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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION

13 NEFERTITI TAKLA and KRISTEN
14 HILLAIRE GLASGOW,

15 Plaintiffs,

16 vs.

17 THE REGENTS OF THE UNIVERSITY OF
18 CALIFORNIA,

19 Defendant.

Case No.: 2:15-cv-4418

COMPLAINT FOR DAMAGES

DEMAND FOR JURY TRIAL

20
21 Plaintiffs, Nefertiti Takla (“Plaintiff Takla”) and Kristen Hillaire Glasgow (“Plaintiff
22 Glasgow”) (collectively “Plaintiffs”), tender the following as their Complaint and Jury Demand
23 against Defendant, The Board of Regents of the University of California (“Defendant”) for
24 Defendant’s deliberate indifference in violation of Title IX of the Education Amendments of 1972, 20
25 U.S.C. § 1681 ("Title IX"). Plaintiffs were subjected to repeated instances of sexual harassment and
26 sexual assault by Professor Gabriel Piterberg at University of California, Los Angeles (“UCLA”).
27 The severe, pervasive and objectively offensive sexual harassment to which Plaintiffs were subjected
28 by Professor Piterberg and the University’s deliberate indifference caused them to lose educational
benefits and opportunities and to suffer extensive emotional distress.

1 Plaintiffs, complaining of the Defendant by their attorneys, respectfully allege, upon
2 information and belief, the following:

3 **PARTIES**

4 1. Plaintiff Takla is a female and a citizen and resident of Los Angeles, California. At all
5 times material hereto, Plaintiff Takla was a graduate student at UCLA. Plaintiff Takla is currently
6 enrolled in the graduate program at UCLA.

7 2. Plaintiff Glasgow is a female and a citizen and resident of Los Angeles, California. At
8 all times material hereto, Plaintiff Glasgow was a graduate student at UCLA. Plaintiff Glasgow is
9 currently enrolled in the graduate program at UCLA.

10 3. UCLA is a public educational institution located in Los Angeles, California. It is
11 governed by the Defendant. For ease, references in this Complaint to UCLA should be read as also
12 being references to the Defendant, unless otherwise stated.

13 4. UCLA receives federal funding and financial assistance within the meaning of 20 U.S.C.
14 § 1681(a) and is otherwise subject to Title IX.

15 **JURISDICTION AND VENUE**

16 5. This Court has jurisdiction of this action pursuant to 28 USC § 1331 for violations of
17 Title IX.

18 6. The Court also has supplemental jurisdiction pursuant to 28 U.S.C. § 1367.

19 7. Venue lies in this Court under 28 U.S.C. §1391(a)(2), as a substantial part of the
20 events giving rise to the claims asserted herein occurred in Los Angeles, California.

21 **INTRADISTRICT ASSIGNMENT**

22 8. Pursuant to Civil L.R. 3-2(c), intradistrict assignment in the Western Division is
23 proper because the unlawful conduct that gives rise to these claims occurred in Los Angeles,
24 California.

25 **GENERAL ALLEGATIONS**

26 ***Plaintiff Nefertiti Takla***

27 9. Plaintiff Takla is a graduate student at UCLA. She began her graduate studies at
28 UCLA in fall 2006. She is pursuing a Ph.D. in History with a focus on Modern Middle Eastern
Studies, and expects to submit her dissertation in 2016.

10 10. In September 2010, Professor Gabriel Piterberg became Plaintiff Takla's dissertation
11 advisor.

1 11. During the summers of 2010 and 2011, Plaintiff worked as Professor Piterberg's
2 research assistant. During the summer of 2011, Professor Piterberg began exhibiting behavior that
3 made Plaintiff Takla uncomfortable and nervous to be around him. Professor Piterberg consistently
4 attempted to turn the conversations with Plaintiff Takla to sexual matters. During his academic
5 meetings with Plaintiff Takla, Professor Piterberg would often speak in detail about his and his
6 girlfriend's sexual relations and about sexual affairs he claimed to have had with other women. On
7 the numerous occasions that this happened, Plaintiff Takla became uncomfortable, and would always
8 try to change the topic of the conversation or find a reason to leave their meetings early, thus
9 depriving her of full access to consistent academic advice and guidance.

9 ***Professor Piterberg makes unwanted sexual advances towards Plaintiff Takla***

10 12. On March 28, 2013, Plaintiff Takla met with Professor Piterberg to discuss her
11 dissertation. Professor Piterberg suggested that he come to Plaintiff Takla's house, because he would
12 be in that area speaking at an event. Plaintiff Takla suggested that they meet in the lobby of her
13 apartment building, and then walk to a nearby coffee shop together.

14 13. During their meeting, while discussing an academic topic of interest to Plaintiff Takla,
15 Professor Piterberg, apropos of nothing, shared a very personal experience about his girlfriend being
16 a victim of abuse. Plaintiff Takla in turn shared some of her experiences as a prior victim of intimate
17 partner violence. Immediately upon hearing what Plaintiff Takla had to say, Professor Piterberg's
18 eyes lit up.

19 14. He then said to her "I'm going to tell you something, but you can't tell anyone."
20 Professor Piterberg told Plaintiff Takla, "As you've probably noticed, I've been a bit distant lately.
21 This is because I had been feeling attracted to you and felt that I wouldn't be able to judge your work
22 objectively if I was feeling frustrated." Plaintiff Takla understood that this was a reference to
23 Professor Piterberg feeling sexually frustrated.

24 15. Plaintiff Takla started to panic when Professor Piterberg told her this; not only was it
25 completely inappropriate, but she was afraid that she was going to lose her advisor. There were only
26 two professors in the History Department who focused on Modern Middle Eastern Studies and could
27 advise on her dissertation; the other professor was her previous advisor and she could not go back to
28 him or she would have to change her topic and start over with her dissertation and research, losing
years of hard work.

1 16. A fellow graduate student had previously warned Plaintiff Takla that Professor
2 Piterberg could be vengeful, and that he had once tried to have a student removed from the graduate
3 program because she wanted to work with another professor. It was only through the intervention of
4 other History professors that this student had been able to continue at UCLA. It was clear to Plaintiff
5 Takla that she could not risk enraging Professor Piterberg, as he had the power to distort, even to end,
6 her academic future.

7 17. Plaintiff Takla told Professor Piterberg that she wanted a strictly professional
8 relationship with him, and that she wanted him to remain her dissertation advisor. Professor
9 Piterberg nodded in agreement. However, it quickly became clear that his assent was meaningless.
10 At the end of their meeting, Professor Piterberg asked Plaintiff Takla if he could give her a birthday
11 kiss. He leaned forward to kiss her on the lips and she quickly turned her cheek to him. He then told
12 Plaintiff Takla that if she was not his student then he would have risked everything and really kissed
13 her. Plaintiff Takla again told him that she only wanted a professional relationship with him.

