

## **Jury Verdicts and Settlements in Higher Education Harassment & Bullying Cases** (May 2024 edition)

As part of Public Justice’s [Students’ Civil Rights Project](#), we track jury verdicts and settlements in harassment and bullying cases filed against institutions in federal and state courts throughout the country. This list compiles cases against institutions of higher education. Each case, organized by state, lists the relief achieved—both monetary and non-monetary—as well as the nature of the harassment or bullying, the number of plaintiffs, the basic facts, the causes of action, and the plaintiffs’ attorneys. The list includes student-on-student and employee-on-student harassment cases. We hope this resource will be helpful to attorneys representing students in these cases. (See our [K-12 Verdicts and Settlements List](#) for data from cases in elementary and secondary schools).

**If you are working on, or know of, a school harassment case in the higher education context that has resulted in a judgment or settlement, please let us know so that we can include the case on this list.** Please send your information to Sean Ouellette, Senior Attorney, Students’ Civil Rights Project, at [souellette@publicjustice.net](mailto:souellette@publicjustice.net). In addition, if you are interested in obtaining co-counsel or other legal assistance from Public Justice on a harassment case, please contact us at [SCRIP@publicjustice.net](mailto:SCRIP@publicjustice.net).

### **ALABAMA**

#### ***Rondini v. Bunn*, No. 7:17-cv-01114, 2018 WL 317713 (N.D. Ala. Jan. 8, 2018)**

- Settlement: \$450,000 in funding to facilities, services, and personnel dedicated to combating sexual misconduct.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff student was raped by a non-student, non-employee university affiliate at his off-campus home after she became intoxicated at a bar. The local authorities declined to press charges, concluding she consented. She was diagnosed with anxiety, depression, and PTSD. The university failed to investigate her report (contrary to its policies) even though the rapist was frequently present on campus and hosted an event for one of her courses. Rather than prohibit the assailant from hosting the event, the university had her drop the course. It also repeatedly denied her mental health counseling. The plaintiff eventually withdrew from the university and died by suicide in 2016.
- Causes of Action: Title IX claims for deliberate indifference to rape complaints and retaliation; ADA Title II for failure to accommodate a disability (PTSD, anxiety, and

depression). The parents also pled wrongful death and § 1983 substantive due process against the university, but the court dismissed those claims.

- Plaintiffs' Attorneys: Leroy Maxwell, Jr. of Maxwell Law Firm; Julie E. Heath and Patricia Davis of Farrow-Gillespie & Heath LLP.
- More Information: <https://www.tuscaloosaneews.com/story/news/local/2018/02/27/university-of-alabama-rondini-family-reach-settlement/14005484007/>

## **ARIZONA**

### ***DeGroot v. Arizona Board of Regents, No. CV-18-00310 (D. Ariz. Feb. 7, 2020)***

- Settlement: \$1.275 million.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: A university football player physically abused and sexually assaulted the plaintiff. When she attempted to end the relationship, the assailant stalked and harassed the plaintiff. He pled guilty to two counts of domestic violence and aggravated assault and received a five-year prison sentence. The university had received multiple reports of the assailant's misconduct towards other women, but they failed to open a Title IX investigation, did not take any interim measures, and did not impose any discipline on the assailant. Rather, the assailant was allowed to start as running back on the football team. The university settled when the judge denied the plaintiff and defendants' cross-motions for summary judgment. The court ruled that the university had actual knowledge of the assailant's abuse, exercised substantial control over the assailant and the context in which the harassment occurred, and demonstrated deliberate indifference to the plaintiff's report. That left issues for trial as to only two questions: (1) whether the plaintiff was denied access to educational opportunities and benefits; and (2) whether the University policies or practices amounted to an official policy of deliberate indifference.
- Causes of Action: Title IX sexual harassment and hostile educational environment.
- Plaintiffs' Attorneys: Lauren Groth of Hutchinson, Black and Cook.
- More Information: [https://www.espn.com/college-football/story/\\_/id/22267874/woman-files-title-ix-lawsuit-arizona-orlando-bradford-assault](https://www.espn.com/college-football/story/_/id/22267874/woman-files-title-ix-lawsuit-arizona-orlando-bradford-assault)

## **CALIFORNIA**

### ***A.B. v. The Regents of the University of California, Case No. 2:20-cv-09555-RGK (C.D. Cal. Nov. 6, 2020)***

- Settlement: \$73 million plus attorneys' fees and expenses, awarded to more than 6,600 patients. UCLA also agreed to make changes to its process for investigating allegations of sexual misconduct, assault, and harassment.

- Harassment/Injuries: Sexual assault, misconduct, and harassment.
- Multiple Plaintiffs.
- Basic Facts: Patients accused Dr. James Heaps of sexual assault and sexual misconduct between 1983 and 2018 in a class-action lawsuit. UCLA reportedly began investigating the gynecologist (who was still employed with the University) in December 2017, but officials didn't alert the campus community about allegations against Heaps until 2021. Heaps retired when UCLA didn't renew his contract in 2018.
- Causes of Action: Title IX claims for sexual assault and harassment, negligence or gross negligence, violation of the Unruh Act, ratification, intentional infliction of emotional distress, sexual assault (against Heaps), sexual battery (against Heaps).
- Plaintiffs' Attorneys: Girard Sharp LLP, Gibbs Law Group LLP, Erickson Kramer Osborne LLP.
- More Information: <https://www.cnn.com/2022/02/09/us/university-of-california-system-settlement-ucla-gynecologist-james-heaps/index.html>

***Does v. Occidental College, U.S. Dept. of Education, OCR Complaint (2013)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual assault, retaliation.
- Multiple Plaintiffs (37).
- Basic Facts: Students and alumni of Occidental College alleged that the school deliberately discouraged victims from reporting sexual assaults, misled students about their rights during campus investigations, retaliated against whistle-blowers, and handed down minor punishment to known assailants who in some cases struck again.
- Causes of Action: Title IX complaint based on sexual assault and harassment.
- Plaintiffs' Attorneys: Gloria Allred of Allred, Maroko, & Goldberg.
- More Information: <https://www.latimes.com/local/la-xpm-2013-sep-18-la-me-occidental-settlement-20130919-story.html>

***Does v. University of Southern California, Los Angeles Superior Court (2021)***

- Settlement: \$852 million.
- Harassment/Injuries: Sexual assault and sexual harassment.
- Multiple Plaintiffs (710).
- Basic Facts: Plaintiffs, students at the University of Southern California, accused the college's longtime campus gynecologist, George Tyndall, of sexual assault, harassment, and molestation. Plaintiffs received treatment from Tyndall at USC's medical facilities, where Tyndall was employed between 1986 and 2017. Beginning in the 1990s, USC received numerous reports from USC students and employees (such as nurses and medical assistants) complaining about Tyndall's sexual misconduct. This included reports that Tyndall was taking photographs of his female patients' genitals without a medical purpose, making inappropriate or sexual comments about patients' bodies, touching and groping

patients, and requiring patients to lie fully nude on the table during gynecological examinations. In response to these complaints, USC took no investigative or disciplinary action against Tyndall except to take Tyndall's camera away. In June of 2016, complaints about Tyndall were made to the USC's rape crisis center. In that same year, photographs of female genitalia were found in Tyndall's office. At that time, USC placed Tyndall on administrative leave. Two years later, following an investigation into Tyndall's conduct and public demand for his resignation, Tyndall resigned.

- Causes of Action: Title IX sexual assault, sexual harassment.
- Plaintiffs' Attorneys: John Manly of Manly Stewart & Finaldi, and Gloria Allred of Allred, Maroko, & Goldberg.
- More Information: <https://www.latimes.com/california/story/2021-03-25/usc-payout-gynecologist-sex-abuse-claims-to-top-1-billion>

#### ***Does v. University of Southern California (2021)***

- Settlement: \$215 million, distributed among 18,000 women.
- Harassment/Injuries: Sexual assault and sexual harassment.
- Multiple Plaintiffs.
- Basic Facts: Plaintiffs, students at the University of Southern California, accused the college's longtime campus gynecologist, George Tyndall, of sexual assault, harassment, and molestation. Plaintiffs received treatment from Tyndall at USC's medical facilities, where Tyndall was employed between 1986 and 2017. Beginning in the 1990s USC received numerous reports from USC students and employees (such as nurses and medical assistants) complaining about Tyndall's sexual misconduct. USC was made aware of complaints that Tyndall was taking photographs of his female patients' genitals without a medical purpose, making inappropriate or sexual comments about patients' bodies, touching and groping patients, and requiring patients to lie fully nude on the table during gynecological examinations. In response to these complaints USC took no investigative or disciplinary action against Tyndall except to take Tyndall's camera away. In June of 2016, complaints about Tyndall were made to the USC's rape crisis center. In that same year, photographs of female genitalia were found in Tyndall's office. At that time, USC placed Tyndall on administrative leave. Two years later, following an investigation into Tyndall's conduct and public demand for his resignation, USC announced Tyndall's resignation.
- Causes of Action: Title IX claims for sexual assault and harassment.
- Plaintiffs' Attorneys: John Manly of Manly Stewart & Finaldi, Gloria Allred of Allred, Maroko, & Goldberg.
- More Information: <https://www.lieffcabraser.com/survivors/usc-tyndall/>

#### ***Does v. University of Southern California (Los Angeles Sup. Ct. 2022)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual assault and sexual harassment.

