

Sexual Assault Lawsuits Against Colleges and Universities

By Persons Alleging False Allegations and Wrongful Expulsions

Stop Abusive and Violent Environments

June 25, 2014

The 2011 Department of Education “Dear Colleague” letter shifted responsibility for adjudicating sexual assault cases to campus disciplinary committees. Three years later, it has become clear that these panels are inadequate to the task of investigating and adjudicating complex allegations of sexual assault.

Now, a growing number of lawsuits are being filed by both men and women alleging violations of the federal Title IX law, due process, and other legal requirements.

On one hand, numerous persons claiming to be victims of sexual assault have filed lawsuits alleging mishandling of their complaints. One of the most-publicized complaints, filed by 50 students and faculty against [Occidental College in California](#), resulted in an out-of-court settlement in 2013. Earlier this year a group of [Harvard students](#) filed a federal complaint calling for stronger sexual assault measures.

Likewise, a growing number of persons claiming to have been falsely accused and/or wrongfully suspended or expelled have taken legal action. From 2006-2010, [262 claims were filed](#), resulting in \$36 million in losses to cover payments to claimants and associated legal fees:

	<i>Number of Claims</i>	<i>Average Loss per Claim</i>	<i>Total Losses</i>
<i>Accusers</i>	121	\$83,471	\$10.1 million
<i>Accused</i>	141	\$183,688	\$25.9 million
<i>Total</i>	262		\$36.0 million

The table, which begins on the following page, compiles information for 33 such lawsuits filed by persons alleging false allegations and wrongful expulsions. The lawsuits are arranged in alphabetical order by university name.*

* This table will be updated on a periodic basis. Send information about updates, corrections, and additional lawsuits to: info@saveservices.org

University, Location, Year	Plaintiff	Case Summary	Case Materials and Media Accounts	Outcome
Brandeis University, Waltham, Massachusetts - 1996	David Schaer	<p>The complainant, who had just broken up with her previous boyfriend, telephoned Schaer at 11:30pm, inviting him to come to her room so they could "fool around." After two hours, she called again to make the same request. When he finally arrived at the front door, the woman came downstairs and unlocked the door for him to enter.</p> <p>Five weeks later she filed a complaint alleging non-consensual sexual contact. Following an investigation, the student judicial board suspended Schaer for four months.</p> <p>Schaer filed a complaint in the Massachusetts Superior Court, alleging breach of contract. The Superior Court denied his request. The case was then brought to the Appeals Court, which upheld his claim of breach of contract, concluding that Brandeis had failed to follow its own procedures.</p>	<p>Media account: http://d28htnjz2elwuj.cloudfront.net/pdfs/129_3294.pdf</p>	<p>In 2000, the Massachusetts Supreme Judicial Court affirmed by a 3-2 vote to uphold the judgment of the Superior Court: http://masscases.com/cases/sjc/432/432mass474.html</p>
Brown University, Providence, RI 1998	Adam Lack	<p>Sara Klein alleged she had been sexually assaulted while she was intoxicated. Adam Lack claimed that he did not realize the woman was drunk, and that she had initiated their sexual encounter.</p> <p>Klein filed a complaint with Brown's disciplinary council, leading to Lack's suspension. On appeal, the judgment was reduced to "flagrant disrespect" and the suspension reduced to probation.</p> <p>The incident later became the focus of a 20/20 news report, "When Yes Means No."</p> <p>Lack sued in U.S. District Court, charging Klein with libel and charging Brown with breach of contract and gender discrimination.</p>	<p>Complaint: Lack v. Klein and Brown University</p> <p>Media account: http://www.browndailyherald.com/2004/09/22/he-said-she-cant-remember-the-adam-lack-case/</p>	<p>Confidential settlement reached in U.S. District Court in 1998. Lack was removed from probationary status: https://www.brown.edu/Administration/News_Bureau/1997-98/97-063.html</p>
Brown University, Providence, RI - 2010	William McCormick	<p>Marcella Dresdale complained to her residential advisor, Shane Reil, about behavior by William McCormick which she interpreted as stalking. Marcella also shared these concerns with her father Richard, a prominent financier.</p> <p>The father and Reil began to exchange emails and arranged to meet for dinner. Afterwards, Reil emailed Richard, Marcella "also expressed to me that you would not mind helping me trying to straighten out a path for my future." The father responded, "I am happy to offer my thoughts on career plans and things you might think about. ... Let's talk when I am at Brown this fall."</p>	<p>Media account: http://www.nytimes.com/2010/04/15/us/15student.html?pagewanted=all&r=0</p> <p>Communications between Shane Reil and Richard Dresdale: http://www.browndailyherald.com/2010/04/15/reil-dresdale-emails</p>	<p>Case settled in 2011, reportedly for about \$1 million: http://www.golocalprov.com/news/brown-mccormick/</p>

