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Superior Court
of the District of Columbia

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2 SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

3 Civil Division - Civil Action

4

2023-CAB-001645

JANE DOE,
Plaintiff pro se,

-against-

PRESIDENT AND FELLOWS OF MIDDLEBURY COLLEGE, JASON BLAZAKIS, ALEX NEWHOUSE, MATTHEW KRINER, GLOBAL INTERNET FORUM TO COUNTER TERRORISM, ERIN SALTMAN, SHIRAZ MAHIR, SAMANTHA KUTNER, BJORN IHLER, AMERICAN UNIV., BRIAN HUGHES, CYNTHIA MILLER-IDRISS, MALIKA CRIEZIS, CHELSEA DAYMON, GEORGE WASHINGTON UNIV., JON LEWIS, SEAMUS HUGHES, AMARNATH AMARASINGAM, GINA LIGON, MOONSHOT CVE, MEGHAN CONROY, INFORMA LLC, ANTHONY LEMIEUX, MAURA CONWAY, MARC-ANDRE ARGENTINO, MICHAEL LOADENTHAL, PAUL CRUICKSHANK, ROES 1-100,
Defendants.

COMPLAINT IN INTERVENTION AND RELIEF FOR VIOLATIONS OF:

(1) GENERAL DISCRIMINATION;

(2) EMPLOYMENT DISCRIMINATION;

(3) HARASSMENT;

(4) RETALIATION;

(5) EDUCATION DISCRIMINATION;

(6) AIDING AND ABETTING;

(7) DISCRIMINATORY EFFECTS;

(8) FORCED LABOR;

(9) LABOR TRAFFICKING;

(10) BENEFITING FROM TRAFFICKING; &

(11) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS.

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Jane Doe, *pro se,* alleges the following based on knowledge and belief:

5

6

SUMMARY

7 This is a case about human rights. It is a civil action for declaratory, injunctive, and monetary
8 relief under the Human Rights Act of 1977 (D.C. Code §§ 2–1401, *et seq*.), as amended, and
9 D.C. Code § 22-1840 (a) for violations of the Prohibition Against Human Trafficking
10 Amendment Act of 2010 (D.C. Code § 22-1832, *et. seq*.).

11 An independent contractor brings her claims against coordinators, participants, funders, and
12 beneficiaries of a venture in the District of Columbia by supervisors acting on behalf of the
13 Middlebury Institute of International Studies Center for Terrorism, Extremism and
14 Counterterrorism ("CTEC"), George Washington University's Program on Extremism
15 ("PoE"), American University's Polarization and Extremism Research and Innovation Lab
16 ("PERIL"), and the Global Internet Forum to Counter Terrorism ("GIFCT").

17 Plaintiff alleges 11 counts of General Discrimination (D.C. Code § 2–1402.01), Employment
18 Discrimination (D.C. Code § 2-1402.11), Harassment (D.C. Code § 2-1402.11(c-2)),
19 Retaliation (D.C Code § 2-1402.61), Education Discrimination (D. C. Code § 2-1402.41),
20 Aiding and Abetting Discrimination (D.C. Code § 2–1402.62), Discriminatory Effects (D.C.
21 Code § 2-1402.68), Forced Labor (D.C. Code § 22–1832), Labor Trafficking (D.C. Code §
22 22–1833 (1)), Benefitting from Trafficking (D.C. Code § 22–1836), and Intentional Infliction
23 of Emotional Distress. Since each of these theories of liability arise from the same set of facts,
24 Plaintiff need only prevail on one in order to be entitled to damages. *Saunders v. Hudgens*,
25 184 A.3d 345, 350.

26

NATURE OF ACTION

27 1. Plaintiff spent 2019 to 2021 researching and preparing a range of original work to pioneer
28 a brand new subfield in her profession of terrorism studies ("the field") where she was
29 employed, worked, or sought work. She also intended to use the materials to advance her
30 education. Doe's physical and cognitive health deteriorated throughout this period as a
31 result of an undiagnosed medical condition.

