

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X Case No.
DR. CHARLES M. FORTMANN and
DR. ZEHRA CEVHER,

Plaintiffs,

-against-

COMPLAINT

Jury Trial Demanded

ST. JOHN’S UNIVERSITY and MOSTAFA SADOQI,

Defendants.

-----X

Plaintiffs Dr. Charles M. Fortmann (“Dr. Fortmann”) and Dr. Zehra Cevher allege against the Defendant St. John’s University (“St. John’s”) and Mostafa Sadoqi (“Dr. Sadoqi”) (collectively “Defendants”) upon information and belief, as follows:

NATURE OF THE CLAIMS

1. Dr. Fortmann brings this action against the Defendant St. John’s pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§2000e, *et seq.* (“Title VII”), Age Discrimination in Employment Act of 1967 (ADEA), 29 U.S.C.S. § 621 *et seq.* (“ADEA”), Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.* (“Title IX”), and against all the Defendants under the New York State Human Rights Law, N.Y. Exec. Law §§ 290, *et seq.* (“NYSHRL”) and New York City, N.Y., Admin. Code § 8-107(1)(a), (7) of the New York City Human Rights Law (“NYCHRL”) to recover the damages he sustained as the result of being discriminated against on the basis of his age, perceived religion, and retaliated against for reporting the Defendants’ discriminatory practices, including, but not limited to, discriminatory practices on the bases of age/religion and sexual harassment.

2. Dr. Cevher brings this action against the Defendant St. John's pursuant to Title VII, Title IX, and against all the Defendants under the NYSHRL and NYCHRL to recover the damages she sustained as the result of being subjected to *quid pro quo* sexual harassment and hostile work environment, discriminated against on the basis of her sex/gender, and retaliated against for opposing the Defendants' discriminatory practices.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over Plaintiffs' claims under Title VII, ADEA and Title IX pursuant to 28 U.S.C. § 1331 and 1343, because those claims arise under the laws of the United States. This Court has supplemental subject matter jurisdiction over Plaintiffs' related NYSHRL and NYCHRL claims pursuant to 28 U.S.C. § 1367. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to this action occurred in this district.
4. On January 6, 2023, Dr. Fortmann filed a complaint with the United States Equal Employment Opportunity Commission ("EEOC") against St. John's, and was assigned a charge number 520-2023-01862. According to the Charge of Discrimination Dr. Fortmann filed with the EEOC, it was filed with both the EEOC and the state or local agency.
5. On March 12, 2024, Dr. Cevher filed a complaint with the EEOC against St. John's, and was assigned a charge number 520-2024-03726. Dr. Cevher also dually filed with the New York State Division of Human Rights and the New York City Commission on Human Rights.
6. On May 8, 2024 and May 15, 2024, EEOC issued Dr. Fortmann and Dr. Cevher Notices of Right to Sue (annexed hereto as Exhibit A and Exhibit B respectively).
7. Plaintiffs have exhausted administrative remedies, and any and all other prerequisites to the filing of this suit have been met.

THE PARTIES

Dr. Fortmann

8. Dr. Fortmann is a 71-year-old individual, who is protected from unlawful discriminatory practices on the basis of his age under ADEA, NYSHRL and NYCHRL.

9. Dr. Fortmann is Catholic, and is protected from unlawful discriminatory practices on the basis of his actual/perceived religion under Title VII, NYSHRL and NYCHRL.

10. Dr. Fortmann is also protected under Title VII and Title IX from unlawful retaliatory practices for reporting sex-based discrimination, including, but not limited to, sexual harassment.

11. Dr. Fortmann earned his Ph.D. in Material Science at Stanford University in 1985.

12. From his first job as a Peace Corps volunteer in the Fiji Islands until the present, Dr. Fortmann has engaged in socially responsible research and outreach.

13. Dr. Fortmann's main field of study is photovoltaic solar energy and biological applications of physics and mathematics.

14. Dr. Fortmann has published over 150 scientific papers that have been cited over 1,100 times.

Dr. Cevher

15. Dr. Cevher is a 39-year-old woman who is protected from unlawful discriminatory practices under Title VII, Title IX, NYSHRL and NYCHRL.

16. Dr. Cevher graduated from CUNY with Ph.D. in physics in 2018.

17. Dr. Cevher's main field of study includes energy production, utilization and efficiency.

St. John's

18. St. John's is a private, Roman Catholic institution of higher education, founded in 1870.

19. St. John's is affiliated with the Vincentian Community, a religious order, and holds itself out to the public as such.

20. St. John's has approximately 20,000 undergraduate and graduate students.

21. St. John's has campuses in Queens, Staten Island, Manhattan and Hauppauge.

22. St. John's has over 1,000 faculty members.

Dr. Sadoqi

23. Dr. Sadoqi is Professor and a former Chair of Physics department at St. John's College of Liberal Arts and Sciences.

24. Dr. Sadoqi was the Chair of the Physics Department throughout Dr. Fortmann's employment with St. John's.

25. During the entirety of Dr. Fortmann's employment with St. John's, Dr. Sadoqi had the right to control the terms and conditions of Dr. Fortmann's employment.

26. During the entirety of Dr. Fortmann's employment with St. John's, Dr. Sadoqi had the right to hire, fire, promote, demote, reward and sanction Dr. Fortmann.

27. During the entirety of Dr. Fortmann's employment with St. John's, Dr. Sadoqi was Dr. Fortmann's supervisor and/or manager.

28. During the entirety of Dr. Cevher's employment with St. John's, Dr. Sadoqi had the right to control the terms and conditions of Dr. Cevher's employment.

29. During the entirety of Dr. Cevher's employment with St. John's, Dr. Sadoqi had the right to hire, fire, promote, demote, reward and sanction Dr. Cevher.

30. During the entirety of Dr. Cevher's employment with St. John's, Dr. Sadoqi was Dr. Cevher's supervisor and/or manager.

31. Dr. Sadoqi had the authority to accept or reject personnel action for reappointment with regard to Dr. Fortmann.

32. Dr. Sadoqi had the authority to accept or reject personnel action for reappointment with regard to Dr. Cevher.

33. Dr. Sadoqi had the authority to recommend to the personnel committee whether to accept or reject personnel action for reappointment with regard to Dr. Fortmann.

34. Dr. Sadoqi had the authority to recommend to the personnel committee whether to accept or reject personnel action for reappointment with regard to Dr. Cevher.

STATEMENT OF FACTS

With regard to Dr. Fortmann

35. In or around July 2014, Dr. Fortmann was hired as a full-time faculty member at St. John's.

36. In or around September 2014, Dr. Fortmann commenced his employment at St. John's, as a temporary, non-tenure track Associate Professor in Physics.

37. During the entirety of his employment with St. John's, Dr. Fortmann was a stellar employee.

38. In 2017, due to his outstanding work performance, Dr. Fortmann was appointed as a full-time, 5-year tenure-track Associate Professor of Physics.

39. Due to the impact of Covid-19, Dr. Fortmann's tenure decision date was moved to June 30, 2025.

40. Dr. Fortmann reasonably expected to be reappointed until June 30, 2025.

41. During his employment with St. John's, Dr. Fortmann conducted research in rooms B-29, B-39, and B-55 at St. Albert Hall; and instructed in classrooms and student laboratory rooms in St. Albert Hall and elsewhere on the St. John's Queens Campus, located at 8000 Utopia Pkwy, Jamaica, New York 11439.

42. As an Associate Professor, Dr. Fortmann engaged in physics instructions, research, outreach, mentoring, scientific reporting, publication, *etc.*

43. Dr. Fortmann earned \$97,000 annually, and was entitled to various benefits.

44. Along with his promotion to a tenure track position, in or around 2017, Dr. Fortmann was awarded \$100,000 research fund to assist research needed to earn tenure.

45. The research included installation of 2-inch bore super conducting magnet.

46. Despite his above-average work performance, Dr. Fortmann became the target of unlawful discriminatory practices by the Defendants.
47. During the entirety of his employment with St. John's, Dr. Fortmann was subjected to a continuous practice and policy of discrimination by the Defendants.
48. During the entirety of his employment with St. John's, Dr. Fortmann was subjected to a series of separate acts that collectively constitute unlawful employment practices.
49. The below-described specific and related instances of discrimination were permitted by the Defendants to continue unremedied for so long, as to amount to a discriminatory policy or practice.
50. During the entirety of Dr. Fortmann's employment with St. John's, on a regular and pervasive basis, Dr. Sadoqi referred to Dr. Fortmann as "**old**" due to his age.
51. During the entirety of Dr. Fortmann's employment with St. John's, on a regular and pervasive basis, Dr. Sadoqi referred to Dr. Fortmann as "**burned out**" due to his age.
52. In 2015, Dr. Fortmann overheard a conversation Dr. Sadoqi had with Dr. Hyslop in the hallway.
53. Dr. Sadoqi, who was holding Dr. Fortmann's resume, said to Dr. Hyslop "**You have to help me get rid of this guy!**" (referring to Dr. Fortmann).
54. Dr. Sadoqi was encouraging St. John's employees to facilitate Dr. Fortmann's termination due to his age.
55. On a regular basis, Dr. Sadoqi would comment, "**Why is [Dr. Fortmann] still there?**" "**Why is he doing research?**"
56. In addition to targeting Dr. Fortmann due to his age, on a regular and pervasive basis, during the entirety of Dr. Fortmann's employment with St. John's, Dr. Sadoqi referred to Dr. Fortmann as "**Jewish, pretending to be Catholic!**"

57. On a regular basis, Dr. Sadoqi would tell other St. John's employees *e.g.* Dr. Cevher, that Dr. Fortmann was **“Lying about his religion!”**, **“He is saying he is Catholic, but deep down – he is Jewish! He is trying to trick people!”**
58. On one occasion, Dr. Sadoqi pointed to Dr. Cevher the information in Dr. Fortmann's Personnel Action Form, where Dr. Fortmann noted that he was Catholic.
59. Dr. Sadoqi accused Dr. Fortmann of being Jewish and called him a liar.
60. Referring to Dr. Fortmann as Jewish at a Catholic University was highly offensive to Dr. Fortmann.
61. During the entirety of his employment, Dr. Fortmann repeatedly asked Dr. Sadoqi to stop saying that Dr. Fortmann was Jewish, when in fact he was Catholic, to no avail.
62. The Defendants rejected Dr. Fortmann's personnel action for reappointment, at least in part because of his age and because he opposed the Defendants' discriminatory practices targeting his age and religion.
63. In addition, the Defendants retaliated against Plaintiff for reporting Dr. Sadoqi's sexually harassing conduct towards women.
64. In 2014, on Dr. Fortmann's first work day, Dr. Sadoqi unlocked Dr. Fortmann's door for the first time and said, while handing him over the keys, **“This used to be the office of Qi Lu. She went around saying we do not treat women well! She is not here anymore!”**
65. Dr. Arun Rajam, who shared office with Dr. Lu, told Dr. Fortmann that Dr. Sadoqi tried to kiss Dr. Lu.
66. Dr. Lu rebuffed him, and Dr. Sadoqi cried and begged Dr. Lu not to report him.
67. In retaliation against Dr. Lu for rejecting his advances, Dr. Sadoqi did not renew Dr. Lu's contract, thereby terminating her employment from St. John's.
68. In further retaliation against Dr. Lu, Dr. Sadoqi gave disparaging feedback regarding Dr. Lu.

69. In that regard, Dr. Rajam reported overhearing Dr. Sadoqi providing a negative appraisal of Dr. Lu's performance on a telephone conversation to one of Dr. Lu's prospective employers.
70. Dr. Fortmann reported the above-referenced Dr. Sadoqi's statements regarding Qi Lu to Keaton Wong (HR) over the phone on multiple occasions during the 2019/2020 academic winter break.
71. In or around 2016/2017, upon information and belief, Dr. Mohammed, adjunct instructor, was fired from St. John's for inappropriate sexual behavior directed towards female students.
72. Dr. Sadoqi told Dr. Fortmann that he would not be renewing Dr. Arun Rajam's contract, because he had instructed his students to file complaints against Dr. Mohammed directly with HR.
73. Dr. Sadoqi commented, "**[Dr. Arun Rajam] should have come to me! I would handle it quietly!**" "**I could have smoothed this over myself!**"
74. Dr. Arun Rajam's appointment was not renewed by St. John's in retaliation against him for encouraging two of his students to report the sexual harassment to HR.
75. In or around late 2019-early 2020, Dr. Fortmann reported Dr. Sadoqi's comments regarding Dr. Rajam to Keaton Wong.
76. St. John's failed to prevent and correct discriminatory conduct by Dr. Sadoqi, allowing his sexually harassing and retaliatory conduct to escalate.
77. In early 2017, Dr. Sadoqi told Dr. Fortmann that students reported that Dr. Cordero was seen in a local pub with a student N.M.
78. Dr. Fortmann encouraged Dr. Sadoqi to report the issue to HR.
79. During his conversation with Dr. Sadoqi, Dr. Fortmann reminded Dr. Sadoqi that St. John's purported to have a strict nonfraternization policy, and expressed that the incident needed to be reported.

