

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Krause v. Kelahan

Nos. 22-41(L), 22-288(Con) (2d Cir. Dec. 3, 2025) · No. 22-41 (L), 22-288 (Con) · Decided December 3, 2025

SUMMARY

The United States Court of Appeals for the Second Circuit affirmed a judgment for Lisa Krause after a jury found that the Oriskany Central School District, its Board of Education, and former Superintendent Greg Kelahan terminated her and subjected her to a hostile work environment because of her gender, in violation of Title VII and the New York State Human Rights Law. The court rejected challenges to the sufficiency of the evidence, the award of lost-income damages, alleged trial errors, and the district court’s attorney’s-fee award. Judge Sullivan dissented in a separate opinion.

CASE DETAILS

COURT	United States Court of Appeals for the Second Circuit
WRITING FOR THE COURT	Carney, Circuit Judge; Sullivan, Circuit Judge; Lee, Circuit Judge
JURISDICTION	United States Court of Appeals for the Second Circuit
DECIDED	December 3, 2025
DOCKET	22-41 (L), 22-288 (Con)
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendants appealed from a judgment entered after a six-day jury trial in favor of former high school principal Lisa Krause on Title VII and New York State Human Rights Law gender-discrimination and hostile-work-environment claims. Defendants challenged the sufficiency of the evidence, the award of lost-income damages, attorney's fees, evidentiary rulings, and a district-court comment concerning New York Education Law § 4402 and Section 504 accommodation plans.
STANDARD OF REVIEW	De novo review of the denial of judgment as a matter of law and sufficiency of the evidence; abuse of discretion for evidentiary rulings and the denial of a new trial; review of attorney's-fee awards for broad discretion.
PRECEDENTIAL VALUE	Published
PARTIES	Greg Kelahan, Oriskany Central School District, Oriskany Central School District Board of Education v. Lisa Krause

TOPICS

employment discrimination

title vii

hostile work environment

appellate procedure

evidence

PRACTICE AREAS

employment law

employment discrimination

civil rights

appellate procedure

evidence

QUESTIONS PRESENTED

1. Whether substantial evidence supported the jury's finding that gender was a motivating factor in Defendants' decision to terminate Krause.
2. Whether the district court erred by allowing Krause to recover lost-income damages despite the prior rejection of her equal-protection claim and the absence of a summary-judgment finding on Title VII's same-decision defense.
3. Whether asserted evidentiary errors, including rulings concerning relevance, hearsay, witness sequestration, reputation evidence, and testimony about prior principals, required a new trial.
4. Whether the district court's confusing comment concerning New York Education Law § 4402 and Section 504 plans was sufficiently prejudicial to require a new trial.
5. Whether the district court properly awarded attorney's fees for work performed before Krause filed her Title VII action.

HOLDINGS

1. The evidence was sufficient for a reasonable jury to find that Krause's sex was a motivating factor in Defendants' decision to terminate her, and the district court properly denied judgment as a matter of law.
2. The district court's rejection of Krause's equal-protection claim at summary judgment did not establish Defendants' Title VII same-decision defense or preclude lost-income damages. The jury separately found that Defendants had not proved they would have made the same termination decision absent gender discrimination.
3. The challenged evidentiary rulings did not warrant a new trial because the rulings were not abuses of discretion, the claimed errors were harmless, or the arguments had been forfeited.
4. Although the district court's comment was confusing and may have misstated the relationship between Education Law § 4402 and Section 504 plans, it was not sufficiently prejudicial to require a new trial.
5. The district court acted within its broad discretion in awarding fees for counsel's work between September 2016 and January 2017, including preparation for related EEOC, state administrative, and pre-suit proceedings.

KEY QUOTATIONS

“A reasonable jury could have concluded that (1) Kelahan mistreated Krause because of her sex; (2) Krause was an adept and developing principal who was thwarted at every turn by Kelahan, who had created a hostile work environment; and (3) the School District’s stated non-discriminatory reasons for terminating Krause were pretextual.” (at 23)

“We therefore *AFFIRM* the judgment of the District Court.” (at 45)

FACTUAL BACKGROUND

Lisa Krause became principal of Oriskany Central School District's junior-senior high school in December 2014 and reported to Superintendent Greg Kelahan. The trial evidence showed that Kelahan made disparaging comments about women, criticized female employees' clothing and emotions, yelled at Krause, and treated her less favorably than male employees. Krause was placed on administrative leave and terminated in 2016 after Kelahan cited performance evaluations, alleged failure to improve, elimination of school bells, and a temporary modification of a student's Section 504 allergy plan. The jury credited evidence that Krause performed adequately, that Kelahan undermined her and misled the Board, and that the stated reasons for termination were pretextual.

PROCEDURAL HISTORY

Krause filed administrative charges with the New York Department of Human Rights and the EEOC in February 2017, received a right-to-sue letter, and sued in New York state court in August 2017. Defendants removed the case to the Northern District of New York. The district court granted summary judgment on Krause's equal-protection claim but allowed certain Title VII and NYSHRL claims to proceed. After trial, the jury found that gender was a motivating factor in Krause's termination, found a hostile work environment, rejected the same-decision defense, and awarded \$484,456. The district court denied post-trial motions, awarded attorney's fees and expenses, and the Second Circuit affirmed.

DISPOSITION

affirmed

CASES CITED

- Krause v. Kelahan, No. 6:17-cv-01045, 2020 WL 2838859 (N.D.N.Y. May 29, 2020)
- Krause v. Kelahan, 575 F. Supp. 3d 302 (N.D.N.Y. 2021)
- Krause v. Kelahan, No. 6:17-cv-01045, 2022 WL 306365 (N.D.N.Y. Feb. 2, 2022)
- Kinneary v. City of New York, 601 F.3d 151, 155 (2d Cir. 2010)
- Gronowski v. Spencer, 424 F.3d 285, 291-92 (2d Cir. 2005)
- Luciano v. Olsten Corp., 109 F.3d 111, 115 (2d Cir. 1997)
- New York Gaslight Club, Inc. v. Carey, 447 U.S. 54, 61-63 (1980)
- University of Texas Southwestern Medical Center v. Nassar, 570 U.S. 338, 349 (2013)
- Naumovski v. Norris, 934 F.3d 200, 214-15 (2d Cir. 2019)
- Pahuta v. Massey-Ferguson, Inc., 170 F.3d 125, 129-31 (2d Cir. 1999)
- Stampf v. Long Island Rail Road Co., 761 F.3d 192, 202 (2d Cir. 2014)
- United States v. Abu-Jihaad, 630 F.3d 102, 131 (2d Cir. 2010)
- Matusick v. Erie County Water Authority, 757 F.3d 31, 50 (2d Cir. 2014)

- In re Nortel Networks Corp. Securities Litigation, 539 F.3d 129, 132-33 (2d Cir. 2008)
- Norton v. Sam's Club, 145 F.3d 114, 117 (2d Cir. 1998)
- United States v. Coppola, 671 F.3d 220, 244 (2d Cir. 2012)
- Tesser v. Board of Education of City School District of City of New York, 370 F.3d 314, 319-20 (2d Cir. 2004)
- B.C. v. Mount Vernon School District, 837 F.3d 152, 159 (2d Cir. 2016)
- New Hampshire v. Maine, 532 U.S. 742, 743, 749 (2001)
- Intellivision v. Microsoft Corp., 484 F. App'x 616, 621 (2d Cir. 2012)
- Rivas v. Brattesani, 94 F.3d 802, 807 (2d Cir. 1996)