- Multiple Plaintiffs (80).
- Basic Facts: Dennis Kelly was a former campus physician who sexually assaulted male students. Almost all the 80 victims in this case were men. The men sent several complaints to the university about Kelly's misconduct, but the university failed to adequately address them—allowing Kelly to continue abusing students.
- Causes of Action: sexual battery, battery, gender violence, sexual harassment, violation of the Unruh Act, violation of the Bane Act, sexual abuse and discrimination in an educational setting, negligent hiring and retention, negligent supervision, fraudulent misrepresentation, fraudulent concealment, negligent misrepresentation, intentional infliction of emotional distress, negligence, unfair business practices.
- Plaintiffs' Attorneys: Mikayla Gow Kellogg and Kelly D. Van Aken of Kellogg & Van Aken.
- More Information: <https://www.npr.org/2022/04/30/1095647332/usc-settles-lawsuits-80-men-former-school-doctor-sexual-abuse>

***Portillo v. University of California, Santa Cruz (2017)***

- Settlement: \$1.15 million.
- Harassment/Injuries: Sexual assault and sexual harassment.
- Single Plaintiff.
- Basic Facts: UC assistant professor Hector Perla, Jr. raped the plaintiff at a private home off-campus days before graduation while she was severely intoxicated and not fully conscious. Perla was known for dating students and inviting them to drink off campus. Perla was placed on leave and resigned after a university investigation.
- Causes of Action: Title IX claims for sexual assault and sexual harassment.
- Plaintiff Attorney: John Kristensen (now) of Carpenter & Zuckerman.
- More Information: <https://www.buzzfeednews.com/article/briannasacks/uc-santa-cruz-lawsuit-settlement>.

***United States v. San José State University, U.S. Dep't of Just. (2021)***

- Settlement: \$1.6 million to individuals who had been sexually harassed and participated in the investigation.
- Injunctive Relief: Required improvements to the university's process for responding to complaints of sexual harassment; reforms to the Title IX office; required publication of Title IX policies and protocols; improvements to the athletic training program to prevent harassment by trainers; training for student-athletes and athletics employees about giving and receiving informed consent for medical treatments; trainings related to preventing retaliation under Title IX; supportive measures and remedies to current and former student-athletes who were harassed.
- Harassment/Injuries: Sexual assault and harassment by an athletic trainer.
- Multiple Plaintiffs (at least twenty-three).

- Basic Facts: The DOJ and the US Attorney’s Office for the Northern District of California opened an investigation into San José State University’s response to repeated sexual harassment and sexual assault of female student-athletes by an athletic trainer, occurring for more than a decade. Beginning in 2009, at least twenty-three female student-athletes were subject to unwelcome sexual touching of their breasts, groins, buttocks, and pubic areas during treatment in campus training centers. After concluding the investigation, the Department found that the university had violated Title IX. The Department also concluded that the university retaliated against two employees who reported or expressed opposition the trainer’s conduct.
- Causes of Action: Title IX.
- Plaintiffs’ Attorneys: None. Investigation conducted by the U.S. Department of Justice.
- More Information: <https://www.justice.gov/opa/pr/justice-department-reaches-16m-agreement-remedy-title-ix-violations-san-jos-state-university>;  
<https://www.nytimes.com/2021/09/21/sports/san-jose-sexual-harassment-settlement.html>

***Walsh v. West Valley Mission Community College District, No. H016564 (Cal. App. 1998)***

- Settlement: \$7.6 million.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Raymond Ruiz, an instructional assistant in the Program for Students with Developmental Disabilities, sexually assaulted the plaintiff, a disabled student at West Valley Community College, multiple times. Ruiz’s wife also worked for the college, and she and other College employees covered up Ruiz’s behavior. The college claimed that Ruiz was immediately fired after the assault was reported.
- Cause of Action: Title IX.
- Plaintiff’s Attorneys: Robert Allard and Mark Boskovich of Corsiglia McMahon & Allard, L.L.P.
- More Information: <https://childmolestationattorneys.com/mission-college-sexual-assault-settlement/amp/>
- <https://www.mercurynews.com/2022/09/22/mission-college-rape-lawsuit-ends-with-7-6-million-settlement-for-disabled-woman/>

**COLORADO**

***Gilchriese v. University of Colorado Boulder, OCR Complaint (2013)***

- Settlement: \$32,500.
- Harassment/Injuries: Sexual assault, sexual harassment.
- Single Plaintiff.
- Basic Facts: Claimant was sexually assaulted by a classmate. The school’s student discipline office found her assailant responsible for non-consensual sexual intercourse. His

punishment included an eight-month suspension, a \$75 fine, and a paper. It took four weeks for her assailant to be removed from campus, and during that time he violated a no-contact order with the victim several times.

- Causes of Action: Title IX complaint based on peer sexual assault and harassment.
- Plaintiffs' Attorneys: Hutchinson Black and Cook LLC.
- More Information: <https://www.dailycamera.com/2014/05/09/cu-pays-32k-to-settle-sex-assault-case-that-sparked-title-ix-investigation/>

***Simpson v. University of Colorado Boulder*, 500 F.3d 1170 (10th Cir. 2007)**

- Settlement: \$2.8 million.
- Harassment/Injuries: Sexual assault.
- Multiple Plaintiffs (two).
- Basic Facts: While students at the University of Colorado, plaintiffs were sexually assaulted by University football players and recruits. The appellate court found that there was sufficient evidence to suggest that the University of Colorado “had an official policy of showing high school football recruits a ‘good time’ on their visits to the CU campus,” that it “failed to provide adequate supervision and guidance to player-hosts chosen to show the recruits a ‘good time’,” and that “the likelihood of such misconduct was so obvious that CU’s failure was the result of deliberate indifference.”
- Causes of Action: Title IX sexual assault and harassment.
- Plaintiffs' Attorneys: Hutchinson Black and Cook LLC.
- More Information: <https://www.aclu.org/cases/simpson-v-university-colorado>

## **CONNECTICUT**

***Doe v. Central Connecticut State University*, No. 3:19-cv-418, 2020 WL 1169296 (D. Conn., Mar. 11, 2020)**

- Settlement: \$1.75 million
- Harassment/Injuries: Sexual harassment and sexual assault.
- Single Plaintiff.
- Basic Facts: Female police officer alleged that the Central Connecticut State University fostered an environment in the police department where sexual harassment and even sexual assault was the norm, emboldening a fellow officer to rape her on three separate occasions.
- Causes of Action: Hostile work environment, deliberate indifference, and retaliation in violation of Title IX, Title VII, and the Connecticut Fair Employment Practices Act; violation of the Equal Protection Clause; and state law claims including assault, battery, and intentional infliction of emotional distress.
- Plaintiffs' Attorneys: Nina Therese Pirrotti, Joshua R. Goodbaum, and Elisabeth Lee of Garrison Levin-Epstein Fitzgerald & Pirrotti PC.

- More Information: <https://www.courant.com/news/connecticut/hc-news-ccsu-settlement-sexual-harassment-20200826-xkmmfbixvndvldlvfvvtopzi3q-story.html>

***Does v. University of Connecticut (2013)***

- Settlement: \$1.3 million.
- Harassment/Injuries: Sexual assault and harassment, retaliation.
- Multiple Plaintiffs (five).
- Basic Facts: Plaintiffs alleged that the University of Connecticut responded to their sexual assault complaints with indifference. One of the plaintiffs also alleged she was kicked off the hockey team after reporting she had been raped by a male hockey player in August 2011.
- Causes of Action: Title IX gender discrimination, retaliation.
- Plaintiffs’ Attorneys: Gloria Allred.
- More Information: <https://www.nytimes.com/2014/07/19/nyregion/uconn-to-pay-1-3-million-to-end-suit-on-rape-cases.html>

**DISTRICT OF COLUMBIA**

***Doe v. Howard University, 594 F. Supp. 3d 52, 57 (D.D.C. 2022), appeal dismissed, No. 22-7056, 2023 WL 3395921 (D.C. Cir. May 8, 2023)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: The Plaintiff, a Howard University law student, was raped by a faculty member at an off-campus apartment owned by the university. When she complained to the university, it took four months to complete its Title IX investigation, which found the faculty member responsible, terminated him, and barred him from campus for a year. In the interim, however, a university dean demanded that Doe describe the rape in detail to receive any accommodations and told her to “suck it up,” “get over it,” and “stop crying” when she told the story. She reported this behavior to the Title IX coordinator, but nothing was done. And other than allowing Doe to change rooms, Howard University did not put any other measures in place to ensure that Doe would not encounter her rapist, who also lived in the same apartment complex. It refused to let her terminate her leave and find other housing. The district court dismissed her claims based on the statute of limitations.
- Causes of Action: Title IX deliberate indifference, negligence, breach of fiduciary duty.
- Plaintiffs’ Attorneys: Drew LaFramboise of Joseph, Greenwald & Laake, P.A.

