

# Billionaire Vinod Khosla Dodges Questions in Private Beach Trial

---

*Forbes*

05.13.2014

Billionaire venture capitalist Vinod Khosla leaned heavily on one favorite line in court on Monday: “I do not specifically recall.”

Attorneys and environmentalists have spent years outraged that Khosla shut off public access to Martin’s Beach, a beloved cove near Half Moon Bay, Calif., after he bought the land around it in 2008. First, Khosla tried to keep his involvement hidden, buying the land through Martin’s Beach LLC. Then, as several lawsuits flew around about opening the beach, the Sun Microsystems cofounder and Khosla Ventures partner never spoke about it himself, and his attorneys insisted his property manager, Steven Baugher, was the one who made decisions about the property, not Khosla.

His opponents finally got their wish: Judge Barbara Mallach ordered Khosla to testify in San Mateo County court Monday afternoon.

He did not, however, tell them very much.

“I do not specifically recall,” Khosla said in response to dozens of questions from attorney Joe Cotchett, who represents the Surfrider Foundation. Khosla did not recall how much money he paid for the Martin’s Beach land, the details of its purchase, whether he ever met specific people who claim to have talked to him about the beach, whether he had read documents given to him about the beach, or the last time he’d discussed the beach property with its manager, Baugher.

Khosla, in a black shirt and black sportcoat, smirked at times during questioning. “If you’re asking me why any gate is locked, it’s to restrict public access,” he said. “That’s a general statement about gates.”

## Attorneys

Paul N. "Pete" McCloskey, Jr.

## Practice Areas

Environmental Law

Land Use and Coastal Public Access

## BILLIONAIRE VINOD KHOSLA DODGES QUESTIONS IN PRIVATE BEACH TRIAL

---

He was also cagey about why he bought the land. Cotchett asked if he bought it to build a residence on it, but he only answered that when he purchased it, he “had no specific plans.” (Cotchett, oddly, did not ask him what his current plans are for the land.)

Each time Khosla did not recall something, it fell neatly in line with his attorneys’ argument: that Khosla himself had little oversight over how the land was managed. Even knowing the contents of lawsuits filed on his behalf about the beach was something he does not consider his job, he said.

“I probably get 500 to 1,000 pages of documents like this a week,” he added. “I cannot review them all. I’m not trying to be unreasonable, just telling you what my life is like.”

And the details he did remember, he did not share, citing attorney-client privilege. Khosla and Baugher never spoke about the property without an attorney present, Khosla testified.

“This man does not go to the potty without his attorney present,” Cotchett said outside the courthouse. “And he seems to have had a lapse in memory.”

Khosla and his attorneys declined to answer questions as he left court.

The suit hinges on an interpretation of the California Coastal Act, a 1976 law that says that property owners must get permission from the state Coastal Commission before making changes to coastal land. Both parties agree that’s fair — but Khosla’s attorneys think closing the gate to the access road doesn’t qualify because it’s not developing the land, while Surfrider foundation attorneys think that changing the intensity of access to the land qualifies.

It’s unclear which way Mallach will rule after the rest of the testimony, which is expected to last several more days. But the tale of a billionaire, especially one with Khosla’s history of investing in clean technology, who cuts off beautiful California coast to the populace is undeniably compelling — and maybe unfairly so.

Cotchett and Pete McCloskey, a former Congressman and attorney on the case, both gave tidy soundbites outside of court about how they believed Khosla, not his manager Baugher, was the one who decided to close the access road. Cotchett said Khosla was throwing his manager “under the bus,” and McCloskey called Khosla’s distancing himself from the decisions “baloney” and said he was an “arrogant guy who didn’t want to get a permit.”... *(To read the entire article, please click [HERE](#))*