorneys for Maas said they believe the verdict sends a clear message to employers: equal pay laws must be taken seriously, and retaliation for complaints about unfair salaries are not OK.

“We feel vindicated,” [Josh Gruenberg](#), Maas’ attorney, said.

There was no question that Maas was paid a lower annual salary than male co-anchor Allen Denton on the TV station’s flagship newscast. In 2019, when he retired, his annual salary was \$245,000. Hers was \$180,000.

At issue was why she was paid less. KUSI argued that Denton had more experience and worked harder.

Maas' attorney said Maas had worked in broadcast television for 33 years, compared to Denton's 37 years on TV. KUSI's attorney said Denton had 48 years of experience, counting 11 years in radio before jumping to TV.

Maas, who worked at CBS 8 in San Diego in the 1990s, started at KUSI as a morning anchor in 2004. Denton, who had worked in the Bay Area, joined KUSI in 2010. Both left the station in 2019.

Juror Danna Adair, 61, said she has watched KUSI for many years. She said she believes Maas had a worthy career in TV news.

"The name Sandra Maas was well-known to me," Adair said, "but Denton? I don't even remember him."

She added, "He didn't have experience like Sandra did in our community here in San Diego."

Another juror, Ian Del Rosario, 28, said KUSI's story didn't seem "as truthful" as Maas'.

Del Rosario, said he and other jurors didn't believe KUSI discriminated against Maas' gender or age because another female anchor replaced her. Fitzgerald told jurors during closing arguments that Ginger Jeffries, who was 47, replaced Maas.