***Doe 1 v. Howard University, 396 F. Supp. 3d 126, 131 (D.D.C. 2019)***

- Settlement: Confidential.



- Harassment/Injuries: Sexual assaults.
- Multiple Plaintiffs (six).
- Basic Facts: Six students alleged that Howard was deliberately indifferent to their rape reports because it took five months to over a year to investigate the reports and, in the interim, they continued to encounter their assailants on campus and Howard failed to take adequate measures to protect them. The district court largely denied Howard's motion to dismiss, holding that a plaintiff need not prove she was harassed or assaulted again after she complained to the school to state a claim under Title IX. The court certified an interlocutory appeal on that issue, but case settled thereafter. Two of the plaintiffs alleged Howard retaliated by charging one a fee to change dorms and by delaying in clearing the other to graduate.
- Causes of Action: Title IX deliberate indifference and retaliation.
- Plaintiffs' Attorneys: Lauren Khouri, Linda Correia, and Roshni Shikari of Correia & Puth, LLC.
- More information: <https://www.aauw.org/resources/legal/laf/past-cases/does-et-al-v-howard/>; <https://wtop.com/dc/2017/11/6th-woman-claims-howard-university-failed-help-rape/>; <https://www.cosmopolitan.com/college/a9639131/howard-university-suicidal-rape-victims-lawsuit/>; <https://www.buzzfeednews.com/article/tylerkingkade/howard-university-sexual-assault-lawsuit>

***Stafford v. George Washington University*, 56 F.4th 50 (D.C. Cir. 2022), cert. petition denied, 143 S. Ct. 2521 (2023)**

- Settlement: Confidential.
- Harassment/Injuries: Race discrimination.
- Single Plaintiff.
- Basic Facts: Plaintiff was an African American tennis player at George Washington University. The coach singled out the three players of color on the team and directed racial slurs at them, permitted white teammates to post racially insensitive jokes on social media, and ultimately suspended the plaintiff from the team for unsubstantiated "disrespectful" behavior. White students were not disciplined for the same infraction. Plaintiff was also arbitrarily excluded from competing in tournaments.
- Causes of Action: Discrimination under the D.C. Human Rights Act; Title VI; § 1981; breach of contract; negligent infliction of emotional distress; negligent retention.
- Plaintiffs' Attorneys: Riley Ross III of Mincey Fitzpatrick Ross, LLC.
- More Information: <https://gwhatchet.com/2023/05/18/former-mens-tennis-player-settles-racial-discrimination-lawsuit-after-five-years/>

## **FLORIDA**

### ***Kinsman v. Florida State University Board of Trustees*, No. 4:15CV235, 2015 WL 11110848 (N.D. Fla. Aug. 12, 2015)**

- Settlement: \$950,000
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff, a former student at Florida State University, was raped by an FSU football player at an off-campus apartment in Tallahassee. School administrators failed to properly investigate and respond to her allegations, including allegations of harassment by other students after her report became public.
- Causes of Action: Title IX sexual assault and harassment.
- Plaintiffs' Attorneys: Lauren E. Groth, Baine P. Kerr, and John C. Clune of Hutchinson Black and Cook LLC; David Bilbrey King, Thomas Alan Zehnder, Taylor Flanagan Ford of King Blackwell Downs & Zinder PA.
- More Information: <https://www.nytimes.com/2016/01/26/sports/football/florida-state-to-pay-jameis-winstons-accuser-950000-in-settlement.html>

## **IDAHO**

### ***Doe v. University of Idaho* (2019)**

- Settlement: \$212,500.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff reported to the school that another student sexually assaulted her. In response, rather than moving the assailant to another class, the school told the Plaintiff she could transfer to another campus.
- Causes of Action: Title IX deliberate indifference.
- Plaintiffs' Attorneys: Unknown.
- More Information: <https://www.ktvb.com/article/news/education/university-of-idaho-pays-200000-to-settle-title-ix-lawsuit/277-798bb672-5c5d-4c03-8671-c61a0f93505e>

***Jameson v. University of Idaho*, 2019 WL 5606828, 3:18-cv-00451-DCN (D. Idaho Oct. 20, 2019) (settled 2020)**

- Settlement: \$160,000.
- Harassment/Injuries: Sexual harassment and sexual assault.
- Single Plaintiff.
- Basic Facts: Marian Jameson was sexually assaulted and harassed by Jahrie Level, a UI football player. She and another student athlete, who was also harassed by Level, reported Level to local police and several University officials, including the head football coach. The University had received various prior complaints about Level's behavior. The university president admitted that the institution "possibly could have prevented Jameson's assault if officials had properly addressed the previous complaints." An independent investigation also later found that UI mishandled the response to Jameson's own complaint: when Jameson brought her sexual assault claim to the UI athletic director, he told her the university could not investigate her claim because her assault took place off campus. UI launched an independent investigation into Jameson's complaint only after she wrote a blog post about her assault in 2018 and public pressure mounted. The investigation found that the University's response was inadequate and prompted the expulsion of the assailant and the termination of the athletic director.
- Causes of Action: Title IX deliberate indifference to Jameson's sexual assault report and negligent handling of prior complaints against Level.
- Plaintiff's Attorney: Brook L. Cunningham of Randall Danskin Attorneys.
- More information: <https://sportslitigationalert.com/university-of-idaho-settles-federal-lawsuit-dismissing-title-ix-claim/>

## **INDIANA**

***Doe v. Indiana University Bloomington*, No. 1:16-cv-01480-JMS-DKL, 2016 WL 4188214 (S.D. Ind. Dec. 6, 2016)**

- Settlement: Undisclosed.
- Harassment/Injuries: Sexual assault and sexual harassment.
- Basic Facts: Jane Doe was sexually assaulted and harassed by another student (a fraternity member) at a fraternity house. The same assailant previously raped another woman in October 2013. The Plaintiff alleged that IU and the fraternity were responsible because they ignored the assailant's history of reported sexual assault, failed to implement measures to prevent another assault at the fraternity house, and fostered an environment of dangerous

activity. UI expelled the perpetrator approximately three months after raping the plaintiff in 2015. He was then criminally charged with rape.

- Causes of Action: Title IX deliberate indifference.
- Plaintiff's Attorney: Jeff Herman and Arick W. Fudali of Herman Law.
- More information: <https://www.wrtv.com/news/call-6-investigators/call-6-iu-settles-lawsuit-over-title-ix-violations>; [https://www.wrtv.com/news/local-news/iu-denies-negligence-title-ix-violation-in-john-enochs-case?\\_ga=2.167619070.1920005406.1690204443-1032300308.1689613140](https://www.wrtv.com/news/local-news/iu-denies-negligence-title-ix-violation-in-john-enochs-case?_ga=2.167619070.1920005406.1690204443-1032300308.1689613140)

***Mary Doe and Nancy Roe v. Purdue University, et al., 4:18-cv-89-JEM, 2023 WL 2728178 (N.D. Ind. Mar. 31, 2023)***

- Verdict: \$10,000 (to Roe) (equivalent at the time to two semesters of in-state tuition at Purdue).
- Settlement: Undisclosed (to Doe).
- Harassment/Injuries: Sexual assault and sexual harassment, retaliation.
- Basic Facts: Jane Doe and Nancy Roe filed suit against Purdue in 2018 after they were expelled after filing Title IX complaints with Purdue in 2017 about their respective sexual assaults. After the students reported the assaults, school administrators made discriminatory assumptions about each plaintiff's behavior and departed from basic norms of fairness. Doe settled with Purdue in August 2022 before the trial began for an undisclosed amount. After trial, a jury found that Purdue's dean of students and vice president for ethics and compliance acted with "malicious or in reckless disregard" of Roe's rights.
- Causes of Action: Title IX retaliation and deliberate indifference to students' sexual assault reports.
- Plaintiffs' Attorney: Jeffrey A. Macey of Macey Swanson LLP
- More information: <https://www.jdsupra.com/legalnews/jury-orders-purdue-to-pay-damages-for-4823777/> and <https://www.wfyi.org/news/articles/jury-finds-purdue-university-guilty-of-retaliating-against-student-who-came-forward-with-assault-all>

## **IOWA**

***Black v. Iowa State University (Ia. Dist. Ct. Polk Cnty. Filed Oct. 12, 2017)***

- Settlement: \$125,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Another student at Iowa State sexually assaulted the plaintiff. Plaintiff had text messages and a recorded phone call with the assailant admitting to wrongdoing. Plaintiff reported the assault to university officials, who put a no-contact order in place. The assailant repeatedly violated the no contact order, causing the plaintiff to develop

PTSD and miss class. She eventually withdrew. During its investigation, the university interviewed the assailant's witnesses, but not the plaintiff's. The university closed the plaintiff's case as "unfounded," saying she did not provide enough information.