80. On March 3, 2017, Dr. Sadoqi called Dr. Fortmann into his office to “help” him edit an email Dr. Sadoqi allegedly was planning to send to HR.
81. Dr. Sadoqi never reported the issue, because, upon information and belief, Dr. Sadoqi and Dr. Cadero were very good friends.
82. Dr. Sadoqi told Dr. Formann that Dr. Cadero had helped out Dr. Sadoqi with living accommodations when Dr. Sadoqi first came to the United States.
83. Since early 2017, Dr. Sadoqi was aware of and did not appreciate Dr. Fortmann’s lack of tolerance for sexual harassment and his willingness to report those who engaged in sexual harassment.
84. In or around November 2017, Dr. Fortmann had a meeting with Natalie MacDonald regarding a letter of recommendation.
85. While Dr. Fortmann was meeting with Ms. McDonald, Dr. Sadoqi was circling around Dr. Fortmann’s office and was eavesdropping on the conversation.
86. When Ms. McDonald left, Dr. Sadoqi entered Dr. Fortmann’s office, and said, **“Don’t believe anything she says!”**, **“She flirted with professors!”** **“She puts her shirt down her shoulder!”**, **“She is Asian. She likes older men!”**
87. Dr. Fortmann found Dr. Sadoqi’s comments to be highly inappropriate.
88. Dr. Sadoqi demanded from Dr. Fortmann to write an unfavorable recommendation for Ms. McDonald, which Dr. Fortmann refused to do.
89. On December 10, 2017 (and later in 2019/2020 and the early 2021), Dr. Fortmann reported Dr. Sadoqi’s discriminatory comments regarding Ms. MacDonald to Keaton Wong (HR) by phone.
90. St. John’s, through its agents and employees (Keaton Wong) was aware of Dr. Sadoqi’s sexually harassing conduct, but took no immediate corrective action to address the situation, allowing the sexual harassment to continue and escalate.

91. Ms. Muzammal was Dr. Fortmann's mentored research student at St. John's.
92. In or around 2017, Dr. Sadoqi told Dr. Fortmann that Ms. Muzammal was "crazy", "should not be believed", and that "**she pulled the collar of her sweater down over her shoulder and flirted with [Dr. Sadoqi] and other professors!**".
93. Dr. Sadoqi informed Dr. Fortmann that Dr. Alex Safos, Adjunct Professor, who was mentoring Ms. Muzammal, was advising students to report sexual harassment to HR.
94. In retaliation against Dr. Safos, Dr. Sadoqi told Dr. Fortmann that he would not be renewing Dr. Safos' contract.
95. In or around 2019-2020, Dr. Fortmann reported the above-referenced incident involving Dr. Safos during his conversation with HR.
96. St. John's took no immediate corrective action, allowing Dr. Sadoqi to continue engaging in retaliatory conduct against employees who opposed the Defendants' discriminatory practices.
97. In or around 2017/2018, while Dr. Fortmann and other faculty members were discussing work in the hallway, Dr. Sadoqi bragged about firing a former department secretary, who he said unprompted, was African American.
98. According to Dr. Sadoqi, the secretary would bring her daughter to work when school was on vacation. Dr. Sadoqi said that with the help of some of the faculty he tricked the secretary into thinking the semester began a week later than it actually did. Subsequently, Dr. Sadoqi said he then allowed her to work from home and finally successfully acted to terminate the secretary for dereliction of duty on the busy first week of classes.
99. In 2017/2018, during the winter break, Dr. Fortmann complained to Keaton Wong (HR) over the phone about Dr. Sadoqi's above-referenced discriminatory conduct, but again no action was taken to address the situation.

100. In retaliation against Dr. Fortmann for opposing Dr. Sadoqi's discriminatory conduct, Dr. Sadoqi advised Dr. Fortmann that he would "**get rid of [Dr. Fortmann]**".

101. In 2018, when Dr. Cevher commenced her employment with St. John's, Dr. Sadoqi told her that Dr. Fortmann was the "**villain of the department**", that he was "**old**" and "**burned out**".

102. Dr. Rejwan Ali, a non-tenure adjunct professor, who was employed at St. John's from Fall 2014 until July 2019, said that Dr. Sadoqi had promised him Dr. Fortmann's job, if Dr. Sadoqi succeeded in getting rid of Dr. Fortmann.

103. In or around 2018, the department secretary, Mary Ann Frohnofer, commented to Dr. Fortmann, "**[Dr. Sadoqi] is trying to get you out of the physics department!**"

104. In or around 2018, Ms. Frohnofer, commented, "**I don't know why HR believes him (referring to Dr. Sadoqi), but they do!**"

105. In or around Fall 2018, Dr. Sadoqi told Dr. Cevher, "I will get rid of Charles, Ali and that ugly Indian guy, Amish!"

106. In 2019, Mary Ann Frohnofer informed Dr. Fortmann that Dr. Sadoqi intended to force Dr. Fortmann out of being the advisor to the Society of Physics Students (a student club) and to force Dr. Fortmann out of being faculty advisor to the Sigma-Pi-Sigma honor society.

107. In retaliation against Ms. Frohnofer, Dr. Sadoqi falsely accused her of revealing confidential employment records belonging to Dr. Devi to another person, Dr. Cordero.

108. Dr. Sadoqi was looking to terminate Ms. Frohnofer on pre-textual grounds. During the winter break in or around 2019/2020, Dr. Fortmann complained to Keaton Wong about Dr. Sadoqi's false accusations against Ms. Frohnofer.

109. In or around 2019, while Dr. Fortmann was working with his students in room 38 to prepare a solar computer back up power supply for Dr. Fortmann's outreach project in Puerto Rico, Dr.

Sadoqi interrupted Dr. Fortmann's work and began to disparage Dr. Fortmann in front of his students.

110. In late 2019, Dr. Fortmann reported said incident to Keaton Wong, and complained about the above-referenced Dr. Sadoqi's discriminatory conduct with regard to Ms. MacDonald and Ms. Forhnhofer, and Dr. Sadoqi's sexually inappropriate conduct towards Dr. Cevher.

111. In that regard, on a regular and pervasive basis, Dr. Sadoqi made inappropriate comments regarding Dr. Cevher, commenting on her appearance and outfits.

112. In retaliation against Dr. Fortmann for reporting Dr. Sadoqi's discriminatory conduct, the Defendants denied Plaintiff resources and funds needed for advancement to tenure (continued employment).

113. In further retaliation against Dr. Fortmann, the Defendants blocked installation and use of tools necessary for Dr. Fortmann's research.

114. In further retaliation against Dr. Fortmann, the Defendants encumbered Dr. Fortmann's start-up funds necessary to pay for the installation.

115. In further retaliation against Dr. Fortmann, the Defendants forced Dr. Fortmann to redirect and self-fund research needed for his tenure.

116. From in or around March 2019 to September 2019, in retaliation against Dr. Fortmann for reporting Dr. Sadoqi's discriminatory conduct, Dr. Sadoqi refused to return the money he borrowed from Dr. Fortmann's start-up account, in an attempt to sabotage Dr. Fortmann's own research and facilitate his termination from St. John's.

117. Research was essential to demonstrate potential for promotion and employment at St. John's.

118. Dr. Fortmann informed Dr. Sadoqi that he would need the money back to fund liquid helium needed for the magnet installation.

119. In 2019, when the magnet arrived, Dr. Sadoqi refused to pay back the money. Instead, he told Dr. Fortmann to write to St. John's Seed Grant and ask for more than needed.
120. Dr. Fortmann submitted the grant application which was summarily rejected.
121. As the result, Dr. Fortmann had no choice, but to self-fund any shortfall.
122. Nevertheless, Dr. Fortmann's low-cost research funded by him has provided his students (3-5 per year) with the research experience and confidence needed to succeed at professional and graduate school admission and their chosen programs.
123. On or about March 5, 2019, in further retaliation against Dr. Fortmann, Dr. Sadoqi disparaged Dr. Fortmann in front of his son and wife as they returned from Dr. Fortmann's son's audition at the Mannes School of Music.
124. While passing by B-40, Dr. Sadoqi's office where the door was open, Dr. Sadoqi called out to Dr. Fortmann to complain that Dr. Fortmann allegedly had not done the request for Research Infrastructure, which Dr. Fortmann had in fact completed.
125. Dr. Sadoqi told Dr. Fortmann to "keep an eye" on Dr. Khalfan, who, according to Dr. Sadoqi, had an interest in having a relationship with Dr. Cevher.
126. Dr. Sadoqi brought Dr. Fortmann to the office used by several adjunct professors and explained how he planned to convert the office into an office for Dr. Cevher.
127. This was particularly surprising to Dr. Fortmann as Dr. Sadoqi claimed not even to have sufficient funding to have the facilities department drill a few holes in the walls of room B-38 (Dr. Fortmann's lab space) needed to advance his magnet installation – the hole-drilling would have required very nominal funding and was easy to do.
128. While commenting "**I will put this room for Zehra!**", Dr. Sadoqi told Dr. Fortmann that he did not want Dr. Cevher and Dr. Ali Rejwan to work in the same office, because Dr. Ali ReJwan was "**off his antidepressants!**" and "**may do harm to Zehra!**".

129. On March 11, 2019, Dr. Fortmann, in view of the above-referenced comments by Dr. Sadoqi, wrote an email to Dr. Sadoqi, inquiring whether he should be concerned about students' safety, and suggesting to contact HR. Dr. Sadoqi responded, "**Why did you write this email?**" "**Now I have to address it!**" Dr. Sadoqi then responded that everything was under control.
130. Upon information and belief, Dr. Sadoqi did not want Dr. Ali Rejwan to work next to Dr. Cevher, because Dr. Ali Rejwan knew about Dr. Sadoqi's inappropriate conduct.
131. Previously, Dr. Ali Rejwan told Dr. Fortmann that he had seen Dr. Sadoqi with a student in the office, "**touching or something**". Dr. Formann immediately encouraged Dr. Ali Rejwan to report the issue.
132. In or around July 2019, Dr. Ali Rejwan was terminated, and on March 18, 2021, filed lawsuit for employment discrimination based on race and religion, currently pending the Supreme Court of the State of New York, County of Queens.
133. Despite the Defendants' retaliatory conduct, Dr. Fortmann continued to perform his duties diligently.
134. On August 6, 2019, due to his outstanding work performance, Dr. Fortmann was selected to receive a \$2,000 Recognition Award.
135. On or about September 10, 2019, Dr. Sadoqi came to Dr. Fortmann's office and said "**I am not in an affair with her (referring to Dr. Cevher), although it may look like one!**"
136. Dr. Sadoqi continued saying that "someone may think we have a relationship, because we drive to school together since we live in the same neighborhood".
137. **Dr. Fortmann suggested to Dr. Sadoqi to review the sexual harassment video training** all faculty were required to take in the summer of 2018 wherein it described a superior and subordinate relationship as a form of harassment even when consensual.

138. From October 2019 to March 2021, in further retaliation against Dr. Fortmann for opposing Dr. Sadoqi's discriminatory conduct, the Defendants subjected Dr. Fortmann to excessive and dubious cycles of safety concerns far beyond industry standards, when Dr. Fortmann tried to install the magnet for his research.
139. Dr. Sadoqi used his role as a distinguished member of the faculty to impede Dr. Fortmann's progress by non-safety related impediments.
140. While requiring Dr. Fortmann to install additional unnecessary safety measures, that are not required by industry or research standards, other employees were allowed to operate a magnet of similar design and size lacking any industry standard equipment in the same building.
141. By way of example, Dr. Long set up a xenon arc lamp solar simulator that employs a multi kilowatt arc lamp that both produces copious amounts of toxic ozone gas and employs an extremely lethal voltage. The unit is presently used in an unventilated room and therefore ozone accumulation is a danger.
142. By way of another example, Dr. Grahm from the chemistry department (three floors above Dr. Fortmann's lab) operates a super conducting magnet similar in size to Dr. Fortmann's, even though it had a preventable quench event resulting in expensive equipment damage and even though it does not have industry standard safety vents to exhaust cryogenic gas outside the building.
143. Furthermore, set up by Dr. Grahm was situated near the front and only door of an occupied office, whereby in case of an accident, the occupants would have to vacate through the only door after passing close the magnet, which is very dangerous.
144. In contrast, Dr. Fortmann was going to install the magnet on the back wall of laboratory, where in case of an accidental vent of oxygen depleting helium it would not block exit. Dr.

Fortmann also engineered an automatic vent fan that would exhaust helium outside in cases where there was a quench event and failure of the quench vent pipe.

145. Unlike the magnet located on the third floor, Dr. Fortmann's magnet did not contain additional array of small magnets/sensors, and did not require a highly skilled technician to be installed.