14 18. As a result of Professor Piterberg's sexual advances, Plaintiff Takla became very
15 anxious and started experiencing panic attacks, had trouble sleeping and eating, and felt constantly
16 nervous that he would try to sexually harass her again. Plaintiff Takla immediately began seeing a
17 therapist to deal with the effects of the sexual harassment she had experienced.

18 ***Professor Gabriel Piterberg forces his tongue into Plaintiff Takla's mouth***

19 19. On April 26, 2013, Plaintiff Takla had to meet again with Professor Piterberg to
20 discuss her dissertation. Professor Piterberg asked Plaintiff Takla to come to his house first, and then
21 said they would go to a nearby coffee shop. Plaintiff Takla was nervous about meeting Professor
22 Piterberg at his home after his actions at their previous meeting, but she was concerned that if she did
23 not go she would lose her dissertation advisor.

24 20. When Plaintiff Takla drove up to Professor Piterberg's house, he suggested that she
25 park in the gated parking lot of his building. As Plaintiff Takla drove through the gate she began to
26 feel increasingly trapped by the situation. However, she did not want to look like she was
27 overreacting, so she parked her car and walked to a nearby coffee shop with Professor Piterberg.

28 21. The conversation at the coffee shop was strictly professional. Plaintiff Takla felt
pleased that Professor Piterberg was respecting her wishes and keeping their relationship
professional. Consequently, when Professor Piterberg suggested that they go back to his house for
tea and to continue the conversation, she felt that it was safe to do so.

1 22. At Professor Piterberg’s house, the topic of conversation quickly changed from
2 academics to Professor Piterberg’s sexual experiences, which made Plaintiff Takla feel very uneasy.

3 23. Professor Piterberg spoke at length about the details of his love affair with a woman at
4 UCLA, whom Plaintiff Takla knew professionally. He told Plaintiff Takla that they could not keep
5 their hands off each other and that whenever he saw her they engaged in heavy petting and kissing;
6 however, she would not take it further because he had a girlfriend.

7 24. Ill at ease with this conversation, Plaintiff Takla started talking about an academic
8 conference. However, Professor Piterberg quickly turned the conversation once again to his sexual
9 affairs. He told her that he and a distinguished academic who was in the same field as Plaintiff Takla
10 would have sex together each time they attended a conference, and that his then wife was so upset by
11 this that she would no longer face him during sex, so he had to have sex with her from behind. Then,
12 he graphically demonstrated this action with his hands.

13 25. Plaintiff Takla looked so discomfited during this conversation that Professor Piterberg
14 observed and commented on her apparent tension. At that moment, Plaintiff Takla made an excuse to
15 leave.

16 26. As Plaintiff Takla went to leave, Professor Piterberg gave her a hug, as had been a
17 normal part of their interactions for the past several years. However, this time, he squeezed her very
18 tightly and then started moving his arms up and down, caressing her back, hair and shoulders.
19 Plaintiff Takla stood frozen in fear. He tried to pull her head up and started moving his head down to
20 try to kiss her. He tried to kiss her twice, and each time she ducked away.

21 27. Plaintiff Takla at last managed to pull away from Professor Piterberg’s grip and
22 moved towards the door. She was so appalled by his behavior that she told him that she wished he
23 was not her advisor.

24 28. Professor Piterberg followed Plaintiff Takla to her car and, when they got there, he
25 pressed himself against her and wrapped his arms around her once again. He began caressing her
26 upper back and neck, and rubbing his hands over her hair. Abruptly, his body jerked into hers, and
27 she could feel his erection. Professor Piterberg sighed with pleasure and said, “Oh, this is nice.”
28 Plaintiff Takla was frozen with terror and shock.

 29. Professor Piterberg gripped her head and forced it up towards his. He put his hand
around her neck and pressed his lips against hers. Plaintiff Takla could not move or break away from
him. He then opened his mouth, and forced his tongue roughly into her mouth.

1 30. Once Plaintiff Takla could get enough air to speak she said, “This is torture.”
2 Professor Piterberg then finally released his hold on her; she quickly jumped into her car and drove
3 away from him. Plaintiff Takla was shaking from this horrifying experience. She was terrified that
4 she would crash her car, so she parked in a nearby supermarket and spent an hour just walking up and
5 down the aisles, trying to pull herself together enough to drive home safely.

6 31. Plaintiff Takla was conflicted. Although she felt extremely violated, and dreaded the
7 thought of seeing Professor Piterberg again, Plaintiff Takla believed that losing him as an advisor
8 would destroy her career.

9 32. On May 1, 2013, Professor Piterberg emailed Plaintiff Takla, so she called to speak
10 with him about the sexual assault. She clearly and directly told Professor Piterberg that what he did
11 was inappropriate, and that she did not want any sexual contact with him. He responded that kissing
12 and petting were “no big deal.” Plaintiff Takla told him that it was a big deal to her.

13 33. She told him that she was not comfortable with the power dynamic between them, and
14 that he could not have any sexual contact with her; their relationship was strictly to be a professional
15 one. He responded by saying, “That is big of you. You are doing the right thing, but it’s good that
16 you didn’t say anything earlier, otherwise we wouldn’t have had that kiss.” Then he said that he
17 would respect her wishes moving forward.

18 ***Professor Gabriel Piterberg continues to sexually harass Plaintiff Takla and sexually assaults her***
19 ***by reaching for her buttocks***

20 34. Plaintiff Takla was preparing to leave the country that summer to do her dissertation
21 research, so on May 9, 2013, she reluctantly met up with Professor Piterberg to discuss her research.
22 She had previously told him she did not want to meet him behind closed doors again, so they agreed
23 to meet in a public area on campus. During their meeting, Professor Piterberg spoke of dreaming
24 about all of the women he had ever had sex with, and said that the list was long. He then told her that
25 he had become cold, and needed to move their meeting into his office. Plaintiff Takla agreed to do
26 so, but made sure that he left the door open, as Professor Piterberg’s conversation had made her
27 nervous and she was still very distressed by what had taken place at his home on April 26, 2013.

28 35. While in his office, Professor Piterberg said to Plaintiff Takla, “You are really special
to me. I’ve never had such feelings for anyone while I’m in such a good relationship.” Plaintiff Takla
could not believe that he was saying this after their last conversation, so she got up to leave.

1 36. As Plaintiff Takla was leaving his office, Professor Piterberg offered to walk her to her
2 car. He then put his arm around her waist and slid his hand down towards her buttocks, leaning
3 forward in yet another attempt to kiss her. Plaintiff Takla pulled away from him.

