

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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NIMROD REITMAN,

Plaintiff,

-against-

AVITAL RONELL  
and NEW YORK UNIVERSITY,

Defendants.  
-----x

Index No.: /2018  
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**COMPLAINT**

Plaintiff Nimrod Reitman (“Reitman”), by and through his attorneys, Kravet & Vogel, LLP, brings the instant action against defendant Avital Ronell (“Ronell”) and defendant New York University (“NYU” or the “University”), and alleges as follows:

**INTRODUCTION**

1. This action arises from the shocking misconduct engaged in by an internationally recognized academician and the University that employs her.

2. For more than three years while a student at NYU, Reitman was subjected to sexual harassment, sexual assault, and stalking by his Ph.D. academic advisor, Ronell, which devastated him and caused serious damage that he will likely suffer for years to come. Ronell created a false romantic relationship between herself and Reitman and by threat of, among other things, not allowing him to advance his Ph.D., asserted complete domination and control over his life.

3. Based on a complaint filed by Reitman against Ronell, and as required by federal law, NYU’s Office of Equal Opportunity conducted an 11-month investigation and issued a report (the “Title IX Report”), in which it was concluded that:

*There is sufficient information, by a preponderance of the evidence, to support a finding of responsibility that Professor Ronell violated the*

*University's Sexual Misconduct, Relationship Violence, and Stalking Policy with regards to Mr. Reitman's allegations of sexual harassment.*

4. The Title IX Report further explicitly found that by virtue of inappropriate language and improper and unwanted physical contact, Ronell's behavior constituted a clear violation of NYU policy, "*as these acts over a three-year period were unwanted and sufficiently pervasive to alter the terms and conditions of Mr. Reitman's learning environment.*"

5. Although NYU has now determined that Ronell sexually harassed Reitman for his entire time at NYU, NYU has failed to acknowledge that during that period Reitman informed a NYU Vice Provost, among others, about Ronell's misconduct, and that NYU failed to take any action and thus prevent further harm to Reitman.

6. Based on Ronell and NYU's wrongful conduct, Reitman seeks relief under the New York City Human Rights Law, New York City Administrative Code, §8-107, *et seq.* ("NYCHRL") and New York common law.

**THE PARTIES**

7. Reitman is an individual who at all relevant times had been admitted as a graduate student to, worked for, and/or attended, NYU. Since September 2012, Reitman was and is domiciled in New York, New York. At all relevant times, Reitman, as a graduate student, was employed by NYU. Not only did he teach at the University, for which he was compensated, but he was also compensated by NYU for projects that he performed at Ronell's request.

8. NYU is a private university that, upon information and belief, receives federal funding. NYU is based in New York City and is an owner and provider of a public accommodation within the meaning of the NYCHRL.

9. Ronell is a University Professor at NYU in the Humanities and in the Departments of Germanic Languages and Literature and Comparative Literature, and is an

employee of NYU. At all relevant times, Ronell was domiciled and worked in New York, New York.

## **FACTUAL ALLEGATIONS**

### **Introduction**

10. On or about January 30, 2012, Reitman was offered a position in the Ph.D. program in the Department of German at NYU. In addition to the offer to study at NYU, Reitman was awarded a scholarship, a stipend, and employment as a language instructor.

11. Though he was also offered entrance into Ph.D. programs at Yale, Brown, and Stanford, Reitman accepted the offer from NYU because he wanted to study under Professor Avital Ronell. Indeed, prior to his being offered a position at NYU, Reitman had been in contact with Ronell about having her supervise his doctoral work.

12. Ronell is a world-renowned academic and author. She is a Professor of German and Comparative Literature at NYU, as well as the Jacques Derrida Chair and Professor of Philosophy at The European Graduate School. She previously held the position of Chair of both the German and Comparative Literature Departments at NYU. She has written numerous books, speaks at universities around the world, and has received many prestigious awards and fellowships. Put simply, Ronell is a “superstar” of the academic world.

13. Reitman’s dreams of working with a world-class scholar, however, turned into more than three years of continuous and unabated sexual harassment, sexual assault, and stalking.

14. Ronell created a fictitious romantic relationship between herself and her student Reitman, and asserted complete domination and control over his life, both inside and outside of his academic endeavors, repeatedly and forcibly groping, touching, and kissing him on a regular basis.

15. Reitman was required to spend countless hours either in Ronell's presence (predominantly at her university-owned apartment) or communicating with her by voice or video call, text, and/or email, and was berated by her if he failed to do so to the extent that she felt appropriate. He was required to be available to her all hours of the day and night, and to schedule his life around her wants and needs. Ronell forced Reitman to distance himself from friends and family, and she would often burst into a jealous rage when his attention was with them and not fully devoted to her. Ronell would become distraught when Reitman would travel away from New York, often becoming angry and punishing him professionally for it. While he was away, she would contact him constantly, and again become upset when he was not available for her.

16. Throughout Reitman's time at NYU, Ronell would touch, grab, fondle, and kiss Reitman (over his objections), and often demanded that he act in kind, otherwise she would refuse to work with him. She also demanded that he communicate with her in over-the-top, effusive language, including that he constantly express his love for her, and his failure to do so would result in Ronell angrily reprimanding him and refusing to work with him.

17. Ronell also used her standing in the academic community as a threat against Reitman, often bragging about her sphere of influence and how she could "make or break" careers in academia. Though she bragged about getting her students teaching positions at "the best" schools, she also told Reitman stories of how she enacted vengeance against those who had wronged her. She referred to this as her "mafia" capabilities.

18. Despite in the summer of 2013 having told an NYU Vice Provost about Ronell's conduct, nothing was ever done by NYU to stop Ronell's years-long abuse of Reitman.

19. In 2015, Reitman received his Ph.D., passing his dissertation defense unanimously on his first attempt. Angry that he was "leaving" her, Ronell punished him by

sabotaging his efforts to obtain a teaching position, despite having previously told him that she could get him a position “wherever” he wanted.

20. Reitman eventually filed a Title IX complaint with NYU’s Office of Equal Opportunity against Ronell. During the course of the subsequent 11-month investigation, Ronell repeatedly denied that she had had any physical contact with Reitman, or that she had communicated with him in any amount or manner that was inappropriate. She also attacked Reitman, falsely accusing him of a variety of emotional and psychological problems, as if that somehow justified her conduct.

21. At the end of the 11-month-long investigation, which included witness interviews, e-mail messages, text and voice-mail messages, photographs, as well as other evidence, Ronell was found by NYU to have physically and verbally sexually harassed Reitman over a sustained period of time.

22. Following this determination, upon information and belief, Ronell used her influence and vast connections to organize a campaign of misinformation against Reitman, falsely accusing him of having “maliciously” brought the Title IX charges against her, while failing to acknowledge that the sexual harassment claims had actually been confirmed by NYU, thus further destroying his reputation and any hopes that Reitman might have had of having a career in academia.

**Ronell Begins Her Obsession With – And Demands Upon – Reitman**

23. In the spring of 2012, after having accepted NYU’s offer, Reitman, who was living in Berlin, Germany at the time, traveled to his home country of Israel. Ronell happened to also be in Israel at the same time and, in an effort to start off their professional relationship on a strong note, Reitman organized an event at Tel Aviv University in Ronell’s honor, centered around a new book that she had written.

24. After the event, Ronell began calling Reitman on his cell phone and on his parents' home phone in Israel, often insisting that Reitman speak with her for hours. Though the calls made him uncomfortable, Reitman did not want to alienate his famous and powerful new doctoral adviser, and therefore participated in them. During these calls, Ronell spoke very little about the academic work they would do together and instead spoke on a variety of personal subjects. During this time Reitman also received emails from Ronell, asking him to assure her that "nothing is wrong between us," and that "we are okay."

25. When Reitman returned to his residence in Berlin, he continued to receive telephone calls and requests for video calls from Ronell on a near-daily basis. The calls would occur at all times of the day and night, with Ronell demanding that Reitman remain on them for hours. If Reitman failed to answer a call from Ronell, she would immediately call him on another number, attempt to reach him by video call, text him, or email him, demanding that they speak immediately.

26. This obsession and harassment by Ronell was merely the tip of the iceberg. She soon began to physically harass and/or assault him on a sustained basis that would last throughout his entire time at NYU. The first incident occurred before Reitman even moved to New York when, soon after having met him, Ronell invited Reitman to Paris.

### **Ronell Sexually Assaults Reitman in Paris**

27. In the spring of 2012, Ronell invited Reitman to visit her in Paris, promising to introduce Reitman to prominent scholars and his "future colleagues," and that they would get a head start working on Reitman's doctoral research.

28. Though Reitman did not ask or mention that he needed a place to stay in Paris (indeed, he did not), Ronell insisted that he stay at her apartment, representing to Reitman that it had two bedrooms and two bathrooms, and that Reitman would have full privacy while there.

29. Reitman traveled to Paris at the end of May 2012. Almost immediately upon Reitman arriving at Ronell's apartment in the early afternoon, Ronell told Reitman that she needed to rest and went into her bedroom. Soon, however, she called Reitman into her bedroom and told him that her dream was to have someone read to her, and asked Reitman to do so.

30. Though Reitman was mortified by this level of intimacy, he also did not want to anger or alienate his doctoral advisor, who was very insistent and had already shown a disturbing level of obsession with Reitman, and he thus acquiesced to Ronell's request.

31. Ronell laid on the bed fully clothed while Reitman sat in a chair nearby, also fully dressed. Ronell told Reitman that she could not hear him and insisted that he get on the bed while reading to her. Reitman did, and sat upright on the bed, fully clothed, while he read to Ronell.

32. Ronell soon began pulling Reitman into a laying position next to her, and began kissing him on the lips, hands, and chest. To his horror, Ronell continued to grope Reitman both over and under his clothing. At one point, while facing away from him, she pushed her buttocks into his groin. Ronell also kissed Reitman's neck and mouth, several times attempting to engage in an open-mouth kiss.

33. During this time Reitman's body remained tense, and he repeatedly attempted to move away from Ronell. Each time, however, Ronell would pull him close again. He was so shocked and taken aback by Ronell's actions – as well as intimidated by the fact that this was his doctoral adviser and a pillar in his chosen academic field – that he feared to tell Ronell to stop, despite his extreme discomfort and objection to what was happening. Eventually, Ronell fell asleep, and Reitman was able to leave Ronell's bedroom.