146. In late 2020, early 2021, Dr. Fortmann called HR and complained about the Defendants' further retaliatory action against him by way of obstructing his magnet installation.

147. During said call, Dr. Fortmann also continued to complain that Dr. Sadoqi was infatuated with Dr. Cevher, that he had "his eye on her", that Dr. Fortmann saw them in his car together.

148. Dr. Fortmann also complained to Keaton Wong that Dr. Sadoqi was targeting Dr. Cevher, and that Dr. Sadoqi knew that Dr. Fortmann would report him, that Dr. Sadoqi was trying to get Dr. Fortmann "out", and to "be careful, because [Dr. Sadoqi] coaches potential witnesses!"

149. On November 19, 2020, Dr. Fortmann sent an email to Joseph Hauser, the project manager at St. John's, questioning the true motivation behind the Defendants subjecting Dr. Fortmann to scrutinized compliance and safety, while showing no such concern for the aforementioned similar and slightly larger magnet located on the third floor.

150. In response, Dr. Fortmann was told that a dedicated HVAC system, costing approximately \$45,000.00, would need to be installed, and that there was no eyewash, even though room B-38 already had a sink.

151. In the past, Dr. Fortmann set up a laboratory for his startup company and had been the safety officer at his professional position as a researcher at an advanced semiconductor manufacturer.

152. In addition, Dr. Fortmann set up several laboratories, including for a start-up company, called Idalia Solar Technologies LLC in 2010-2013.

153. In addition, Dr. Fortmann was a chairman of the safety committee and senior research scientist at Solarex Corp, and was responsible for developing and instituting advanced safety infrastructure.
154. In addition, Dr. Fortmann wired a farm in Puerto Rico for solar eclectic generation (and it was found sound by subsequent review by a certified installer).
155. In addition, Dr. Fortmann was invited to teach in Changchun University of science and Technology during summers.
156. Based on foregoing, Dr. Fortmann was clearly qualified to engineer safety protocols.
157. In further retaliation against Dr. Fortmann, his funds were encumbered to pay for installation.
158. By way of example, the Defendants retained a third party, called Cryostar, to install he magnet, using money from Dr. Fortmann's start-up fund, even though said company had no experience, other than installing refrigerators and temperature controllers, and even asked Dr. Fortmann for help.
159. Dr. Fortmann was told that he could not install the magnet himself, even though the manufacturer expressed confidence in Dr. Fortmann's ability to do so.
160. As the result of foregoing retaliatory conduct, Dr. Fortmann suffered loss of time, material and monetary resources designed to promote his research accomplishments.
161. On December 10, 2020, Dr. Fortmann wrote an email to Keaton Wong with the subject "**possible discrimination**", complaining, among other things, that "obstruction in his attempt to install the cryogenic magnet was due to discrimination against him".
162. On December 10, 2020, in his follow-up email to Keaton Wong, Dr. Fortmann elaborated that the "**safety protocol has not been universally applied**" and that he felt discriminated against based on his **age**.

163. Dr. Fortmann indicated that **“selective application of safety protocol [felt] like discrimination because it required him to provide three layers of safety beyond industry standard while ignoring the lack of even the most basic industrial standards elsewhere”**

164. In March 2021- April 2022, Interim Dean Eileen O’Conner (Associate Dean for Fiscal & Administrative Affairs) got involved in attempt to resolve the issue.

165. In further retaliation against Dr. Fortmann, Dr. Sadoqi then advised Dean Florio that he needed room B-38 for something else, and suggested to put the magnet in room B-55.

166. In further retaliation against Dr. Fortmann, Dr. Sadoqi directed faculty not to answer Dr. Fortmann’s email that requested if the faculty used or planned on using room B-38.

167. The new room needed costly engineering; Dr. Fortmann’s remaining start-up funds were encumbered extensively to pay for the installation.

168. Back in March 2019, room B-55 was rejected, which meant the excessive and dubious cycles of safety concerns would start all over again.

169. As the result, Dr. Fortmann suffered loss of time needed for research.

170. Dr. Fortmann lost resources both material and monetary awarded to promote research accomplishment.

171. From March 2021 to April 21, 2022, in further retaliation against Dr. Fortmann, the Defendants caused Dr. Fortmann to self-fund his own research, which no one else has ever been asked to do.

172. Dr. Formann had to self-fund his own research until April 21, 2022.

173. In further retaliation against Dr. Fortmann, St. John’s, through its agent and employees, used the tenure review to remove Dr. Fortmann, despite being a qualified and productive candidate.

174. In that regard, starting in 2017-2018, Dr. Fortmann's performance as an Associate Professor was evaluated annually by two internal University bodies composed of faculty members and administrators: the College Personnel Committee and the University Personnel Committee.

175. Dr. Sadoqi sought and gained influence on these committees through presenting Dr. Fortmann's progress to the voting committees and through efforts to gain knowledge of committee appointees so he could conduct private lobbying efforts to vote to oppose Dr. Fortmann's progress. Dr. Sadoqi bragged to Dr. Fortmann that his (Dr. Sadoqi's) lobbying efforts succeeded to sway the St. John's College committee to vote unfavorably against Dr. Fortmann's advancement to tenure.

176. In 2019, in retaliation against Dr. Fortmann for reporting Dr. Sadoqi's discriminatory conduct, the College Personnel Committee chose not to renew his contract.

177. None of the reasons, listed the personnel action were true.

178. In the weeks before the 2019 CPC, Dr. Sadoqi told Dr. Fortmann that Dr. Fortmann was **"too old to care about research and was no longer interested or capable"**.

179. Dr. Sadoqi also said that Dr. Fortmann's research was "service" and would "not count towards tenure".

180. Experiments and activities disparaged and labeled by Dr. Sadoqi as "service" have been copied by Dr. Sadoqi into a research proposal.

181. Dr. Sadoqi made it clear to Dr. Fortmann that he was not going to support Dr. Fortmann in the upcoming 2019 CPC votes.

182. On the eve of 2019 CPC, Dr. Sadoqi called Dr. Fortmann into his office and said, **"I am going to get rid of you!"**, while making an obscene gesture, the chin flick.

183. Dr. Sadoqi said that it was Dr. Fortmann's last probationary review wherein he would be terminated immediately.

184. The first workday after the 2019 CPC vote, Dr. Sadoqi gleefully described the activities of the meeting to Dr. Fortmann.

185. Dr. Sadoqi bragged to Dr. Fortmann about how he had undermined Dr. Fortmann's chances during the tenure vote.

186. He then played a portion of the phone message from Dean Fagen in which the "news" of Dr. Fortmann's failure to advance to tenure was given.

187. Dr. Sadoqi said that during the tenure vote, a member asked, "Why is Dr. Fortmann's magnet still in the hallway?" "Do not physicists rush to open their new toys?" Dr. Sadoqi falsely responded he did not know why.

188. Although Dr. Sadoqi claimed that he had "no idea", he orchestrated the adverse employment action against Dr. Fortmann in retaliation against him for complaining about Dr. Sadoqi's discriminatory conduct.

189. During the tenure vote, when another individual inquired about SPIE paper Dr. Sadoqi co-authored with Dr. Fortmann, Dr. Sadoqi falsely responded that he did not know anything about the content and did not know why his name was on it.

190. Dr. Sadoqi, however, had directed Dr. Fortmann to include him on the paper and Dr. Fortmann appraised Dr. Sadoqi of progress and supplied drafts.

191. Dean Fagen intervened on Dr. Fortmann's behalf, and the unfavorable vote of the 2019 CPC was reversed.

192. In that regard, Dean Fagen reached out to Dr. Fortmann regarding additional material, which was readily available to, but ignored Dr. Sadoqi.

193. During the University Personnel Committee, Dean Jeffrey Fagen presented Dr. Fortmann's accomplishments, and he was voted back in.

194. On May 7, 2020, Dr. Fortmann was advised that his application for renewal for academic year 2020-2021 was unanimously approved.

195. Dr. Sadoqi was very upset and disappointed. He commented to Dr. Cevher, “I am very surprised the decision is revised. He should have been out!”

196. In Dr. Fortmann’s final year, Dr. Sadoqi told Dr. Cevher, “**That is it! This is his final year! He will be out!**”

197. Dr. Fortmann’s movement from the CPC and UPC meeting of 2019/2020 to 2021/2022 was disrupted by Covid-19 safety protocols and shut-downs.

198. Dr. Fortmann’s mandatory tenure date was postponed twice, on April 27, 2020 and May 18, 2021.

199. During this time, Dr. Fortmann travelled to St. John’s and made videos of the laboratory exercises so students could complete laboratory work remotely.

200. Dr. Fortmann also created a STEM focused Academic Service-Learning exercise for on-campus students which involved building a solar powered Personal Protective Equipment sanitizer that functioned and gained recognition in a local newspaper.

201. From 2019 to 2022, in further retaliation against Plaintiff, Dr. Sadoqi would take students’ evaluations, write a summary, focusing on lower rates, and then degrade it, which adversely affected Dr. Fortmann’s employment.

202. From 2019 to 2022, in further retaliation against Plaintiff, Dr. Sadoqi assigned Dr. Fortmann a small class with only 10 students, which adversely affected Dr. Fortmann’s employment.

203. On March 29, 2021, Dr. Fortmann had a follow-up meeting with Keaton Wong regarding his complaints about discrimination.

204. On April 4, 2021, as per Dr. Wong's request, Dr. Fortmann sent an email to her regarding the above-referenced conduct by Dr. Sadoqi regarding Ms. MacDonald.

205. On May 10, 2021, Keaton Wong advised Dr. Fortmann that **“there was insufficient evidence that [Dr. Sadoqi] harbored any age bias against [Dr. Fortmann] or engaged in any conduct because of [Dr. Fortmann's] age and that there was also insufficient evidence that [Dr. Sadoqi] violated the non-fraternization prohibition”**.

206. Upon information and believe, as part of its investigation, St. John's interviewed Dr. Cevher for only 10-15 minutes remotely, even though Dr. Fortmann had previously warned Keaton Wong that Dr. Sadoqi coached people.

207. In that regard, on April 8, 2021, Dr. Fortmann emailed Keaton Wong and informed her that Dr. Sadoqi was “asking [their] faculty if they had gotten an email from HR and talking to those who have”.

208. St. John's, through its agents and employees, did nothing to ensure Dr. Sadoqi was not intervening the investigation, despite being on notice of his discriminatory and retaliatory conduct.

209. Dr. Sadoqi directed Dr. Cevher to do the interview in room B37, where he hid and listened to the questions.

210. Dr. Sadoqi directed Dr. Cevher to deny witnessing any comments related to Dr. Fortmann's age.

211. Dr. Sadoqi also directed Dr. Cevher to deny that she and Dr. Sadoqi were in the same car as they came to campus, and to deny any relation between Dr. Sadoqi and Dr. Cevher, other than a completely professional relation.

212. On September 30, 2021, Dr. Khalfan emailed Dean Florio the text messages between himself and Dr. Cevher, in which Dr. Cevher described her attempt to avoid contact with Dr. Sadoqi.

213. Dr. Khalfan indicated that he was “afraid of [Dr. Sadoqi]”

214. On October 1, 2021, Dr. Khalfan emailed Dean Florio that “[**Dr. Sadoqi has played games in getting previous faculty fired**”. Dr. Khalfan expressed that he “**knew of one case personally and has heard about at least two others**”.

215. On October 1, 2021, Dr. Khalfan complained to Dean Florio regarding Dr. Sadoqi’s sexually harassing conduct against Dr. Cevher.

216. Dr. Khalfan complained to Dean Florio so often that Dean Gina Florio obtained a restraining order against him.

217. Dr. Khalfan used to hang out in Room B34 and witnessed Dr. Sadoqi’s discriminatory conduct.

218. Dr. Sadoqi commented to Dr. Cevher, “We will renovate that room and kick Amish out! We will put a partition in between, so Amish won’t be able to stay there!”

219. In or around 2021, Dr. Khalfan was terminated for speaking up regarding Dr. Sadoqi’s discriminatory conduct.

220. Following Dr. Khalfan’s departure from St. John’s, Dr. Sadoqi told Dr. Cevher that when he was asked about why Dr. Khalfan was not assigned any lectures for the next semester, he responded that it “did not work”, but that the “door is open for Amish”. Dr. Sadoqi told all of these while smiling and laughing at the end. There was never follow up from HR.

221. St. John’s continued to take no immediate corrective action to address Dr. Sadoqi’s discriminatory and retaliatory conduct.

222. At the end of the Fall 2021 Semester, Dr. Sadoqi abruptly directed Dr. Fortmann to instruct a section University Physics instead of his highly popular and well-regarded College Physics section. Dr. Fortmann's College Physics section had about 50 students, while the University section Dr. Sadoqi directed Dr. Fortmann to instruct had less than 20 students. Switching sections in a two-

semester sequence is highly unusual and patently retaliatory. When several students met at Dr. Sadoqi's office to ask to continue in Dr. Fortmann's section Dr. Sadoqi forcibly told them to take Dr. Fortmann's University Physics section.