4 37. The following day, Professor Piterberg called Plaintiff Takla. Plaintiff Takla asked
5 him for a letter of recommendation to submit for the Fulbright fellowship. He responded by asking
6 her, "Why can't we just be lovers?," and Plaintiff Takla was immediately worried that Professor
7 Piterberg would try and initiate a sexual relationship with her in return for his supporting her
8 fellowship application. Keen to keep things on a purely professional footing, Plaintiff Takla
9 subsequently emailed Professor Piterberg the information that the Fulbright campus coordinator told
her should be included in the letter.

10 38. After discussing the requirements for the Fulbright fellowship application, Professor
11 Piterberg told Plaintiff Takla that he was having difficulty controlling himself around her, and that he
12 wouldn't blame her if she wanted to switch advisors, although it would be very bad for her
13 academically. He said that the consequences would be more severe for her than for him because he
14 had plenty of students and didn't need her. Plaintiff Takla took this to be a threat.

15 39. Plaintiff Takla felt helpless and powerless; she feared that if she dropped Professor
16 Piterberg as an advisor now, he would damage her career. Plaintiff Takla told him that her career
17 was very important to her, and that she did not want to do anything to harm it, but that she only
18 wanted a professional relationship with him. At the end of the conversation, Professor Piterberg said
that he understood her concerns and would respect her wishes.

19 40. Several months after filing her sexual harassment complaint, on November 26, 2013,
20 Plaintiff Takla learned that the letter of recommendation Professor Piterberg submitted on her behalf
21 did not include any of the necessary information, and the technical review sheet also stated that his
22 letter was "lukewarm." Plaintiff Takla did not receive the Fulbright fellowship.

23 41. On May 28 and May 30, 2013, Plaintiff Takla met with Professor Piterberg to discuss
24 her research and her progress in her graduate program. However, on both occasions, despite Plaintiff
25 Takla's clear expression of her wishes to the contrary, he would not discuss anything other than his
sexual affairs with UCLA professors and graduate students.

26 42. On May 28, 2013, he told her about how he and a graduate student would have sex on
27 her desk. Plaintiff Takla's visible discomfort with the conversation did not stop Professor Piterberg.
28

1 Instead, he went into to graphic detail about his sexual intercourse with the student, telling Plaintiff
2 Takla, “She demanded three orgasms before I could have one.”

3 43. He told her that one of the female academics he was having an affair with at UCLA
4 gave him “a blowjob” while he was driving on a winding road.

5 44. Then he told her that another female academic looked like a European aunt he always
6 had a crush on as a child, so when they were at a conference together he went back to her room and
7 had sex with her.

8 45. On each occasion, Plaintiff Takla was very uncomfortable hearing about Professor
9 Piterberg’s very graphic descriptions of his sexual experiences with UCLA faculty members and
10 graduate students. Plaintiff Takla felt that Professor Piterberg was telling her these accounts in an
11 attempt to convince her that it was customary for him to have sexual relations with graduate students,
12 and that she should submit to his sexual advances.

13 46. On May 28, 2013, after hearing far too many details about Professor Piterberg’s sex
14 life, Plaintiff Takla excused herself from the meeting; she told him that she needed to see another
15 professor. Professor Piterberg told her that he would walk her to the professor’s office, and then
16 followed her to her destination. When they got there, he put his arms around her and embraced her,
17 then grabbed the back of her head and stared deeply into her eyes. Plaintiff Takla felt very
18 uncomfortable; she was embarrassed because other students were in the corridor around them, and
19 she did not know what to do other than walk away from him.

20 47. On May 30, 2013, Plaintiff Takla met Professor Piterberg again on campus because he
21 had not given her the opportunity to discuss any academic topics during their May 28 meeting. They
22 again sat at the tables in front of the campus research library, and Professor Piterberg began the
23 meeting by telling her how he would like to use his research funds to hire a mistress instead of a
24 research assistant. Plaintiff Takla felt extremely offended. He had hired her as a research assistant
25 twice before; it was clear that he was trying to offer her the position, but this time in exchange for
26 sex.

27 48. After these two demeaning meetings where Plaintiff Takla was constantly sexually
28 harassed, she decided that she was going to drop Professor Piterberg as an advisor, despite the harm it
might do to her career. She could not take his inappropriate behavior any longer, as he clearly did not
respect her, and he had created a sexually hostile environment for her.

1 49. On June 12, 2013, Plaintiff Takla met Professor Piterberg on campus at the tables in
2 front of the campus research library. When they were sitting down, Professor Piterberg rubbed
3 Plaintiff Takla’s back. Again, he told her that he should use the money designated for hiring a
4 research assistant to hire a mistress.

5 50. Plaintiff Takla told him that she could no longer have him as an advisor because of his
6 continued harassment. Professor Piterberg was angry, and told her, “You should trust me. If I was
7 you, I would trust me.” Plaintiff Takla further stressed that she was very uncomfortable with
8 Professor Piterberg’s behavior. He responded, “Nothing’s going to happen unless we are in a car
9 together.” Plaintiff Takla recalled what Professor Piterberg had told her about the woman from
10 UCLA who had given him oral sex when they were in a car, and knew that he was insinuating that he
11 would have sex with her if they were in a car together.

12 51. He then started talking about the famous philosophers Hannah Arendt and Martin
13 Heidegger, who met when Arendt was Heidegger’s student and subsequently carried on a clandestine
14 love affair for more than forty years. He told her that relationships like theirs were normal and that
15 “If it is done right, professor and student relationships are supposed to be intimate.”

16 52. Professor Piterberg then told her that he masturbated while imagining the two of them
17 together.

18 53. Throughout this meeting, Plaintiff Takla continued to voice her discomfort with him
19 as her advisor and his comments, but Professor Piterberg was upset with Plaintiff Takla for wanting a
20 new advisor. He told her, “If anything happened between us, it might be while you are writing the
21 conclusion to your dissertation.” Plaintiff Takla immediately felt threatened, and worried that
22 Professor Piterberg would demand sex from her in return for signing off on her dissertation. She told
23 him again that she was uncomfortable with the situation, and he ended their meeting by
24 recommending that she speak to his good friend, Professor Andrea Goldman, who was on Plaintiff
25 Takla’s dissertation committee.

26 ***Plaintiff Takla reports Professor Piterberg’s behavior to UCLA***

27 54. On June 12, 2013, after meeting with Professor Piterberg, Plaintiff Takla called
28 UCLA’s ombudsman to seek help. She told the ombudsman about the sexual harassment by
Professor Piterberg, and he told her to call UCLA’s Title IX Coordinator, Pamela Thomason. He did
not explain to Plaintiff Takla what her rights were under Title IX.

1 55. Plaintiff Takla called Ms. Thomason's office immediately after speaking with
2 UCLA's ombudsman; however, Ms. Thomason was out of the office for the next week. Plaintiff
3 Takla left a voice message instead, stating that she wanted to report sexual harassment and that she
4 would call back at a specific date and time. She was so terrified of the consequences of reporting
5 Professor Piterberg's behavior that she did not leave her name or phone number in the message.