32 2. On an unknown date in 2020, Defendants started harassing and defaming Plaintiff to co-
33 workers, colleagues, and prospective employers on the basis of her actual or perceived
34 cognitive challenges. Defendants harassed Plaintiff for being selective about how, when,
35 to whom, and on what terms she provided her labor or services as an independent
36 contractor. As her health worsened, their targeted harassment and abuse escalated into
37 adverse actions that denied her equal opportunity to enter work contracts on non-
38 exploitative terms and conditions.

39 3. Around this time, doctors diagnosed Plaintiff with life-threatening deficiencies in Iron
40 and Vitamin B12. The severity of her anemia required aggressive treatment. Doe was not
41 able to continue working the long and arduous hours for the remainder of 2021 in order to
42 focus on her health and recovery.

43 4. Between December 2020 and March 2021, Defendants regularly and explicitly instructed
44 employees to ignore, discredit, and disassociate from Plaintiff, partially or wholly, on the
45 basis of her disability. These actions fostered conditions to coerce Doe to provide labor or
46 services against her will by means of serious harm or threats of serious harm, fraud or
47 deception, and/or abuse of law.

48 5. During this period, Defendants discriminated against her in employment decisions to
49 limit her ability to work as an independent contractor and provide labor or services to
50 them in consensual agreement.

51 6. The Defendant launched the "Accelerationism Research Consortium" ("ARC") from the
52 District of Columbia on December 23, 2021. Defendants said Doe was excluded because
53 of her disability. The intellectual core of ARC was three years of Plaintiff's labor that
54 Defendants stole from her under coercive conditions because she is not "capable" and/or
55 was not "willing to contribute" her work voluntarily. Defendants used her actual or
56 perceived disability to destroy the plaintiff's self-esteem, reputation, employment
57 opportunities, and contractual autonomy over her labor.

58 7. Defendants denied Doe access any and all means of recourse to cease or mitigate the
59 irreparable harm and severe emotional distress. Supervisors at Defendants trivialized her
60 concerns, ridiculed her, told colleagues to ignore her complaints, and implied her career
61 was over because ARC stole the value of her labor and she "as a crazy person" had no
62 value. Defendants targeted Doe with a strategy of harassment and emotional abuse. They
63 perpetrated discriminatory stereotypes of employees with mental illness by characterizing
64 Doe as delusional and untethered from reality. Defendants also knew that the foreseeable
65 result of their torment could result in the death of their victim. At all times, Defendants
66 knew the truth of Doe's allegations.

67 8. Throughout the period until January 14, 2022, Jane Doe voiced opposition to Defendant
68 Middlebury's disparate treatment. In response, Defendants retaliated against Doe.
69 Defendants required, requested, or suggested managing supervisors, by and through other
70 employers knowingly aid and abet their harassing and retaliatory conduct against Doe
71 with actual malice or reckless disregard for her rights.

9. Doe withdrew from all social and professional activity and interaction. For six months, the Defendants did not know, and did not attempt to discover, if their targeted actions resulted in the serious physical injury or death of their victim. In their own words, they did not care where Doe went as long as she was gone from the workplace and permanently forgotten. When she resurfaced, the Defendants' intense efforts had foreclosed her employment opportunities. Doe was ejected from professional associations, rescinded employment offers, and denied access to hiring and grievances processes. Even in her forced absence, the Defendants continued to harass and retaliate against Doe, and only Doe, by ridiculing and defaming her as mentally deranged to prospective D.C.-based employers, clients, or interested third parties, during public events, professional meetings, and educational programs.

10. Doe will never be able to return to the workplace or attain a doctorate as she intended due to the severe psychological injuries and enduring trauma caused by the Defendants.

PARTIES

PLAINTIFF

QUALIFICATIONS

11. Jane Doe is a 34-year-old, white Caucasian female and resident of Maryland. She is a subject matter expert on Terrorist Use of the Internet, who works or seeks work as an independent contractor in the District of Columbia.

12. Doe is a volunteer Firefighter/Emergency Medical Technician, and a certified Tactical Emergency Casualty Care provider for Rescue Task Force activations.