		<p>The next day with the assistance of Reil, Marcella filed a new complaint against McCormick, alleging he had raped her. A week later, Reil wrote a negative appraisal of McCormick in his witness statement for the University sexual misconduct hearing, saying he was “emotionally eccentric.”</p> <p>The complaint was referred for an administrative hearing, rather than the usual panel of students, faculty, and deans. McCormick was expelled from the university.</p> <p>McCormick later sued the university, the accuser, and her father alleging the university’s “actions and inactions had the intended effect of largely crippling Williams’ ability to defend himself.”</p>	<p>d.com/2011/04/27/emails-underline-rape-procedures-flaws/</p> <p>Allegations of witness intimidation: http://www.browndailyherald.com/2010/10/19/mccormick-claims-witness-intimidation-in-case/</p>	
Bucknell University, Lewisburg, PA - 2010	Reed Dempsey	<p>Following a sexual encounter, Kelly Stefanowicz filed a complaint with the Union County police department and the university, alleging she was physically and sexually assaulted by Dempsey.</p> <p>At the disciplinary hearing, Dempsey was cleared of the sexual assault charges. Both Dempsey and Stefanowicz were found guilty of disorderly conduct. The criminal charges against Dempsey were later dropped.</p> <p>Dempsey later filed a lawsuit against Bucknell and the local police department containing 18 charges, including false arrest, malicious prosecution, defamation, and breach of contract.</p>	<p>Complaint: Stefanowicz v. Bucknell Univ., 2010 U.S. Dist. LEXIS 106333: http://docs.justia.com/cases/federal/district-courts/pennsylvania/pamdce/4:2011cv01679/86547/104/0.pdf?1381238216</p> <p>Media account: http://www.lcwlegal.com/82434</p>	Charges against the university were dismissed. Charges against the police department are pending.
University of Cincinnati, Blue Ash, OH - 2014	Ethan Peloe	<p>Two female students accused Peloe of attempted and completed rape while they were intoxicated. The University Administrative Review Committee considered the complaint.</p> <p>According to the lawsuit, the campus surveillance video shows the two female accusers “were not intoxicated and led Peloe to their room,” that their text messages called “significant portions of the students’ stories into question,” and that a third female student in the room during the alleged assault “did not witness anything illegal.”</p> <p>The lawsuit alleges violations of due process and civil rights. The lawsuit claims numerous procedural irregularities by the Administrative Review Committee, including a refusal of the Hearing Officer to consider the investigative report of the university police because it was “irrelevant.”</p>	<p>Complaint: http://media.wix.com/ugd/81633a_5114f075fcee4dac877bb13124e01d01.pdf</p> <p>Media account: http://www.wcpo.com/news/local-news/colleges/uc-news/university-of-cincinnati-student-suing-school-after-hearing-over-rape-allegations</p>	Pending
Colby College,	Kevin	Based on a claim of non-consensual sex following alcohol ingestion, the Dean's	Media account:	The trial court found in