6 56. Plaintiff Takla then reached out to Professor Goldman to see if she could replace
7 Professor Piterberg as her dissertation advisor. Plaintiff Takla told Professor Goldman about
8 everything that Professor Piterberg had done to her and explained how uncomfortable she felt about
9 working with him.

10 57. Professor Goldman said that she believed Professor Piterberg's actions were sexual
11 harassment; however, she refused to be Plaintiff Takla's new advisor and insisted that no one would
12 hire her later for an academic job in her field unless her supervisor was a Middle East historian. She
13 then encouraged Plaintiff Takla to keep Professor Piterberg on the committee and offered to co-chair
14 with him so that she wouldn't have to meet with him alone. This was unacceptable to Plaintiff Takla,
15 as she did not want Professor Piterberg having any influence and power over her dissertation, nor did
16 she want to have to be in his presence given his pervasive sexual harassment and advances.

17 58. On June 24, 2013, Plaintiff Takla was finally able to speak with Ms. Thomason over
18 the telephone. Without giving her name, she told Ms. Thomason that she had been sexually harassed
19 by her advisor at UCLA, and that she had written a letter to her harasser which described his
20 inappropriate conduct and how it had affected her, but had not sent it to him. At first Ms. Thomason
21 seemed supportive. She encouraged Plaintiff Takla to reveal her harasser's name, and asked Plaintiff
22 Takla to send her the unsent letter so that she could show it to him.

23 59. The following day, June 25, 2013, Plaintiff Takla emailed the letter to Ms. Thomason.
24 In doing so, she disclosed her name and Professor Piterberg's name. Ms. Thomason said that if
25 Plaintiff Takla put matters on a more formal footing, she would confront Professor Piterberg with the
26 contents of the letter. However, Ms. Thomason did not explain to Plaintiff Takla what Title IX was
27 or what protection it offered. Nor did she explain to Plaintiff Takla what would happen once she
28 made a complaint. Plaintiff Takla formalized her complaint. She and Ms. Thomason then spoke
briefly and scheduled a time to meet the following day. Ms. Thomason also said that she had spoken
to UCLA's History Department's Chair, Professor David Myers, and he wanted to meet with Plaintiff
Takla as soon as possible.

1 60. Plaintiff Takla met with Professor Myers on June 26, 2013, and requested a new
2 advisor to replace Professor Piterberg because of the sexual harassment she had endured. Professor
3 Myers agreed. At the end of their conversation, he asked Plaintiff Takla not to speak to anyone about
4 what had happened with Professor Piterberg. It made her feel extremely uncomfortable and
5 disheartened that he was asking her to remain silent and let Professor Piterberg get away with
6 sexually harassing her.

7 ***UCLA acts with deliberate indifference to Plaintiff Takla's report of sexual harassment and***
8 ***assault***

9 61. On June 26, 2013, Plaintiff Takla met with Ms. Thomason. During this brief meeting,
10 which lasted no more than thirty minutes, Plaintiff Takla was, again, never once advised of her Title
11 IX rights or her rights under the University of California Sexual Harassment and Sexual Violence
12 Policy.

13 62. Shortly after her meeting with Ms. Thomason, Plaintiff Takla left the country for the
14 summer to conduct research. Within a few days of being out of the country, on July 2, 2013, Plaintiff
15 Takla received an e-mail from Ms. Thomason informing her that she had interviewed Professor
16 Piterberg, and that he had admitted to the “basic facts,” but denied “manipulating or trying to coerce”
17 her. Ms. Thomason told Plaintiff Takla that, since Professor Piterberg had admitted to the “basic
18 facts,” the University was going to handle this via Early Resolution.

19 63. On July 8, 2013, Plaintiff Takla and Ms. Thomason spoke via Skype. Ms. Thomason
20 said that Professor Piterberg admitted to the kiss, but told her that he thought Plaintiff Takla may
21 have initiated the kiss, which was a blatant lie. He also told Ms. Thomason that this was not sexual
22 harassment, but a mutual attraction, which again was not true.

23 64. On July 9, 2013, Ms Thomason informed Plaintiff Takla that a graduate student and a
24 junior faculty member had come forward to say they had also experienced sexual harassment by
25 Professor Piterberg. On July 18, 2013, Plaintiff Takla responded, asking how this affected how the
26 university would handle the matter. Ms. Thomason replied, saying that she would interview one
27 more woman. However, she was only concerned with people that had Professor Piterberg as their
28 advisor. A day later, Plaintiff Takla made it clear to Ms. Thomason that her main concern was that
UCLA imposed a punishment severe enough to deter Professor Piterberg from what was quite clearly
pervasive conduct, and a pattern of harassing behavior.

 65. By July 25, 2013, Plaintiff Takla had done her own research and learned that she could
have a formal hearing before the Academic Senate, which was her preference. Consequently, she

1 asked Ms. Thomason (by e-mail) for a hearing before the Academic Senate to address the sexual
2 harassment and assault by Professor Piterberg. Ms. Thomason dissuaded Plaintiff Takla from taking
3 the case before the Academic Senate and told her that the Senate was made up of Professor
4 Piterberg’s peers, so there would be no point because they would all side with him. Ms. Thomason
5 then convinced Plaintiff Takla that Early Resolution was the best way to handle this matter and told
6 Plaintiff Takla that she would still learn of the punishment and sanctions against Professor Piterberg,
7 but would never have to testify before the Senate. It was clear to Plaintiff Takla that, in reality,
8 UCLA was offering her no other option.

9 66. Ms. Thomason told Plaintiff Takla that before UCLA could handle Professor
10 Piterberg’s sexual assault and harassment through Early Resolution, Carol Goldberg, UCLA’s Vice
11 Chancellor and a Professor of Law, had to make sure that he had not sexually harassed any other
12 women on campus. Ms. Thomason said that she would conduct an investigation into this, and get
13 back to Plaintiff Takla.

14 67. Ms. Thomason learned through that investigation that, in addition to the Plaintiffs,
15 Professor Piterberg sexually harassed another graduate student at UCLA, a junior professor in
16 another department, and a junior professor in the History Department. However, since none of these
17 individuals were students of Professor Piterberg’s, Ms. Thomason decided to treat his sexual
18 harassment and assault against Plaintiff Takla as a “one off.”

19 68. UCLA ignored all the other complaints individuals filed or tried to file against
20 Professor Piterberg and settled Ms. Takla’s case through Early Resolution. Under UCLA’s policy on
21 sexual harassment, however, Early Resolution is not permitted in cases that involve sexual assault
22 and/or multiple complaints of sexual misconduct, such as this case. UCLA Procedure 630.1 for
23 Responding to Reports of Sexual Harassment (“UCLA Harassment Procedure”) sets out the Los
24 Angeles campus’ local procedures. At section V.B.2, it clearly states that Early Resolution is
25 inappropriate where (1) the facts are in dispute in reports of serious misconduct; (2) reports involve
26 individuals with a pattern of inappropriate behavior; or (3) there are allegations of criminal acts such
27 as sexual assault.