13. Between 2015 and 2018, Plaintiff worked in technical-human intelligence operations in

support of U.S. Military and Allied operations against the Islamic State. Her team pursued and eliminated priority threat actors located in the Levant, Southwest and Southeast Asia, and North and Sub-Saharan Africa. She also supported civilian counterterrorism operations in over two dozen countries.

14. In February 2018, Plaintiff left operations and accepted a management position at a social media discovery and data analytics company. She was responsible for the Research and Analysis Division and the team of junior and senior analysts, linguists, and rotational interns. Doe reported to the CEO and Vice-President for Intelligence and Cyber.

15. Her team analyzed and prepared reports on data collected from the company's platform, the largest commercial selection of publicly available information sources in the world. Her responsibilities also included oversight for a 24/7 web-monitoring watch floor with real-time geospatial analysis and multilingual text translation feeds in 200 languages. Doe made improvements in cyber tradecraft tailored for various public safety missions based on methods and practices she innovated in her previous technical-human intelligence operations job.

16. In mid-January 2019, she left her position to become a full-time analyst of militant accelerationism and accelerationist terrorism as an independent contractor. Doe is the world's leading authority on the doctrine of militant accelerationism and accelerationist terrorism. Her original research pioneered the subject matter in the field of terrorism studies where Doe has worked as an independent contractor at all times relevant to this Complaint.

17. The Human Rights Enhancement Amendment Act of 2022 came into effect on September 22, 2022. The legislation expanded DCHRA protections for independent contractors with

17 protected characteristics by eliminating the worker classification distinctions that
18 previously existed in D.C.Code §§ 2–1401, *et seq*. Employees are individuals "employed
19 by or seeking employment from an employer," individuals "working or seeking work as
20 an independent contractor," volunteers, and unpaid interns. D.C. Code § 2–1401.02 (9).
21 All D.C. employees are equally entitled to the civil rights protections and remedies of the
22 amended DCHRA.

23 *PROTECTED STATUS AND ACTIVITY*

24 18. The DCHRA guarantees Plaintiff the right to work and seek work as an independent
25 contractor without discrimination and unlawful harassment on the basis of disability or
26 retaliation in employment decisions for engaging in protected activity. Doe is diagnosed
27 with clinical depression and Iron-Deficient and Vitamin B12-Deficient Anemia.

28 19. This is a disability that "substantially limits one or more of the major life activities of an
29 individual having a record of such an impairment or being regarded as having such an
30 impairment," as defined by D.C. Code § 2–1401.02 (5A). The major life activities
31 affected by the disability include "mental and emotional processes, such as thinking,
32 concentrating, and interacting with other people." These are major life activities first
33 recognized in the EEOC's Compliance Manual Section 902: Definition of the Term
34 Disability (1995) and included by reference in the superseding legislation, ADA
35 Amendments Act of 2008.

36 20. Doe is entitled to the protections and relief available under DCHRA by reason of her
37 actual or perceived membership in a recognized class. D.C. Code § 2–1402.11 (a).

38 21. Plaintiff's actual or perceived disability was known to all Defendants.

39 DEFENDANTS

40 22. Defendant President and Fellows of Middlebury College ("Middlebury") are the trustees
41 for Middlebury College, a university located in Middlebury, Vermont. This suit concerns
42 Middlebury College directors, officers, employees, and/or agents employed by the
43 Middlebury Institute of International Studies ("Middlebury Institute"), a graduate school
44 of Middlebury College located in Monterey, California.

45 23. The Middlebury Institute is home to the Center for Terrorism, Extremism, and
46 Counterterrorism academic center ("CTEC") located in Monterey, California. In
47 December 2021, Middlebury Institute CTEC created Accelerationism Research
48 Consortium ("ARC") to conduct business on behalf of the employer in the District of
49 Columbia.

50 24. Defendant Jason Blazakis ("Blazakis") is employed by the President and Fellows of
51 Middlebury College. He is Defendant Middlebury's CTEC Director and ARC Board
52 Advisor. He lives and conducts business on behalf of Defendant Middlebury in the
53 District of Columbia.