- Causes of Action: State law causes of action including violation of the Iowa Constitution's Equal Protection Clause, negligence, and premises liability.
- Plaintiffs' Attorneys: Roxane Conlin and Kayla Burkhiser Reynolds of Roxanne Conlin & Associates.
- More Information: <https://www.amestrib.com/story/news/education/2021/04/05/appeal-board-approves-iowa-state-university-sexual-assault-title-ix-lawsuit-settlement/7094841002/>

***Bryant v. University of Iowa, No. LACL139214 (District Court for Polk County 2019)***

- Settlement: \$21,250.
- Harassment/Injuries: Sexual harassment, assault, discrimination, retaliation.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually harassed by the then-Associate Director of Campus Security during an on-campus protest meeting. Plaintiff reported her experience to the school's sexual misconduct response coordinator, who did not follow the school's policies for addressing sexual harassment complaints and instead blamed the Plaintiff for the incident.
- Causes of Action: Title IX sexual harassment, assault, discrimination, retaliation.
- Plaintiffs' Attorneys: Tom Newkirk and Beatriz Mate-Kodjo of Newkirk Zwagerman PLC.
- More Information: <https://www.thegazette.com/education/ui-graduate-student-who-said-state-botched-her-sexual-harassment-claim-to-receive-payment/>; <https://settlements-regents.sws.iastate.edu/files/f/7/e/f7e8463cb17a058fcedf8e2cdd3f6ec67a259dd2/10-30-19-Bryant-Settlement-FINAL.pdf>

***Wadley v. University of Iowa, No. 4:20-cv-00366-SMH-HCA, 2022 WL 18780000 (S.D. Iowa June 24, 2022)***

- Settlement: \$4.175 million (approximately \$2.85 million to be divided among plaintiffs, \$1.9 million in attorney fees and expenses, \$90,000 to graduate or professional school tuition for plaintiffs).
- Harassment/Injuries: Race discrimination and retaliation.
- Multiple plaintiffs (twelve football players).
- Basic Facts: Twelve Black football players alleged race discrimination within the football program. Coaching staff and administrators repeatedly hurled racial slurs at the plaintiffs. Moreover, the plaintiffs were forced to abandon "Black" hairstyles, fashion, and culture to fit the "Iowa Way." The head football coach witnessed, participated in, and permitted overt racial discrimination within the program for over 20 years. After a public report was issued by the University of Iowa Diversity Task Force, highlighting countless allegations of race

discrimination within the program, the university did nothing to address it. When athletes later came forward, Iowa fired the strength and conditioning coach, but continued to pay him the value of his contract. They did not fire the head coach and his son, an assistant coach, who were two of the main perpetrators of the discrimination. The university retained an outside law firm to investigate the program, and the investigation found countless more allegations of discrimination. The coaching staff retaliated against at least one of the plaintiffs with playing restrictions. The head coach and his son remain at the University to this day.

- Causes of Action: Title VI hostile educational environment, retaliation, and systemic pattern and practice of discrimination claims; § 1983 claim for violation of the 14th Amendment's Equal Protection clause; breach of contract claim.
- Plaintiffs' Attorneys: Damario Solomon-Simmons of Solomon Simmons Law; Kevin McIlwain of Smiling, Smiling & Burgess; Alfredo Parrish of Parrish Kruidenier Dunn Gentry Brown Bergmann & Messamer, L.L.P.
- More Information: <https://apnews.com/article/iowa-football-barta-ferentz-racial-discrimination-settlement-6cdc473c5fc7cad07badb747e5247ae1>; [https://www.espn.com/college-football/story/\\_/id/35798804/iowa-football-discrimination-lawsuit-nears-4m-settlement](https://www.espn.com/college-football/story/_/id/35798804/iowa-football-discrimination-lawsuit-nears-4m-settlement)

## **KANSAS**

### ***Doe 7 v. University of Kansas*, No. 16-2458, 2017 WL 4037704 (D. Kan. 2017)**

- Settlement: \$150,000.
- Harassment/Injuries: Sexual harassment, hostile educational environment, retaliation.
- Single Plaintiff.
- Basic Facts: The Plaintiff was sexually assaulted by another student. The school knew the perpetrator had sexually assaulted another student the year before. The plaintiff also experienced retaliation by the harasser after she reported.
- Causes of Action: A pre-assault Title IX claim; Title IX retaliation claim; disability discrimination under the Rehabilitation Act of 1973.
- Plaintiffs' Attorneys: Daniel G. Curry and Sarah A. Brown of Brown & Curry LLC.
- More Information: <https://www.kansascity.com/news/politics-government/article188879754.html>

### ***Farmer v. Kansas State University*, 918 F.3d 1094 (10th Cir. 2019), *aff'ing Weckhorst v. Kansas State University*, 241 F. Supp. 3d 1154, 1158 (D. Kan. 2017)**

- Settlement: Confidential.
- Harassment/Injuries: Sexual Assault.
- Multiple Plaintiffs (two).

- Basic Facts: Two Kansas State University students alleged that they were raped at off-campus fraternity houses and the university failed to investigate, leaving them in fear of running into their attackers and causing them to miss classes, struggle in school, experience mental health problems, and withdraw from school activities as a result of these issues. The district court held that they stated claims under Title IX even though the plaintiffs did not experience further harassment after they complained to the university. It certified an interlocutory appeal, and the Tenth Circuit affirmed. (The district court dismissed the plaintiffs' claims for negligence and unfair and deceptive practices consumer protection claim, however).
- Causes of Action: Title IX deliberate indifference, negligence, Kansas Consumer Protection Act.
- Plaintiffs' Attorneys: Cari Simon and Douglas Fierberg of The Fierberg National Law Group, PLLC; Dustin Van Dyk, Gary White, Jr., and Meaghan Girard of Palmer, Leatherman, White, Girard & Van Dyk, LLP.
- More information: <https://apnews.com/general-news-29b41f3d7a6f4c5ebb71175005f0a234>

***Tackett v. University of Kansas*, No. 16-2266, 2017 WL 3190353 (D. Kan. 2017)**

- Settlement: \$245,000.
- Harassment/Injuries: Sexual harassment, hostile educational environment, retaliation.
- Single plaintiff.
- Basic Facts: The plaintiff in this case was sexually assaulted by a classmate, who also retaliated against her after she reported the assault to the University.
- Causes of Action: Title IX sexual harassment and retaliation.
- Plaintiffs' Attorneys: Daniel G. Curry and Sarah A. Brown of Brown & Curry LLC.
- More Information: <https://www.kansascity.com/news/politics-government/article188879754.html>

## **MICHIGAN**

***Denhollander v. Michigan State University*, No. 1:17-cv-00029 (W.D. Mich. Filed Jan. 10, 2017)**

- Settlement: \$500 million. (\$425 million to current claimants, and \$75 million to be set aside for future claims from victims.)
- Harassment/Injuries: Sexual assault.
- Multiple Plaintiffs (332).
- Basic Facts: Larry Nassar sexually abused the Plaintiffs, many of whom were young female athletes, over more than two decades.
- Causes of Action: Title IX deliberate indifference, failure to train in violation of the Fourteenth Amendment through § 1983, various state law claims including intentional

infliction of emotional distress, fraud, negligent supervision and retention, assault, and battery.

- Plaintiffs' Attorneys: David Mittleman of Grewal Law PLLC; Stephen Drew and Adam Sturdivant of Drew, Cooper & Anding; John C. Manly, Vince Finaldi, and Alex E. Cunny of Manly, Stewart, & Finaldi.
- More Information: [https://www.espn.com/college-sports/story/\\_/id/23520900/michigan-state-spartans-agree-500-million-larry-nassar-settlement](https://www.espn.com/college-sports/story/_/id/23520900/michigan-state-spartans-agree-500-million-larry-nassar-settlement)

***Does v. Eastern Michigan University, No. 3:21-cv-12095, 2021 WL 4120708 (E.D. Mich. Sept. 8, 2021)***

- Settlement: \$6.85 million
- Harassment/Injuries: Sexual assault.
- Multiple Plaintiffs (5).
- Basic Facts: Plaintiffs sued the university and two fraternities for covering up and failing to address sexual assaults. The University's former Title IX coordinator told one of them the assault was "not even worth reporting"; the university held up processing one plaintiff's transcript "pending litigation"; and a university police officer told a student that "nothing would happen" because she reported her assault two months after it occurred. The Title IX coordinator knew about reports of sexual assault and offered the assailants special accommodations not provided to the victims. Plaintiffs also alleged the Title IX coordinator doctored Clery Act statistics. The fraternities were also aware of the assaults but failed to investigate or take corrective action. They also failed to report sexual misconduct on campus as required by their own Chapter bylaws.
- Causes of Action: Title IX hostile environment, retaliation; Fourteenth Amendment Equal Protection, and Fourteenth Amendment Due Process (state created danger and right to bodily integrity) (through § 1983); sex discrimination in violation of the Elliott-Larsen Civil Rights Act; gross negligence; negligence; negligent supervision; negligent failure to warn/protect; intentional infliction of emotional distress; social host liability; and violation of Art. 1, § 17 of Michigan Constitution (state created danger).
- Plaintiffs' Attorneys: Todd Flood, Vincent J. Haisha, and John Mott, of Flood Law, PLLC
- More Information: <https://www.easternecho.com/article/2024/02/emu-agrees-to-685-million-in-title-ix-settlement>;  
<https://www.usatoday.com/story/news/education/2021/03/25/eastern-michigan-university-sexual-assault-lawsuit/6997144002/>.