Waterville, ME - 2003	Millien	<p>Hearing Board found in favor of Millien.</p> <p>The claimant appealed the decision to the Appeals Board, which reversed the finding of the Dean’s Hearing Board, ruling Millien was responsible and placed him on permanent disciplinary probation.</p> <p>Millien then sued, alleging the college failed to follow the procedures laid out in its student handbook.</p>	<p>http://archive.bangordailynews.com/2003/01/09/student-sues-colby-over-sexual-assault-finding/</p>	<p>favor of Colby College. In 2005, the Maine Supreme Judicial Court affirmed the trial court decision:</p> <p>http://www.courts.maine.gov/opinions_orders/opinions/2005_documents/05me66mi.htm</p>
Columbia University, New York City - 2014	John Doe	<p>John Doe and Jane Doe had an ongoing social relationship. According to John Doe’s complaint, Jane Doe suggested that they engage in consensual sexual activity in the Spring of 2013 inside Jane Doe’s suite bathroom. At the conclusion, Jane Doe and John Doe allegedly left each other’s company on good terms.</p> <p>Five months after the night of sexual activity, Jane Doe reported the incident as “non-consensual” sexual activity.</p> <p>The university found John Doe guilty of sexual misconduct in having non-consensual sex with Jane Doe and suspended him until Fall 2015. Jane Doe reportedly believed the sanction to be too severe and personally appealed the decision. The university refused to change its ruling.</p> <p>The lawsuit alleged the sex was consensual, based on the fact that Jane Doe did not file any police report or make a visit to a medical care facility. Complaint also alleged lack of due process or appropriate investigation, and the one-sided nature of the proceeding.</p>	<p>Media account and Complaint:</p> <p>http://legalinsurrection.com/2014/05/suspended-columbia-athlete-files-federal-lawsuit-over-campus-sexual-assault-conviction/</p> <p>Background:</p> <p>http://www.thefire.org/cases/columbia-university-violation-of-due-process-rights-in-sexual-misconduct-policy/</p>	Pending
Delaware State University, Dover, DE - 2013	Andre L. Henry	<p>Henry had a sexual encounter with another student in his college apartment on October 21, 2013. A roommate later stated the woman did not scream for Henry to stop.</p> <p>Three days later, Henry was criminally accused of second- and fourth-degree rape. The criminal charges were dismissed on November 1.</p> <p>Henry was prohibited from entering the campus for 45 days while the university’s General Judicial Council investigated the allegation. The Council eventually found Henry to be “not responsible.”</p> <p>The federal lawsuit charged Henry was denied of his civil rights.</p>	<p>Media account:</p> <p>http://www.delawareonline.com/story/news/education/2013/12/17/dsu-student-who-was-cleared-of-rape-charges-sues-school/4088435/</p>	Pending
Denison University, Granville, OH - 2010	Joseph Galano	<p>Naomi Musac and Emily Bucher alleged that Joseph Galano sexually assaulted them on multiple occasions.</p>	<p>Complaint:</p> <p>http://www.saveservices.org/wp-content/uploads/Galano-</p>	Case settled in a confidential settlement in 2011.

		<p>Galano was charged on March 4, 2010 with assault and harassment. The case was considered by the Community Rights and Standards Board. The boards recommended expulsion. Galano appealed the decision, but it was affirmed by the University President. On March 2, 2010, the Dean of Students informed Galano he must withdraw from the University.</p> <p>Galano requested details of what allegedly occurred during the assaults, but the request was refused. The counselor who worked with both women had shredded notes and one woman's statements, according to emails.</p> <p>Galano's lawsuit sought damages to compensate him for violation of his due process rights.</p>	<p>v.-Denison-University.pdf</p> <p>Media account: http://www.newarkadvocate.com/article/20110821/NEWS01/108210302/Expelled-student-claims-evidence-proves-Denison-wrong</p>	
Denison University, Granville, OH - 2011	Unnamed	<p>On Aug. 27, 2011 a female student attended a university-sponsored party. There she told several people she was looking to have sex and was seen sexually "grinding" on one man. Witnesses later stated she did not appear to be impaired. She tugged on a man's shirt to get him to leave. They had sex in his dorm room. Following the encounter, she became the subject of gossip.</p> <p>Two days later she reported to the Denison Department of Security Director she had been sexually assaulted. The County Prosecutor determined he could not pursue charges without physical evidence or an eyewitness. The woman did not want to pursue charges.</p> <p>The man was charged with violating the Code of Student's Conduct. The former student was suspended for the 2011-12 academic year after the school conduct board determined he had sex with a female student who was intoxicated and could not consent.</p> <p>In the complaint, the suspended student alleged libel, defamation, intentional infliction of emotional distress, breach of contract, and other wrongs.</p>	<p>Complaint: http://www.saveservices.org/wp-content/uploads/Gorton-v.-Denison-University.pdf</p> <p>Media account (fee): Balmert J: Second student sues university for false allegations of sexual assault. <i>The Advocate</i>, Dec. 6, 2011. http://www.newarkadvocate.com/article/20111206/NEWS01/112060310/Second-student-sues-university-false-allegations-sexual-assault</p>	Case settled in a confidential settlement in 2012.
Denison University, Granville, OH - 2013	Zackary Hunt	<p>Sophia Celeste Lee alleged that she was sexually assaulted by Hunt as she was walking home from a party on August 30.</p> <p>Hunt passed a voluntary lie detector test, suggesting the allegations were false, but he was not allowed to enter the lie detector results as evidence. The university security director interviewed Hunt, electronically recording the interview without Hunt's knowledge or consent.</p> <p>Following a Student Conduct Board hearing in November, Hunt was expelled.</p> <p>Hunt sued, alleging libel, defamation, intentional infliction of emotional distress, negligent infliction of emotional distress, negligence by Denison</p>	<p>Complaint: http://www.saveservices.org/wp-content/uploads/Hunt-v.-Denison-University.pdf</p> <p>Media account: http://www.denisonian.com/2014/01/news/expelled-student-sues-denison-receives-settlement/</p>	Case settled in a confidential settlement in 2014.