54 25. Defendant Alex Newhouse ("Newhouse") is employed by the President and Fellows of
55 Middlebury College. He is Defendant Middlebury's CTEC Deputy Director and ARC
56 Director of Technical Research. He lives out-of-state and conducts business on behalf of
57 Defendant Middlebury in the District of Columbia.

58 26. Defendant Matthew Kriner ("Kriner") is employed by the President and Fellows of
59 Middlebury College. He is Defendant Middlebury's ARC Managing Director and CTEC
60 Senior Research Scholar. He lives and conducts business on behalf of Defendant

61 Middlebury in the District of Columbia.

62 27. Defendant Middlebury hired the following Defendants for ARC: Jon Lewis, Meghan
63 Conroy, Amarnath Amarasingam, Maura Conway, Brian Hughes, Seamus Hughes, Bjorn
64 Ihler, Gina Ligon, Moonshot CEO, Erin Saltman, Marc-André Argentino, Malika "Meili"
65 Criezis, Chelsea Daymon, Samantha Kutner, and Roes 1-100. Unless otherwise specified,
66 Defendants are employed by Defendant Middlebury's ARC as non-supervisors.

67 28. Defendant American University is a private university located in the District of
68 Columbia. Its campus is home to the Polarization and Extremism Research and
69 Innovation Lab academic center ("PERIL").

70 29. Defendant Cynthia Miller-Idriss ("Miller-Idriss") is employed by American University's
71 PERIL as Director. Miller-Idriss is also employed by George Washington University as a
72 PoE Senior Fellow supervised by Seamus Hughes.

73 30. Defendant Brian Hughes ("B. Hughes") is employed by American University's PERIL as
74 Deputy Director.

75 31. Defendant Malika Criezis ("Meili Criezis" or "Criezis") is employed by American
76 University's PERIL as a researcher.

77 32. Defendant Chelsea Daymon is employed by American University's PERIL as a Program
78 Manager.

79 33. Defendant American University is being sued for aiding and abetting Defendant
80 Middlebury, and any unlawful discriminatory practices it directed, participated in, or
81 failed to prevent under the authority of supervisors, Cynthia Miller-Idriss and B. Hughes,
82 acting on its behalf.

83 34. Defendant Global Internet Forum for Counter Terrorism ("GIFCT") is a 501(c)(3) tax-
84 exempt private foundation located in the District of Columbia. Founders established
85 GIFCT to provide advisory and educational services on terrorist abuse of the internet to
86 private and public sector entities. GIFCT exerts putative control over programs and
87 activities of "Global Network on Extremism and Terrorism" and "Tech Against
88 Terrorism."

89 a. Defendant Erin Marie Saltman ("Saltman") is GIFCT Director of Research.

90 35. Defendant Shiraz Mahir ("Mahir") is Director of the Global Network on Extremism and
91 Terrorism. He is also employed by King's College London.

92 36. Defendant Bjorn Magnus Jacobsen Ihler ("Ihler") was GIFCT Independent Advisory
93 Committee Chairman from July 2020 to July 2022. He is co-founder of Glitterpill.

94 37. Defendant Moonshot CVE, Ltd. ("Moonshot") is a foreign corporation headquartered in
95 the United Kingdom ("UK"). It is licensed to conduct business as Moonshot CVE USA,
96 Ltd., in the District of Columbia.

97 38. Defendant Meghan Conroy ("Conroy") was employed by Moonshot in business
98 development until November 2021.

99 39. Defendant George Washington University is a private university located in the District of
00 Columbia. Its campus is home to the Program on Extremism ("PoE") academic center.

01 40. Defendant Seamus Hughes ("S. Hughes") is employed by George Washington University
02 as PoE Deputy Director.

03 41. Defendant Jon Lewis ("Lewis") is employed by George Washington University as a PoE
04 Research Fellow supervised by Seamus Hughes.

05 42. Defendant Amaranth Amarasingam ("Amarasingam") is employed by George
06 Washington University as a PoE Senior Fellow supervised by Seamus Hughes.

07 43. Defendant Gina Ligon ("Ligon") is employed by George Washington University as a PoE
08 Senior Fellow supervised by Seamus Hughes. She is also a supervisor employed by the
09 University of Nebraska-Omaha where she directs government funding to Defendants
10 Lewis, Seamus Hughes, Mahir, and Roes 1-100.