***Does v. University of Michigan (2020)***

- Settlement: \$9.25 million.
- Harassment/Injuries: Sexual harassment.
- Multiple Plaintiffs (8).
- Basic Facts: Provost Martin Philbert, the second-highest administrator at the University of Michigan, had a lengthy history of sexually harassing female employees and graduate students in university offices. In 2005, the women reported to their professor that Philbert kissed them and hugged them inappropriately. The professor, in turn, reported the allegations to several university officials, including a vice provost and the director of the University's office for institutional equity. The University failed to take any steps to investigate Philbert at the time. Over the course of the next 15 years, these reports, as well as additional reports that Philbert sexually harassed subordinate staff and students, surfaced numerous times, including in 2010, just before he was promoted to a deanship, and in 2017, when he was named provost. As provost, Philbert continued harassing subordinate staff, some of which was reported directly to the President of the University's office. Despite many university officials learning of these allegations numerous times over decades, no actions were taken against Philbert until a group of women sent an anonymous letter detailing some of the abuse to the then-University president in January 2020.
- Cause of Action: Unknown.
- Plaintiffs' Attorneys: Sarah Prescott of Salvatore Prescott Porter & Porter.
- More Information:  
[https://www.usatoday.com/story/news/education/2020/11/18/university-michigan-martin-philbert-sexual-harassment-settlement/3764027001/;](https://www.usatoday.com/story/news/education/2020/11/18/university-michigan-martin-philbert-sexual-harassment-settlement/3764027001/)  
[https://regents.umich.edu/files/meetings/01-01/Report\\_of\\_Independent\\_Investigation\\_WilmerHale.pdf](https://regents.umich.edu/files/meetings/01-01/Report_of_Independent_Investigation_WilmerHale.pdf)

***Does v. University of Michigan (2022)***

- Settlement: \$490 million (including \$30 million for future claims).
- Harassment/Injuries: Sexual assault.
- Multiple Plaintiffs (1,050).
- Basic Facts: Dr. Robert Anderson worked at the university from 1966 until his 2003 retirement and was director of the university's Health Service and a physician for multiple

athletic teams. In that position, Anderson sexually assaulted over 1,000 student athletes during required physical examinations.

- Causes of Action: Unknown.
- Plaintiffs' Attorneys: Parker Stinar; Mick Grewal of Grewal Law PLLC.
- More Information: <https://www.nytimes.com/2022/01/19/sports/ncaafootball/michigan-abuse-settlement-robert-anderson.html>

## **MINNESOTA**

### ***Doe v. University of Minnesota (2020) (pre-suit settlement)***

- Settlement: \$500,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: In September 2016, Plaintiff was gang raped by school football players. Though several football players were ultimately expelled as a result of her report of the rape, plaintiff alleged that the University violated her rights prior to the conclusion of the school's disciplinary process, and as a result, she suffered physical injuries.
- Causes of Action: Unclear.
- Plaintiffs' Attorneys: Hutchinson Black and Cook LLC.
- More Information: <https://www.twincities.com/2020/08/27/umn-pays-500000-to-student-who-accused-football-players-of-rape-in-2016/>

### ***Jenkins v. University of Minnesota, No. 13-1548 (D. Minn. Filed June 24, 2013)***

- Verdict: \$1 against individual defendant plus court award of \$305,003.21 in attorney's fees and \$18,954.73 in costs; verdict in favor of defendant university.
- Harassment/Injuries: Sexual harassment.
- Single Plaintiff.
- Basic Facts: Stephanie Jenkins, a graduate student employed as a researcher, was subjected to repeated advances and sexual harassment by her academic mentor, Ted Swem, while doing field work in Alaska. Following the trip, Jenkins was forced to share office space and continue working with Swem, even after reporting Swem's conduct to the university. Jenkins eventually ended her graduate work and pursued a different career. The university denied responsibility, arguing Swem was not its employee and was instead a person who the university partnered with on certain research projects. The jury found in favor of the university and against Swem but assessed only nominal damages.
- Causes of Action: Title VII; § 1983; Assault; Intentional Infliction of Emotional Distress.
- Plaintiffs' Attorneys: Brent Schafer of Schafer Law Firm; David Schlesinger and Janet Olawsky of Nichols Kaster; and Joseph A. Larson of Joseph A. Larson Law Firm.

- More information: <https://www.startribune.com/former-ph-d-student-at-the-university-of-minnesota-sues-over-sexual-harassment/330035091/>

## **MONTANA**

### ***Doe v. State of Montana*, 19 Id. Verd. Stlmnt. Rpts. 15, 2018 WL 7284071 (Mont. Dist. 2018)**

- Settlement: \$175,000
- Harassment/Injuries: Sexual harassment, sexual assault.
- Single Plaintiff.
- Basic Facts: Montana State University hired a convicted sex offender as a music teacher. He proceeded to sexually harass students. As a part of this pattern of harassment, the teacher had an intimate relationship with, and ultimately sexually assaulted, the plaintiff. The University received several complaints about the teacher's conduct but took no remedial action.
- Causes of Action: Unclear; potentially negligent hiring and supervision.
- Plaintiffs' Attorneys: Geoffrey Angel of Angel Coil & Bartlett.
- More Information: Not available.

## **NEBRASKA**

### ***Doe v. Board of Trustees of the Nebraska State Colleges*, No. 17CV265, 2021 WL 6500518 (D. Neb. Dec. 14, 2021)**

- Verdict: \$300,000 (reversed on appeal).
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff, an international student attending Chadron State College, was twice sexually assaulted by another student. She reported the assault to the Title IX office. During the school's minimal investigation, the assailant admitted that the plaintiff rejected their advances at least once. But Chadron permitted the assailant to remain on campus with minimal restrictions, instead requiring the plaintiff to stay away from campus, change her work assignment, and transfer into remote classes. The plaintiff still encountered the assailant on campus. The jury ruled for the plaintiff, but the Eighth Circuit reversed on appeal, finding insufficient evidence of deliberate indifference.
- Causes of Action: Title IX; Title VI and § 1981 race discrimination.
- Plaintiffs' Attorneys: Maren Chaloupka of Chaloupka Holyoke Snyder Chaloupka & Longoria, P.C., L.L.O.
- More Information: <https://nebraskapublicmedia.org/en/news/news-articles/woman-wins-jury-decision-v-chadron-state-college-in-title-ix-case-awarded-300000/>

***Roohbakhsh v. Board of Trustees of Nebraska State Colleges, No. 8:17-cv-00031-SMB, 2019 WL 5653448 (D. Neb. Oct. 31, 2019)***

- Settlement: \$900,000, plus non-monetary relief, including suicide prevention training, retention of outside expert to review Title IX policies and procedures, provision of a scholarship in victim's name, and placement of a memorial on campus to honor victim.
- Harassment/Injuries: Dating violence; death.
- Multiple plaintiffs (victim's parents and estate).
- Basic Facts: Plaintiffs' daughter, Fatima Larios, died by suicide after her college's administration failed to take action to address known, ongoing dating violence by Fatima's boyfriend, who was also a student at the school.
- Causes of Action: Title IX deliberate indifference
- Plaintiffs' Attorneys: Antonio M. Romanucci and Martin Gould of Romanucci & Blandin LLC; Adele P. Kimmel of Public Justice; and Christopher P. Welsh of Welsh & Welsh PC LLO.
- More Information: <https://www.publicjustice.net/wp-content/uploads/2018/06/2020.04.08-Final-Executed-Settlement-Agreement2.pdf>; [https://www.publicjustice.net/case\\_brief/larios-v-chadron-state-college/](https://www.publicjustice.net/case_brief/larios-v-chadron-state-college/)

**NEW HAMPSHIRE**

***Rapuno v. Trustees of Dartmouth College, No. 118-cv-01070 (D.N.H. 2018)***

- Settlement: \$14 million.
- Harassment/Injuries: Sexual harassment, assault.
- Multiple Plaintiffs (nine); class action.
- Basic Facts: Nine women accused Dartmouth of failing to protect them once they alleged sexual misconduct against three tenured professors within the department of Psychological and Brain Sciences. The three professors leered at, groped, sexted, and intoxicated students; and two of the professors raped two of the plaintiffs.
- Causes of Action: Title IX sexual harassment, hostile educational environment, gender discrimination, retaliation, and state common law claims, including negligent supervision and retention, breach of fiduciary duty.
- Plaintiffs' Attorneys: Charles G. Douglas, III, of Douglas Leonard & Garvey PC; David Sanford and Nicole Wiitala of Sanford Heisler Sharp LLP (New York, NY); Deborah K. Marcuse and Steven J. Kelley of Sanford Heisler Sharp LLP (Baltimore, MD).
- More Information: <https://www.thedartmouth.com/article/2020/07/judge-gives-final-approval-to-pbs-settlement>

**NEW JERSEY**

***D.D. v. Stockton University, No. 18-13506 (D.N.J. 2019)***

- Settlement: \$290,000.