		employees, that Hunt was not allowed to present evidence or testimony on his behalf, and that the university violated Hunt's right to an attorney.		
DePauw University, Greencastle, IN - 2014	Benjamin King	Lawsuit alleged the campus climate around the time of King's dismissal "made it impossible for him to receive a fair and impartial hearing. This case became a matter of 'justice' for victims of sexual violence instead of a question of what occurred."	Media account: http://www.thedepauw.com/news/view.php/13882/DePauw-University-sued-over-student-susp	Pending
Drew University, Madison, NJ - 2014	Kevin Parisi	Plaintiff was found not culpable of sexual assault by campus panel. Lawsuit alleged harm caused by lengthy investigative procedures while he was not allowed to go to his dormitory room.	Media account: http://www.nj.com/morris/index.ssf/2014/05/lawsuit_sex_assault_investigations_at_drew_u_discriminate_against_men.html	Pending
Duke University, Durham, NC - 2007	Reade Seligmann, Collin Finnerty, and David Evans	Following allegations of rape by an exotic dancer that attracted widespread media attention and intense campus protests, the defendants were declared to be innocent by North Carolina attorney general Roy Cooper. Prosecutor Michael Nifong was later debarred. The federal lawsuit alleged a broad conspiracy to frame the players and seeking unspecified damages. Named in the suit were Duke University, prosecutor Michael Nifong, the DNA laboratory, the city of Durham, and police department employees.	Book: Stuart Taylor and KC Johnson: <i>Until Proven Innocent: Political Correctness and the Shameful Injustices of the Duke Lacrosse Rape Case</i> . New York: St. Martin's Press. 2007.	The case against the University was settled in 2007 for an undisclosed amount.
Duke University, Durham, NC - 2014	Lewis McLeod	Plaintiff was expelled three days before final exams. Lawsuit demanded that Duke University award diploma to the graduating senior. The Duke disciplinary panel consisted of a female student who researched gender violence, an academic adviser for the lacrosse team, and a sports nutritionist. Durham police had declined to pursue criminal charges in the case. Subsequently, Superior Court Judge W. Osmond Smith blocked the expulsion because the "plaintiff has demonstrated a likelihood of success on the merits as to his contentions that the defendant has breached, violated, or otherwise deprived the plaintiff of material rights related to the misconduct allegations against him and the resulting disciplinary process addressing such allegations."	Complaint: http://www.avoicemalestudies.com/wp-content/uploads/2014/06/Lewis-McLeod-Complaint-against-Duke-University.pdf Action by Judge Osmond: http://blogs.wsj.com/law/2014/06/02/judge-blocks-expulsion-of-duke-student-accused-of-sexual-misconduct/ Media account: http://www.indyweek.com/indyweek/a-duke-senior-sues-the-university-after-being-expelled-over-allegations-of-sexual-	Pending