34. That evening Ronell again asked Reitman to read to her in her bedroom. This time Ronell was wearing a nightgown and pulled him onto the bed with her and began kissing

Reitman's face and groping him. Ronell also grabbed Reitman's hands and put them on her breasts, holding them in place with her own hands. After about a half hour, Ronell fell asleep and Reitman was able to leave her bedroom.

35. After the evening incident, Reitman called his mother and told her what had happened. Panicked, he said that Ronell had crossed all acceptable boundaries, but he did not know what to do going forward.

36. The next morning Reitman told Ronell that what she had done the prior day was a problem and that she could not continue such behavior. Reitman also told her that she was his advisor, that that was the extent of their relationship, and reminded her that he is gay and was at the time in a relationship with someone else. Ronell became outraged and accused Reitman of "demeaning" her by reducing her to the status of being "just an advisor." And notwithstanding his protest, Ronell continued to kiss and grope him during his stay in Paris.

37. While still in Paris, Reitman reached out to a professor from the Yale University German Department, asking if he (Reitman) could still enroll in Yale's Ph.D. program despite having previously declined Yale's offer. Reitman was told to reach out to the person in charge of admissions to Yale's German Department.

38. Reitman, however, knew that the head of admissions to Yale's German Department was one of Ronell's close friends. While in Paris, Ronell had bragged that she could (and did) "make or break" the careers of her students. Given the obsessive behavior that Ronell had already demonstrated toward Reitman, he feared that if Ronell learned that he was looking to leave NYU for Yale, she would ruin his academic career. Reitman therefore decided to not contact Yale further.



39. Ronell often referenced her time in Paris with Reitman as “paradise.” This twisted sentiment was memorialized by Ronell in numerous emails to Reitman, in which she wrote things like:

*My sweet delight, dear Nimrod, ... I miss you strongly! ... I will hold you close to my heart silently, as I once did, and just listen to your intimate rhythm, heart, heart, your breathing, heart, heart. I liked when you would drift off and I could lose myself in your soft breathing. I'm not sure you remember, because, well, you had drifted off. I asked for those moments to last forever! ... ”*

*“I remember how you fell asleep and held my arm with both hands, very beautifully. I'm still breath-taken.”*

*“Dearest Nimrod, my joy, . . . I like the way you hold me at those times, and I like very much that you let me hold you, too, ... ”*

*“Missing you terribly, esp in Paris where I am constantly reminded of our time together, my beautiful mirage/marriage of delicacies.”*

#### **Ronell Demands “Rhetorical Cushioning” From Reitman**

40. Upon Reitman’s return to Berlin from Paris, during the summer of 2012, Ronell continued her verbal and written harassment of Reitman, calling and writing to him at all hours, demanding to occupy as much of Reitman’s time as possible.

41. During this time, Ronell began insisting that Reitman address her as “my beloved” or use other terms of endearment, and that he must say that he loved her and address her with loving, effusive language and tone, as she did with him. Ronell referred to this as “rhetorical cushioning,” and told Reitman that he must use it when he communicated with her, regardless of whether it was true or not. She compelled Reitman to comply with her demands by telling him that she could not work with him otherwise, with the result being that he would not be able to obtain his Ph.D.

42. Ronell’s demands that Reitman use this “rhetorical cushioning” with her can be seen in various email and/voicemail messages from her, for example:

*“...I’m calling to say that, ‘I love you too,’ does not cut it darling...”*

*“I am struggling but you address me as though I were another. ... You occupy an immense place in my life, in my heart, and I need to hear from yours.”*

*“ ... Please next time add some layers of warmth...”*

*“I will always support your wishes and projects, but cannot really bear hearing for another round a break in tonality and strange reprove.”*

*“... Maybe we can find a way for this not to happen, for me not to feel unnecessarily abandoned, I’m sure a slight rhetorical shift would do...”*

43. Indeed, Ronell was true to her word, as often when Reitman would fail to communicate with Ronell in the manner and tone that she demanded, she would cancel their work sessions until Reitman had apologized and resumed addressing her as she required. Sometimes Reitman’s failure to use language that was sufficient to satisfy Ronell would result in her throwing a yelling tantrum, casting herself as the victim, and demanding that he express his support and understanding for her anger.

44. Ronell also used romantic and sexually-charged language and innuendo with Reitman. The following constitutes just a sampling from emails and voicemails that Ronell sent to Reitman during Reitman’s years at NYU:

*“My Nimrod, sweet companion-prince, ... I will wake you up every day in New York to celebrate with you ... Every day. The nights I will shower you with poetry, whether you are near or indwelling according to other proximities, ever close to my heart. ...”*

*“my astounding and beautiful Nimrod, ... please get over here, come home, and read to me so that I can find some repose in you. sweet kisses & champagne”*

*“I am having a hard time letting you go ... Please be kind to me as only you know how. Planting kisses firmly, holding you throughout in gentle accompaniment”*

*“I’ll see you at the orifice, I mean office, and we’ll have our sacred and beautiful time together, something that each time exceeds all expectation”*

*“... Focus on how important and amazing we are for and to and with each other. Let me be the One! Or, failing that, let me just accompany you in silent complicity”*

*“dearest Nimrod, my special one. ...are you in the afterglow of our enchanted visit, did some of the beauty of our shared time and language stay with you, ... I miss you greatly and announce that I now am on a need to hear from you basis, please don't refrain much longer!”*

*“...I feel you with me and you’re preparing already my bubble bath ... You’ve decided to read to me, with a glass of wine in your hand ...”*

*“ ... So yesterday was stunning, the time we could spend together, and your language, your beauty, your skin. You’re holding me in such a vital way. Bye darling, I love you. Bye.”*

*“... I loved our time together today. It was beautiful, it was gorgeous. ... And I want to affirm it and celebrate it and you ...”*

45. Ronell incessantly addressed Reitman in a sexual manner, as evidenced by many of the things that she wrote to him or said in voice messages to him, such as referring to herself as his “cock-er-spaniel,” or that she would meet him at the “orifice” (instead of the “office”), or calling herself Reitman’s “elephantasy.” The following is a litany of phrases that Ronell used in her communications with Reitman, her student and advisee:

*“most Baby ... let’s cuddle like cubs,” “get your ass back home, darling ... I am sorry I ever let you go!” “I love you and long for you,” “Lots of love my sweet beautiful infinitely desireable ...,” “You looked gorgeous. Couldn’t keep my eyes off you!!!,” “whispering to you, holding you,” “I’m with you, I’m in you,” “I’m so proud, loving power pump,” “I just want to rest silently with and on you,” “you are arousing,” “my image during meditation: we’re on the sofa, your head on my lap, stroking your forehead, playing softly with yr hair, soothing you, ...,” “I’ll see you at the orifice, I mean office,” “did you find your phallus?,” “it’s your cock-er-spaniel calling.”*

46. These highly sexualized comments and actions objectifying Reitman were not isolated but, rather, part of an ongoing pattern and practice by Ronell extending over a period lasting more than three years.

47. Reitman was forced into participating in Ronell's romantic and sexual delusions by communicating with her in a like manner. Thus, he shared in a message to a family member:

*"... Avital still doesn't let go and demands that I voice certain phrases that I do not want to say. ..."*

48. Ronell also demanded that Reitman be available to her at all hours of the day and night, completely wiping out any distinction between professional and personal time. If Reitman went out socially with friends, Ronell would reprimand him for not being "serious" with his work. If Ronell called Reitman and he did not answer, she would become distraught, even sometimes angry, sending him messages like the following:

*"are you still awake? I really do need to talk to you as promised!"*

*"PS—I'm not sure why you say it was impossible to phone?! I'm afraid I changed plans to wait for this call and now I'm utterly confounded by your declaration. did something happen? Pls--I left you a msg, this is difficult for me."*

*"is it too late to hear yr beautiful voice?"*

*"I guess it's too late for you at this point--I sought solace by imagining some more talk, wanting to hear your voice. ..."*

*"I tried to call you a number of times, unfortunately couldn't get through, would have liked to leave a msg. ..."*

*"...I now am on a need to hear from you basis, please don't refrain much longer! ..."*

*"...I was crying when I did not hear back from you. It was a hard night, but I'm pulling together. Yes, I did need to talk to you and will have to stop reverting to that level of expectation, which puts too much pressure on you, I sense and see...."*

*"I was disappointed not to be able to reach you tonight. It would have been easier for me if you had said you wouldn't be available ..."*

*"I had something else I wanted to ask you. ... I do think it's best that you not tell me you are there when you're not going to take my calls. It's just better for me. I'm sure you'll understand ..."*

49. The above messages (and others like them) were sent at all times of the day and night, some in the middle of the night, after Ronell had attempted to call Reitman.

50. Ronell also sent many other needy e-mails to Reitman, for example:

*"Hi my darling Nimrod, I am a bit weepy and confused, a normal aftermath I suppose, and also a response to the separation from you ... But I will try to gain some ground with a visit to shrinky-winky and see if I can't develop another kind of report for you! ... So many kisses for my guardian angel."*

*"I am having a hard time letting you go and want, if possible, to retrieve the idea of a "date" ... Please be kind to me as only you know how..."*

*"... believe me, darling Nimrod, I do not like to be in the position of supplicating for more of your attention or time. ..."*

*"... When for instance you said the other day that you felt that we spoke enough, or even a lot, on the phone, the incommensurateness of my demand began to dawn on me, and I thought I realized that you were asking that I dial it down. Very reasonably. I tend to agree with such super-egoical strictures and understand them well. Then the little ones [voices in her head] start their lament ..."*

*"My dearest Nimrod, ... I am deeply sorry when I fail at distance, at least sometimes (but not always) and that I suffer your absence with such inelegance. I hope you can continue to have and hold compassion and not feel a downturn in our tremendous closeness at all times, ... I simply wanted to talk to you. You had told me that we would do so quite a lot: I didn't realize this was something very hard for me to calibrate and assimilate: ..."*

*"didn't mean to sound desperate. If you need space it's OK, just tell Me what's right for you. I can't figure it out without your help and Insight and prompts! I want what's best for you. Pls help me with this. Love, -a."*

51. Despite the loving language that Ronell used (and demanded that Reitman use in return) in her written communications and even in her voicemails to Reitman, in person and over

the phone with Reitman she often flew into rages and tantrums when Reitman did not do as she wished.

### **Reitman Moves To New York, Ronell Begins Their “Work Sessions”**

52. After initially arriving in New York, Reitman was immediately inundated with unwanted attention and demands from Ronell. For the first few weeks he was in New York, Ronell demanded that Reitman spend almost every evening with her, often at her NYU-owned apartment. During this time, she would insist on giving him massages, over his objections, and would repeatedly ask him to take off his shirt, which he always refused. Undeterred, Ronell would reach under Reitman’s shirt and massage him, or massage his feet. Ronell would also repeatedly kiss Reitman on his mouth, neck, ears, and upper body, and touch and grope his buttocks and lower back.