223. This inevitably would negatively reflect Dr. Fortmann's reviews, since college section had substantially more students.

224. By way of example, since roughly 50% of students respond to surveys Dr. Sadoqi could, but chose not to, write that there were too few respondents thereby negating an otherwise excellent report.

225. On November 8, 2021, Dr. Fortmann reported said incident to Dean Florio.

226. In further retaliation against Dr. Fortmann for opposing the Defendants' discriminatory and retaliatory actions, the Defendants failed to extend Dr. Fortmann's tenure.

227. In that regard, on December 13, 2021, The Liberal Arts Personnel Committee had a meeting regarding Dr. Fortmann.

228. On December 15, 2021, Dr. Fortmann received a memo advising him that his request for reappointment was denied by the Liberal Arts Personnel Committee.

229. St. John's, through its agents and employees, denied Dr. Fortmann's request for reappointment in retaliation against him for complaining about Dr. Sadoqi's discriminatory and retaliatory conduct.

230. Dr. Fortmann's personnel action was then moved to the next level of review, the University Personnel Committee.

231. On February 9, 2022, during the committee meeting, where 5 people were present, Dr. Fortmann was voted out.

232. Dr. Fortmann was falsely accused in failing to advance his research, even though Dr. Fortmann's attempts to install the magnet was obstructed by the Defendants in retaliation against him for reporting Dr. Sadoqi's discriminatory and retaliatory conduct.

233. Prior to the vote, Dr. Sadoqi was openly trying to get the contact information of the committee members who are in charge of deciding whether a candidate gets reappointed for the following year.

234. In 2022, Dr. Sadoqi told Dr. Cevher to **"find a Turkish professor, so I can tell him not to vote for [Dr. Fortmann]"**.

235. Dr. Sadoqi advised Dr. Cevher that he always spoke negatively to the committees so they would vote against Dr. Fortmann.

236. On February 11, 2022, Dr. Fortmann received a memo advising him that his application was terminated, and his reappointment was denied.

237. Dr. Fortmann was denied reappointment, despite his various accomplishments, to name a few: (i) elevation of Dr. Fortmann to Senior status by the Institute of Electrical and Electronic Engineers; (ii) Dr. Fortmann's mentored high school being recognized as the first place winner of his regional Regeneron High School Science competition, being named one of the 300 National Regeneron Finalists, and earning 4th place in Global Bio-Regeneron competition; (iii) presenting his important work on the use of high impact Academic Service-Learning activities as a substitute of undergraduate research at a regional project Kaleidoscope meeting; (iv) being ranked in the 85% amongst those in his field, according to ResearchGate.

238. Dr. Fortmann opted to have a terminal year contract for the academic year 2022-2023.

239. On April 21, 2022, following the decision not to advance Dr. Fortmann's tenure, the Defendants finally released Dr. Fortmann's start-up funds.

240. On April 21, 2022, Dean Gina Florio also informed Dr. Fortmann that St. John's "will not be moving forward with the installation of Dr. Fortmann's instrumentation".
241. The Defendants released Dr. Fortmann's funds, because they knew he would not continue working at St. John's anyway.
242. Until April 21, 2022, the Defendants forced Dr. Fortmann to self-fund his research.
243. Despite forcing Dr. Fortmann to self-fund his research, St. John's proudly featured Dr. Fortmann's on its website in helping rebuild schools, provide natural regenerative power resources while using solar power ([Solar Power to Save Lives features Charles Fortmann, St. John's Professor | St. John's University \(stjohns.edu\)](#)).
244. In that regard, Dr. Fortmann worked to provide solar powered phone charges to a remote school in Puerto Rico in the wake of super storm Maria. Dr. Fortmann also continued work helping sustainable farms in Puerto Rico to adopt and install solar electric power generation.
245. On its website, St. John's also proudly announced that Dr. Fortmann's students received the Clare Boothe Luce Undergraduate Summer Research Scholarship ([Students Awarded Summer Research Scholarships | St. John's University \(stjohns.edu\)](#)) and participated in STEM Students Building Solar Cell Panels for Puerto Rico ([STEM Students Build Solar Cell Panels for Puerto Rico | St. John's University \(stjohns.edu\)](#)).
246. St. John's also proudly announced on its website that Dr. Fortmann's student won prestigious Blake Lilly Prize ([SJU Society of Physics Students Wins Prestigious Blake Lilly Prize | St. John's University \(stjohns.edu\)](#)).
247. St. John's also proudly recognized on its website that three of Dr. Fortmann's students were accepted admission to competitive graduate programs in the field ([Graduating Physics Students Pursue Bright Futures | St. John's University \(stjohns.edu\)](#)).

248. In addition, under Dr. Fortmann's mentorship the Society of Physics Students (a student club) won the American Institute of Physics Outstanding Chapter award every year while under his advising 2017 to 2024 (the Chapter report submitted under Dr. Fortmann's mentoring in 2023 was the basis for the 2024 award).
249. Dr. Fortmann's mentored students have been admitted to Stanford University Aeronautical Engineering, NYU Mechanical Engineering, Steven's Institute Electrical of Engineering, CCNY Electrical Engineering, Stony Brook University Medical School, and Harvard Law School, most have already gained their Master's degree while others continue to study at this time.
250. The aforementioned high school student who was recognized by Regeneron Science Competition for his fundamental research directed by Dr. Fortmann is studying at Cornell University after receiving a full scholarship and two other high school students (twins) gained entrance to NYU and are presently studying there.
251. The Defendants made no plans for installation of the magnet in room B-55 in further discrimination and retaliation against Plaintiff.
252. Despite the Defendants' retaliatory conduct, Dr. Fortmann succeeded in producing research experience and scientific publications.
253. Every student who research and carried out Academic Service-Learning service with Dr. Fortmann has gained admission and thus far has succeeded in their chosen graduate program.
254. In June 2023, Dr. Fortmann and his undergraduate students presented the scientific and social impacts resulting from their outreach to support resilient infrastructure and crisis impact mitigation in Puerto Rico at the 50th IEEE Photovoltaic Specials Conference.

255. Dr. Fortmann's outreach provided solar electric and solar water purification to Puerto Rico that provided research opportunities and publication opportunities for St. John's undergraduate students while winning recognition for St. John's.

256. Dr. Fortmann's project was recognized as one of the very few organizations coming-in after Hurricane Maria. Dr. Fortmann trained the installers while wiring a farm, gaining credibility and respect for St. John's.

257. No one on the board demonstrated interest or knowledge of the research field that Dr. Fortmann developed using his own personal funding, built up step-by-step through conference publication as an alternative to his proposed main research plant to explore molecular photo absorption using the super conducting magnet, as described in Dr. Fortmann's PAF report.

258. Major research finding resulting from Dr. Fortmann's shoestring research funding is presently progressing towards publication in Nature.

259. In or around March 2022, Dr. Fortmann inquired from Muriel Devi and Dr. Khalfan if they knew of any female subordinate of Dr. Sadoqi that Dr. Sadoqi did not make any sexually harassing comments to. Both responded "no".

260. The Defendants' discriminatory and retaliatory conduct caused Dr. Fortmann to suffer a severe emotional distress.

261. In March 2022, as Dr. Fortmann was walking across campus to meet with then Dean Florio, he experienced a stress-induced fainting event.

262. In or around September 2022, Dr. Devi commented that "**old researchers can't get published because they have too many enemies**".

263. During the meeting on September 29, 2022, where Dr. Fortmann and Reid Andrew Vorbach was present, Dr. Fortmann said that "the most important consideration for any student considering a research advisor is not age, rather it should be the success records of his or her students.

264. In 2022-2023, on a regular and pervasive basis, Dr. Sadoqi requested Dean Lawlor for assistance to “get rid of Dr. Fortmann”.

265. On November 9, 2022, Dr. Fortmann emailed Keaton Wong complaining, among others, about the “**blatant and persistent retaliation that impeded [his] research**”.

266. Keaton Wong referred Dr. Fortmann to Danielle Haynes, Director of Equal Opportunity Compliance and Title IX, instead.

267. On December 9, 2022, Dr. Fortmann emailed a detailed complaint to Danielle Haynes, complaining, among others, about being “singled out”, “retaliation”, “discrimination”, disparate treatment and so on.

268. On November 14, 2022 and December 13, 2022, Mr. Fortmann had a meeting with Danielle Haynes, during which he continued to complain about the Defendants’ discriminatory practices.

269. On December 23, 2022, Dr. Fortmann’s former student, thanked Dr. Fortmann for “valuable experience” at St. John’s.

270. On January 3, 2023, Dr. Ms. Haynes informed Dr. Fortmann that his complaint was “not jurisdictional” to her office.

271. In 2022/2023, in further discrimination and retaliation against Dr. Formann, Dr. Sadoqi repeatedly called Assistant Dean Joyce Lawlor, complaining why Dr. Fortmann was “still here and acting like nothing happened?!”

272. Dr. Sadoqi sought to deny Dr. Fortmann resources and terms that are contractually awarded to all other employees failing to achieve tenure.

273. During academic year 2022/2023, Dr. Fortmann continued to work with the Society of Physics students, a student group which its students chose him to advise resulting in a group of students travelling with Dr. Fortmann to Puerto Rico in June 2023 to present a paper on their outreach to solar electrify a sustainable farm and to install new batteries at the farm.

274. This work gained St. John’s highly favorable media exposure and good-will amongst the served Puerto Rico communities.

275. On January 3, 2023, Dr. Fortmann was informed that his complaint “**did not articulate**” a violation of University’s Policy against Bias, Discrimination, and Harassment, and that the matter was “**closed with no further action**”.

276. On August 7, 2023, Dr. Fortmann emailed Keaton Wong that Dr. Cevher has been subjected to “**extreme and prolonged sexual harassment and victimization**” and that he had observed Dr. Sadoqi making inappropriate comments about Dr. Cevher’s appearance.

277. In his August 7, 2023 email to Keaton Wong, Dr. Fortmann encouraged to “**throw [Dr. Cevher] a lifeline – have a trained victim specialist reach out to [Dr. Cevher]**”.

278. The Defendants ignored Dr. Fortmann’s request, and to date took no immediate corrective action to address the situation.

279. St. John’s agents and employees aided and abetted Dr. Sadoqi’s and St. John’s unlawful discriminatory practices against Dr. Fortmann.

280. As a result of the acts and conduct complained of herein, Dr. Fortmann has suffered and will continue to suffer the loss of income, loss of career progression and academic opportunities for employment, the loss of a salary, bonuses, benefits, and other compensation which such employment entails, and Dr. Fortmann has also suffered future pecuniary losses, emotional pain, suffering inconvenience, loss of enjoyment of life, and other non-pecuniary losses.

281. As the result of the Defendants’ unlawful discriminatory practices, Dr. Fortmann suffered and continues to suffer severe emotional distress.

282. As Defendants’ conduct has been willful, reckless, outrageous, intentional, and/or malicious, Dr. Fortmann also demands punitive damages in an amount which exceeds the jurisdictional limits of all lower Courts.

With regard to Dr. Cevher

283. In or around August 2018, Dr. Cevher commenced her employment as Adjunct Associate Professor at Department of Physics.

284. Dr. Cevher works as Assistant Professor at St. John's University, Department of Physics, located at 8000 Utopia Pkwy, Queens, New York 11439.

285. Initially, Dr. Cevher worked part time, teaching Mondays to Thursdays, with varying class hours, some of which ended early evening, when most faculty and staff left for the day.

286. Dr. Cevher's duties included, but not limited to: teaching physics lectures, laboratory and recitation sessions as well as mentoring students.

287. Dr. Cevher reported directly to the Defendant Dr. Sadoqi, professor and former Chair of Department of Physics.

288. Dr. Cevher taught laboratory and recitation sessions at B50 and B51 classrooms in St. Albert's Hall.

289. From in or around November 2018, on a regular and pervasive basis, Dr. Sadoqi subjected Dr. Cevher to *quid pro quo* sexual harassment and hostile work environment on the basis of her sex/gender.

290. On a regular basis, Dr. Sadoqi subjected Dr. Cevher to unwelcome sexual conduct, and her reaction of that conduct was then used as the basis for his decisions affecting her compensation, terms, conditions and privileges of her employment at St. John's.

291. The below-referenced specific and related instances of discrimination were permitted by St. John's to continue unremedied for so long as to amount to a discriminatory policy and practice.

292. In or around September 2018, Dr. Sadoqi started entering the classrooms B50-B51 while Dr. Cevher was teaching.

293. He would enter uninvited and stare Dr. Cevher up and down, making her extremely uncomfortable.

294. There was an interior door connecting rooms B50-B51. He would frequently walk in and out of that door catching her attention while Dr. Cevher was trying to teach.