			misconduct/Content?oid=4171302	
Gonzaga University, Spokane, Washington - 1994	Unnamed	<p>The plaintiff, an elementary education student, had a sexually intimate relationship with Jane Doe, also a student at Gonzaga. Doe later told classmate, Julia Lynch, that she had been sexually assaulted. Roberta League, a Gonzaga office assistant, overheard Lynch telling a third classmate about the incidents.</p> <p>An investigator for the state Office of the Superintendent of Public Instruction launched an investigation. Throughout the process, Jane Doe refused to make a formal statement. Based on the investigation, the Gonzaga dean decided not to sign the moral character affidavit for the plaintiff's teaching certification.</p> <p>Prior to the decision, the plaintiff had not been informed of the investigation or provided an opportunity to refute the allegations. The plaintiff sued for defamation of character.</p> <p>During the trial, Jane Doe testified via videotaped depositions that while some of the things that happened in their sexual relationship had made her feel uncomfortable, she denied she had been sexually assaulted.</p>	<p>Complaint: Doe v. Gonzaga University, 24 P.3d 390, 393-404 (Wash. 2001)</p>	<p>The jury awarded the plaintiff \$1.1 million in damages, plus attorneys' fees. The Washington Supreme Court upheld the verdict for claims of defamation, invasion of privacy, violation of FERPA rights, and breach of contract: http://scholar.google.com/scholar_case?case=14872605705353517074&hl=en&as_sdt=6&as_vis=1&oi=scholar</p>
College of the Holy Cross, Worcester, MA - 2011	Edwin Bleiler	<p>According to the plaintiff's attorney, "It is important to note there is no allegation here that Eddie was responsible for getting the female student intoxicated or that she was forced or coerced into sexual activity. As this policy is applied, if two Holy Cross students engage in sexual activity while intoxicated, the male party is treated differently. This is a violation of federal law."</p>	<p>Complaint: http://www.avoicemalestudies.com/wp-content/uploads/2014/06/Edwin-Bleiler-Complaint-against-Xavier-University.pdf</p> <p>Media account: http://www.telegram.com/article/20111127/NEWS/111279830&Template=printart</p>	<p>The "responsible" finding was overturned and client was awarded a new hearing for the remaining charge. Bleiler was eventually acquitted and reinstated at the school with no adverse impact on his transcript.</p>
Iowa State University, Ames, IA - 2014	Bubu Palo	<p>Palo was charged with felony sex abuse in 2012 arising from a sexual encounter with a former high school classmate. The accuser had claimed a 6-inch tear in the blouse she was wearing was caused by the alleged sexual assault; however, the forensic investigation did not support the woman's claim. The case was dismissed by prosecutors in January, 2013.</p> <p>The ISU Office of Judicial Affairs then took up the complaint, ruling the complaint was not founded. The woman appealed the ruling to the university president.</p>	<p>Media account: http://amestrib.com/sports/bubu-palo-files-lawsuit-against-accuser</p>	<p>Pending</p>

		<p>On August 30, 2013, the university president sent a letter to Palo finding he had violated the university's sexual misconduct regulation, and placing him on suspension. Palo appealed the decision. In January 2014, the Story County District Court reversed the university's sanction against Palo.</p> <p>Palo's lawsuit charges the woman and her mother with fabricating evidence, harassment by means of fraudulent allegations, and recklessly damaging his reputation. The lawsuit seeks punitive damages.</p>		
Kenyon College, Gambier, OH - 2014	Stephen Zingarelli	The lawsuit contains 14 counts, including breach of contract, negligence in the training and supervision of Sexual Misconduct Advisors, sex discrimination, malicious prosecution, infliction of emotional duress, and defamation.	Media account: http://kenyoncollegianonline.com/2014/01/23/kenyon-motions-for-dismissal-of-zingarelli-lawsuit/	Pending
University of Michigan, Ann Arbor - 2014	Drew Sterrett	<p>On March 16, 2012, a female student requested to stay in Sterrett's room because her roommate had company. During the night, Sterrett and the woman engaged in sexual intercourse. The woman never asked Sterrett's roommate for help, who was asleep in the upper bunk bed.</p> <p>Five months later the woman filed a complaint with the Office of Institutional Equity, alleging the encounter was non-consensual.</p> <p>When Sterrett returned to the university in the Fall of 2013, he was informed that he would not be allowed to return to his previous dormitory, associate with his friends, or speak with anyone about the case.</p> <p>In November 2013, Sterrett was informed that he was suspended until May 2016. His return was conditional on Sterrett's admission that he had engaged in misconduct.</p> <p>Sterrett filed a lawsuit in both federal and state courts, alleging violation of his constitutional rights.</p>	<p>Complaint: http://www.avoiceformalestudies.com/wp-content/uploads/2014/06/Drew-Sterrett-Complaint-against-University-of-Michigan-Ann-Arbor.pdf</p> <p>Media account: http://www.mlive.com/news/ann-arbor/index.ssf/2014/05/lawsuit_claims_u-m_botched_sex.html</p>	Pending
Middlebury College, Middlebury, VT - 1994	Ethan Fellheimer	<p>Vanessa Huth accused Ethan Fellheimer of rape in 1992. After investigation, the Vermont State's Attorney declined to file charges.</p> <p>The College charged him with "Rape/Disrespect of Persons." The College found him "not guilty of rape" and "guilty of disrespect for persons, specifically for engaging in inappropriate sexual activity," and suspended him for one year.</p> <p>Fellheimer's lawsuit consisted of two counts: breach of contract and intentional infliction of emotional distress.</p>	<p>Complaint: Fellheimer v. Middlebury Coll., 869 F. Supp. 238, 247 (D. Vt. 1994): http://www.leagle.com/decision/19941107869FSupp238_11069.xml/FELLHEIMER%20v.%20MIDDLEBURY%20COLLEGE</p>	Regarding breach of contract, the District Court ruled in favor of Fellheimer. Regarding intention infliction of emotional distress, the Court ruled in favor of the college. The Court ordered the college to expunge Fellheimer's