53. As he had done in Paris, Reitman would stiffen his body and/or attempt to gently push Ronell away or avoid her advances, but he also started voicing his objections to Ronell’s physical assaults. Ronell would respond by demanding that he “do this for [her].”

54. Ronell soon informed Reitman that they would have regular “work” sessions together at her apartment. During these so-called “work sessions” – which usually occurred on weekends and would often last all day and into the evening – Ronell would kiss and grope Reitman. For instance, Ronell would frequently stop any work that was being done and tell Reitman things like, “it’s time for my kisses,” or “I deserve a stash of kisses,” or “someone needs to tell me that he loves me.” Ronell would refuse to start working again until she received what she wanted, meaning that Reitman would have to allow her to kiss him on the lips or embrace him.

55. Often before beginning any work, Ronell would insist that Reitman massage her feet, while Ronell talked about her personal problems and gossiped about students and faculty in

the NYU German Department. Ronell called this ritual “debriefing.” Ronell would also make Reitman pull on her arms or waist to “stretch” her, and she would insist on doing the same to Reitman, at the same time repeatedly touching his buttocks. In order to, in her words “get in the zone” to work, Ronell often made Reitman engage in breathing exercises that involved basic yoga postures. While Reitman was in these postures, Ronell would touch or massage his body. On one occasion, while he was lying on the floor with his eyes closed, Ronell laid down on top of him.

56. The following are excerpts from emails in which Ronell references these sessions (and things that she wanted to do to Reitman during them):

*“time for your midday kiss. my image during meditation: we’re on the sofa, your head on my lap, stroking your forehead, playing softly with yr hair, soothing you, ...”*

*“I am glad that you like the feel of warm oil flowing down your back. I am taking a slightly different route today. It should start pouring down your hair, warm, replenishing. ... the beginning of a soft movement of grounding and release, surrender.”*

57. Ronell made scheduling these “work sessions” with Reitman a priority above all else. She would frequently make statements as in the following voicemail left by Ronell on Reitman’s phone:

*“...Sweetheart, can you tell me when you’d like to get together? Thursday, Friday, or Saturday are cool but there’s a lot of claims on my time as I’m sure there are on yours. So I would like to organize around our decision. On Thursday I’d be available as of 2:30. On Friday from the morning on. I could even come up. The Ozeret [cleaning lady in Hebrew] is here in the morning but we could also go to the office and start working if you want together and have lunch and then come here or whatever you want. Let me know because then I can have a sense of the weekend, tell people where they line up behind you, at a distance...”*

58. After a work session was finished, Ronell expected Reitman to take her out to dinner. On the occasions when Reitman did not do so, Ronell would often walk him to the Astor

Place subway station from her apartment, holding his hand, and wait until Reitman boarded a subway train, at which point she kissed him on the mouth. If she did not walk him to the subway, Ronell would call Reitman as soon as he left her apartment and insist on staying on the telephone until Reitman boarded the subway. On many occasions Ronell would refuse to end the call, and Reitman was forced remain on the call until she let him get off the phone.

59. During these calls, Reitman was expected to tell Ronell things such as how grateful he was for her, and how much he loved her; failure to do so would result in Ronell reprimanding Reitman and demanding that he comply with her wishes, as in the following email:

*“Hi sweetie. I’m checking in on you. I was wondering when you were planning to tell me how great our session was and how elated you are, overjoyed, over the moon, and so on...”*

60. Upon exiting the train station by his home on the Upper East Side, Reitman was again expected to immediately call Ronell and speak with her until he arrived home, and beyond. If he failed to call her, she would call him incessantly, leaving lengthy messages that she was disappointed in him and that she needed to talk through the intensity of her feelings after having spent the day together.

61. For instance, some of the voice-messages that Ronell left for him after Reitman had spent the entire day and evening with her were as follows:

*“ ... I forgot to tell you how much and how deeply and how importantly and how eternally how seriously I love you ... I loved our time together today. It was beautiful, it was gorgeous. It was a blessing. You’re a blessing. And I want to affirm it and celebrate it and you and tell you how much you mean to me, how fortunate I feel. ... ”*

*“I was very grateful for today in its capacity for allowing sweet reconnection and reaffirmation of everything we are and feel for each other. ... I so much enjoyed your company this evening. ... And I just wanted to give you a big kiss and bless you and tell you that you give me so much joy and pleasure and delight and hope ... Lots of love baby. Good night.”*



62. If Reitman dared to go out socially after a work session with Ronell, she would become angry and accuse him of “excluding” her and not being a serious academic. Eventually Reitman was forced to lie to Ronell about his whereabouts, lest he draw Ronell’s ire for having a social life that did not include her.

63. Reitman contemporaneously told his close friends and family about his situation with Ronell. One such message that Reitman wrote in April 2013 to a close friend regarding his “work sessions” with Ronell went as follows:

*“...Avital is extremely happy that there is nobody else that spends weekends with me so that she can violently claim them as well. I am required to spend Saturdays with her as in the past and repeatedly express my love both verbally and corporeally. I want to throw up from disgust and I am fearful about how I can continue like this. ... I feel caged here and don’t know how I can escape the New York prison.”*

64. On another occasion, Reitman confided in a friend the following, in writing:

*“I now need to tell her I love her, meet her on weekends for ‘fun’ and am completely dispossessed of anything that is (or was) my life ...”*

65. On the occasions when Reitman was in Ronell’s NYU office (with the door closed), Ronell would frequently touch his body and buttocks, despite him telling her to stop and that he was uncomfortable. These occasions were rare, however, because Ronell would usually refuse to meet with Reitman during her regular office hours, requiring him to go to her apartment if he hoped to accomplish any work with her.

66. Despite being coerced by Ronell into participating (unwillingly) in the fictional relationship that she had imagined between them, Reitman attempted to draw boundaries with her. Though Ronell acknowledged his complaints and requests, they had no effect on her behavior towards him, nor upon her demands.

67. For example, the following are email messages that Ronell sent to Reitman, wherein she acknowledges Reitman’s attempts to draw boundaries:

*“... I thought that your wish for more space and “banker’s hours” (not to call you in evenings, etc.) meant the adoption of a different, more sprightly tonality--less lamentation! I am trying to follow your instructions and make things work, bring ease and commitment to our way of being together, which was my most fervent wish. ...”*

*“My most adored one, dear Nimrod, ... When for instance you said the other day that you felt that we spoke enough, or even a lot, on the phone, the incommensurateness of my demand began to dawn on me, and I thought I realized that you were asking that I dial it down. Very reasonably. ... There was a time when you said I had limitless calling privileges (a lovely fantasy for me, part of internal dream machine, which I thought I had translated and kept moderate). ...”*

*“My dearest Nimrod, I am deeply sorry when I fail at distance, at least sometimes (but not always) and that I suffer your absence with such inelegance. I hope you can continue to have and hold compassion and not feel a downturn in our tremendous closeness at all times, which I do not question. I simply wanted to talk to you. You had told me that we would do so quite a lot: I didn’t realize this was something very hard for me to calibrate and assimilate ...”*

68. During the fall 2012 semester, Ronell told Reitman that she had recently resumed sessions with a therapist to work on their (Ronell and Reitman’s) “relationship,” so that she could be “more vigilantly responsible toward us.” Reitman responded that they were not in a relationship. Notwithstanding, Ronell repeatedly told Reitman that he was simply “in denial” and insisted that they were in a relationship.

69. Throughout Reitman’s time at NYU, Ronell used her therapist, “Barbara,” as a tool to manipulate Reitman, telling him that Barbara said they (Ronell and Reitman) were good for each other and that Reitman needed to behave as demanded by Ronell. At times when Reitman attempted to draw boundaries, Ronell would claim that, according to her therapist, Reitman was in an “archaic denial,” which according to Ronell meant that he actually desired Ronell and needed to be closer to her.

### **Ronell Moves In – Uninvited – to Reitman’s Apartment**

70. In late October 2012, Superstorm Sandy hit the NYC area, causing wide-spread blackouts for most of lower Manhattan, including the buildings that house the NYU German Department and Ronell’s NYU apartment. The day after the storm, Ronell called Reitman from a cab and told him that she was on her way to his apartment on the Upper East Side of Manhattan because her power was out, and she needed to stay with him (notwithstanding the fact that Ronell’s mother lives on the Upper West Side of Manhattan). Reitman lived in a small one-bedroom apartment with little furniture.

71. Reitman offered Ronell his bed and said that he would sleep on the couch, but Ronell insisted that they share his bed together and promised that she would not touch him. Despite this promise, each night Ronell wore minimal clothing to bed and would touch Reitman’s chest, waist, buttocks, rub her hands over his body, and hold Reitman’s hands to her breasts. Reitman repeatedly pulled away and asked her to stop to which Ronell would say things like, “it’s just puppy love,” and continue touching him. She would also lay in front of him and push her buttocks into his groin. She continued doing so until she eventually fell asleep.

72. After a week, a friend of Reitman’s who lived in a power-outage-area downtown asked Reitman if he and his wife, who was very ill, could come stay with him. Reitman said yes and informed Ronell. Ronell became furious and accused Reitman of “kicking her from a womb-like state.” Ronell demanded that Reitman call his friend and rescind the invitation.

73. The following day Ronell left Reitman’s apartment – after having stayed approximately a week in his bed – and went to stay at her mother’s apartment on the Upper West Side, which had never lost power.

74. In November 2012, Reitman's mother and sister separately traveled to New York from Israel to see Reitman. Ronell acted very hostile toward Reitman during each of these visits, and afterwards told Reitman that his family should not visit anymore because it "degraded" her.

75. At the close of the fall 2012 semester, Reitman informed Ronell that he was traveling to Israel (where his parents live) for the winter break. Ronell became enraged and began to shout at Reitman, exclaiming that she was not prepared for this. Ronell called and texted Reitman throughout the rest of that day and night, telling him how sad and unwell she was as a result of his plans. The following day, while at a holiday party, Reitman received a call from Ronell wherein she shouted angrily at him and accused him of hanging out in a bar while she was suffering. After Reitman left the party, he walked in the freezing rain while Ronell berated him for leaving her. Ronell continued to call and text him that night and into the morning hours.

76. During his stay in Israel, Reitman became ill and was bedridden. Undeterred, Ronell continued to call him repeatedly, and became enraged when he did not answer or said that he was too sick to speak.