- Harassment/Injuries: Sexual Assault.
- Multiple Plaintiffs (nine).
- Basic Facts: Nine women students were sexually assaulted by classmates near campus. Six of the women were assaulted by members of an unrecognized off-campus fraternity. Although the university knew about the dangers that the off campus “rogue” fraternity posed to students, it failed to protect the women from sexual violence and neglected to thoroughly investigate their reported assaults.
- Cause of Action: Title IX.
- Plaintiff Attorneys: Robert Fuggi of Fuggi Law Firm, P.C.
- More information: <https://why.org/articles/stockton-university-will-pay-290k-to-settle-lawsuits-over-sexual-assaults-on-and-off-campus/>

***Jackson-Locklear v. William Paterson University*, No. 16-5449, 2018 WL 1942521 (D. N.J. Apr. 24, 2018)**

- Settlement: \$800,000.
- Harassment/Injuries: Sexual assault and sexual harassment; wrongful death.
- Single Plaintiff.
- Basic Facts: In November 2015, Cherelle Locklear died by suicide at age 21 approximately two months after being sexually assaulted by a former student of William Paterson University and former member of the Sigma Pi Fraternity. Though Locklear had reported her assault to the University, it failed to investigate her report. Locklear’s mother filed suit against the University, certain employees, and the Theta Tau Chapter alleging failure to comply with Title IX and negligence in their reporting, investigation, and handling of Cherelle’s report of sexual assault.
- Causes of Action: Title IX deliberate indifference; negligence.
- Plaintiff’s Attorneys: Bradley Rice and Jay Rice of Nagel Rice LLP.
- More Information: <https://nagelrice.com/800000-dollar-settlement-title-ix-wrongful-death-case/>

## **NEW MEXICO**

***United States v. University of New Mexico, Dep’t of Just.* (2016)**

- Settlement: No monetary settlement.
- Injunctive Relief: The university was required to provide comprehensive training to students, faculty, and staff about UNM’s prohibitions on sexual harassment and sexual assault, including information about reporting and grievance procedures; revise policies and procedures to create a grievance procedure that ensures prompt, reliable, impartial, and equitable resolution of complaints; adequately investigate or respond to all allegations of sexual harassment; take prompt and effective steps to eliminate any hostile environment

and prevent its recurrence; and ensure that the individuals designed to coordinate Title IX received adequate training.

- Harassment/Injuries: Sexual assault and sexual harassment.
- Multiple Plaintiffs.
- Basic Facts: The Department of Justice and U.S. Attorney's Office for New Mexico opened an investigation into the University of New Mexico's Title IX compliance, after receiving complaints from students alleging the university did not respond adequately to their reports of sexual assault. Students raised issues like confusion about how to report, delays in processes, insensitive and retraumatizing investigation techniques, failure to provide interim safety measures and supports, and a perception that athletes or students in fraternities were afforded preferential treatment in handling reports of sexual misconduct. The investigation concluded that the university was not in compliance with Title IX and Title IV.
- Causes of Action: Title IX and Title IV.
- Plaintiff's Attorneys: None (investigation conducted by the U.S. Department of Justice).
- More Information: <https://www.justice.gov/opa/pr/justice-department-reaches-agreement-university-new-mexico-protect-students-sexual-assault>

## **NEW YORK**

*Aslin v. University of Rochester*, No. 6:17-CV-06847, 2019 WL 4112130 (W.D.N.Y., Aug. 28, 2019)

- Settlement: \$9.4 million.
- Harassment/Injuries: Retaliation and hostile environment.
- Multiple Plaintiffs (nine).
- Basic Facts: Nine former professors and students faced retaliation after bringing sexual misconduct claims against a university professor who pried into female students' sex lives, used overtly sexual language, and publicly discussed the sexual attractiveness of female colleagues, among other things. Those who raised the complaints were excluded from departmental meetings, given burdensome or unusual workloads, shunned by colleagues, had their confidential information disclosed, and were defamed, among other things. At least two of the plaintiffs were allegedly pushed out of their jobs.
- Causes of Action: Hostile education and work environment and retaliation claims under Title VII, Title IX, and the New York State Human Rights Law; state law claims for breach of contract and defamation.
- Plaintiffs' Attorneys: Ann McAllister Olivarius and John Francis Olivarius of MacAllister Olivarius; Stephen G. Grygiel of Silverman Thompson Slutkin White LLC.
- More Information: <https://www.usnews.com/news/us/articles/2020-03-27/u-of-rochester-ex-professors-settle-retaliation-claims>

## **OHIO**

***Adams v. Ohio University*, No. 2:17-cv-00200-ALM-KAJ, 2017 WL 11545361 (S.D. Ohio Aug. 14, 2017)**

- Settlement: \$670,000
- Harassment/Injuries: Sexual harassment and assault.
- Multiple Plaintiffs (2).
- Basic Facts: A professor made repeated and unwanted sexual advances towards plaintiffs, two graduate students in his class. He later sexually assaulted both plaintiffs at an end-of-semester gathering he hosted at a local bar. It was common knowledge on campus that the professor sought sexual relationships with students and that the professor had been reported for sexual misconduct several times prior to these incidents.
- Causes of Action: Title IX quid pro quo and hostile environment claims (deliberate indifference); Fourteenth Amendment Equal Protection claims (through § 1983).
- Plaintiffs' Attorneys: Michal L. Fradin.
- More Information: [https://www.athensnews.com/news/campus/settlement-reached-in-two-students-civil-rights-suit-against-ou/article\\_e8cee352-e858-11e8-8ad6-471227bc5d55.html](https://www.athensnews.com/news/campus/settlement-reached-in-two-students-civil-rights-suit-against-ou/article_e8cee352-e858-11e8-8ad6-471227bc5d55.html)

***Herman v. Ohio University*, No. 2:19-cv-00201-MHW-CMV, 2019 WL 6242159 (S.D. Ohio Nov. 22, 2019)**

- Settlement: \$90,000
- Harassment/Injuries: Sexual harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff, a graduate student, faced repeated and unwanted romantic and sexual advances by her professor. When she rebuffed his advances, he retaliated against her, including by falsifying a negative performance review and ultimately terminating her from a position. A Title IX investigation found the professor responsible for sexual harassment.
- Causes of Action: Title IX quid pro quo sexual harassment, hostile educational environment, retaliation; and Fourteenth Amendment Equal Protection clause claims (through § 1983).
- Plaintiffs' Attorneys: Michael L. Fradin.
- More Information: [https://www.athensnews.com/news/campus/settlement-reached-in-ou-sexual-harassment-suit/article\\_145a5fcc-aa8d-11ea-946c-cbd8b868bbd4.html](https://www.athensnews.com/news/campus/settlement-reached-in-ou-sexual-harassment-suit/article_145a5fcc-aa8d-11ea-946c-cbd8b868bbd4.html)

### **Ohio State University Settlements Involving Abuse by Dr. Richard Strauss (2022)**

- Settlement: Ohio State has paid approximately \$60 million to 296 survivors in multiple lawsuits, as part of settlements reached from March 2020 to July 2022 with some plaintiffs. (There are still five lawsuits pending on behalf of more than 230 plaintiffs.)
- Harassment/Injuries: Sexual abuse and harassment.
- Multiple Plaintiffs.
- Basic Facts: Richard Strauss was a university-employed physician from 1978 to 1998, serving as a varsity team sports doctor, professor, and physician at the student health center. An investigation by the law firm Perkins Coie LLP determined that Strauss had sexually abused students throughout his tenure, that numerous university employees had notice of the abuse starting as early as 1979, and that the university had failed to take appropriate action in response. Following Perkins Coie's year-long investigation, the university released a 180-page report in May 2019 that detailed acts of sexual abuse against at least 177 former students.
- Causes of Action: Title IX.
- Plaintiffs' Attorneys: Multiple attorneys in multiple cases; many of the settlements were with clients of Richard Schulte and Dennis Mulvihill of Wright & Schulte LLC.
- More Information: <https://www.thelantern.com/projects/project/ohio-states-total-spending-on-strauss-case-still-a-fraction-of-other-universities-settlements/>;  
<https://news.osu.edu/additional-settlements-reached-in-cases-involving-strauss/>  
<https://www.nbcnews.com/news/us-news/faced-lawsuits-ohio-state-denies-covering-sex-abuse-scandal-years-pay-rcna120200>.