28 69. By the time Ms. Thomason had spoken to Plaintiff Glasgow and at least one other
woman who had come forward, UCLA had knowledge of the following: (1) Professor Piterberg had,
by Ms. Thomason’s own words, admitted only the “basic facts” of Plaintiff Takla’s complaint,
leaving a number of other facts in dispute in circumstances where the harassment was serious and

1 pervasive; (2) Professor Piterberg exhibited a clear pattern of harassing behavior in respect of more
2 than one woman – engineering a situation where he could be alone with a woman, then making
3 sexual advances toward her, and then trying to pressure her into entering into a sexual relationship
4 with him using his status and authority as a UCLA professor to do so; and (3) at times, Professor
5 Piterberg’s conduct escalated to such a level that it constituted sexual assault, defined in the
6 University of California’s Sexual Harassment and Sexual Violence Policy (“Sexual Harassment
7 Policy”) as “physical sexual activity... engaged without the consent of the other person or when the
8 other person is unable to consent to the activity.” This definition clearly covers the behavior
9 displayed by Professor Piterberg on a number of occasions; the stroking of Plaintiff Takla’s back,
10 neck, and hair, the forcing of her head into a position where he could push his tongue into her mouth,
11 and the groping of Plaintiff Takla’s bottom in his office.

12 70. Based on these circumstances, Ms. Thomason was obliged to encourage Plaintiff
13 Takla to file a written request for a Formal Investigation. However, Ms. Thomason did no such
14 thing. Instead, she actively discouraged Plaintiff Takla from pursuing a Formal Investigation, saying
15 that Professor Piterberg’s peers may well side with him instead of finding for Plaintiff Takla, and that
16 an Early Resolution would be faster and more effective.

17 71. The Sexual Harassment Policy and the UCLA Harassment Procedure also state that
18 agreements reached through Early Resolution efforts should be documented. However, when Plaintiff
19 Takla requested a copy of the investigative report in May 2014, one month after she was notified that
20 her case had been closed, Ms. Thomason told Plaintiff Takla that there was no formal documentation
21 or report because the investigation had been terminated by the conclusion of the Early Resolution.

22 72. Plaintiff Takla reported Professor Piterberg’s sexual assault and harassment to Ms.
23 Thomason on June 24, 2013; the case was not closed until March 2014. It took UCLA over nine
24 months to complete its investigation, which is a violation of Title IX policies. UCLA also never
25 made any findings after its nine month investigation, in contravention of what Title IX requires. .

26 73. Further, Plaintiff Takla was then deprived of learning the outcome of the Early
27 Resolution and whether Professor Piterberg was sanctioned for his conduct. Although she had
28 received an e-mail from Ms. Thomason on October 28, 2013 stating that UCLA would tell her the
terms of the resolution once that resolution had been reached, Ms. Thomason told her on June 10,
2014 that she could not provide any information at all. It is doubtful that Professor Piterberg received

1 any meaningful sanction for his behavior because he has remained a member of the faculty, and
2 continues to teach at UCLA.

3 74. Ms. Thomason did not treat Plaintiff Takla's situation with any seriousness. During
4 numerous conversations she told Plaintiff Takla a story about a friend of hers from law school who
5 was continually pursued and harassed by a classmate, and even though she was not initially interested
6 in him, they were now happily married. This was extremely inappropriate. Plaintiff Takla had never
7 accepted Professor Piterberg's sexual advances, and had made it very clear to Ms. Thomason that she
8 found them abhorrent, and that they were not reciprocated in any way.

8 ***Plaintiff Takla suffered damages as a result of Professor Piterberg's sexual harassment and
9 UCLA's deliberate indifference***

9 75. Plaintiff Takla had to start seeing a therapist immediately after Professor Piterberg
10 first sexually harassed her to deal with the severe emotional distress arising from that incident, and
11 she continued to see a therapist to deal with the anxiety and panic attacks that she developed as a
12 result of the sexual harassment and UCLA's deliberate indifference.

13 76. Fear of running into Professor Piterberg and being subjected to additional sexual
14 harassment has prevented Plaintiff Takla from going to UCLA's campus. As a result, she does not
15 benefit from the resources on campus that could assist her with completing her dissertation.

16 77. Plaintiff Takla will now be at a disadvantage on the job market due to the loss of an
17 advisor in her field who knew her very well as a student. Plaintiff Takla had worked as both a
18 research and teaching assistant for Professor Piterberg, and she had taken classes with him. Graduate
19 students are strongly advised to get letters of recommendation from professors who know them well
20 as students, and the loss of Professor Piterberg as a reference will serve as a disadvantage for Plaintiff
21 Takla in her future job search.

21 ***Plaintiff Kristen Hillaire Glasgow***

22 78. Plaintiff Glasgow started at UCLA as an undergraduate in 2004. After graduating in
23 2006 with a degree in History, Plaintiff Glasgow started in the graduate program at UCLA pursuing a
24 PhD in History with a focus on African-American female intellectuals during the nineteenth and early
25 twentieth centuries. She plans on submitting her dissertation in December 2015.

26 79. Professor Piterberg began sexually harassing Plaintiff Glasgow in 2008, and continued
27 to harass her until October 2013, which is the last time she saw Professor Piterberg.
28

1 ***Professor Piterberg sexually assaults Plaintiff Glasgow by forcing his tongue in her mouth***

2 80. On February 13, 2008, Plaintiff Glasgow’s undergraduate advisor Paul Padilla, an
3 employee of UCLA, invited her to have coffee with him and his friend Professor Piterberg. Plaintiff
4 Glasgow accepted his invitation; this was the first time that she was introduced to Professor
5 Piterberg.

6 81. During the coffee, there was discussion about Plaintiff Glasgow’s recent, and very
7 painful, separation from her husband of ten years. Professor Piterberg became oddly interested in
8 Plaintiff Glasgow’s divorce. Even though they had just met, Professor Piterberg asked about Plaintiff
9 Glasgow’s separation, and particularly why she and her husband had separated.

10 82. When Plaintiff Glasgow explained that the relationship had been over for some time,
11 because there had been no intimacy for seven years, Professor Piterberg’s demeanor changed
12 markedly. He became particularly interested in her husband not wanting to be intimate with her; he
13 told her that he could not imagine lying in bed next to her and not wanting to “molest” her or be
14 intimate with her. This made Plaintiff Glasgow feel extremely uncomfortable.

15 83. Once they were finished having coffee, Plaintiff Glasgow left to walk to her car.
16 Professor Piterberg asked if he could walk with her because they were both parked in the same lot.