77. By the start of the spring 2013 semester, Ronell had ramped up her control and surveillance of Reitman. She would call and/or text him multiple times most days. She constantly asked about his activities and demanded to know everything that he was doing, everyone he was meeting, and everywhere he was going. She also continued her incessant sexual harassment and assault of Reitman, demanding more and more physicality and proximity in their "relationship."

78. Reitman desperately reached out to close friends and family about his situation, writing messages such as the following:

*"... I have spoken here with someone who suggested that I should sue her for sexual harassment. This is of course something I am not going to do because I will not be able to find work afterwards. However, this does not cancel out the fact that she indeed sexually harasses me, and creates a coerced relationship and forces herself upon me (use the breadth of your imagination)."*

*“...I will not sue. I don’t have enough strength for this. ... I want to finish a PhD rather than delve into legal proceedings, despite the unrelenting trauma (we are talking about a kind of Stazi [East German surveillance], which these days also coerces physical contact, demands to know where I am going, with whom I am spending my time, and completely invades my privacy).”*

*“... the past few months since I returned to New York were very complicated ... Avital has not loosened her grip, ...*

*...it is not only lip service but rather a real demand for intimacy and a relationship that I am incapable of and not interested in. ...”*

79. Ronell was keenly aware what she was doing to Reitman. Knowing that Reitman was very close with his mother (who had been a lawyer and judge in Israel), at the start of the spring 2013 semester Ronell told Reitman that she was afraid his mother would want to sue her for sexual harassment. In an attempt to avoid any anger or retaliatory action by Ronell, Reitman assured her that that would not happen.

80. Toward the end of 2012, Reitman had started dating a man named Nicholas. When Ronell learned about the relationship she became angered. She accused Reitman of cheating on her and began calling Reitman even more frequently, especially late at night when she assumed Reitman was more likely to be with Nicholas. While Reitman was dating Nicholas, Ronell would become angry every time she noticed Reitman looking at his cell phone. On one occasion, while preparing for a conference with some undergraduate students, Ronell berated Reitman for looking at his phone, telling him to stop “thinking with your cock.” On another occasion, she told Reitman that he “could date whomever [he] wanted, but that it didn’t matter and that [he] only had one queen in [his] life.”

### **The Bard University Trip**

81. In February 2013, Reitman was asked by Ronell to accompany her to a lecture at Bard College. The lecture had been organized by a Bard professor who was another NYU and

Ronell student who was already working at Bard, and the trip involved staying overnight locally. Upon information and belief, Ronell initially told this professor to book only one room for both herself and Reitman, but the Bard professor, uncomfortable with that request, booked two rooms. The basis for Reitman's information and belief is another student who informed Reitman that the Bard professor had recounted this to him.

82. While at Bard, despite being in separate (but adjacent) rooms, Ronell asked Reitman to bring her back to her room after dinner so that he could "put her to bed." Reitman went to Ronell's room with her, she got into bed and he sat next to her. She asked him to tell her that her lecture was wonderful and that he hug her, and he acquiesced to both requests. Upon Reitman leaving, Ronell told him that she would keep her door unlocked, and that he should also keep his door unlocked, so that she could come in if she needed something. Reitman, however, locked his door.

83. The following day while the Bard professor drove Ronell and Reitman to the train station, Ronell overheard Reitman making weekend plans with Nicholas, the man Reitman had recently started dating. Ronell became enraged, demanded that the professor stop the car, and shouted at Reitman that they already had other plans together.

84. On the train back to New York, Ronell shouted at Reitman, accusing him of having an affair, and demanded that he help her to calm down.

85. Later in the spring 2013 semester, a close male friend of Reitman's came from Israel and stayed with Reitman for a few weeks.

86. While attempting to spend time with his friend, Reitman was subjected to Ronell's repeated complaints that Reitman's friend was taking up too much of his time and not allowing Ronell enough time with him. Ronell also insisted on meeting Reitman's friend, during

which meeting she attempted to hold Reitman's hand, kissed him, and attempted to give the impression that they had an intimate relationship.

87. Indeed, often when someone came to visit Reitman, Ronell would demand to meet them and behave in front of them as though she and Reitman were in a romantic relationship.

88. At the end of Reitman's first year at NYU, he planned a holiday with his family in Italy. When Ronell found out, she became angered that she had not been invited and accused Reitman's family of refusing to recognize their "relationship."

89. That summer (2013), Ronell returned to Paris and pressured Reitman to come and stay with her again. Reitman went, in an attempt to lessen Ronell's anger over not being invited to his family's holiday in Italy. Like his previous time in Paris with Ronell, Reitman was again subjected to repeated, coerced physical contact by Ronell, including forced kissing, hugging, hand-holding and, reading to her in bed, where she would grope him and pull him down to lay on the bed with her. Ronell insisted that she and Reitman spend the majority of their time in her Paris apartment together, and as a result they rarely went out.

90. Reitman wrote of this experience in Paris in a contemporaneous July 2013 message to a friend:

*"... I cannot really enjoy the city [Paris] since I don't see any of it. I am imprisoned at home with Avital, who manages our time according to a geriatric schedule that includes a large portion of making out. ... I stopped even trying to search for how I can enjoy. Everything here is sad. I feel that Paris has completely disappeared for me ... And so, slowly, I lose my grip on all the places I once thought I loved. ..."*

### **Reitman Reports Ronell's Conduct To NYU**

91. After being sexually assaulted by Ronell in Paris yet again, Reitman traveled to Berlin, Germany. While in Berlin, Reitman met with a NYU Vice Provost on several occasions. The Vice Provost is a tenured member of the German Department at NYU as well as a Vice

Provost of the University. During these meetings, Reitman detailed to the Vice Provost some of his experiences with Ronell, and in particular her having stayed in his bed following Superstorm Sandy, as well as the trauma that it caused him, and his resulting fear of returning to NYU in the fall.

92. The Vice Provost replied that Reitman should keep his distance, and that Ronell was “like a halogen light” in that she was “very attractive” but that anyone who got too close would be “seriously burned.”

93. The Vice Provost, however, offered no help, whatsoever, to Reitman. Upon information and belief, although the Vice Provost was a mandatory reporter under Title IX and NYU policies, he never reported anything that Reitman had told him to others at NYU, nor did he attempt to stop Ronell’s behavior towards Reitman.

#### **Reitman Stands Up To Ronell And In Response She Reports Him To The Wellness Center**

94. Late in the fall of 2013, Ronell spoke at an international conference organized by, among others, NYU’s French Department. During her speech, Ronell read parts of Reitman’s own work, without his permission and without giving him credit. Reitman was upset but did not immediately raise the issue with Ronell.

95. About a week later Reitman was working at Ronell’s apartment and, when Reitman refused to immediately edit his work according to Ronell’s wishes, she began criticizing his work in general and called him ungrateful. In response, Reitman brought up the lecture from the prior week where Ronell had appropriated Reitman’s words and ideas and told her that she had violated both his work and his body. Upon hearing this Ronell demanded that Reitman apologize and, when he refused, she made him leave her apartment, shouting that his career was over, and slamming the door on him as he left.



96. Later that night Ronell began calling Reitman repeatedly, but he did not answer. Ronell, obviously afraid that Reitman would now tell people about her abuse of him attempted to paint Reitman as unstable and not credible by contacting the NYU Wellness Center and reporting Reitman as a threat to himself.

97. Indeed, this reaction would become Ronell's *modus operandi*. When later on Reitman again stood up to Ronell – by bringing to NYU a Title IX complaint against her – she similarly and shamelessly tried to paint Reitman as suffering from emotional and psychological problems, as if such *ad hominem* attacks are a valid defense to claims of sexual harassment and assault.

98. As a result of Ronell's report to the NYU Wellness Center, Reitman was required to appear at the Wellness Center in person and have himself "cleared," which he did.

99. Reitman did not want to speak with Ronell but realized that he had to capitulate to her if he was going to finish his Ph.D., particularly because he had general exams coming up, and these exams were supervised by a committee chaired by Ronell. Thus, at Ronell's "suggestion," Reitman apologized and told her that he had accused her of plagiarism because they were in a heated argument.

100. Approximately two weeks after the Wellness Center incident, on the advice of a lawyer friend, Reitman reached out by telephone to a law professor at Cardozo Law School. After explaining Ronell's behavior and demands, the law professor told Reitman that, while he was sympathetic with Reitman's dilemma, his advice to Reitman was to get through the Ph.D. program as quickly as possible and to not fight Ronell, as she could easily make it so that he could not find employment after finishing his doctorate. He also told Reitman that any legal pursuit would irrevocably harm Reitman's future academic career because "universities do not like troublemakers."

101. Bolstering Reitman's fear of Ronell's wrath, another NYU student filed a Title IX complaint against her for racial discrimination. Contrary to instructions that she had purportedly received from NYU's Title IX personnel, Ronell told everyone in the German Department – including Reitman – about the complaint and admitted to Reitman of having spread untruths about the complainant at other universities in an effort to sabotage the student's career. Ronell refused to speak the complainant's name and instead referred to her as “the skunk” to other students and faculty, and openly stated to Reitman and others (in Reitman's presence) that she would ruin the student's career for having reported her. Having seen what Ronell did to a fellow student who had filed a Title IX complaint against her, Reitman knew that such was not an option if he wanted to ever have a career in academia.

102. During the winter break in December 2013, Reitman went to Israel and, while there, underwent a medical procedure. Despite being on bedrest and needing to recover, Ronell called him 2-3 times a day. If Reitman did not answer his cell phone, Ronell would repeatedly call the phone number at Reitman's parents' home where he was staying, leaving angry messages about Reitman's failure to take her calls. She also became angry when Reitman's mother answered the phone.

103. In March 2014, Reitman and a fellow student organized a conference at NYU. Reitman invited a prominent professor from another university to speak at the conference, which upset Ronell. Ronell accused Reitman of “dumping” her and “replacing” her with this other professor. After the conference, Ronell refused to work with Reitman until he promised that he loved her and could never replace her.

104. Ronell very carefully isolated Reitman from nearly everyone other than her. For instance, she prevented Reitman from having meaningful contact with other NYU professors, even though having such contact is the normal course for Ph.D. students. Ronell would become

angry with Reitman when he mentioned that he wished to work with another member of the faculty and would demand that he not contact anyone regarding working with them, unless she first reviewed such communications. In this way, she kept a purposeful stranglehold on his professional relationships.