295. Dr. Sadoqi was the only tenured professor, while there were two other tenure-tracked professors.

296. Dr.Sadoqi had control over everyone's careers. He oversaw firing and hiring processes in the department.

297. On November 29th, 2018, when everyone left, and as Dr. Cevher was going back to her office (B34), Dr. Sadoqi called out Dr. Cevher's name and gestured at her with his hand, requesting her to come to his office (B40).

298. He ordered Dr. Cevher to close the door. He started sharing details about his personal life *e.g.* dissolving marriage, children, Moroccan background, *etc.* and inquired details about Dr. Cevher's personal life.

299. He told Dr. Cevher: **"I need someone in my life to love me and take care of me."** He did most of the talking while Dr. Cevher listened.

300. Dr. Sadoqi said he felt very comfortable talking to Dr. Cevher and wanted to continue their conversation over dinner the next day and tell Dr. Cevher "what a miserable life" he had.

301. Dr. Cevher agreed as she did not know what else to do. Dr. Cevher felt it was important for her to make connections to advance professionally.

302. Dr. Cevher agreed to meet after the evening class she had in lower Manhattan. When they met at the restaurant Dr. Sadoqi picked, Dr. Sadoqi had a few alcoholic beverages and was flirtatious.

303. During dinner, Dr. Cevher started to become nauseous because of the lack of air, noise and darkness inside. She asked to leave before they finished their dinner. Instead of parting their ways, Dr. Sadoqi kept following Dr. Cevher to the train station.

304. Dr. Sadoqi kept telling Dr. Cevher that he wanted to give her a ride despite telling him she preferred taking the subway.

305. Dr. Sadoqi then grabbed Dr. Cevher and kissed her on the lips.

306. All of this happened before Dr. Cevher could think and react. She felt nauseous. Dr. Sadoqi insisted to give her a ride. He would not take “No” for an answer. He became insistent, telling Dr. Cevher he also lived in Brooklyn, and would drop her off on his way home. Dr. Cevher felt pressured to get into his car. During the ride, Dr. Sadoqi talked; Dr. Cevher listened.

307. When Dr. Sadoqi pulled up outside her home, Dr. Cevher said, “Okay, have a great night!” Dr. Sadoqi grabbed Dr. Cevher again without warning. He took her head in his hands and forced it towards his groin. She was shocked and disgusted. She said, “Can I please have my head back?”

308. Dr. Sadoqi allowed Dr. Cevher to sit up. She was horrified, and got out of the car trembling.

309. Dr. Cevher was so emotionally distraught by this incident, that she immediately started to look for another job with NYU. She also called Dr. Amish Khalfan, St. John’s employee and a former friend, who recommended her to apply for another job.

310. Dr. Cevher reported “something is not right!” “I have to get out of here!”.

311. After this incident, Dr. Cevher started limiting her time at the department. As soon as she finished teaching, she would run out of the department and leave the campus.

312. Dr. Sadoqi started texting Dr. Cevher, “Where are you?” “Are you playing with me?” On a regular basis, Dr. Sadoqi would wait until everyone left the university, and demand from Dr. Cevher to get into his car. He would appear at her office door at the end of the day to announce (not ask) that he would drive her home. In fear of losing her job, Dr. Cevher complied.

313. During the winter break, as an excuse to be near Dr. Cevher, Dr. Sadoqi requested her to work on a book project with him, whereby he translated the book from his Moroccan language to English using Google Translate, and Dr. Cevher was to fix up the grammar.

314. As Dr. Cevher worked side-by-side Dr. Sadoqi, he touched her legs and kissed her neck.

315. Dr. Cevher repeatedly told him to stop. Dr. Sadoqi ignored. He gifted her perfume set, which she discarded.

316. Dr. Sadoqi repeatedly picked Dr. Cevher up from her home, sometimes waited hours for her to come out.

317. Dr. Sadoqi repeatedly took Dr. Cevher out to Iranian, Turkish restaurant and Marriott lobby restaurant *etc.*

318. On one occasion, in or around New Year's Eve, Dr. Sadoqi took Dr. Cevher to a motel. He rented a room for a few hours. He started kissing her and suggested to engage in sexual relationship, which she refused. As an excuse, she said, "You are married!" "We cannot do it!"

319. After the book translation project was over, Dr. Cevher began limiting her physical presence at the physics department.

320. Dr. Sadoqi started showing up to her classes and the lab, and say, "**we miss you!**" Dr. Sadoqi's sexually harassing conduct caused Dr. Cevher a severe emotional distress which interfered with her ability to work.

321. As the result, she started cancelling classes. Even Mary Ann, the secretary, commented to Dr. Sadoqi that Dr. Cevher's work performance was much better last semester.

322. In or around late January 2019, Dr. Cevher had an appointment with her CPA. Dr. Sadoqi waited for Dr. Cevher in front of CPA's office for two hours. When her appointment was over, he demanded that she should get into his car. In fear of losing her job, Dr. Cevher complied.

323. In or around January 2019, Dr. Cevher had an interview at NYU. Dr. Sadoqi commented, **“You will not go there!”**, “Students love you!”, “I know people from NYU!” The Head of the Department is Irish!” **“You will help me fix the department!”**, “Students were leaving. Now that you are here – numbers go up!” **“You are going to stay here!”**

324. NYU did “not work out”. When Dr. Cevher told Dr. Sadoqi, he commented, **“You were not going to leave anyway!”**. Dr. Sadoqi demanded that Dr. Cevher get into his car. He continued to inappropriately touch and kiss Dr. Cevher.

325. Upon information and belief, Dr. Sadoqi interfered with Dr. Cevher’s potential employment with NYU, so he could further sexually harass her at St. John’s.

326. To avoid any interaction with Dr. Sadoqi, Dr. Cevher started using other entrances at the university.

327. In or around February 2019, Dr. Sadoqi offered a contract to Dr. Cevher (1-year, non-tenure track assistant professor, only lecturer).

328. She was afraid that Dr. Sadoqi intentionally offered her that position as an incentive for her to engage in sexual relationship with him.

329. As Dr. Cevher tried to decline, Dr. Sadoqi started yelling “I am so tired of this bullshit!”, “I have been working on this!”

330. Dr. Cevher started crying and ran towards the bus station. Dr. Sadoqi started chasing her, apologizing for yelling at her, and informed her that she was “a great match” for the position.

331. Dr. Cevher declined the promotion contract letter Dr. Sadoqi presented to her, in or around February 21st – 22nd 2019.

332. Dr. Cevher informed Dr. Khalfan that she would not be taking the position Dr. Sadoqi had offered to her.

333. Dr. Khalfan immediately requested that the position be given to him. Dr. Sadoqi commented, “that ugly Indian guy thinks he will teach full time at the University. He belongs to community colleges!”

334. Dr. Sadoqi then showed Dr. Cevher the student evaluation rating from the previous semester, emphasizing that she was the best instructor in the department and was qualified for the position. He pointed to Dr. Ali who had only 1.5 rating out 5. Dr. Sadoqi also commented, “**my feelings for you are separate!**”

335. For nearly two weeks, Dr. Sadoqi begged Dr. Cevher to accept the contract. Since Dr. Cevher deserved the position on the merits, she accepted the offer on March 5th 2019. Her salary increased to \$81,000 annually.

336. Dr. Cevher explained to Dr. Khalfan that Dr. Sadoqi was bothering and sexually harassing her. She rapidly lost all her connections and got trapped at St. John’s University.

337. In summer 2019, Dr. Cevher inquired from Dr. Khalfan if there was any position open at other universities.

338. Dr. Sadoqi offered Dr. Cevher to teach at the university for three (3) days per week.

339. In or around June 2019, to avoid further interaction with Dr. Sadoqi, Dr. Cevher obtained her driver’s license.

340. Dr. Sadoqi insisted now for Dr. Cevher to give her a ride, because he “crashed” his car. He demanded that Dr. Cevher picked him up, dropped him off at the campus, teach her class, then wait the whole day to pick him up and drop him off.

341. Dr. Cevher was miserable. She felt like she could not say “no” because Dr. Sadoqi had gotten her the summer class to teach.

342. While Dr. Cevher was a driver, and Dr. Sadoqi was on a passenger seat, Dr. Sadoqi would comment, “**You have amazing legs!**”, “**When woman drives, she looks so sexy!**” “**You look so**

beautiful today!” “Look at those muscles!” I would repeatedly say, **“Please stop! I don’t want this relationship!”**

343. On one occasion, when parked in front of the school, and while walking to campus together, Dr. Sadoqi slowed down. Dr. Cevher turned and asked him, “what is wrong?” He eyed Dr. Cevher and said, **“Keep walking! I just want to see your nice figure from far away!”**

344. On one occasion, Dr. Sadoqi had an MRI and he requested that Dr. Cevher gave him a ride. Following the MRI, Dr. Sadoqi said he was distraught and nauseous. As an excuse, he leaned on Dr. Cevher for the entire walk towards the car.

345. In or around September 2019, Dr. Sadoqi dropped paperwork on Dr. Cevher’s desk and said, “Look into it!”

346. These were the divorce papers involving Dr. Sadoqi’s former spouse, also St. John’s employee. Dr. Sadoqi also gave Dr. Cevher an engagement ring. She rejected the same.

347. Dr. Sadoqi commented, **“I am a big boy! “I know what I want!” “I made big mistakes in the past. I will start a fresh life and make everything right this time!” “I want to have male child with you!”**

348. In or around Fall 2019, Dr. Sadoqi knew Dr. Cevher’s sister was going through some tough times. When he learned that she wanted to sign her up for a class at St. John’s, he responded, **“You don’t have to do it!” “I will help you!” “Just say Yes to me!” I will resolve all of your problems!”**

349. In the meantime, Dr. Sadoqi continued to refer to Dr. Cevher as **“the new bright future for physics department!”** while continuing to sexually harassing her.

350. Dr. Sadoqi’s sexual harassment continued as he dragged Dr. Cevher to work on projects with him.

351. For many weeks, they revised the Physical Science Program in their department, including mechanical, electrical and mechatronics engineering into the program.

352. Dr. Sadoqi never included anyone else in his projects. It was him and Dr. Cevher, and a perfect opportunity to sexually harass her as they spent days and nights working on projects, behind closed doors, in his office, where he touched her and continued to make inappropriate comments about her body.

353. Dr. Sadoqi regularly brought Dr. Cevher into his office, often after 5:00p.m., on some work pretext.

354. One evening in his office, when the door was closed, he simply jumped on Dr. Cevher. He called her over, and then he lunged at her. She leaned back over and his entire body came on top of her.

355. He began hugging Dr. Cevher, pushing her back on the couch, and he pushed his body onto her body. They both fell onto the couch. All sorts of parts of his body touched Dr. Cevher.

356. When Dr. Sadoqi put himself on top of Dr. Cevher, he pushed his torso into hers. He touched his legs and midsection to Dr. Cevher.

357. His pants and waist pushed into her, and he pushed his chest into her chest. As Dr. Cevher fell backwards, his body rubbed up against hers in many places while she tried to push him off.

358. Dr. Sadoqi said nothing during this event, and Dr. Cevher yelled at him. She pushed him away and shouted, **“what are you doing, get off me, what are you doing this is disgusting, I told you so many times not to touch me.”**

359. He laughed and moved away. He then defused the situation by resuming talk about work.

360. Dr. Cevher said, **“please don’t do this again”** He responded, that he was sorry and he would never do it again.

361. In Mid-December, 2019-January 2020, Dr. Cevher went to Turkey, she wanted to move back there to escape the ongoing sexual abuse.

362. Dr. Sadoqi went as well. They paid each for their own tickets and accommodations. They stayed in separate rooms. During the entire trip, Dr. Sadoqi would not leave Dr. Cevher alone, making inappropriate comments and touching her.

363. Dr. Sadoqi tried to find a job for Dr. Cevher's sister, commenting, "your family is my family!" But when Dr. Cevher rejected Dr. Sadoqi's sexual advances, he responded, "I am tired of your sister!"

364. From March to April 2020, Dr. Cevher rented an apartment in Brooklyn, which Dr. Sadoqi originally rented for a visiting professor from Mexico.

365. During the lockdown due to Covid-19, the visiting professor went back to Mexico, while Dr. Cevher needed an apartment, because living in a 2-bedroom apartment with her family was difficult to teach.

366. Dr. Sadoqi came to the apartment to collect the rent. On one of those occasions, he slapped her behind.

367. At the end of the April 2020, Dr. Cevher returned the key to Dr. Sadoqi. When she moved out, Dr. Sadoqi started living there.

368. In 2020, despite having many arguments about Dr. Sadoqi's sexual harassment, he gave Dr. Cevher a spare key to said apartment and said, "**Whenever you want, whenever you miss me, come visit me!**" Obviously, Dr. Cevher never went back.

369. When Dr. Sadoqi shared his phone number with Dr. Cevher for the first time, he said, "Do not text me!" "Use Whatsup!" "I don't want any trail!" "Don't put anything in writing!"