University of Minnesota, Duluth - 2010	Noah Berge	<p>Berge and a female student went to a local bar with other students. Unaccustomed to drinking alcohol, she fell ill, and Berge accompanied her to her apartment. She later claimed that Berge sexually assaulted her, while Berge claimed that she consented to the sexual encounter. The woman reported the incident to local police, but she did not file charges.</p> <p>The dispute was brought before the Campus Committee on Student Behavior (CCSB). Berge attempted to present evidence that he would lose \$206,000 in scholarship awards if he were suspended, but the board chairman refused to allow the information. The CCSB suspended Berge from the university for two years.</p> <p>Berge took the decision to the Provost's Appeal Committee, which found that the CCSB had violated Berge's due-process rights by prohibiting him "from presenting relevant testimony detailing the financial and personal effects of potential sanctions."</p> <p>Then the Provost decided to reverse the decision of the Appeal Committee, and to reinstate the decision of the CCSB.</p>	<p>Media account: http://www.higheredmorning.com/sexual-assault-or-was-it-consensual</p> <p>Complaint: Berge v. University of Minnesota, No. A10-131, 2010 Minn. App. Unpub. LEXIS 1002 pp. *1-*10, 2010 WL 3632518 pp. *1-*4 (Minn. Ct. App. Sept. 21, 2010), appeal denied, 2010 Minn. LEXIS 764, no WL citation (Minn. Dec. 14, 2010).</p>	<p>record of the incident.</p> <p>The Minnesota Court of Appeals ordered a new campus hearing for Berge, ruling the CCSB decision was "arbitrary and capricious:" http://www.nacua.org/documents/Berge_v_UMinnesota.pdf</p>
Northwestern University, Evanston, IL - 2014	Peter Ludlow	<p>A female student accused Ludlow, a philosophy professor, of non-consensual sex in 2012. The University formed a committee to evaluate the claim.</p> <p>Northwestern hired an independent investigator who found that the sexual relationship was consensual, but that Ludlow violated the university's sexual harassment policy because of the "unequal power" in their relationship.</p> <p>Two years later the student filed a lawsuit against the university, alleging the committee recommended that NU fire him, but the university ignored the committee's decision.</p> <p>In March, Ludlow suspended his classes following threats of a student sit-in. His Spring classes were later cancelled.</p> <p>Ludlow is seeking damages for harm to his reputation, 'emotional distress, humiliation, embarrassment and future lost income and benefits.'</p>	<p>Female student's lawsuit against the university: http://dailynorthwestern.com/2014/02/10/campus/report-student-sues-northwestern-claiming-sexual-harassment-complaints-ignored/</p> <p>Student protest: http://dailynorthwestern.com/2014/03/04/campus/planned-sit-in-turns-into-protest-of-northwesterns-sexual-assault-policies/</p> <p>Professor's counter suit: http://dailynorthwestern.com/2014/06/19/campus/ludlow-sues-northwestern-for-gender-discrimination-defamation/</p>	<p>Pending</p>
Occidental College,	Unnamed	Deputy District Attorney Alison Meyers declined to prosecute the case because	Case materials:	Pending