11 44. Defendant Informa, LLC is the parent corporation of Taylor & Francis Group. Routledge
12 is a Taylor & Francis Group imprint. All three entities are headquartered in London,
13 England. Taylor & Francis Group maintains an office in New York City and is registered
14 to conduct business in Washington, D.C.

15 45. Defendant Anthony Lemieux ("Lemieux") is employed by Taylor & Francis Group. He is
16 Editor-in-Chief of the Dynamics of Asymmetric Conflict Journal. Defendant Ligon is the
17 Editor Emeritus of the publication.

18 46. Defendant Maura Conway ("Conway") is employed by Taylor & Francis Group under the
19 supervision of Anthony Lemieux. She is an editor for the Dynamics of Asymmetric
20 Conflict Journal. Conway is also a Professor at Swansea University and Dublin College
21 University.

22 47. Defendant Michael Evan Loadenthal ("Loadenthal") was hired by Lemieux to edit the
23 Special Issue of Dynamics of Asymmetric Conflict Journal, with Defendants Kriner,
24 Newhouse, and Lewis. He is also employed by the University of Cincinnati as a Research
25 Fellow.

26 48. Defendant Marc-Andre Argentino ("Argentino") is employed by Routledge as a volume

27 editor with Defendant Amarasingam for Routledge book series editor Graham Macklin.
28 Argentino is also employed by King's College London under the supervision of Shiraz
29 Mahir.

30 49. Defendant Paul Cruickshank ("Cruickshank") is employed by the U.S. Military
31 Academy's Combatting Terrorism Center in West Point, New York ("West Point"). He is
32 Editor-in-Chief of the Combatting Terrorism Center's flagship publication, the Sentinel
33 ("CTC Sentinel").

34 50. Defendant Samantha Kutner ("Kutner") is a contractor for Meta Platform's
35 Counterterrorism & Dangerous Organizations group. She is also co-founder of Glitterpill
36 with Defendant Ihler.

37 51. Defendant Roes 1-100 is a supervisory or non-supervisory employee for an unknown
38 employer or is seeking employment.

39 **JURISDICTION AND VENUE**

40 52. The Superior Court of the District of Columbia has subject matter jurisdiction over this
41 civil action pursuant to D.C. Code § 11-921. Defendants' violations of D.C. law form the
42 basis of Plaintiff's claims.

43 53. This Court has personal jurisdiction pursuant to D.C. Code §§ 13-422 & 13-423. D.C.
44 Code § 13-423(a), "has been held 'to be coextensive . . . with the Constitution's due
45 process limit.'" *Forras v. Rauf*, 812 F.3d 1102, 1106 (D.C. Cir. 2016) (quoting *Crane v.*
46 *Carr*, 814 F.2d 758, 762 (D.C. Cir. 1987)). The general constitutional limits of personal
47 jurisdiction established by the Supreme Court govern the limits of personal jurisdiction in
48 this Court.

54. Defendants Middlebury, Alex Newhouse, Matthew Kriner, Jason Blazakis, Moonshot, Meghan Conroy, Jon Lewis, Cynthia Miller-Idriss, Brian Hughes, Malika Criezis, Chelsea Daymon, Seamus Hughes, Moonshot, American University, George Washington University, and GIFCT are located by establishment, residence, and/or regular business transactions in the District of Columbia. *Shibeshi v. United States*, 932 F.Supp.2d 1, 2-3 (D.D.C. 2013).

55. Jane Doe, a Maryland resident, works or seeks work as an independent contractor in and around the District of Columbia. She is a District employee pursuant to DCHRA, D.C. Code, § 2–1401.02 (9), as amended by the Human Rights Enhancement Amendment Act of 2022. Doe's rights under the DCHRA are cognizable by the D.C. District Court "whether her 'actual place of employment' was in Maryland, the District, or both." *Matthews v. Automated Business Systems Services, Inc.,* 558 A.2d 1175, 1180 (D.C. 1989). The "gravamen of the statutory proscription is discrimination as defined; the happenstance of where the conduct works its consequences was not reasonably meant by the Council to be 'the critical factual issue.'" *Monteilh v. AFSCME, AFL–CIO*, 982 A.2d 301, 304 (D.C.2009) (citing *Matthews*, 558 A.2d at 1180).