370. In Summer 2020, Dr. Sadoqi and his collaborators convinced Dr. Cevher to collaborate with them and work with several research projects. Dr. Cevher accepted. Dr. Sadoqi used this opportunity to continue to sexually harass her.

371. Once Dr. Cevher understood his intentions, she immediately stopped.

372. On one occasion, when Dr. Cevher snapped and told Dr. Sadoqi to stop sexually harassing her, he ordered flowers to be delivered to Dr. Cevher's apartment while she was living in Elmhurst.

373. In or around Fall 2020, Dr. Sadoqi requested that Dr. Cevher work on certain projects *e.g.* computer engineering.

374. She initially agreed and started working, but once the sexual harassment escalated, she stopped working with him.

375. During this time Dr. Sadoqi continued offering Dr. Cevher a ride, saying, **"Stop making a big deal!" "You are on my way!"** During the ride, he continued to touch Dr. Cevher inappropriately.

376. On February 3, 2021, Dr. Sadoqi demanded that Dr. Cevher sit in his car. She refused, saying she wanted to go home by herself.

377. Dr. Sadoqi started yelling, **"Your building is on my way! I will drop you off and leave! Stop arguing with me!"**

378. Dr. Cevher was physically scared of Dr. Sadoqi, and in fear of retaliation sat in the car. *En route*, Dr. Sadoqi started touching Dr. Cevher, touching her shoulder, touching her legs, while talking about work-related topics.

379. When Dr. Cevher came home – she called Dr. Sadoqi and yelled at him that his conduct towards her was inappropriate, and that she would be leaving the university.

380. Dr. Cevher also emailed him saying **"Next time, I will report you!"**

381. On February 4, 2021, Dr. Cevher emailed Dr. Sadoqi “**officially asking to give me some space**” and requested him to “**Not contact me unless it is about work**”.

382. In or around March 2021, Dr. Cevher was promoted to a tenured track assistant professor, with \$10,000 increase in salary. In addition, Gina Florio, the Dean of St. John’s College, recommended Dr. Cevher for the Clare Boothe Luce Award.

383. Dr. Cevher declined the offer saying, “**I would like to withdraw my application.**”

384. Dr. Sadoqi once again, begged Dr. Cevher to take the offer. He was so desperate to keep her around him and went as far as asking his own connections to write recommendation letters for Dr. Cevher.

385. In or around March 2021, during the investigation conducted by Keaton Wong into Dr. Sadoqi’s sexually harassing conduct, Dr. Sadoqi directed Dr. Cevher to deny his sexually harassing conduct.

386. Dr. Sadoqi knew HR scheduled Webex meeting with Dr. Cevher, even though investigation was supposed to be confidential.

387. St. John’s, through its agents and employees, ignored Dr. Fortmann’s warning that Dr. Sadoqi coaches those targeted, but proceeded with remote interviews anyway.

388. During Dr. Cevher’s interview, Dr. Sadoqi demanded to be present secretly.

389. Dr. Cevher was scared and anxious.

390. Dr. Sadoqi instructed Dr. Cevher to give short answers; to say “I don’t remember” as much as possible; deny ever being in his car and so on.

391. In fear of retaliation, Dr. Cevher agreed, but demanded, “after this – you will leave me alone!” Dr. Sadoqi told Dr. Cevher while placing his hand on a religious book, “I promise you! I will never touch you again!” He never stopped touching Dr. Cevher.

392. Despite being promoted twice, Dr. Sadoqi never helped Dr. Cevher grow in research and in academia.

393. Dr. Gen Long was Dr. Cevher's appointed advisor. Dr. Sadoqi never allowed Dr. Long to come near Dr. Cevher until she demanded Dr. Long's involvement in 2022.

394. Dr. Sadoqi often called Dr. Long "Stupid" and said **"Dr. Long would never have succeeded if it was not for my help. Through my collaborators, he was able to publish research articles."**

395. In or around Spring-Summer 2021, the new lab equipment arrived. While Dr. Cevher was assembling the equipment, Dr. Sadoqi stood in the corner and starred at her nonstop, looking her up and down, saying, **"so sexy!"**

396. When Dr. Cevher bent over to work on the equipment, Dr. Sadoqi said, **"Oh my God!"** Dr. Cevher snapped and became very angry. She told him, **"I cannot work when you are making comments like that. Can you please leave."**

397. Dr. Sadoqi looked at her, became very angry, said something in his language, which sounded like a curse word (because of the way he said it), and he left the room.

398. In August 2021, Mary Ann departed St. John's and Betsy was hired instead. On a regular basis, Dr. Sadoqi started flirting with Betsy. He often called her, "My Betsy." "They want to take my Betsy away from me, but she will stay in this department."

399. In or around October 2021, when Dr. Cevher tried to avoid Dr. Sadoqi, he would accuse her of disappearing from the department. When he saw her, he would come and disturb her in her office or the lab. Dr. Sadoqi regularly urged Dr. Cevher to be present on campus more and more.

400. In or around October-November 2021, when Dr. Khalfan informed St. John's that Dr. Cevher was sexually harassed by Dr. Sadoqi, St. John's took no immediate corrective action to address the situation.

401. On November 22, 2021, Dr. Sadoqi came into Dr. Cevher's office after 5p.m., when everyone else left. He started saying, "**Noone messes with my girl!**", "**I will show Amish what it means to mess with my girl!**" "**Soon, I will get a job in Morocco, will be the King's advisor and take you with me!**" He continued, "**you look so beautiful today!**", "**You smell so good!**"

402. On November 23, 2021, Dr. Cevher repeatedly asked Mr. Sadoqi to "**give me some space!**"

403. In addition to avoiding Dr. Sadoqi physically, Dr. Cevher started wearing all black to discourage comments about her body or her clothes.

404. Dr. Cevher started wearing fewer skirts and more pants. Yet, Dr. Sadoqi would still lean in and make comments, such as "**You look so beautiful!**", "**You look so sexy with a lab coat on!**"

405. On a regular basis, Dr. Sadoqi told Dr. Cevher that he was going to take her to Morocco. He said there was a job opening at a prestigious university in Morocco and he wanted to be the advisor to the Moroccan king. He even asked Dr. Cevher to prepare a presentation for him and prepare him for the interview. Since he was her supervisor, Dr. Cevher worked on that for two weeks.

406. Dr. Cevher repeatedly said, "**How many times I have to tell you: I am not interested in you!**"

407. In or around December 2021, Dr. Sadoqi kept coming to the lab and trying to help Dr. Cevher without her consent.

408. He kept staring at her body and kept saying, "**Sooo hot!**" He rubbed against her body while passing back and forth in the lab.

409. When the gloves popped up in the lab, Dr. Cevher touched the gloves and tried to feel the pressure inside the box. Dr. Sadoqi said, "**Mmmm... You like rubbing those, don't you?**"

410. On December 11, 2021, Dr. Cevher asked Dr. Sadoqi to "**not interfere with my research**".

411. On January 17, 2022, while in the car, Dr. Sadoqi was rubbing his hands against each other because it was cold and the car was still cold. He then pushed his hand between her legs to warm them up. Dr. Cevher felt disgusted, and pushed his hands immediately away.

412. On January 18, 2022, Dr. Cevher sent an email to Dr. Sadoqi complaining that he **“made [her] feel very uncomfortable”** and that she told him that **“[she] [was] not interested in [him]”**.

413. Dr. Cevher further indicated that Dr. Sadoqi was **“using [his] authority over me to push [her] into a relationship”**.

414. On February 4, 2022, Dr. Cevher left the key from her B33A office at home. When she went to get a spare key, it was not there, because Dr. Sadoqi had previously taken it, so he could come into Dr. Cevher’s office unannounced to further sexually harass her.

415. In that regard, Dr. Sadoqi would come into her office, and make inappropriate comments about her body, calling her **“Beautiful!”**, **“So hot!”** *etc.*

416. On February 6, 2022, Dr. Cevher emailed Dr. Sadoqi requesting him to return the spare key. He said he would. He never did.

417. On February 20, 2022, while discussing potential candidates for the position in the department, Dr. Cevher mentioned a male candidate.

418. Dr. Sadoqi immediately accused him of being her boyfriend, saying **“He is your boyfriend! You want to bring your boyfriend here! Ewwww He is so ugly, I am more handsome. What did you find in that guy! I can’t believe you choose that guy over me”** As he went on, he became more and more angry. **“He won’t get hired!”** **“We will hire a woman!”**, he said, and they did.

419. On February 20, 2022, Dr. Cevher emailed Dr. Sadoqi, complaining **“I am not at St. John’s to form a relationship with you!”** and that if he **“cannot maintain professional**

boundaries, [she] [would] report [his] behavior to HR and they will decide what to do about [his] ongoing sexual conduct”

420. During this time, Dr. Sadoqi still demanded Dr. Cevher to sit in his car. During the car ride, he would touch her.

421. On April 22, 2022, Dr. Sadoqi came and harassed Dr. Cevher right after her class ended, at 3.15p.m.

422. He said, **“Come back to the department!”**, **“We miss you!”**, **“I miss you!”**, **“I love you!”** **“We cannot go on without you!”** **“The students need you! I need you!”** **“This department cannot function without you!”** **“I am sorry!”**

423. On April 24, 2022, Dr. Cevher emailed Dr. Sadoqi complaining about his sexually inappropriate conduct, and asking him to **“stop coming to my classes”** and **“leave me alone on campus”**.

424. On May 25, 2022, Dr. Sadoqi continued making inappropriate comments towards Dr. Cevher, such as **“You look so beautiful today!”**, **“You have an amazing body! An amazing ass!”**, **“My Gooood!”**, **“You are so hot!”** **“When I get the job in Morocco, I will take you with me!”**.

425. On May 26, 2022, Dr. Cevher sent a WhatsApp message to Dr. Sadoqi, saying, **“Stop making comments about my body, or sexual jokes!”**

426. On July 11, 2022, Dr. Sadoqi said, **“we will be together!”**, **“I will never leave you!”**, **“I know you want me too!”**. He leaned in and told Dr. Cevher **“You will be mine!”**

427. On July 12, 2022, Dr. Cevher sent a WhatsApp message to Dr. Saqoqi, **“Mostafa, please stop telling me things like “I won’t leave the university because my zara is here. So many times I told you that I am not interested in you. Every time I come to speak with you with good faith, you sexualize conversations, and hit on me. You make me feel uncomfortable!”**

428. On September 21, 2022, Dr. Sadoqi said, **“You look so sexy!”**, **“How do you skate with these skates?”** **“You must have strong legs!”** **“Soooo sexy!”** **“I stayed at the USA because of you!”** **“I would never leave you!”** **“We will be together!”**

429. On September 22, 2022, Dr. Cevher sent a WhatsApp message to Dr. Sadoqi, complaining, among others, **“I don’t want for you to come hang out with me in the department!”**

430. From in or around 2022, on a regular and pervasive basis, Dr. Sadoqi would secretly go into Dr. Cevher’s office, using the spare key he had, and place cookies/cakes on her table.

431. He would also come in unannounced to sexually harass her or calm me down after she yelled at him for sexually harassing her.

432. On September 3, 2022, Dr. Cevher emailed Dr. Sadoqi complaining that she did not appreciate the gesture of placing cookies on her desk, because she knew the only way he could get into her office was using the spare key in her absence.

433. In September 2022, a new faculty member, Dr. Emine Karaman, joined the department. Immediately, Dr. Sadoqi became infatuated with her. All day long, he would search for Dr. Karaman in the department. He would come and tell Dr. Cevher, **“You Turkish women, are so smart and beautiful.”**

434. He often invited Dr. Karaman and Dr. Cevher to conferences, suggest they all stay in the same hotels, and hang out all day long.

435. Dr. Sadoqi was so infatuated with Dr. Karaman that he attempted to use Dr. Cevher’s funds to purchase her laboratory supplies.

436. When Dr. Cevher declined, Dr. Sadoqi used the university resources.

437. Dr. Karaman complained to Dr. Cevher saying, “Every time I talk to him, he tries to throw me to the bed. I am married and his behavior is very inappropriate.”

438. Despite ongoing sexual harassment, Dr. Sadoqi never helped Dr. Cevher with research.

439. On September 26, 2022, a mistake was made with paperwork because of Dr. Sadoqi's lack of involvement, and Dr. Cevher was blamed for it by the administrators.

440. St. John's, through its agents and employees, punished Dr. Cevher by imposing guidelines specific to her, in further discrimination and retaliation against her.

441. In retaliation against Dr. Cevher for refusing his sexual advances, when Dr. Cevher asked Dr. Sadoqi to clarify the guidelines, he did not.

442. This left Dr. Cevher confused and trying to figure out who she should contact for specific tasks.

443. For example, because of confusion, it took her one month to hire a student.

444. She could have worked the entire winter break, but she could not, which completely destroyed the momentum of her research.

445. In or around October 2022, in further retaliation against Dr. Cevher for rejecting Dr. Sadoqi's sexual advances, Dr. Sadoqi and the department secretary Betsy Zambara started excluding Dr. Cevher from work-related emails, *e.g.* related to purchase requisitions.

