

Billionaire Vinod Khosla Must Appear in Court Over Martin's Beach Lawsuit, Judge Rules

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Billionaire venture capitalist Vinod Khosla can no longer avoid appearing in court for the long-wrought legal battle over Martin's Beach, a San Mateo County judge ruled Thursday.

Martin's Beach, a cove near Half Moon Bay beloved by surfers for its great waves, was open to the public for decades for \$5 access and parking. But Martin's Beach LLC bought a 53-acre parcel land that includes the beach in 2008 for \$37.5 million and gated shut the beach's only public access road, which runs through the private property. Surfers took offense to the privatization of California's shores, and fought the closure with purposeful trespassing and several lawsuits.

For years, Khosla, who founded Khosla Ventures and cofounded Sun Microsystems, fought to hide that he is behind the limited liability company that bought the land, but earlier lawsuits forced his attorneys to state his role. His attorneys maintain that Khosla has the right to restrict access to his private property. The Surfrider Foundation and other plaintiffs say the public has a right to access the coast.

For the first time in years of lawsuit on the topic, Khosla will have to appear in court to testify, Superior Court Judge Barbara Mallach ruled Thursday morning. His attorneys tried to argue that his property manager should appear instead.

Khosla's involvement has made the case a hot topic every time the debate has resurfaced. Opponents see his history of supporting "green" issues as a venture capitalist as at odds with his moves to restrict public access to the beach. And as shown by press releases dubbing the case the "Billionaire Behaving Badly Beach Trial," a wealthy figurehead only helps draw attention to the suit.

Attorneys

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Practice Areas

Environmental Law
Land Use and Coastal Public
Access

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Even local politicians are jumping on the action. State Sen. Jerry Hill (D -San Mateo) introduced a bill in February that would require the state to negotiate with Khosla to buy back enough land to make a public access road to the beach – or, if they can't reach an agreement in a year, to acquire the land through eminent domain.

“It's a form of arrogance that the public shouldn't have to stand for,” said Joe Cotchett, an attorney for the plaintiffs.

Previous cases have ended in Khosla's favor. A San Mateo County judge ruled last October that under the 1848 Treaty of Guadalupe Hidalgo – meant to force the U.S. to recognize Mexican land grants – Khosla can keep the public off his land.

The plaintiffs' tactic this time is to argue that Khosla violated the 1976 California Coastal Act by not getting a permit from the state Coastal Commission to close the land. Khosla's attorneys argue that since he hasn't developed any of the land, the requirement doesn't apply... *(To read the entire article, please click [HERE](#))*