56. Venue is proper because the factual nexus for Defendants' alleged conduct or its effects occurred in the District of Columbia. The alleged discrimination occurred in the District because the facts outlined in this Complaint satisfy both criteria established by this Court where only one is necessary. The employer's discriminatory decisions took place in the District and/or the employee experienced the effects of the discriminatory decision there. *Cole v. Boeing Co.*, 845 F. Supp. 2d 277, 284 (D.D.C. 2012). Defendants' unlawful harassment occurred in the District because the tangible effects of the conduct are felt in the District by Plaintiff, "an employee who spends the majority of her time working with

73 clients in the District of Columbia." *Sims v. Sunovion Pharmaceuticals, Inc.*, No. CV 17-
74 2519 (CKK), 2019 WL 690343, at *13 (D.D.C. Feb. 19, 2019).

75 57. Defendants are geographically dispersed and have used jurisdictional limitations to
76 prevent Doe from enjoining their adverse actions. Pendent venue doctrine is appropriate
77 for any conduct that may fall outside the natural venue of this Court because of the
78 common nucleus of facts, witnesses, and evidence. The pendent venue doctrine is an
79 exception to the general rule that "a plaintiff must demonstrate proper venue with respect
80 to each cause of action and each defendant." *Martin v. EEOC*, 19 F.Supp.3d 291, 309
81 (D.D.C. 2014) (quoting *Coltrane v. Lappin*, 885 F.Supp.2d 228, 234 (D.D.C. 2012)).
82 Under the doctrine, "when venue lies for some of a plaintiff's claims, pendent venue may
83 allow the court to entertain other claims that are not properly venued in the court." *Id*.
84 "The key consideration in the exercise of pendent venue is whether the claims originate
85 from a common nucleus of operative fact," which the allegations of this Complaint do.
86 "That test 'in itself, embodies factors that bear upon judicial economy, convenience, and
87 fairness.'" *Burnett v. Al Baraka Inv. & Dev. Corp.* , 274 F.Supp.2d 86, 98 (D.D.C. 2003).

88 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

89 58. Plaintiff has exhausted her administrative remedies. This Complaint is filed within the
90 appropriate time in the Superior Court of the District of Columbia.

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30 # FACTS COMMON TO ALL CAUSES OF ACTION

31 59. The D.C. Court of Appeals observed that complexity requires higher levels of detail at the
32 pleadings stage to establish an inference of discrimination "to give the opposing party
33 notice of what the case is all about and to show how, in the plaintiff's mind at least, the
34 dots should be connected." *Swanson v. Citibank, N.A.*, 614 F.3d 400, 404-405 (7th Cir.
35 2010).

36 60. The facts and circumstances that resulted in this Complaint began in or around October
37 2018 when Plaintiff started to work on single-handedly piecing together "one of the
38 single greatest evolutions in terrorism and political violence in history" according to
39 Defendant Middlebury. Doe was the Director of Global Analysis at her former employer.
40 She was responsible for the company's analysis portfolio on all areas of interest to clients
41 and management of the analysis team who reported to her. Her employer also guaranteed
42 tuition support for Doe's August 2018 matriculation into a part-time graduate degree
43 program at Columbia University.

44 61. On October 25, 2019, she advised Defendants Amarnath Amarasingam and Marc-Andre
45 Argentino that she suspected a foreign government was inciting domestic terrorists to
46 induce panic and cause social divisions. She urged Argentino in particular to "look into it
47 for work."

48 62. On or around November 5, 2019, Doe told Amarasingam and Argentino that violent
49 actors infiltrated QAnon to mobilize conspiracy theorists to commit acts of violence. It
50 was her belief that a foreign government was inciting violence and amplifying the effects
51 to disrupt the democratic process. She said that conspiracy theory communities on the

52 internet were being leveraged to cause partisan division. Argentino said it was "highly
53 unlikely." Plaintiff's analysis on the infiltration, the foreign involvement, and the
54 objective were confirmed months later by news and government reports. At the time,
55 however, she was alone in her conviction.