446. This adversely affected Dr. Cevher's employment, as she could not track whether the orders were placed and when the equipment would arrive.

447. Dr. Cevher was also not sent the official email with communication guidelines, and cut off from all communications related to that.

448. On May 4, 2023, Dr. Cevher complained to HR about said issue, to no avail.

449. In November 2022, Dr. Sadoqi cornered Dr. Cevher in the hallway and told her that he needed to talk to her. She said she had to go home.

450. Dr. Sadoqi ordered Dr. Cevher to close the door and sit down. Dr. Cevher responded, "How many times do I have to tell you not to close the door with me?" Dr. Sadoqi barked back, "**close the door!**"

451. In fear of retaliation, Dr. Cevher complied.

452. Dr. Sadoqi opened the drawer in his desk, took out a box and placed it on the desk in front of Dr. Cevher.

453. When Dr. Cevher opened the box, it was a ring with a very large diamond on it. Dr. Sadoqi said, “**take it!**” Dr. Cevher rejected.

454. In retaliation against Dr. Cevher for rejecting Dr. Sadoqi, he started to avoid eye contact with her.

455. Dr. Sadoqi further failed to respond to Dr. Cevher’s work-related inquiries.

456. Dr. Sadoqi further constantly yelled at Dr. Cevher, came to her office unannounced.

457. In an email exchange, Dr. Cevher described Dr. Sadoqi’s behavior as, “He was extremely unpleasant and made-up excuse after excuse not to help me.”

458. Dr. Sadoqi was copied in the email. He never denied his rude behavior. When Dr. Cevher protested against his retaliatory conduct, Dr. Sadoqi responded, “**You are free to go!**”, as opposed to previous comments, “**We need you here!**”

459. On July 21, 2023, in further retaliation against Dr. Cevher for her refusal to engage in sexual relationship with Dr. Sadoqi, she was notified about the deadline for her start-up fund, preventing her from using the fund, so Dr. Cevher would not have been able to purchase the equipment.

460. On December 8, 2022, in further retaliation against Dr. Cevher for rejecting his sexual advances, Dr. Sadoqi interrupted the meeting Dr. Cevher had with her students.

461. Dr. Cevher complained about his behavior and requested her mentor, Dr. Gen Long, to join any future communications with Dr. Sadoqi.

462. In further retaliation against Dr. Cevher, Dr. Sadoqi falsely accused Dr. Cevher in threatening him and other employees at St. John’s.

463. On December 9, 2022, Dr. Cevher complained to Dr. Sadoqi that he was retaliating against her after “[she] said no” to his sexual advances.

464. On February 2 2023, Dr. Cevher emailed the Associate Director of the Office of Human Resources, Ms. Karen Crowley, to let her know Dr. Sadoqi “provoked [her]” again.

465. In that regard, while getting coffee from the department office, Dr. Sadoqi would provoke Dr. Cevher, start calling her “Amish number two” and say “We are done with Amish, and now we will take care of you.”

466. Dr. Sadoqi would yell at Dr. Cevher in front of other faculty who would then assume Dr. Cevher was a troublemaker.

467. In further retaliation against Dr. Cevher, since March 3, 2023, Dr. Sadoqi failed to provide Dr. Cevher with space to assemble her research equipment.

468. In that regard, Dr. Sadoqi failed to clear any space for Dr. Cevher in room B55.

469. As the result, Dr. Cevher has not been able to purchase equipment and further her research.

470. In contrast, Dr. Sadoqi renovated room B38 for another female professor, Dr. Emine Karaman, who does not have the obligation to conduct research.

471. Dr. Karaman, in numerous occasions, complained about Dr. Sadoqi’s unwanted sexual advances towards her.

472. In further retaliation against Dr. Cevher for rejecting Dr. Sadoqi’s sexual advances, Dr. Sadoqi increased Dr. Cevher’s teaching days from three to five, thus preventing her from advancing in her research.

473. Dr. Sadoqi also raised his voice and threatened Dr. Cevher.

474. On March 21, 2023, Dr. Cevher complained about the same to Dean Teresa Delgado, saying, “Every time I try to speak with the Chair, he raises his voice, bullies and threatens me.”

475. Dr. Cevher's cries for help were ignored, which only empowered Dr. Sadoqi to continue the sexual harassment.

476. In fear of retaliation, Dr. Cevher was reluctant to go to HR, because Dr. Sadoqi regularly bragged to her that going to HR was futile.

477. In that regard, in or around Fall 2018, Dr. Sadoqi told Dr. Cevher that "HR is very weak".

478. In or around Spring 2021, Dr. Sadoqi told Dr. Cevher "HR is very weak – they want to "investigate" so they can close the case!"

479. Dr. Sadoqi often boasted to Dr. Cevher how he could get away with his discriminatory and retaliatory conduct.

480. On July 27, 2023, in further retaliation against Dr. Cevher for refusing to engage in sexual relationship with Dr. Sadoqi, Dr. Cevher was notified that St. John's was placing a time limit on her spendings, and that she was to spend all her start-up funds in the next nine months.

481. This adversely affected Dr. Cevher's employment at St. John's because the chemicals she used degraded within a month. They needed periodic replacement. Spending all her funds, worth more than \$50,000 within nine-months meant she had to use degraded chemicals which would give her no results.

482. On August 7, 2023, Dr. Fortmann reported to Ms. Wong his telephone conversation with Dr. Cevher the week before, during which Dr. Cevher recounted "years of extreme and prolonged sexual harassment and victimization that she had been subjected to" by Dr. Sadoqi.

483. Dr. Fortmann reminded Ms. Wong that he had previously warned HR that he believed Dr. Sadoqi had targeted and infatuated with Dr. Cevher, some of which Dr. Fortmann personally witnessed when Dr. Sadoqi made inappropriate comments about Dr. Cevher's appearance.

484. St. John's took no immediate corrective action in response to Dr. Fortmann's complaint, and did not ask for his interview until March 28, 2024, after Dr. Fortmann retained counsel for this matter.

485. Despite Dr. Cevher numerous complaints to the office of human resources and to the Dean, Dr. Sadoqi kept harassing Dr. Cevher in day light, and during the nighttime when no one was around.

486. In September 2023, Dr. Cevher finally called the Public Safety and told them to send a security guard to witness Dr. Sadoqi's harassing conduct against Dr. Cevher.

487. An employee, named Steven, responded to the complaint, and filed a complaint with HR on Dr. Cevher's behalf.

488. On September 25, 2023, Dr. Cevher emailed HR "kindly asking HR to respond to the nine complaint letters I have submitted in the Spring Semesters".

489. Dr. Cevher also indicated that "[she] ha[s] had many meetings with HR and obtained no results". The complaints Dr. Cevher referred to were against Eileen O'Connor and Martha Castellanos – Dr. Sadoqi's very good friends, who, upon information and belief, aided and abetted in Dr. Sadoqi's retaliatory conduct against Dr. Cevher.

490. On October 6, 2023, to further harass Dr. Cevher, Dr. Sadoqi was standing outside of her classroom and was listening for approximately 5 seconds, which the students reported to Dr. Cevher.

491. On October 16, 2023, Dr. Cevher was informed by HR that St. John's was unable to substantiate her claim of harassment against Dr. Sadoqi that she filed on September 8, 2023.

492. In that regard, on September 8, 2023, Dr. Cevher reported to the public safety department that she was sexually harassed by Dr. Sadoqi.

493. She called public safety, because she had told Dr. Sadoqi many-many times to **“not approach [her] in the department”**.

494. On October 17, 2023, Dr. Cevher informed HR that Dr. Sadoqi “has been sexually harassing [her] since 2018. He pushed [her] to have a relationship with him since 2018. When he finally asked [her] to marry him last Fall, [she] said No. After saying No, he started to retaliate against [her]...”

495. On October 17, 2023, Dr. Cevher further complained to Danielle Haynes, the Director of EEO at St. John’s, among others, that **“every time [Dr. Sadoqi] speaks to [her], he makes sexual comments about [her] body”**.

496. On October 24, 2023, Dr. Cevher submitted a formal complaint against Dr. Sadoqi and requested a supportive measure in the form of a No Contact Order.

497. In further retaliation against Dr. Cevher, on November 2 2023, Dr. Sadoqi misrepresented Dr. Cevher’s student evaluations.

498. Dr. Cevher immediately asked for a revision saying, **“He is misrepresenting me as an instructor. He deliberately would do the same thing with Dr. Fortmann and brag about it.”**

499. On November 8, 2023, Dr. Cevher submitted a written complaint about Dr. Sadoqi hiring Dr. Malek Abunaemeh as an assistant professor.

500. In that regard, on March 16, 2022, Dr. Malek Abudaemeh was interviewed for a non-tenure track assistant professor position in the Physics Department.

501. During his lecture presentation, Dr. Malek Abunaemeh made very inappropriate and sexist comments about women.

502. Dr. Cevher reported the incident to Dean, Dr. Gina Florio.

503. His application was immediately disqualified.

504. Recently, however, Dr. Cevher saw Dr. Malek Abunaemeh in the department.

505. Dr. Sadoqi hired him, despite knowing Dr. Abunaemeh had previously made the inappropriate and sexist comments about women.

506. One female student complained about Dr. Abunaemeh, saying he made her feel uncomfortable.

507. On November 13, 2023, as the result of ongoing harassment, as per Dr. Cevher's request, a No Contact Order was issued, pursuant to which, among others, Dr. Cevher (not Dr. Sadoqi) was to refrain from engaging in any non-work-related communications or one-on-one in-person meetings with Dr. Sadoqi.

508. On November 13, 2023, Dr. Cevher submitted further written complaint about the sexual harassment.

509. Specifically, Dr. Cevher reported that "as soon as [she] came to St. John's University, Dr. Sadoqi started to sexually harass and groom [her]".

510. In addition, Dr. Cevher reported that Dr. Sadoqi was referring to Dr. Fortmann as "old" and "burned out", and that speaking negatively to the committee so that the committee would vote against Dr. Fortmann.

511. On November 20, 2023, Dr. Cevher was informed that St. John's began an 'investigation' into a complaint she filed against Dr. Sadoqi for sexual harassment and retaliation.

512. St. John's, through its agents and employees, failed to take an immediate corrective action to prevent the "repeated demands to engage in sexual relations" Dr. Sadoqi demanded from Dr. Cevher, which Dr. Fortmann reported to St. John's back on August 7, 2023.

513. On or about November 21, 2023, to further harass Dr. Cevher, Dr. Sadoqi was pacing back and forth in front of her office classes, which was reported to Dr. Cevher by her students.

514. In December 2023, Dr. Cevher was questioned for three (3) hours by the lawyers St. John's hired to investigate her complaint.

515. During this meeting, Dr. Cevher did not have a lawyer present. St. John's did not assign Dr. Cevher an advisor until later on.

516. On February 13, 2024, in further retaliation against Dr. Cevher for complaining about the sexual harassment, and in the middle of investigation into her complaints of sexual harassment and retaliation, she was informed that on February 7, 2024, the University Personnel Committee (which Dr. Sadoqi was a part of) "rejected [her] personnel action for reappointment".

517. St. John's, through its agents and employees, failed to take an immediate corrective action to prevent the ongoing harassment Dr. Cevher has been subjected to by Dr. Sadoqi.

518. On March 7, 2024, at 10.43a.m., as Dr. Cevher entered her classroom, 306 St. John's Hall, her students came up to her and told her they saw Dr. Sadoqi "**peeking into**" her class room, violating thus the No Contact Order, issued by St. John's on November 13, 2023.

519. Dr. Sadoqi's office is located in St. Albert's Hall, while the classroom Dr. Cevher teaches is located at St. John's Hall.

520. Dr. Sadoqi had no work-related business to be near Dr. Cevher's classroom.

521. Dr. Cevher and Dr. Fortmann were not the only ones who became the victims of Dr. Sadoqi's discriminatory conduct.

522. By way of example, Dr. Sadoqi referred to Ali as "**unstable**" and told Dr. Cevher that Ali had sued him once for calling him a "**terrorist**" because he is Muslim.

523. By way of another example, in spring 2019, when Dr. Cevher was walking with a Muslim student, Dr. Sadoqi said that the reason why the student was "**wearing a head scarf, was because [her] hair was dirty**".

524. By way of another example, Dr. Sadoqi said that Bukharian Jews are "**good but sometimes come in a group and they all cheat off each other**".

525. In Fall 2019, Dr. Sadoqi referred to Alison Hyslop as "**Armenian – number one enemy!**"

526. On another occasion, Dr. Sadoqi yelled at Alison that Emine Karaman “**is Turkish – number one enemy!**”

527. Based on foregoing, St. John’s, through its agents and employees, unlawfully discriminated against Dr. Cevher on the basis of her sex, subjected her to *quid pro quo* sexual harassment, hostile work environment, and retaliation, in violation of Title VII, state and local laws.