17 84. When they reached Professor Piterberg’s car, he told Plaintiff Glasgow, “In another
18 time and place we would be together.” Then he pushed her up against his car and kissed her, forcing
19 his tongue into her mouth (exactly as he had done to Plaintiff Takla). Plaintiff Glasgow did not
20 return the kiss. Instead, she raised her hands and arms in a defensive gesture to try to get Professor
21 Piterberg to back away from her. After getting away from Professor Piterberg and reaching her car,
22 Plaintiff Glasgow was shaken and humiliated, and was unable to drive away for some time.

23 ***Professor Piterberg continues to sexually harass Plaintiff Glasgow and create a sexually hostile***
24 ***environment for her at UCLA***

25 85. Plaintiff Glasgow avoided Professor Piterberg on campus for an entire year, until 2009
26 when she could no longer avoid him because she started working in the same building as him, at the
27 National Center for History at Schools (“NCHS”) which was located on the main floor of UCLA’s
28 History Department. Once Plaintiff Glasgow started working for NCHS, she noticed that Professor
Piterberg would come to the NCHS office to get free coffee, so she could not avoid him any longer.

86. Plaintiff Glasgow would take smoking breaks outside the NCHS, and Professor
Piterberg started joining her and others for a smoke. Plaintiff Glasgow was very uneasy with his
presence, and was careful to make sure that she was never alone with him.

1 87. During these smoking breaks, Professor Piterberg would constantly steer the
2 conversation towards sexual topics. At one time, he asked a female smoker what her favorite sexual
3 position was, told everyone present that his was on a stool, and that facing the woman while
4 “fucking” her was a “turn-on.”

5 88. During another smoking break, Professor Piterberg learned that Plaintiff Glasgow and
6 her partner of a few years had ended their relationship, so he asked her if she would have an affair
7 with him, date him, or have a one night stand with him - that he would take anything. Plaintiff
8 Glasgow, in complete shock, refused, saying that it would be utterly inappropriate.

9 89. In 2009, Plaintiff Glasgow received a telephone call from Professor Piterberg at
10 around 9:30 p.m. Recognizing the call to be from Professor Piterberg on her caller ID, Plaintiff
11 Glasgow did not answer the call. The following day, Professor Piterberg told Plaintiff Glasgow, “It’s
12 good that you didn’t answer, because I was having dinner with Russell Jacoby who lives near you,
13 and I was going to stop by so we could make love.” Plaintiff Glasgow said that it was a good thing
14 she did not answer.

15 90. On nearly every occasion that Plaintiff Glasgow saw Professor Piterberg in the
16 smoking group, he would comment on her physical appearance, calling her “sexy” and “hot” in front
17 of the other faculty members and students; this made her feel extremely uncomfortable.

18 91. Over the course of the next several years, the sexual harassment continued, and
19 Professor Piterberg cultivated a sexually hostile environment for Plaintiff Glasgow and the other
20 women in the History Department, constantly making sexually charged comments and steering
21 conversations towards lewd and inappropriate topics. However, Plaintiff Glasgow was aware that
22 Professor Piterberg sat on the Departmental Continuing Funding Awards Committee, which made
23 decisions about which students should be allocated funding, and, being a non-recruited graduate
24 student, Plaintiff Glasgow was, to a large extent, dependent on awards from that committee in order
25 to continue her studies. Consequently, Plaintiff Glasgow knew that she had to avoid angering
26 Professor Piterberg, particularly as he had said that he would try to ensure that Plaintiff Glasgow
27 received funding for her studies.

28 ***Plaintiff Glasgow reports Professor Piterberg’s sexual assault and harassment to UCLA***

92. On July 7, 2013, Plaintiff Glasgow received a call from a faculty member in the
History Department informing her that Plaintiff Takla filed a sexual harassment complaint against

1 Professor Piterberg with UCLA's Title IX Coordinator to no avail. Plaintiff Glasgow was told there
2 were rumors that Professor Piterberg was threatening to retaliate against Plaintiff Takla.

3 93. Plaintiff Glasgow was disgusted to know that Professor Piterberg was sexually
4 harassing other women on campus in a similar manner to what she experienced and that UCLA was
5 not going to do anything about it, so on July 8, 2013, she decided to call Ms. Thomason to report the
6 sexual harassment and sexual assault she had been subjected to by Professor Piterberg. The
7 following day, Plaintiff Glasgow telephoned Ms. Thomason and told her story. Ms. Thomason told
8 Plaintiff Glasgow that she could give her report over the telephone to Ms. Thomason, and that it
9 would still be an "official, on the record" statement.

10 94. Plaintiff Glasgow told Ms. Thomason about the sexual harassment and assault she had
11 experienced, and how this had made her feel humiliated. She also told Ms. Thomason about
12 Professor Piterberg's constant references to wanting to "fuck" colleagues and graduate students at
13 UCLA.

14 95. Ms. Thomason then read Plaintiff Glasgow's statement back to her, and told her that
15 they were originally going to treat Plaintiff Takla's complaint as a "one off", but that Plaintiff
16 Glasgow's report changed matters, and that she would be in touch with Plaintiff Glasgow in a week
17 or less.

18 96. Plaintiff Glasgow asked Ms. Thomason to be kept updated, because she was too afraid
19 to go onto campus until she heard from Ms. Thomason and knew what UCLA was going to do about
20 Professor Piterberg.

21 97. Plaintiff Glasgow then telephoned the History Department Chair, Professor Myers,
22 and told him she had had been sexually harassed by Professor Piterberg. Professor Myers' response
23 was to ask her not to share her story with anyone. This violated the Sexual Harassment Policy, which
24 states that "any manager, supervisor, or designated employee responsible for reporting or responding
25 to sexual harassment or sexual violence who knew about the incident and took no action to stop or
26 failed to report the prohibited act may be subject to disciplinary action."¹

27 ***UCLA acted with deliberate indifference when they refused to allow Plaintiff Glasgow, a victim of
28 sexual harassment, to file a Title IX complaint***

98. More than four weeks later, Plaintiff Glasgow telephoned Ms. Thomason to follow up,
because she had not heard anything, and was still uncomfortable going to campus. Ms. Thomason

¹ University of California Policy on Sexual Harassment and Sexual Violence. III, G.

1 said that she did not remember speaking to Plaintiff Glasgow, became very defensive, and said that
2 she had not agreed to follow up with Plaintiff Glasgow. Plaintiff Glasgow was very confused,
3 because she had had a long and detailed conversation with Ms. Thomason previously.

4 99. The Sexual Harassment Policy states that the Title IX Officer is to “provide prompt
5 and effective responses to reports of sexual harassment...,”² which Ms. Thomason did not do.

6 100. Ms. Thomason then told Plaintiff Glasgow that UCLA had decided to treat Plaintiff
7 Takla’s case as a one-off incident by Professor Piterberg.