105. A few days after being accused of “dumping” Ronell, Reitman went to the opera with his mother, who was visiting New York from Israel. On his way to the opera, Reitman received a call from Ronell and he told her where he was going and with whom. She again became enraged and shouted at him for taking his mother to the opera and not her, after everything she (Ronell) had done for him and hung up on Reitman.

106. All the while, Ronell’s sexual harassment, assault and stalking of Reitman continued. Reitman was required to spend nearly every weekend at her apartment for “work sessions” filled with Ronell’s repeated forced touching and kissing of him. When not in her physical presence, Reitman was inundated with multiple daily telephone calls, emails and text messages from Ronell, often taking up hours of his time, in which he was required by Ronell to engage in the “rhetorical cushioning” and act and communicate as though he and Ronell were in an actual romantic relationship.

107. At the end of Reitman’s second year at NYU, he traveled to Israel to visit his family. Ronell called, emailed, skyped, and texted Reitman – often multiple times a day – telling Reitman that she was “bereaved” by his departure. Here is an e-mail that Ronell sent Reitman when he was away from New York:

*“... I am deeply sorry when I fail at distance, at least sometimes (but not always) and that I suffer your absence with such inelegance. I hope you can continue to have and hold compassion and not feel a downturn in our tremendous closeness at all times, ... I simply wanted to talk to you. You had told me that we would do so quite a lot: I didn’t realize this was something very hard for me to calibrate and assimilate ...”*

108. In July 2014, Reitman traveled to Paris to stay at a friend's apartment. During this time, in his communications with Ronell, Reitman pretended that he was still in Israel, lest Ronell – who was also in Paris at the time – pressure him to return to her apartment, as she had previous summers. Despite Reitman's efforts to avoid her, however, Ronell insisted that Reitman "travel" to Paris to see her. Thus, in the middle of his stay at his friend's place, Reitman pretended to have just arrived in Paris and went to stay at Ronell's apartment, with the promise that they would work on his dissertation. This did not happen. Instead, Ronell repeated her behavior from prior stays in Paris and spent five days groping and kissing Reitman.

109. Reitman returned to New York to begin the fall 2014 semester in terrible shape, both mentally and physically exhausted from his treatment at the hands of Ronell. By now, the assault, stalking, and harassment had taken over his life for more than two years. A professor in the NYU German Department commented to Reitman that he looked "emaciated." Ronell, however, had no plans to relent.

110. In September, Reitman traveled to Israel for the Jewish holidays. While away, Ronell called him repeatedly. Ronell also expressed her distress at not having been invited to spend the holidays with Reitman's family.

111. In the fall 2014 semester Ronell taught a weekly course in Princeton and, over Ronell's objections, Reitman decided not to attend the course, needing the opportunity to put some distance between himself and Ronell, if only temporarily. Ronell called Reitman "ungrateful" and accused him of not supporting her enough. To punish him, she removed Reitman from participating in an international conference that Ronell had organized, and of which Reitman was previously scheduled to be a part.

### **Reitman Reaches Out For Help**

112. In November 2014, afraid that he would not make it through another academic year being subjected to Ronell's assault, sexual harassment, stalking, and overall obsessive behavior, Reitman sought out professional therapy. He first saw a clinical psychologist. After a couple of intake meetings, that psychologist referred Reitman to a colleague whom she felt was better-suited to deal with the type and scope of trauma that Reitman was experiencing as a result of Ronell.

113. In late 2014, after yet another "work session" at Ronell's apartment that was spent doing little to no work and, instead, was comprised of Ronell kissing and groping Reitman, Reitman telephoned the administrative director of the NYU German Department, with whom Reitman had become friendly, and asked her if he could come to her office, to which she agreed. Once in her office, Reitman told the administrative director about Ronell's conduct, to which she responded by indicating she already knew much of what he had told her. Soon after leaving the administrative director's office, Reitman received a telephone call from Ronell, in which she said that she knew he had been talking to the administrative director.

114. Other than apparently contacting Ronell about her conversation with Reitman, upon information and belief, the administrative director never reported Reitman's allegations to anyone else at NYU.

### **Reitman's Final Semester; Ronell Punishes Reitman For Leaving**

115. In January 2015, both Ronell and Reitman were invited to speak at a conference in Berlin, Germany. While in Berlin, Ronell demanded close proximity to Reitman, including touching him and holding his hand.

116. Reitman invited his mother to travel to Berlin to hear him speak at the conference, with the intent of limiting Ronell's time alone with him during the trip. Once Reitman's mother

arrived, Ronell became upset and complained to Reitman that she was unable to spend enough time alone with him.

117. In the spring 2015 semester, Reitman began preparing to defend his doctoral thesis and finish his tenure at NYU. Ronell became distressed and agitated over the fact that Reitman would be leaving NYU – and her – at or soon after the end of the semester. At this time, Ronell was also aware that Reitman was dating a man who would later become his husband. Ronell told Reitman that she did not understand why he was leaving her so soon, since she had been so good to him.

118. Toward the end of the semester, Ronell also told Reitman that, after speaking with Barbara, her therapist, Ronell realized that she needed to “curb her desire to destroy” Reitman for daring to leave her. On another occasion, Ronell told Reitman that she hoped he would “protect” her and would not say anything about her behavior.

119. In June 2015, Reitman successfully defended his dissertation and it was unanimously approved by his dissertation committee.

120. Reitman had often been told by Ronell about the strength of her extensive network of connections and the “backroom negotiations” that she engaged in to secure jobs at top universities for her students. And in fact, she had an impressive record of doing so. As she stated to Reitman in an email:

*“...half our department was hired by Yale and Harvard, etc. So the plan is for you to get a super job wherever and whenever you want, and I am talking about the realm of possibility, even probability here.”*

121. Reitman applied to a number of academic institutions but, rather than write letters of recommendation specifically oriented towards each school (which Ronell knew was necessary to assist Reitman in securing a position), Ronell instead wrote a pro-forma letter of recommendation to be sent out by NYU. In doing so, she knew would effectively prevent

Reitman from obtaining an offer of employment. Also, on information and belief, Ronell made no attempts to personally reach out on his behalf to potential employers, as is also important for an employment offer. However, Reitman is aware that Ronell called a faculty member at Princeton University and told this person not to hire him.

122. The other members of Reitman’s dissertation committee – all friends of Ronell – refused to respond to his calls and emails or provide him with any assistance in finding job placement, which is contrary to the usual circumstance when someone passes their dissertation defense on the first try, as Reitman did.

### **The Title IX Complaint And Investigation**

123. Despite his continued fear of retaliation from Ronell, Reitman eventually mustered the courage to stand up to her and report her behavior. In or about mid-July 2017, Reitman filed a complaint against Ronell with NYU’s Office of Equal Opportunity, which handles Title IX complaints. Reitman alleged that Ronell had violated NYU policies prohibiting sexual harassment, sexual assault, stalking, and retaliation.

124. An 11-month investigation ensued, which resulted in the compilation of an approximately 1000-plus-page report. NYU ultimately found that Ronell had violated NYU policy and had engaged in a multiple-year campaign of unwanted verbal and physical sexual harassment against Reitman, which was sufficiently pervasive so as to alter the terms and conditions of his learning environment.

125. NYU also determined, however, that because Reitman did not have “corroborating witnesses,” there was “insufficient evidence” to find that Ronell had engaged in sexual assault.

126. By employing such reasoning for its determination and requiring that sexual assault allegations be corroborated by a third-party witness, NYU applied an evidentiary

standard to the complaint of a male victim that has not been employed by the law in New York for more than 40 years and, on information and belief, has never been applied by NYU to the complaints of a female victim.

127. NYU also inexplicably found that Reitman had failed to produce sufficient evidence to conclude that Ronell had engaged in stalking of him and that he had failed to demonstrate “substantial emotional distress,” which is an element of a claim of stalking.

128. However, as evidence of such emotional distress Reitman had submitted, among other things, certain medical records.

129. These records were submitted upon the request of the Executive Director of NYU’s Office of Equal Opportunity who is also NYU’s Title IX Coordinator. In an e-mail to Reitman, the Title IX Coordinator explained that Reitman should “redact any information that you do not wish to share with the other party.” There was no indication that Reitman needed to provide any explanation for any redactions, or that any standard was to be applied to any redactions other than “information that you do not wish to share with the other party.” Accordingly, at NYU’s invitation Reitman provided the requested medical records with several redactions.

130. Notwithstanding the clear instructions provided to Reitman regarding redactions, NYU refused to consider the medical records in making its determination because they contained redactions and thus, according to NYU, “were incomplete and therefore of questionable reliability.”

131. As detailed later in this pleading, there are numerous other examples of the NYU’s Title IX investigators treating Reitman, a male complainant, unfairly.

132. Following the commencement of the Title IX investigation, on information and belief, Ronell began speaking to various persons about Reitman’s accusations including, among



others, professors who were part of his dissertation committee, book editors, people in the German Language Department, and professors at other universities. The purpose of such communications was to perpetuate lies about Reitman to poison these people's minds against him, including that his claims are false, when in fact Ronell knew and knows them to be true.

133. Once NYU made its determination and found Ronell to have sexually harassed Reitman, both verbally and physically, colleagues of Ronell from numerous academic institutions both in and outside of the United States launched a wide-spread disinformation campaign against Reitman, accused him falsely of having waged a "malicious campaign" against Ronell and having a "malicious intent," thereby further ruining his hopes for any future career in academia. This shameless campaign by Ronell's surrogates became the widespread subject of numerous articles in the press as well as on social media.

134. Although Reitman pleaded repeatedly with NYU, including direct appeals to its President, Provost, and General Counsel, to release a public statement about its findings to correct the false record being spread about him, NYU steadfastly refused to help. Instead, NYU's President offered Reitman "career counseling" services. Although unwilling to do anything meaningful for Reitman, apparently, NYU's President, Andrew Hamilton, recognized that Ronell has effectively destroyed Reitman's ability to obtain employment in his chosen field.

135. Reitman suffered and continues to suffer egregious emotional distress based on Ronell and NYU's conduct which was outrageous and shocking and resulted in Reitman's physical health being significantly affected.

136. The egregious wrongful conduct described herein to which Reitman was subjected by Ronell and NYU, including their willful indifference, amounts to willful or wanton negligence, or recklessness, and/or a conscious disregard of the rights of Reitman, or conduct so reckless as to amount to such disregard.

137. Moreover, Ronell and NYU's conduct at all relevant times, including Ronell's conduct prior to, during, and after the Title IX Investigation, evinced a high degree of moral turpitude, and demonstrated such wanton dishonesty as to imply a criminal indifference to civil obligations.