Los Angeles, CA – 2014		<p>“Witnesses were interviewed and agreed that the victim and suspect were both drunk, however, that they were both willing participants exercising bad judgment It would be reasonable for [Doe] to conclude based on their communications and [the accuser’s] actions that, even though she was intoxicated, she could still exercise reasonable judgment.”</p> <p>The Foundation for Individual Rights in Education urged Occidental College to reconsider its decision, noting that the “fact that the applied definition of incapacitation would make both parties guilty of sexually assaulting one another brings into stark relief the fundamental unfairness and lack of substantive due process present in Occidental’s actions against Doe.”</p>	<p>http://www.thefire.org/cases/occidental-college-student-found-guilty-of-sexual-assault-after-incapacitation-standard-is-misapplied/</p> <p>Complaint: Part I: http://d28htnjz2elwuj.cloudfront.net/wp-content/uploads/2014/06/John-Doe-Full-Lawsuit-against-Occidental-Part-1.pdf Part II: http://d28htnjz2elwuj.cloudfront.net/wp-content/uploads/2014/06/John-Doe-Full-Lawsuit-against-Occidental-Part-2.pdf</p>	
Philadelphia University, PA - 2014	Anthony Villar	Lawsuit alleged breach of contract, discrimination, and other counts.	Media account: http://www.phillymag.com/news/2014/05/06/expelled-philadelphia-university-student-sues-school-sexual-assault-allegations/	Pending
Saint Joseph's University, Philadelphia, PA - 2013	Brian Harris	Lawsuit sought more than \$75,000 in damages, accusing the school of negligence, defamation, intentional infliction of emotional distress, and violations of Title IX.	Media account: http://www.bloomberg.com/news/2013-07-09/saint-joseph-s-university-sued-for-bias-by-accused-rapist.html Complaint: http://kcjohnson.files.wordpress.com/2013/07/harris-complaint.pdf	Pending
University of the South, Sewanee, TN - 2011	Unnamed	Lawsuit sought \$5.5 million for alleged breach-of-contract. According to Brett Sokolow, the plaintiff’s expert witness, "The university did not satisfy the standard of care."	Media account: http://www.timesfreepress.com/news/2011/sep/03/jury-finds-sewanee-and-student-fault-awards-50000-/ Complaint:	In 2011, a federal jury found the university was negligent and awarded \$26,500.

			Doe v. University of the South 2011 WL 1258104	
Swarthmore College, Swarthmore, PA - 2014	Unnamed	<p>In 2011, two students had a sexual encounter not involving sexual intercourse. Nineteen months later, the female student filed a complaint, alleging the encounters were coerced. Swarthmore conducted an investigation and dismissed the matter without taking disciplinary action.</p> <p>In April 2013, two female students filed complaints with the U.S. Department of Education, alleging the College failed to appropriately discipline sexual offenders. Two weeks later, Swarthmore re-opened the case. The College Judiciary Committee decided to expel the plaintiff.</p>	<p>Media account: http://www.phillymag.com/news/2014/02/11/expelled-swarthmore-student-sues-college-sexual-assault-allegations/</p> <p>Complaint: http://www.scribd.com/doc/206515758/John-Doe-vs-Swarthmore</p>	Pending
Tulane University, New Orleans, LA - 1992	Sean Ahlum	<p>Sean Ahlum met R.C. at a local bar. They left the bar because, according to Ahlum, R.C. wished to engage in sexual intercourse.</p> <p>Upon arriving at the dormitory, Ahlum had to hold up R.C. while he attempted to find her student I.D. card. Ahlum then stated that R.C. was about to be sick and offered to take her to one of the upstairs bathrooms, promising that he would bring her back immediately. A few minutes later, concerned that a sexual assault was in progress, the dormitory monitor called Tulane Security.</p> <p>One of the security officers asked R.C. whether her sexual conduct was consensual. R.C. replied, "yes." The officer thought R.C. was drunk, but felt she was able to comprehend and answer questions. At that point, R.C. walked off towards her dormitory.</p> <p>A few days later R.C. filed a complaint with Tulane Campus Police. After an investigation, Ahlum was charged with violating Tulane's Code of Student Conduct. The Joint Hearing Board unanimously found Ahlum in violation of the Code. The Vice-President of Student Affairs suspended Ahlum.</p> <p>In his petition to the Civil District Court, Ahlum argued that he was denied legal counsel and forced to cross-examine witnesses on his own during the hearing; that the University employed an experienced prosecutor to present its case; and that his right to an appeal was effectively eliminated.</p>	<p>Complaint: Administrators of Tulane Educational Fund: http://www.leagle.com/decision/1993713617So2d96_1685.xml/AHLUM%20v.%20ADM'R%20OF%20TULANE%20EDUCATIONAL%20FUND</p>	<p>The Civil District Court granted a preliminary injunction and ordered a new hearing to reconsider the charges. Tulane appealed the ruling.</p> <p>The Court of Appeals of Louisiana held that the disciplinary decision of a private university could be reviewed only for arbitrary and capricious action, and that the university's disciplinary procedures were not sufficiently deficient to render the university's decision arbitrary and capricious.</p>
Vassar College, Poughkeepsie, NY - 2013	Peter Yu	<p>The case was judged by three members of the Vassar faculty. The accuser's father was a professor at Vassar.</p>	<p>Media account: http://www.mindingthecampus.com/originals/2013/08/the_dubious_rape_trial_at_vass.html</p>	Pending