8 101. When Plaintiff Glasgow started to ask questions about her complaint, Ms. Thomason
9 became hostile, and told Plaintiff Glasgow that if this matter went before the Academic Senate,
10 everyone would side with Professor Piterberg because they were his peers. Plaintiff Glasgow felt
11 horrified by what she was being told. It was clear to her that, not only was she being dissuaded from
12 filing a complaint against Professor Piterberg, but Ms. Thomason was trying to prevent her from
13 doing so in the way she was delaying her responses to Plaintiff Glasgow’s complaint, taking the
14 complaints orally rather than in written form, pretending their previous conversation had not
15 occurred, and suggesting to Plaintiff Glasgow that the formal complaint process was decisively
16 stacked against her.

17 102. At no time did Ms. Thomason ever advise Plaintiff Glasgow of her rights under Title
18 IX or the Sexual Harassment Policy, which requires that individuals reporting sexual harassment be
19 informed about their options for resolving claims of sexual harassment.

20 103. Ms. Thomason did not allow Plaintiff Glasgow to proceed with a complaint against
21 Professor Piterberg for being a victim of physical and verbal sexual harassment and having to suffer a
22 sexually hostile environment.

23 104. On April 25, 2014, Plaintiff Glasgow received an email from Bib Dhillonn, Chief
24 Administrative Officer for the History Department, who is often in charge of organizing sexual
25 harassment task forces. Ms. Dhillonn asked her why she no longer came to the History Department
26 anymore. Plaintiff Glasgow, at this point, had only been to the History Department once in six
27 months, in an effort to avoid further sexual harassment and a hostile environment, told Ms. Dhillonn
28 that she was uncomfortable due to “sexual harassment issues,” to which Ms. Dhillonn responded,
“I’m so sorry to hear that; it sucks. ☹ I hope I’ll still get to see you occasionally, at least. You have a

² University of California Policy on Sexual Harassment and Sexual Violence. V, A.

1 good weekend, too!” Ms. Dhillonn never offered Plaintiff Glasgow any assistance to address the
2 problem. Instead, she chose to ignore it.

3 105. On June 3, 2014, Professor Myers sent a letter to the History Department from the
4 UCLA Sexual Harassment Task Force. Plaintiff Glasgow replied to this letter in detail, noting her
5 disappointment with how her complaint had been handled. Professor Myers responded, apologizing
6 “for his own lack of responsiveness,” and three weeks later, they met for lunch. During their lunch,
7 Professor Myers asked Plaintiff Glasgow why she had never come forward on the record against
8 Professor Piterberg. Plaintiff Glasgow was surprised and confused.

9 106. Plaintiff Glasgow told Professor Myers that she had come forward and reported the
10 sexual harassment. Professor Myers said that, according to Ms. Thomason, this was not the case.

11 107. Plaintiff Glasgow and Professor Myers agreed that they would have an informal
12 meeting with Muriel McClendon, Professor and Vice Chair Graduate Affairs, to discuss Plaintiff
13 Glasgow’s complaint against Professor Piterberg. Plaintiff Glasgow waited to hear back from
14 Professor Myers about the meeting with Vice Chair McClendon; however, Professor Myers took no
15 steps to organize this meeting.

16 108. On Wednesday, August 13, 2014, Plaintiff Glasgow asked Professor McClendon if
17 she had been contacted by Professor Myers regarding the informal meeting to follow up about
18 Professor Piterberg’s sexual misconduct. Professor McClendon replied that she has no idea what
19 Plaintiff Glasgow was referring to and never heard about this from Professor Myers.

20 109. Consequently, Plaintiff Glasgow contacted Janice Reiff, UCLA Professor and the
21 President of the Academic Senate, who asked for 24 hours to figure out who Plaintiff Glasgow should
22 be speaking to about Professor Piterberg’s behavior. During their meeting, Professor Reiff was clear
23 to Plaintiff Glasgow that the lack of responsiveness and/or information and support provided to
24 Plaintiff Glasgow by Ms. Thomason was a clear violation of Title IX.

25 110. Plaintiff Glasgow heard nothing until around ten days later, when she received a rude
26 voicemail from Ms. Thomason saying that someone in the History Department had told her to contact
27 Plaintiff Glasgow. She was shocked to learn that Professor Reiff called Ms. Thomason after their
28 conversation, given that Ms. Thomason had treated her earlier complaints so derisively.

111. When Plaintiff Glasgow returned her call, Ms. Thomason was not in her office, so she
left a detailed message. Plaintiff Glasgow never heard back from Ms. Thomason. A month later she
heard from a temporary staff member in UCLA’s Title IX Office. Later she learned that Ms.

1 Thomason had left UCLA. Ms. Thomason is now the Title IX Compliance Officer for all of the
2 California State Universities.

3 112. A month later, Plaintiff Glasgow received a voicemail from a new Title IX staff
4 member asking to hear from her. Plaintiff Glasgow chased them a number of times by telephone,
5 before leaving a voicemail asking, “What does a sexually harassed graduate student have to do to get
6 the Title IX office to call her back?” At this point she was frustrated by the constant avoidance
7 tactics being used by the Title IX office.

8 113. A week later, Plaintiff Glasgow received a call from a Title IX employee saying she
9 should come in to see them. However, by this time, over a year had passed since Plaintiff Glasgow
10 first reported Professor Piterberg’s sexual harassment to UCLA’s Title IX office. They had acted
11 with such deliberate indifference to the complaints raised about Professor Piterberg by Plaintiff Takla
12 and Plaintiff Glasgow that Plaintiff Glasgow was thoroughly disheartened and believed the Title IX
13 staff and UCLA had no intention of helping her in any way, or to properly address her concerns.

14 ***Professor Piterberg continued to sexually harass Plaintiff Glasgow after UCLA was on notice of
15 his behavior***

16 114. In early August of 2013, Professor Piterberg had asked Plaintiff Glasgow to have
17 coffee with him on campus. Plaintiff Glasgow wanted to avoid Professor Piterberg, but she was
18 curious if he knew about the report she tried to file with the Title IX Coordinator, and thought this
19 would be a good opportunity to find out if any steps had been taken, since she had not heard anything
20 from Ms. Thomason. During the course of their brief coffee together, it became clear to Plaintiff
21 Glasgow that Professor Piterberg did not know that she had complained about him, and that UCLA’s
22 Title IX Coordinator had never done anything with her report. He continued to steer the conversation
23 towards the topic of sex, and asked Plaintiff Glasgow if she had ever been with a woman. He then
24 jokingly asked, “Is that sexual harassment?” When Plaintiff Glasgow replied “yes,” he simply
25 laughed.

26 115. On October 5, 2013, Plaintiff Glasgow attended an annual party for graduate students
27 of the History Department, hosted by Professor James Gelvin. Professor Piterberg was present at the
28 party, as it was customary for graduate students and professors from the History Department to
attend.