**AS AND FOR A FIRST CAUSE OF ACTION**

**For Violation of New York City Human Rights Law –  
Gender Discrimination in Accommodations, Advantages, and/or Privileges  
NYC Administrative Code §8-107  
(Against Defendants Ronell and NYU)**

138. Reitman re-alleges and incorporates by reference each and every allegation in this Complaint as though fully set forth herein.

139. Reitman was at all relevant times a male student at NYU.

140. Ronell – a senior, tenured female faculty member of NYU – was at all relevant times an employee and agent of NYU. During all times relevant to this claim, Ronell functioned in a managerial or supervisory capacity towards Reitman and had the power to alter the terms and conditions of Reitman's educational environment and career advancement.

141. NYU is a place of public accommodation under the NYCHRL, and Reitman was an employee of NYU.

142. All or a substantial portion of the events or omissions giving rise to Reitman's claims occurred in New York City, and/or during a time when he was a resident of NYC, thereby having an impact upon Reitman within the City of New York.

143. Under the New York City Human Rights Law NYU is liable to Reitman for its own as well as Ronell's discriminatory and retaliatory conduct.

144. Ronell participated in the conduct giving rise to this and the other claims herein. She aided, abetted, incited, compelled, and/or coerced the unlawful acts alleged herein.

145. Following an 11-month long investigation, NYU's Office of Equal Opportunity concluded in a written determination that Ronell's actions "*were both objectively and subjectively sufficiently pervasive to alter the terms and conditions of Reitman's learning environment.*"

146. Ronell and NYU have subjected Reitman to discrimination in the terms, conditions, accommodations, advantages, and/or privileges of his employment and education in a place of public accommodation, in violation of the New York City Human Rights Law. Defendants have treated Reitman differently from and less preferably than similarly situated female students, and Ronell has engaged in unwanted gender-based sexual harassment as well as unwanted physical contact, including contact of a sexual nature.

147. Ronell repeatedly sexually objectified and made sexually demeaning comments to Reitman in person, in writing, and in voice mails, initiated unwelcome physical contact of a sexual nature both privately and in public, and intimidated Reitman by threatening, among other things, not to advance his studies and efforts towards his Ph.D. unless he submitted to unwelcome gender-based physical contact, including contact of a sexual nature.

148. Reitman was treated less well than other students because of his gender.

149. Reitman's sex was a determining factor in Defendants' subjecting Reitman to discrimination in the terms, conditions, accommodations, advantages, and/or privileges of his employment and education in a place of public accommodation.

150. Because of Reitman's gender, he was denied by Defendants the full and equal enjoyment, on equal terms and conditions, of the accommodations, advantages, and/or privileges of the University as a place or provider of public accommodation and as an employee of NYU.

151. A reasonable man in Reitman's position would consider that he is being treated less well than other NYU students under all the circumstances. Further, Reitman actually considered that he was being treated less well than other students because he is male.

152. A reasonable person would have considered Defendants' conduct to be significant and not trivial or petty. Further, Reitman actually considered the conduct to be significant and not trivial or petty.

153. NYU knew of Ronell's conduct and accepted it and/or failed to take immediate and appropriate corrective action.

154. Reitman reported Ronell's unwelcome sexual contact, including sexual comments, unwanted touching, stalking, and unwanted sexual advances, to responsible school officials at NYU, including an NYU Vice Provost who had the authority and obligation to address the wrongful conduct and to institute corrective measures, but failed to take any action.

155. NYU knew, or in the exercise of reasonable care, should have known of Ronell's conduct yet failed to exercise reasonable diligence to prevent such conduct.

156. The failure to act on the part of school officials at NYU was clearly unreasonable in light of known circumstances and caused Reitman to undergo further harassment and assault, and/or made him liable or vulnerable to it. Reitman was subjected to further sexual harassment and assault by Ronell after NYU was on actual notice of the sexual harassment, stalking, and sexual assault.

157. At all relevant times, NYU lacked sufficient procedures specifically directed at the prevention, detention, and reporting of sexual harassment, misconduct and assault.

158. On information and belief, it was not until the second quarter of 2018 that NYU first required that all employees demonstrate familiarity with NYU policies, reporting

requirements, and resources relating to sexual misconduct, discrimination, harassment, and retaliation.

159. On information and belief, NYU enacted substantial changes to its policies relating to sexual harassment and misconduct and added the specific requirement that all NYU employees demonstrate familiarity with such policies, in reaction to and based upon, in whole or in part, the unlawful acts suffered by Reitman while a student at NYU.

160. Specific and related instances of discrimination were permitted to continue unremedied for so long as to amount to a discriminatory policy or practice. By reason of the foregoing, as well as the similar, repeated, and continuous nature of the discriminatory conduct, Reitman is entitled to the application of the continuing violation doctrine to the unlawful acts alleged herein which occurred repeatedly and continuously for more than three-plus years, at least one of which occurred within the applicable statute of limitations period.

161. As a result of the above-mentioned unlawful conduct, Reitman has suffered and will continue to suffer harm, including but not limited to lost future employment and opportunities, humiliation, embarrassment, reputational harm, emotional and physical distress, mental anguish, and other economic and non-economic damages.

162. By virtue of Defendants' unlawful conduct, Reitman is entitled to all remedies available for violations of the New York City Human Rights Law including, but not limited to, compensatory damages, punitive damages, attorneys' fees, expert witness fees, other costs, and other appropriate relief.

**AS AND FOR A SECOND CAUSE OF ACTION**

**For Violation of New York City Human Rights Law –  
*Quid Pro Quo* Sexual Harassment  
NYC Administrative Code §8-107  
(Against Defendants Ronell and NYU)**

163. Reitman re-alleges and incorporates by reference each and every allegation in this Complaint as though fully set forth herein.

164. Defendants subjected Reitman to unwelcome sexual conduct, including sexual comments, sexual advances, coerced sexual contact, and stalking.

165. Defendants subjected Reitman to unwelcome *quid pro quo* sexual harassment and sexual assault based on his sex, in a place of public accommodation. Reitman's sex was the motivating factor behind his being sexually harassed and assaulted.

166. Ronell repeatedly sexualized and made sexually demeaning comments to Reitman in person, in writing, and in voice mails, initiated unwelcome physical contact of a sexual nature both privately and in public, and intimidated Reitman by, among other things, threatening not to advance his studies and efforts towards his Ph.D. unless he submitted to unwelcome physical contact, including contact of a sexual nature.

167. Defendants refused, withheld, and/or denied Reitman the accommodations, advantages, facilities and/or privileges of the University as an employer and place of public accommodation, based on his gender.

168. Reitman's reaction to the above-mentioned conduct was used as the basis for decisions affecting the terms, conditions, accommodations, advantages, facilities and/or privileges of his education and status as a student and employee at NYU.

169. Among other things, when Reitman resisted or complained about Ronell's unwanted conduct, she threatened to and in fact did slow down his progress, and/or threatened not to work with him towards obtaining his Ph.D.

170. As a result of Reitman's reporting of Ronell's sexual harassment and assault to NYU's Title IX Department, Ronell has inflicted reputational harm upon Reitman.

171. NYU is liable for its own as well as Ronell's discriminatory and retaliatory conduct.

172. Specific and related instances of discrimination against Reitman were permitted to continue un-remedied for so long as to amount to a discriminatory policy or practice. By reason of the foregoing, as well as the similar, repeated, and continuous nature of the discriminatory conduct towards Reitman, Reitman is entitled to the application of the continuing violation doctrine to the unlawful acts alleged herein which occurred repeatedly and continuously over a three-plus year period, at least one of which occurred within the applicable statute of limitations period.

173. As a result of the above-mentioned unlawful conduct, Reitman has suffered and will continue to suffer harm, including but not limited to lost future employment opportunities, humiliation, embarrassment, reputational harm, emotional and physical distress, mental anguish, and other economic and non-economic damages.

174. By virtue of Defendants' unlawful conduct, Reitman is entitled to all remedies available for violations of the New York City Human Rights Law including, but not limited to, compensatory damages, punitive damages, attorneys' fees, expert fees, other costs, and other appropriate relief.

**AS AND FOR A THIRD CAUSE OF ACTION**

**For Violation of New York City Human Rights Law –  
Hostile Educational Environment  
NYC Administrative Code §8-107  
(Against Defendants Ronell and NYU)**

175. Reitman re-alleges and incorporates by reference each and every allegation in this Complaint as though fully set forth herein.

176. Ronell repeatedly sexually objectified and made sexually demeaning comments to Reitman in person, in writing, and in voice mails, initiated unwelcome physical contact of a sexual nature both privately and in public, and intimidated Reitman by threatening, among other things, not to advance his studies and efforts towards his Ph.D. unless he submitted to unwelcome physical contact, including contact of a sexual nature.

177. Defendants subjected Reitman to, and Reitman was required to endure an employment and educational environment, in a place of public accommodation, that objectively was severely and objectively hostile, based on his sex. Reitman's sex was the motivating factor behind his being sexually harassed and assaulted.

178. The hostile environment included unwanted sexual comments, sexual advances, stalking, and coerced physical and sexual contact.

179. A reasonable man in Reitman's position would consider that he is being treated less well than other students under all the circumstances. Moreover, the employment and educational environment was objectively hostile and abusive, and was permeated with discriminatory intimidation, ridicule, and insult sufficiently continuous, severe and pervasive to alter the conditions, accommodations, facilities, and/or privileges of Reitman's educational environment.



180. NYU's Office of Equal Opportunity, following an 11-month-long investigation, concluded that Ronell's actions "were both objectively and subjectively sufficiently pervasive to alter the terms and conditions of Reitman's learning environment."

181. The failure to act on the part of school officials at NYU after being on actual notice was clearly unreasonable in light of known circumstances and caused Reitman to undergo further harassment and assault or made him liable or vulnerable to it. In fact, Reitman was subjected to further sexual harassment and assault by Ronell after NYU was on actual notice of the sexual harassment, stalking, and assault.

182. Defendants created, enabled, and maintained a sexually hostile employment and educational environment in a place of public accommodation.

183. Because of Reitman's gender, he was denied the full and equal enjoyment, on equal terms and conditions, of the accommodations, advantages, facilities and/or privileges of the University as an employer and as a place or provider of public accommodation.