			Complaint: http://kc-johnson.com/vassar/	
Vermont Law School, Burlington, VT - 2011	Joshua Vaughan	<p>Joshua Vaughan was accused of sexual assault in January 2010. The school's Code of Conduct board concluded the charges were "unfounded." However, the board's nine-month process had the effect of precluding the release of his Spring semester grades and his transfer to another university.</p> <p>In response, Vaughan sued the university for over \$1 million, alleging the school's negligence in handling the case. His lawsuit also contained the name of his accuser.</p> <p>In response, the accuser filed a countersuit, and the university threatened to discipline Vaughan for "retaliation" against the accuser.</p>	<p>Media account: http://falsrapesociety.blogspot.com/2011/10/man-sues-university-its-dean-for.html</p> <p>Complaint: Vaughan v. Vt. Law Sch., Inc., 2011 U.S. Dist. LEXIS 86429 (D.Vt. 2011)</p>	<p>In September 2011, the District Court denied all of the plaintiff's motions. The finding was appealed. In 2013, the Court of Appeals affirmed the decision of the District Court: http://scholar.google.com/scholar_case?case=17635532793087829399&hl=en&as_sdt=6&as_vis=1&oi=scholar</p>
Williams College, Williamstown, MA - 2014	Unnamed	<p>Lexie Brackenridge alleged that school administrators persuaded her to not seek legal action against her alleged assailant, a 21-year-old student who played for the men's hockey team. Instead, school officials had her file a complaint through the school's judicial system. Following a three-month investigation, the alleged assailant was found responsible and suspended for three semesters.</p> <p>Lawsuit by the alleged offender was filed in Massachusetts District Court on July 19, 2013.</p>	<p>Media account: http://www.bostonglobe.com/metro/2014/05/23/williams-college-rocked-allegations-that-mishandled-rape-complaint/4EmNmZQfxDDTC DcqNfcX8H/story.html</p> <p>Complaint (fee): http://www.rfcexpress.com/lawsuits/civil-rights-education/massachusetts-district-court/552976/john-doe-v-williams-college/summary/</p>	Pending
Xavier University, Cincinnati, OH - 2013	Dezmine Wells	<p>The lawsuit alleged the sex followed a game of "Truth or Dare," during which the plaintiff said the woman took off most of her clothes, kissed him, and gave him a lap dance. Court records say that a hospital examination showed no trauma on the woman's body, and she later told police that she didn't want to press charges.</p> <p>Hamilton County prosecutor Joseph Deters determined that the allegations were unworthy of prosecution. Deters called the University Conduct Board's procedures "fundamentally unfair" and "seriously flawed," and he said that the situation "should never have gotten to the point where someone's reputation is ruined."</p>	<p>Media account: http://mynorthwest.com/33/2506222/Basketball-star-Wells-settles-suit-against-Xavier</p> <p>Complaint: http://www.avoicemalestudies.com/wp-content/uploads/2014/06/Dezmine-Wells-Complaint-</p>	Out of court settlement for an undisclosed amount reached in 2014.

		Father Graham, Xavier's president, later acknowledged that Xavier "never revealed the specific charge" against Wells other than saying he violated the school's student code of conduct.	against-Xavier-University.pdf	
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