116. While at the party, Professor Piterberg cornered Plaintiff Glasgow; she was unable to
get away from him because she was in a corner blocked by a staircase and Professor Piterberg.

LEGAL CLAIMS

**FIRST CLAIM FOR RELIEF:
SEXUAL HARASSMENT IN VIOLATION OF TITLE IX,
AS TO NEFERTITI TAKLA**

122. Plaintiff Takla re-alleges all prior paragraphs of the Complaint as if set out here in full.

123. At all relevant times, Defendant received federal funding and assistance.

124. Plaintiff Takla was subjected to sexual harassment and sexual assault that was so severe, pervasive, and/or objectively offensive that it deprived her of access to educational opportunities and benefits.

125. Defendant had actual knowledge of the sexual harassment sustained by Plaintiff Takla.

126. The harassment of Plaintiff Takla occurred in a context that was subject to Defendant's control and where Defendant could have taken remedial action.

127. Defendant's response to the harassment sustained by Plaintiff Takla and/or its lack of response was deliberately indifferent, insofar as the response or lack thereof was clearly unreasonable in light of the known circumstances.

128. Plaintiff Takla demands that the issues herein contained be tried by a jury.

**SECOND CLAIM FOR RELIEF:
HOSTILE ENVIRONMENT IN VIOLATION OF TITLE IX,
AS TO NEFERTITI TAKLA**

129. Plaintiff Takla re-alleges all prior paragraphs of the Complaint as if set out here in full.

130. Plaintiff was subjected to verbal and physical sexual harassment that was so severe, pervasive and objectively offensive that she was denied access to educational opportunities and benefits.

131. For Plaintiff Takla, UCLA became a sexually hostile environment where her harasser was still on campus and teaching within the History Department and every time she saw him there was a fear that he would sexually harass her verbally and/or physically.

132. UCLA was deliberately indifferent to Plaintiff Takla's known sexual harassment and the sexually hostile education environment in which she suffered.

133. As a result of UCLA's deliberate indifference, Plaintiff Takla is forced to stay off campus and has lost educational opportunities and benefits at the university.

134. Plaintiff Takla demands that the issues herein contained be tried by a jury.

**THIRD CLAIM FOR RELIEF:
SEXUAL HARASSMENT IN VIOLATION OF TITLE IX,
AS TO KRISTEN HILLAIRE GLASGOW**

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3 135. Plaintiff Glasgow re-alleges all prior paragraphs of the Complaint as if set out here in full.

4 136. At all relevant times, Defendant received federal funding and assistance.

5 137. Plaintiff Glasgow was subjected to sexual assault and harassment was so severe,
6 pervasive, and/or objectively offensive that it deprived her of access to educational opportunities and
7 benefits.

8 138. Defendant had actual knowledge of the sexual harassment sustained by Plaintiff
9 Glasgow.

10 139. The harassment of Plaintiff Glasgow occurred in a context that was subject to
11 Defendant's control and where Defendant could have taken remedial action.

12 140. Defendant's response to the harassment sustained by Plaintiff Glasgow and/or its lack
13 of response was deliberately indifferent, insofar as the response or lack thereof was clearly
14 unreasonable in light of the known circumstances.

15 141. Plaintiff Glasgow demands that the issues herein contained be tried by a jury.

**FOURTH CLAIM FOR RELIEF:
HOSTILE ENVIRONMENT IN VIOLATION OF TITLE IX,
AS TO KRISTEN HILLAIRE GLASGOW**

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18 142. Plaintiff Glasgow re-alleges all prior paragraphs of the Complaint as if set out here in
19 full.

20 143. Plaintiff Glasgow was subjected to sexual harassment and assault that was so severe,
21 pervasive and objectively offensive that she was denied access to educational opportunities and
22 benefits.

23 144. UCLA became a hostile environment for Plaintiff Glasgow where she suffered for
24 many years from sexual harassment by Professor Piterberg and continued to suffer harassment by
25 him after he had been reported for sexual harassment and sexual assault. Her harasser was still on
26 campus and teaching within the History Department and every time she saw him there was a fear that
27 he would sexually harass her verbally and/or physically. She was also fearful of retaliation by him
28 and others in the History Department since nothing had ever been done to protect her.

1 145. UCLA was deliberately indifferent to Plaintiff's known sexual harassment and the
2 sexually hostile education environment in which she suffered as a result of its failure to institute any
3 accommodations for Plaintiff's safety.

4 146. As a result of UCLA's deliberate indifference, Plaintiff Glasgow was forced to leave
5 campus and lost educational opportunities and benefits at the university.

6 147. Plaintiff Glasgow demands that the issues herein contained be tried by a jury.

7 **FIFTH CLAIM FOR RELIEF:**
8 **NEGLIGENT RETENTION OF GABRIEL PITERBERG**
9 **AS TO KRISTEN HILLAIRE GLASGOW**

10 148. Plaintiff Glasgow re-alleges all prior paragraphs of the Complaint as if set out here in full.

11 149. Professor Piterberg was unfit to teach at UCLA because he consistently sexually harassed
12 members of the faculty and student body.

13 150. Defendant had actual notice that Professor Piterberg was unfit to be teaching at UCLA in
14 June 2013 when Plaintiffs and others informed UCLA's Title IX Coordinator that they each had been
15 subjected to sexual advances, harassment and/or assault by Professor Piterberg.

16 151. Plaintiff Glasgow was subjected to further sexual harassment and advances by Professor
17 Piterberg after notifying UCLA of his behavior in July 2013.

18 152. Defendant's negligence in retaining Professor Piterberg was a substantial factor in causing
19 Plaintiff Glasgow's harm.

20 153. Plaintiff Glasgow demands that the issues herein contained be tried by a jury.

21 **PRAYER FOR RELIEF**

22 **WHEREFORE**, Plaintiffs respectfully demand judgment against Defendant awarding:

- 23 (a) Damages in amounts to be established at trial, including, without limitation,
24 reimbursement and prepayment for all of Plaintiffs' tuition and related expenses;
25 payment of Plaintiffs' expenses incurred as a consequence of the sexual
26 harassment; damages for deprivation of equal access to the educational benefits
27 and opportunities provided by UCLA; and damages for past, present and future
28 emotional pain and suffering, ongoing and severe mental anguish, loss of past,
present and future enjoyment of life, and lost earnings and earning capacity;
- (b) Injunctive relief to be determined at trial requiring UCLA to comply with federal law under Title IX;
- (c) Pre- and post-judgment interest;
- (d) Costs;

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- (e) Attorney's fees pursuant to 42 U.S.C. § 1988(b); and
- (f) Such other and further relief as the Court may deem just and proper.

DATED: June 11, 2015

Respectfully submitted,

By /s/ Johnna Sack
Johnna Sack
MCALLISTER OLIVARIUS
Attorneys for Plaintiff