184. NYU is liable for its own, as well as Ronell's discriminatory conduct.

185. Specific and related instances of discrimination were permitted by NYU to continue un-remedied for so long as to amount to a discriminatory policy or practice. By reason of the foregoing, as well as the similar, repeated, and continuous nature of the above-mentioned discriminatory conduct, Reitman is entitled to the application of the continuing violation doctrine to the unlawful acts alleged herein which occurred repeatedly and continuously over a three-plus year period, at least one of which occurred within the applicable statute of limitations period.

186. As a result of the above-mentioned unlawful conduct, Reitman has suffered and will continue to suffer harm, including but not limited to lost future employment opportunities, humiliation, embarrassment, reputational harm, emotional and physical distress, mental anguish, and other economic damages and non-economic damages.

187. By virtue of Defendants' unlawful conduct, Reitman is entitled to all remedies available for violations of the New York City Human Rights Law, including among other things, compensatory damages, punitive damages, attorneys' fees, costs, and other appropriate relief.

**AS AND FOR A FOURTH CAUSE OF ACTION**

**For Violation of New York City Human Rights Law –  
Retaliation  
NYC Administrative Code §8-107  
(Against Defendants Ronell and NYU)**

188. Reitman re-alleges and incorporates by reference each and every allegation in this Complaint as though fully set forth herein.

189. Reitman participated in a protected activity, specifically, resisting and opposing Ronell's unlawful discriminatory conduct.

190. Ronell knew that she was engaging in unlawful discriminatory conduct and that Reitman was resisting and objecting to such conduct.

191. Reitman told Ronell, in person, that she had, against his will, appropriated his body, and that he objected to her having done so. In response, Ronell told Reitman initially in words or substance that "he was finished," and later that he had to apologize.

192. On another occasion, in response to Ronell sexually harassing and abusing him, including unwanted touching, Reitman told Ronell, in person and in writing, that he did not want to have any sort of physical relationship with her.

193. Ronell has a unique track record of placing her Ph.D. students in academic positions at leading academic institutions, based on her connections, academic stature, and influence. At one point Ronell told Reitman in an e-mail: "*...half our department was hired by Yale and Harvard, etc. So the plan is for you to get a super job wherever and whenever you want, and I am talking about the realm of possibility, even probability here.*"

194. As a result of Reitman's resistance and objections to her improper conduct, Ronell retaliated against Reitman. Ronell failed to fully support Reitman's efforts to find a position in the academic community, notwithstanding Reitman being highly qualified for such positions and Ronell's acknowledgment to him that he was highly qualified for such positions. Further, on information and belief, Ronell affirmatively told one university not to hire Reitman.

195. As a result of Ronell's retaliatory and/or discriminatory conduct, Reitman, notwithstanding being highly qualified, failed to obtain a single interview for a full time academic position.

196. Ronell punished Reitman for, in whole or in part, having exercised his right to object to and resist her sexual harassment, sexual misconduct, and stalking. Driven by a retaliatory animus, Ronell treated Reitman less well than other students, in whole or in part because Reitman engaged in a protected activity.

197. There is a causal connection between Reitman resisting and objecting to Ronell's misconduct and the subsequent adverse action she engaged in against Reitman, in that Ronell's adverse action was motivated and caused, in whole or in part, by Reitman having objected to Ronell's wrongful conduct.

198. The above-mentioned conduct on the part of Ronell, in retaliation for Reitman resisting and objecting to her unlawful conduct, is the type of action reasonably likely to deter a similarly situated person from engaging in such protected activity.

199. A Ph.D. candidate, knowing that he will not be able to find employment in the academic world because he does not have the full support of his advisor and, further, knowing that he is being blacklisted by his advisor due to his having rebuffed her sexual advances, is reasonably likely to be deterred from engaging in such protected activity.

200. In addition to the foregoing, shortly after Ronell was notified of Reitman's Title IX complaint to the NYU Office of Equal Opportunity, on information and belief, Ronell unlawfully retaliated against Reitman for having commenced the investigation by causing his name to be removed from the NYU German Department Alumni list. The list includes, among other things, invitations to events, job openings, and issues of importance to the alumni community in general and Reitman in particular.

201. Moreover, shortly after commencement of the Title IX investigation of Ronell, on information and belief, Ronell caused the administrator in the German Department at NYU, to block Reitman on social media without explanation, although the two of them (the administrator and Reitman) had not had any communications for a while.

202. Further, shortly after NYU's Title IX investigators issued an interim report, a professor in the German Department (and friend of Reitman's) who was interviewed by the NYU Title IX investigators and was supportive of Reitman's claims, was notified that her position was being terminated and that her teaching contract would not be renewed by NYU. On information and belief, her termination was caused by Ronell upon Ronell viewing the interim report which contained the above-mentioned interview. In addition, on information and belief, Ronell caused the administrator in the German Department at NYU to block this same professor (who was supportive of Reitman and a friend of his) on social media without explanation, although the two of them (the administrator and the professor) had been friendly and no issues had arisen between them.

203. In addition, after commencement of the Title IX investigation, on information and belief, Ronell directly or through a proxy, began speaking to various persons about Reitman's accusations including, among others, professors who were part of his dissertation committee, book editors, people in the German Language Department, and professors at other universities.

The purpose of such communications was to perpetuate and further lies about Reitman, including that his claims are false, when in fact Ronell knows them to be true.

204. Once NYU made its determination and found that Ronell had sexually harassed Reitman both verbally and physically, colleagues and friends of Ronell from numerous academic institutions both in and outside of the United States, launched a wide-spread disinformation campaign against Reitman, falsely accused him of, among other things, having waged a “malicious campaign” against Ronell and having a “malicious intent,” thereby further ruining his hopes for any future career in academia. On information and belief, Ronell was involved in this campaign to destroy Reitman’s reputation, either directly or indirectly.

205. All of the above-mentioned conduct on the part of Ronell, in retaliation for Reitman having asserted his right to file a Title IX complaint with the University, is the type of action reasonably likely to deter a similarly situated person from engaging in such protected activity.

206. There is a causal connection between Reitman reporting Ronell’s conduct to NYU’s Office of Equal Opportunity, and the subsequent adverse actions she took against Reitman thereafter.

207. As a result of Ronell’s unlawful conduct, Reitman has suffered and will continue to suffer harm, including but not limited to lost future employment opportunities, humiliation, embarrassment, reputational harm, emotional and physical distress, mental anguish, and other economic damages and non-economic damages.

208. NYU is liable for the discriminatory and retaliatory conduct of Ronell.

209. By virtue of Ronell’s unlawful conduct, Reitman is entitled to all remedies available for violations of the New York City Human Rights Law, including among other things, compensatory damages, punitive damages, attorneys’ fees, costs, and other appropriate relief.

**AS AND FOR A FIFTH CAUSE OF ACTION**

**For Violation of New York City Human Rights Law –  
Gender Discrimination in Accommodations, Advantages, and/or Privileges  
NYC Administrative Code §8-107  
(Against Defendant NYU)**

210. Reitman re-alleges and incorporates by reference each and every allegation in this Complaint as though fully set forth herein.

211. Although the Title IX Report found that Ronell had engaged in sexual harassment of Reitman, both verbally and physically, over a multi-year period, it purposely failed to find that Ronell had also engaged in sexual assault and/or stalking of Reitman, which acts could potentially constitute violations of the penal law.

212. The determination not to find that Ronell had engaged in sexual assault (referred to under NYU Policy manuals as “non-consensual sexual contact,”) and stalking, was intentional and motivated by gender bias and the product of a discriminatory animus.

213. One aspect of the Title IX Report which demonstrates that some of its conclusions were intentional and motivated by gender bias is the unprecedented evidentiary burden that NYU placed on Reitman, a man, to demonstrate that he was the victim of sexual assault.

214. Specifically, the Title IX Report found that because Reitman did not have “*corroborating witnesses,*” there was “*insufficient evidence to find, by a preponderance of the evidence, that Professor Ronell engaged in prohibited non-consensual sexual contact.*”

215. For nearly half a century the law in New York has not required a corroborating witness to prove a claim of sexual assault. Rather, that requirement was eradicated in 1974 by the New York State legislature and has not been applied since then.

216. Thus, the requirement imposed on Reitman by NYU of producing corroborating witnesses to prove that he was a victim of sexual assault is not merely antiquated but has been discredited and no-longer-accepted under the law in New York State.

217. Rather, victims of sexual assault in New York can prove their allegations in a criminal proceeding without the necessity for corroborating witnesses, even though the burden of proof in a criminal case is “beyond a reasonable doubt.” Yet, according to NYU, Reitman, a male victim of repeated sexual assault by an NYU professor, could not demonstrate such assault because he failed to produce corroborating witnesses.

218. Not only did NYU require Reitman to produce evidence not required in New York since 1974 but did so even though the applicable burden of proof in an NYU Title IX proceeding is a “preponderance of the evidence” standard.

219. NYU thus imposed an evidentiary burden on Reitman that does not exist, and in doing so effectively altered the burden of proof from “preponderance of the evidence” to something more onerous than “beyond a reasonable doubt.”

220. Not only did NYU require Reitman to produce evidence not required in New York since 1974, but did so even though on information and belief, NYU has never imposed such a burden of proof on a female victim of sexual assault.

221. Another aspect of the Title IX Report which reflects that some of its conclusions were driven by gender discrimination is the inexplicable conclusion that Ronell did not engage in stalking of Reitman.

222. The evidence provided to NYU demonstrated that Ronell endlessly telephoned Reitman at all hours of the day and night, ceaselessly e-mailed him, sent text messages to him, left a voluminous number of voice-mail messages for him, constantly required him to report his whereabouts to her, and demanded to know about his private life.

223. The Title IX Report acknowledges the “*significant*” volume of correspondence between Ronell and Reitman but then inexplicably asserts that, “*there is insufficient information to suggest that the correspondence was largely unrelated to their working relationship.*”

224. Yet, the volume and content of the communications provided by Reitman to NYU demonstrates that the vast majority of such communications were unrelated to “*their working relationship.*” Indeed, the Title IX Report concedes elsewhere that, “*the sampling of emails supports Mr. Reitman’s allegations that the inappropriate verbal contact was not isolated in nature but, instead, regularly occurring, thereby demonstrating a pattern of inappropriate behavior.*”

225. Moreover, this admitted “*regularly occurring*” “*pattern of inappropriate behavior*” was, as stated in the Title IX Report, “*both objectively and subjectively sufficiently pervasive to alter the terms and conditions of Mr. Reitman’s learning environment.*”

226. Based on NYU’s above admissions, it is inconceivable that “*there is insufficient information to suggest that the correspondence was largely unrelated to their working relationship,*” as concluded in the Title IX Report.