### ***United States v. Case Western Reserve University*, U.S. Dep't of Just. (N.D. Ohio 2023)**

- Settlement: No monetary settlement.
- Injunctive Relief: Extensive reforms including publicizing Title IX policies and protocols; delivering annual trainings for all students and employees; implementing new policies, protocols, and trainings to reform the university's Greek Life programming; providing additional resources for students who experience sex discrimination; and funding the women's center and other offices to support students affected by sex discrimination.
- Harassment/Injuries: Sexual assault and harassment within campus Greek Life.
- Plaintiff: None (DOJ investigation with multiple victims).
- Basic Facts: The DOJ and the US Attorney's Office for the Northern District of Ohio opened an investigation into Case Western's response to reports of sexual harassment, sexual assault, and other sexual misconduct within Case Western's Greek Life community. The investigation concluded that Case Western did not respond appropriately to a well-known climate of sexual harassment.
- Causes of Action: Title IX.
- Plaintiffs' Attorneys: None (investigation conducted by U.S. Department of Justice).



- More Information: <https://www.justice.gov/opa/pr/justice-department-secures-title-ix-agreement-addressing-campus-sexual-assault-and>.

## **OREGON**

### ***Doe v. University of Oregon, Case No. 6:15-cv-0042 (D. Or. Filed Jan. 8, 2015)***

- Settlement: \$800,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually assaulted by three basketball players, one of whom had a known history of sexual misconduct. After the plaintiff reported the assault, the school delayed taking corrective action until after the close of the basketball season.
- Causes of Action: Title IX claims for deliberate indifference to plaintiff's assault and for deliberate indifference to one of the harasser's known history of sexual violence, Fourteenth Amendment violations under 42 U.S.C. § 1983, state law negligence claims.
- Plaintiffs' Attorneys: John Clune, Hutchinson Black & Cook LLC.
- More Information: <https://www.fisherphillips.com/news-insights/800k-settlement-illustrates-unique-issues-raised-in-title-ix-litigation.html>

## **PENNSYLVANIA**

### ***Simonetta v. Allegheny College, No. 20-32-ERIE (W.D. Pa. 2021)***

- Settlement: Undisclosed.
- Harassment/Injuries: Sexual Assault.
- Single Plaintiff.
- Basic Facts: An Allegheny College student was raped in her dorm by a Meadville resident unaffiliated with the College. The College failed to fix the malfunctioning entry systems and address other security measures in the residence halls and failed to change the security procedures to protect students living on campus, despite awareness of various on-campus forcible sex offenses and suspicious persons and trespassers on campus before this attack.
- Cause of Action: Title IX; negligence.
- Plaintiff Attorney: Kristen C. Weidus of Ruder Law.
- More information: <https://www.goerie.com/story/news/crime/2023/05/16/settlement-ends-lawsuit-over-rape-in-allegheny-college-dorm-montelle-brown-meadville-ravine-narvik/70213720007/>

## **RHODE ISLAND**

### ***Cohen v. Brown University*, 16 F.4<sup>th</sup> 935 (1<sup>st</sup> Cir. 2021)**

- Settlement: Amount confidential.
- Injunctive relief: Reinstated two women's teams and barred elimination or reduction in the status of any women's varsity team for at least the next four years.
- Harassment/Injuries: Gender discrimination.
- Multiple Plaintiffs (unknown).
- Basic Facts: Brown cut women's teams from its varsity athletics program. Students filed a class action under Title IX.
- Causes of Action: Title IX gender discrimination.
- Plaintiffs' Attorneys: Lynette Labinger; Arthur H. Bryant of Bailey & Glasser LLP; Lori Bullock; Newkirk Zwagerman.
- More Information: <https://www.golocalprov.com/sports/Appeals-Court-Approves-Settlement-on-Title-IX-Battle-in-Womens-Athletics-a>

## **SOUTH CAROLINA**

### ***Downs v. Claflin University* (2016) (pre-suit settlement)**

- Settlement: \$20,000 for compensatory damages; \$12,500 for attorneys' fees.
- Injunctive Relief: The university revoked its housing policy prohibiting pregnant students from residing on campus, created new policies designed to support pregnant and parenting students in full compliance with Title IX, distributed the revised policies to all students and university employees, obtained additional training to ensure Title IX compliance, and provided Ms. Downs with positive reference letters.
- Harassment/Injuries: Pregnancy discrimination.
- Single Plaintiff.
- Basic Facts: Kamaria Downs, a South Carolina University graduate student, was forced to leave her dorm and move off campus by a university official when she was pregnant. The university had a policy that prohibited pregnant students from living on-campus while pregnant and required pregnant students to submit medical documentation not required from other students with medical conditions.
- Causes of Action: Title IX.
- Plaintiffs' Attorneys: Linda Correia and Lauren Khouri of Correia & Puth; Adele Kimmel of Public Justice.
- More information: [https://www.publicjustice.net/case\\_brief/downs-v-claflin-university/](https://www.publicjustice.net/case_brief/downs-v-claflin-university/)

### ***Hieronimus v. Barron*, No. 8:19CV01720, 2019 WL 9358881 (D.S.C. June 14, 2019)**

- Settlement: \$40,000.

- Harassment/Injuries: Sexual assault, harassment, and wage discrimination.
- Single Plaintiff.
- Basic Facts: Plaintiff was a Clemson student. His professor and research supervisor sexually harassed and assaulted him. After the plaintiff took a class with the professor, the professor told the plaintiff they could be long-time “business partners” through hard work and supervised him for paid work. The professor took the plaintiff on multiple trips, including to Myrtle Beach and Peru. In advance of the Peru trip, the professor told the plaintiff he needed to work at the professor’s home. Over the course of eight or nine visits to the professor’s home, the professor proceeded to hug the plaintiff and attempt to kiss him, make him try on clothing and change shirts in front of him, and came into the bathroom and started shaving the plaintiff and lifting his boxers. Once in Peru, the professor repeatedly entered the plaintiff’s room and tried to reach his hand into the plaintiff’s boxers. This harassment continued throughout the trip as the plaintiff felt trapped in Peru. The professor also told the plaintiff to doctor his timecards so as to not list any worktime past 5:00PM, and thus the plaintiff was uncompensated for wages and overtime he was owed for time he spent traveling and going to the professor’s home.
- Causes of Action: Title IX; Title VII; state wage laws.
- Plaintiffs’ Attorneys: John Reckenbeil and Jeffrey Ezell.
- More Information: <https://www.greenvilleonline.com/story/news/2020/09/10/former-student-reaches-settlement-lawsuit-against-professor-school/5716167002/>;  
<https://www.greenvilleonline.com/story/news/2019/05/20/clemson-university-student-lawsuit-details-alleged-sexual-harassment/3731295002/>

## **TENNESSEE**

### ***Jane Does v. University of Tennessee (2016)***

- Settlement: \$2.48 million distributed among 8 plaintiffs and their attorneys.
- Harassment/Injuries: Sexual assault and sexual harassment.
- Multiple plaintiffs (eight).
- Basic Facts: The plaintiffs, several women students at the University of Tennessee, were sexually assaulted by other University students, most of whom were athletes. After the victims reported the assaults to the University, the University demonstrated deliberate indifference and exposed the plaintiffs to additional harassment. Specifically, the UT administration, athletic department, and football coach knew about previous sexual assaults and rapes by football players but failed to take corrective action.
- Causes of Action: Title IX claim for sexual harassment and sexual assault and deliberate indifference to the serious risks of sexual assaults.
- Plaintiffs’ Attorneys: Led by David Randolph Smith of Nashville
- More Information: <https://www.tennessean.com/story/news/2016/02/09/sweeping-sexual-assault-suit-filed-against-ut/79966450/>;

<https://www.tennessean.com/story/news/2016/07/06/settling-sex-assault-lawsuits-costs-universities-millions/86756078/>;  
<https://www.tennessean.com/story/news/crime/2016/07/05/tennessee-settles-sexual-assault-suit-248-million/86708442/>

## **TEXAS**

### ***Hernandez v. Baylor University*, 274 F. Supp. 3d 602 (W.D. Tex. 2017)**

- Settlement: \$240 million.
- Harassment/Injuries: Sexual Assault.
- Multiple Plaintiffs (fifteen).
- Basic Facts: Fifteen women were sexually assaulted while students at Baylor University. Several women were assaulted by members of the Baylor football team, a fraternity president, and a rugby player. The lawsuit was one of several alleging that staff and administrators ignored or stifled reports from women who said they were assaulted on or near campus, often by men who played sports for Baylor.
- Cause of Action: Title IX.
- Plaintiffs' Attorneys: Jim Dunnam, Eleeza Johnson and Chad Dunn of Dunnam & Dunnam Law.