528. St. John’s agents and employees aided and abetted Dr. Sadoqi’s and St. John’s unlawful discriminatory practices against Dr. Cevher.

529. As a result of the acts and conduct complained of herein, Dr. Cevher has suffered and will continue to suffer the loss of income, loss of career progression and academic opportunities for employment, the loss of a salary, bonuses, benefits, and other compensation which such employment entails, and Dr. Cevher has also suffered future pecuniary losses, emotional pain, suffering inconvenience, loss of enjoyment of life, and other non-pecuniary losses.

530. As the result of the Defendants’ unlawful discriminatory practices, Dr. Cevher suffered and continues to suffer severe emotional distress.

531. As Defendants’ conduct has been willful, reckless, outrageous, intentional, and/or malicious, Dr. Cevher also demands punitive damages in an amount which exceeds the jurisdictional limits of all lower Courts.

FIRST CAUSE OF ACTION
Discrimination in Violation of Title VII

532. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

533. Pursuant to 42 USCS § 2000e-2(a)(1), it shall be an unlawful employment practice for an employer to discharge any individual, or otherwise to discriminate against any individual with

respect to his/her compensation, terms, conditions, or privileges of employment because of such individual's sex or religion.

534. Pursuant to 42 USCS § 2000e (m), an unlawful employment practice is established when the complaining party demonstrates that sex or religion was a motivating factor for any employment practice, even though other factors also motivated the practice.

535. St. John's, through its agents and employees, unlawfully discriminated against Dr. Fortmann with respect to the terms, conditions, and privileges of his employment, because of her (perceived) religion.

536. St. John's, through its agents and employees, unlawfully discriminated against Dr. Cevher with respect to the terms, conditions, and privileges of her employment, because of her sex.

537. As the direct and proximate result of St. John's unlawful employment practices, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

538. As the direct and proximate result of St. John's unlawful employment practices, Plaintiff have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

SECOND CAUSE OF ACTION
Hostile Work Environment in Violation of Title VII

539. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

540. Pursuant to 42 USCS § 2000e-2(a)(1), it shall be an unlawful employment practice for an employer to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment because of such individual's sex or religion.

541. Pursuant to 42 USCS § 2000e (m), an unlawful employment practice is established when the complaining party demonstrates that sex or religion was a motivating factor for any employment practice, even though other factors also motivated the practice.

542. The Supreme Court has held that Title VII is violated when the workplace is permeated with discriminatory intimidation, ridicule, and insult, that is sufficiently severe or pervasive to alter the conditions of the victim's employment and create an abusive working environment.

543. St. John's, through its agents and employees, unlawfully discriminated against Dr. Fortmann with respect to the terms, conditions, and privileges of his employment, by subjecting him to a hostile work environment on the basis of his (perceived) religion.

544. St. John's, through its agents and employees, unlawfully discriminated against Dr. Cevher with respect to the terms, conditions, and privileges of her employment, by subjecting her to hostile work environment because of her sex.

545. As the direct and proximate result of St. John's unlawful employment practices, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

THIRD CAUSE OF ACTION
***Quid Pro Quo* Sexual Harassment in Violation of Title VII**

546. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

547. Pursuant to 42 USCS § 2000e-2(a)(1), it shall be an unlawful employment practice for an employer to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment because of such individual's sex.

548. Pursuant to 42 USCS § 2000e (m), an unlawful employment practice is established when the complaining party demonstrates that sex or religion was a motivating factor for any employment practice, even though other factors also motivated the practice.

549. Pursuant to 29 CFR 1604.11, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

550. St. John's, through its agents and employees, unlawfully subjected Dr. Cevher to *quid pro quo* sexual harassment. Dr. Sadoqi's conduct is equally unlawful under Title VII whether the employee submits or not.

551. As the direct and proximate result of St. John's unlawful employment practices, Dr. Cevher has suffered and continues to suffer harm for which she is entitled to an award of monetary damages and other relief.

FOURTH CAUSE OF ACTION
Retaliation in Violation of Title VII

552. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

553. Pursuant to Section 2000e-3(a), it shall be an unlawful employment practice for an employer to discriminate against any individual, because he/she has opposed any practice made an unlawful employment practice under Title VII.

554. The Defendants unlawfully retaliated against Plaintiffs for opposing the Defendants' discriminatory practices.

555. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

FIFTH CAUSE OF ACTION
Discrimination in Violation of ADEA

556. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

557. Pursuant to 29U.S.C.S. §623, it shall be unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of such individual's age.

558. St. John's, through its agents and employees, unlawfully discriminated against Dr. Fortmann with respect to the terms, conditions, and privileges of his employment, because of his age.

559. As the direct and proximate result of St. John's unlawful employment practices, Dr. Fortmann has suffered and continues to suffer harm for which he is entitled to an award of monetary damages and other relief.

SIXTH CAUSE OF ACTION
Retaliation in Violation of ADEA

560. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

561. Pursuant to 29U.S.C.S. §623(d) it shall be unlawful for an employer to discriminate against any of his employees, because such individual has opposed any practice made unlawful by ADEA.

562. St. John's, through its agents and employees, unlawfully retaliated against Dr. Fortmann for opposing the Defendants' discriminatory practices.

563. As the direct and proximate result of St. John's unlawful employment practices, Dr. Fortmann has suffered and continues to suffer harm for which he is entitled to an award of monetary damages and other relief.

SEVENTH CAUSE OF ACTION
Discrimination in Violation of NYSHRL

564. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

565. Pursuant to § 296 (1) (a) of NYSHRL, it shall be an unlawful discriminatory practice, for an employer, because of an individual's age or religion, gender, to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

566. Individual liability under § 296(1) lies only where a defendant actually participates in the conduct giving rise to discrimination, and is limited to individuals with ownership interest or supervisors, who themselves have the authority to hire and fire employees.

567. The Defendants unlawfully discriminated against Plaintiffs in compensation, terms, conditions and privileges of their employment because of Dr. Fortmann's age and his perceived religion and Dr. Cevher's sex/gender.

568. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

EIGHTH CAUSE OF ACTION
Hostile Work Environment in Violation of NYSHRL

569. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

570. Pursuant to § 296 (1) (h) of NYSHRL, it shall be an unlawful discriminatory practice, for an employer to subject any individual to harassment because of an individual's age, perceived religion, gender or because the individual has opposed any practices forbidden by NYSHRL, regardless of whether such harassment would be considered severe or pervasive. Such harassment is an unlawful discriminatory practice when it subjects an individual to inferior terms, conditions or privileges of employment because of the individual's membership in one or more of these protected categories. The fact that such an individual did not make a complaint about the harassment to such employer shall not be determinative of whether such employer will be liable.

571. The Defendants unlawfully subjected Plaintiffs to hostile work environment, which rises above level what a reasonable victim of discrimination with the same protected characteristic would consider petty slights or trivial inconveniences.

572. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

NINTH CAUSE OF ACTION
Retaliation in Violation of NYSHRL

573. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

574. Pursuant to § 296 (7) of NYSHRL, it shall be an unlawful discriminatory practice, for an employer to retaliate or discriminate against any person because he or she has opposed any practices forbidden by NYSHRL, or because he/she has filed a complaint.

575. The Defendants unlawfully retaliated against Plaintiffs for opposing the Defendants' discriminatory practices.

576. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

TENTH CAUSE OF ACTION
Discrimination in Violation of NYCHRL

577. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

578. Pursuant to NYCHRL § 8-107 (1) it shall be an unlawful discriminatory practice: (a) For an employer or an employee or agent thereof, because of the actual or perceived age, religion or gender of any person: (2) To refuse to hire or employ or to bar or to discharge from employment such person; or (3) To discriminate against such person in compensation or in terms, conditions or privileges of employment.

579. The Defendants unlawfully discriminated against Plaintiffs in compensation, terms, conditions and privileges of their employment because of Dr. Fortmann's age and religion and Dr. Cevher's sex/gender.

580. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

ELEVENTH CAUSE OF ACTION
Hostile Work Environment in Violation of NYCHRL

581. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

582. Pursuant to NYCHRL § 8-107 (1) it shall be an unlawful discriminatory practice: (a) For an employer or an employee or agent thereof, because of the actual or perceived age, religion, sex of any person: (2) To refuse to hire or employ or to bar or to discharge from employment such

person; or (3) To discriminate against such person in compensation or in terms, conditions or privileges of employment.

583. The Defendants unlawfully subjected Plaintiffs to hostile work environment, which rises above level what a reasonable victim of discrimination with the same protected characteristic would consider petty slights or trivial inconveniences.

584. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

TWELFTH CAUSE OF ACTION
Retaliation in Violation of NYCHRL

585. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

586. Pursuant to NYCHRL § 8-107 (7) it shall be an unlawful discriminatory practice to retaliate or discriminate in any manner against any person because such person has opposed the discriminatory practice prohibited by NYCHRL.

587. The Defendants engaged in an unlawful discriminatory practice by retaliating, continuing and escalating the discrimination and hostile work environment to which the Plaintiffs were subjected, terminating Plaintiffs, and otherwise discriminating against the Plaintiffs because of Plaintiff's opposition to the unlawful employment practices of Defendants.

588. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

THIRTEENTH CAUSE OF ACTION
Discrimination in Violation of Title IX

589. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

590. Title IX, 20 U.S.C. § 1681 (a) (1972), provides in pertinent part that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

591. Title IX regulates private schools which choose to receive federal funding. Title IX provides a private cause of action against a recipient of federal funds for discrimination based on sex, sexual harassment, and sexual abuse.

592. St. John's, through its agents and employees, unlawfully discriminated against Dr. Cevher with respect to the terms, conditions, and privileges of her employment, because of her sex/gender. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Dr. Cevher has suffered and continues to suffer harm for which he is entitled to an award of monetary damages and other relief.

FOURTEENTH CAUSE OF ACTION
Retaliation in Violation of Title IX

593. Plaintiffs repeat, reallege, and restate each and every paragraph above as if said paragraphs were more fully set forth herein at length.

594. Title IX prohibits intimidation, threat, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because such individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing.

595. Title IX regulates private schools which choose to receive federal funding. Title IX provides a private cause of action against a recipient of federal funds for discrimination based on sex, sexual harassment, and sexual abuse.

596. St. John's, through its agents and employees, unlawfully retaliated against Plaintiffs for opposing the Defendants' discriminatory practices.

597. As a direct and proximate result of the Defendants' unlawful and discriminatory conduct, Plaintiffs have suffered and continue to suffer harm for which they are entitled to an award of monetary damages and other relief.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court grant the following relief:

- a. A declaratory judgment that the practices complained of herein are unlawful under applicable federal and state law;
- b. An injunction against the Defendants and their officers, agents, successors, employees, representatives and any and all persons acting in concert with Defendants, as provided by law, from engaging in each of the unlawful practices, policies and patterns set forth herein;
- c. Declaring that the Defendants engaged in unlawful employment practices prohibited by the Title VII, and awarding Plaintiffs a recovery for damages sustained;
- d. Declaring that the Defendants engaged in unlawful employment practices prohibited by the ADEA, and awarding Dr. Fortmann a recovery for damages sustained;
- e. Declaring that the Defendants engaged in unlawful employment practices prohibited by the NYSHRL, and awarding Plaintiffs a recovery for damages sustained;
- f. Declaring that the Defendants engaged in unlawful employment practices prohibited by the NYCHRL, and awarding Plaintiffs a recovery for damages sustained;

- g. Declaring that the Defendants engaged in unlawful employment practices prohibited by the Title IX, and awarding Plaintiffs a recovery for damages sustained;
- h. Declaring that the Defendants discriminated against and retaliated against and terminated Dr. Fortmann on the basis of his age, religion, and because he opposed the Defendants' discriminatory practices, and awarding him a recovery for damages sustained;
- i. Declaring that the Defendants discriminated against and retaliated against Dr. Cevher on the basis of her sex/gender, and because she opposed the Defendants' discriminatory practices, and awarding her a recovery for damages sustained;
- j. Declaring that the Defendants retaliated against and terminated Plaintiffs for reporting the Defendants' discriminatory conduct, including, but not limited to, sexual harassment;
- k. Awarding damages to Plaintiffs, retroactive to the date of their termination, for all lost wages and benefits resulting from the Defendants' unlawful employment practices in an amount that exceeds the jurisdictional limit of all lower courts;
- l. Awarding Plaintiffs compensatory damages for their mental and emotional injuries in an amount that exceeds the jurisdictional limit of all lower courts;
- m. An award of prejudgment and post-judgment interest;
- n. An award of punitive damages where applicable;
- o. An award of costs and expenses of this action together with reasonable attorneys' and expert fees;
- p. Such other relief as this Court deems just and proper.

JURY DEMAND

Pursuant to Rule 38(b) of the FRCP, Plaintiffs demand a trial by jury.

Dated: August 6, 2024
New York, New York

Respectfully submitted,
Akin & Salaman

/s/ Olena Tatura

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