227. Further, NYU, without justification or explanation, failed to take into account not just the massive volume and improper subject matter of Ronell’s e-mails, voicemails, and text messages, but failed to take into account the huge volume of telephone calls, and the actual time of day that many of these calls were made by Ronell, including the hours long past midnight.

228. NYU even had e-mails from Ronell in which she acknowledged (i) that she was phoning Reitman too often, (ii) that he had requested that she not do so, and (iii) that she recognized, in her own words, “*the incommensurateness of [her] demands*” on Reitman by wanting to talk over the phone endlessly.



229. And, NYU also had numerous contemporaneous e-mails from Reitman to third-persons in which he described Ronell's stalking and all-encompassing control of his life, and how he felt "caged" and "imprisoned" by her.

230. In one such e-mail Reitman wrote of "*the unrelenting trauma (we are talking about a kind of Stazi [East German secret police], which these days also coerces physical contact, demands to know where I am going, with whom I am spending my time, and completely invades my privacy).*"

231. In another e-mail Reitman wrote: "*I am imprisoned at home with Avital [Ronell], who manages our time according to a geriatric schedule that includes a large portion of making out. ... I stopped even trying to search for how I can enjoy. Everything here is sad. ... And so, slowly, I lose my grip on all the places I once thought I loved. ...*"

232. And in yet another e-mail Reitman wrote: "*...Avital is extremely happy that there is nobody else that spends weekends with me so that she can violently claim them as well. I am required to spend Saturdays with her as in the past and repeatedly express my love both verbally and corporeally. I want to throw up from disgust and I am fearful about how I can continue like this. ... I feel caged here and don't know how I can escape the New York prison.*"

233. Based on the evidence in NYU's possession, there was an overabundance of information to conclude that Ronell was stalking Reitman.

234. Yet a further unexplainable aspect of the Title IX Report is the determination that Reitman failed to demonstrate "*substantial emotional distress.*"

235. As evidence of such distress, Reitman submitted medical records. The medical records unequivocally reflected Reitman's extreme emotional distress and how it related to Ronell's abusive behavior.

236. The medical records were submitted because the Executive Director of NYU's Office of Equal Opportunity who is also NYU's Title IX Coordinator, requested that Reitman submit them. In her e-mail to Reitman NYU's Title IX Coordinator explained that Reitman should "*redact any information that you do not wish to share with the other party.*" There was no indication or suggestion that Reitman need provide any explanation for any redactions.

237. Accordingly, at NYU's invitation Reitman provided the requested medical records with several redactions.

238. Notwithstanding the NYU Title IX Coordinator's clear instructions inviting redactions, NYU refused to consider the medical records precisely because they contained redactions and thus, according to NYU, "*the records were incomplete and therefore of questionable reliability.*"

239. The records, however, were not incomplete; rather, they were merely redacted in part, at the specific written invitation of NYU's Title IX Coordinator.

240. Moreover, redacting some aspects of medical records does not render the balance of such records "*of questionable reliability,*" as inexplicably asserted in the Title IX Report.

241. In short, NYU invited Reitman to submit and redact portions of his medical records, and then used those very redactions as an excuse for denying his claim of emotional distress, claiming the records are of "*questionable reliability*" due to the redacting.

242. Beyond the medical records, NYU also had in its possession contemporaneous e-mails from Reitman to third-persons, in which he described his mental and emotional agony because of Ronell's conduct. NYU, however, simply and inexplicably ignored this evidence, without comment.

243. In addition, on information and belief, one of the witnesses interviewed by the NYU Title IX investigators was asked if she had heard of other incidents of wrongdoing engaged

in by Ronell, to which the witness responded that she had heard that Ronell had been asked to leave one or two other universities prior to coming to NYU for sexual misconduct. This part of the interview was not included in the Title IX Report.

244. The above-mentioned conduct on the part of NYU undermines the integrity of the outcome of the Title IX Report as concerns the denial of Reitman's claims that Ronell had engaged in sexual assault and stalking.

245. Such conduct on NYU's part also reflects intentional acts motivated by improper considerations of Reitman's gender and a chauvinistic view of the sexes and constituted impermissible sexual bias.

246. Had an NYU professor repeatedly touched a female NYU student against her will on her back, buttocks, torso, and crotch, forced the victim to lie in bed and "spoon" with the professor, and placed the female student's hands on one of the professor's erogenous zones (all of which Ronell had done to Reitman), there is no serious doubt that the NYU Title IX investigators would not have required corroborating witnesses to find in favor of the student.

247. Had an NYU professor endlessly telephoned a female student at all hours of the day and night, ceaselessly e-mailed and sent text messages and left voice-mail messages with sexually laden content for the female student, required the female student to constantly report her whereabouts, repeatedly demand to know about the female student's private life, frequently conducted "work" sessions in the professor's apartment, and insisted on vacationing with the student, there is no serious question that NYU would have found such conduct to constitute stalking.

248. The unexplainable need for "corroborating witnesses," the inexplicable refusal to consider the medical records provided by Reitman, and the wholesale ignoring of

contemporaneous written evidence as though it did not exist, are all evidence of differential treatment accorded Reitman because of his gender.

249. Further evidence of a bias on the part of NYU against Reitman based on his gender is shown by the disparate treatment Reitman and Ronell received during the Title IX investigative process.

250. For example, when NYU's Title IX investigators had a question about one of Ronell's witnesses, they followed up with the witness by directly questioning her. By contrast, when NYU's Title IX investigators questioned Reitman's medical records, they could have, but did not, follow-up with the author of the records.

251. Another example of the disparate treatment accorded Ronell and Reitman relates to NYU's Title IX investigator's decision to redact information provided by Reitman concerning Ronell's mental status, which information had been provided to Reitman by Ronell herself.

252. When questioned as to why such information concerning Ronell's mental health was redacted, NYU's Title IX investigators claimed that, in their opinion, such information would not be admissible in a court of law.

253. Yet, Ronell's written submissions to NYU's Title IX investigators were replete with erroneous statements by Ronell and her attorney regarding Reitman's alleged mental health, none of which would be admissible in a court of law, but all of which were included without redaction by NYU in its Title IX Report.

254. Further, the concept of redacting anything in a Title IX investigation on "evidentiary" grounds is at best suspect. In any event, the sole item which was redacted by NYU on evidentiary grounds, in a more than 1,100-page record, was something submitted by Reitman concerning Ronell.

255. Further, when Reitman provided his confidential medical records to NYU's Title IX investigators, it was with NYU's express agreement of that no copies would be made and that when Ronell viewed the material, it would be done at NYU's Title IX offices, under strict supervision of Title IX personnel so that no copies, photos, or notes of the medical records could or would be made.

256. Notwithstanding NYU's agreement and undertaking, on information and belief, NYU allowed Ronell to make copies of Reitman's medical records as evidenced by Ronell's subsequent written submission to NYU in which the contents of Reitman's confidential medical records were recited verbatim.

257. A further example of disparate treatment NYU accorded Ronell and Reitman is the lack of any comment in the Title IX Report concerning the phone records submitted by Ronell. Those records were incomplete, redacted by Ronell, and did not even cover the key period in question. Yet, the Title IX Report contains no comment as to these record's reliability, or lack thereof. In comparison, when Reitman submitted redacted medical records at the suggestion of NYU's Title IX Coordinator, Reitman's records were deemed by NYU to be incomplete and thus "*of questionable reliability.*"

258. The Title IX Report also expressly declined to find "*a reasonable person under like circumstances would have experienced substantial emotional distress,*" and cited this as a further basis to deny Reitman's claim of stalking.

259. Yet, in the same Report, NYU found that Ronell's conduct was "*both objectively and subjectively sufficiently pervasive to alter the terms and conditions of Mr. Reitman's learning environment.*"

260. In light of NYU having found that Ronell's conduct was "*both objectively and subjectively sufficiently pervasive to alter the terms and conditions of Mr. Reitman's learning*

*environment,*” it is impossible to comprehend NYU’s conclusion that a reasonable person under like circumstances would not have experienced substantial emotional distress, unless such determination was dictated by a discriminatory animus.

261. In fact, there is no valid logic to said determination which is but another example of NYU’s gender bias against Reitman.

262. Driven by a discriminatory motivation, NYU treated Reitman less well than other students.

263. As a result of NYU’s unlawful conduct, Reitman has suffered and will continue to suffer harm, including but not limited to lost earnings, lost benefits, lost future employment opportunities, humiliation, embarrassment, reputational harm, emotional and physical distress, mental anguish, and other economic damages and non-economic damages.

264. By virtue of NYU’s unlawful conduct, Reitman is entitled to all remedies available for violations of the New York City Human Rights Law, including among other things, compensatory damages, punitive damages, attorneys’ fees, costs, and other appropriate relief.

### **AS AND FOR A SIXTH CAUSE OF ACTION**

#### **For Negligent Training, Supervision And Retention (Against Defendant NYU)**

265. Reitman re-alleges and incorporates by reference each and every allegation in this Complaint as though fully set forth herein.

266. NYU owed a duty of care to protect Reitman from sexual harassment, sexual assault and stalking, which was unwarranted, unwanted and improper.

267. NYU breached its duty in its training, supervision, and retention of Ronell, an employee that NYU knew, or in the exercise of reasonable care should have known, was unfit to work with young, male students and her propensity for the sort of tortious conduct which caused the injuries complained of herein.

268. NYU placed Reitman in a position to cause foreseeable harm, harm which Reitman would have been spared had NYU taken reasonable care in supervising or retaining Ronell.

269. NYU had a duty to provide Reitman with a safe educational environment and properly supervise its employees.

270. As a direct and proximate result of NYU's breach of its duty, Reitman was subjected to continuing sexual harassment, assault and stalking by Ronell.

271. As a result of the foregoing, Reitman suffered damages and injuries for which NYU is liable under New York state law.

**AS AND FOR A SEVENTH CAUSE OF ACTION**

**For Negligent Infliction Of Emotional Distress  
(Against Defendant Ronell)**

272. Reitman re-alleges and incorporates by reference each and every allegation in this Complaint as though fully set forth herein.

273. Ronell owed Reitman a duty of care which she breached through stalking and sexually harassing and abusing him.

274. As a direct and proximate result of Ronell's breach of her duty, Reitman was subjected to continuing stalking, sexual harassment, and assault by Ronell.

275. As a direct and proximate result of Ronell's breach of her duty, Reitman suffered physical, mental and emotional harm, which necessitated Reitman obtaining care from a mental health professional.

276. As a result of the foregoing, Reitman suffered damages and injuries for which Ronell is liable under New York state law.