### ***Lozano v. Baylor University*, Case No. 6:16-CV-403-RP, 2022 WL 4715725 (W.D. Tex. Sept. 30, 2022)**

- Jury verdict: \$270,000
- Harassment/Injuries: Intimate partner violence.
- Single Plaintiff.
- Basic Facts: Plaintiff was physically assaulted three times by her then-partner, a student-athlete at Baylor. She reported the first assault to several members of the athletic department, who took no action. After reporting, she was assaulted again. In the wake of her reports, she was repeatedly referred to counseling for her "spiritual self-worth and preservation" despite no action taken against her assailant. Baylor allegedly did not have a Title IX process in place.
- Causes of Action: Violation of Title IX; negligence; gross negligence.
- Plaintiffs' Attorneys: Joey M. McCall and Ricky K. Patel of Farrell & Patel, Attorneys at Law.
- More Information: <https://www.texasmonthly.com/news-politics/baylor-title-ix-lawsuit-abuse-liable-negligence/>

## **UTAH**

### ***Hewlett v. Utah State University*, No. 16-CV-01141-DN (D. Utah 2018)**

- Settlement: \$250,000.
- Injunctive Relief: University agreed to recognize fraternities and sororities as official student organizations; hire a new full-time Greek Life Coordinator; provide trauma-informed training to all employees likely to receive disclosures of sexual harassment; perform campus climate surveys; require prevention training on sexual harassment for all students; revise sexual harassment policies and training materials; revise sexual harassment reporting form; permit plaintiff to participate in a university program to assist with the prevention of and response to sexual harassment; hire an independent consultant to develop training on sexual harassment prevention and response; assign an advocate to those who report sexual harassment; and provide compliance reports to plaintiff's counsel for three years.
- Harassment/Injuries: Rape.
- Single Plaintiff.
- Basic Facts: Victoria Hewlett was raped and beaten at a fraternity party by a Utah State student with a history of sexual assault and harassment. Utah State University and the fraternity knew the perpetrator's history of sexual assault and harassment of other students. However, the university failed to take the appropriate action to address the problem.
- Causes of Action: Title IX claim and negligence claims.
- Plaintiffs' Attorneys: Jeffrey Eisenberg, Cutt John Hansen of Scalley Reading Bates Hansen & Rasmussen, P.C.; Adele Kimmel of Public Justice.
- More Information: <https://www.publicjustice.net/wp-content/uploads/2018/06/Settlement-Agreement-and-Release-Hewlett-v.-USU-06.29.2018.pdf>

***McCluskey v. University of Utah* (D.Utah, Civil No. 2:19-cv-00449-HCN-JCB, and Third Judicial District Court, State of Utah, Civil No. 200903724)**

- Settlement: \$13.5 million (\$10.5 million to Plaintiff; \$3 million donation to charity).
- Injunctive Relief: The University agreed to construct a new Athletics Department facility with an indoor track suitable for a Track & Field team to practice, compete, and host competitions, and that this facility will either bear the name of Lauren McCluskey or jointly the name of Lauren McCluskey and the name of a major donor to the construction of the building, no later than December 31, 2030; University agreed to name its Center for

Violence Prevention the “McCluskey Center for Violence Prevention,” in perpetuity for the life of the center.

- Harassment/Injuries: Dating violence, murder.
- Single Plaintiff (through two parents).
- Basic Facts: Lauren McCluskey, 21, was fatally shot outside her campus dorm on Oct. 22, 2018, by Melvin Rowland, a 37-year-old registered sex offender on parole whom she had briefly dated. In the days after McCluskey ended her relationship with Rowland, she contacted campus police several times to report that he had begun harassing her and threatened to release compromising photos of her. Many of those concerns were not taken seriously. A detective didn’t investigate anything until after McCluskey was killed. The officer on her case, Miguel Deras, displayed McCluskey’s intimate pictures to at least three of his co-workers without a work-related purpose during the period before her death, while he was supposed to be looking into the case. The lawsuits alleged that Lauren’s complaints were treated dismissively because of the University’s practice and policy of ignoring and disbelieving women, deliberate indifference to domestic violence that disproportionately affects women, its failure to competently investigate her complaints and those of others, and its failure to protect her based on outdated, dangerous, and misogynistic attitudes toward women.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; claims for equal protection and substantive due process violations under 42 U.S.C. § 1983; state law claims for negligence and wrongful death.
- Plaintiffs’ Attorneys: Plaintiff’s Attorneys: Bradley H. Parker, Christine M. Durham, Dick J. Baldwin, J. Frederic Voros, Jr., James W McConkie, II, W. Alexander Evans.
- More Information: <https://www.sltrib.com/news/education/2020/10/22/lauren-mccluskeys-parents/>

## **VIRGINIA**

### ***John Doe v. Norfolk State University*, No. 2:22-cv-00229 (E.D. Va. 2022)**

- Settlement: Undisclosed.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: A former Norfolk State University football player was hazed and sexually assaulted by other members of the football team. The NSU football coaches knew of the hazing and assault and ignored it, which fed the assaultive culture of the team.
- Cause of Action: Title IX.
- Plaintiffs' Attorneys: Diane P. Toscano, Esq. of Toscano Law Group, P.C.
- More Information: <https://ewscripps.brightspotcdn.com/f6/1a/f305f23e475d8b75c66988c4adc5/john-doe-suit.pdf>

### ***United States v. Morrison*, 529 U.S. 598 (2000)**

- Settlement: \$75,000.
- Harassment/Injuries: Sexual Assault.
- Single Plaintiff.
- Basic Facts: Former student Antonio Morrison raped Christy Brzonkala, another student at Virginia Polytechnic Institute. The University knew of Morrison's brutal attack, but failed to take any meaningful action to protect Brzonkala. Instead, it permitted a sexually hostile environment to flourish. Brzonkala also brought damages claims under the Violence Against Women Act, but those claims were dismissed when the Supreme Court held that the relevant provisions of the Violence Against Women Act were unconstitutional. The parties settled the Title IX claim.
- Cause of Action: Title IX.
- Plaintiffs' Attorneys: Julie Goldshield of Legal Momentum; Eileen N. Wagner of White Stone; Richard D. Bernstein of Wilkie Farr; Katherine L. Adams; Carter G. Phillips and Jacqueline Gerson Cooper of Sidley Austin LLP; Paul A. Hemmersbaugh of DLA Piper LLP.
- More Information: <https://www.vtmonthly.vt.edu/march00/lawsuit.h>

## **WEST VIRGINIA**

### ***Saporito v. West Virginia University***

- Settlement: \$100,000
- Harassment/Injuries: Sexual assault and harassment.
- Single Plaintiff.
- Basic Facts: Former West Virginia University student Bianca Saporito was raped by another student in a bathroom at an off-campus apartment. Despite reporting the rape to the university, the assailant was allowed to stay on campus, and a student conduct board at WVU found him “not responsible” for sexual misconduct. The experience was so traumatic for Saporito that she suffered emotional distress and withdrew from school. The school employee charged with investigating Saporito’s complaint tried to dissuade her from proceeding with a hearing where her assaulter could be expelled. The investigator also told board members during the hearing that Saporito “consented to sexual events.”
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment.
- Plaintiff’s Attorney: Bader Giggenbach.
- More information: [https://www.wvgazettemail.com/news/education/wvu-settles-title-ix-lawsuit-in-alleged-mishandling-of-rape-report/article\\_529a1f89-99bf-55d1-a3a1-bd3e0bc0a266.html](https://www.wvgazettemail.com/news/education/wvu-settles-title-ix-lawsuit-in-alleged-mishandling-of-rape-report/article_529a1f89-99bf-55d1-a3a1-bd3e0bc0a266.html)

## **WISCONSIN**

### ***A.R. v. University of Wisconsin System (2019)***

- Settlement: \$325,000.
- Harassment/Injuries: Sexual harassment and sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff, a former University of Wisconsin-Oshkosh student, had a sexual relationship with her professor beginning in 2012. A year into the relationship, the professor began sexually, physically, and emotionally abusing her. In 2015, the University found the professor in violation of its sexual harassment and consensual relationship policies, and he resigned.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment and sexual assault reports.
- Plaintiff’s Attorney: Mary Kennelly.
- More Information: <https://www.jsonline.com/story/news/education/2019/07/22/ex-student-settles-325-000-uw-oshkosh-sex-harassment-case/1744969001/>