56 63. In or around mid-December 2019, Doe advised her supervisor and direct reports that
57 domestic terrorism and QAnon were being used to disrupt the democratic process. She
58 also communicated her belief a foreign government was involved in inciting violence
59 against U.S. citizens.

60 64. In the first week of January 2019, Plaintiff's employer informed her that the company's
61 business model would change in 2019. Her analysis division would focus on selling
62 analytic products. Doe was not interested in sales. She inferred that the new corporate
63 model would constrain her ability to direct the division's resources to analyze less
64 obvious and marketable threats. Plaintiff inferred correctly there was no commercial
65 interest in a national security threat no one in the U.S. Government, academia, or private
66 sector detected or understood the nature of. Plaintiff believed an unidentified network of
67 terrorists assisted by a foreign government planned to disrupt the Presidential election
68 cycle through media manipulation and political violence. Based on her work experience
69 and rare skill set, she understood that she was uniquely qualified to address the threat.
70 Doe felt obligated to commit herself to unearthing and understanding the nature and
71 scope before hostile actors irreparably damaged the cornerstone of American democracy
72 in November 2020. Two weeks later, Doe left her position at the company. Without the
73 employer's tuition support, she also abandoned the graduate program at Columbia
74 University before the Spring semester began.

75 65. and started to work or seek work as an independent contractor. Plaintif repeatedly stated

76 to colleagues that she did not want to and should not have to be the only person in the
77 country dedicated to investigating the threat of accelerationism. She stated, "You feel
78 absolutely sub-human. And if you had a job like mine, with all the stress it entailed, it
79 was easy enough to feel like nothing matters. That you were disposable. That it doesn't
80 matter what happens to you because you are worth nothing to anyone." (January 11,
81 2019).

82 66. Doe developed a series of innovations in her field that required domain relevant
83 knowledge, expertise, and the ability to combine seemingly disparate data in a novel and
84 appropriate way. She developed entirely new methodological procedures for collection
85 and analysis. She created original theoretical models based on her new technique. She
86 then analyzed terabytes of research through her models to produce creative work
87 products. Doe's unpublished work consistently demonstrated reliability and credible
88 predictions.

89 67. In or around late March 2019, Doe started writing drafts to publish her original work. She
90 shared one draft with Amarasingam at the time who recommended that she continue
91 writing a much longer piece. Doe's years-long process of writing was known to
92 Defendants. She did not expect an immediate return in employment benefits for the value
93 of her investment in labor, skill, and expenditures because there was no interest in it from
94 prospective clients or employers in industry, academia, or government. Creative work is
95 by definition novel, untested, and unproven, and the research is likely to be rejected
96 initially. This was her initial disposition when colleagues, such as Amarasingam and
97 Argentino, did not believe her at this early stage.

98 68. Plaintiff made statements expressing the psychological angst of her labor:

a. “I really don’t want to do this. I’d rather not. I wish someone else had figured this out instead of me.” (August 11, 2019)

b. “I don’t want to do this. I’m not going to be treated like I’m sub-human again. I’m sorry.” (August 12, 2019)

c. “Three years ago, I wouldn’t have hesitated to do this. Now I don’t even see the point in taking the risk.” (August 19, 2019)

d. “I was raised to believe that you should work hard, be honest, & respect other people. Bad principles, as it turns out, when others act on the presumption that you’re a lesser human until you can inflict suffering onto them as a sign of sufficient social standing.” (August 24, 2019)

69. On or around August 4, 2019, an unknown woman contacted Doe for her expertise. She wanted to know if Plaintiff could identify the tattoos of certain American extremists that the woman had been researching. Doe’s knowledge of the tattoos in the photographs was unremarkable. Plaintiff asked the woman other questions about the tattooed extremists. Both women recognized indicators that there was overlap between the extremists they studied. This woman quickly became Doe’s closest and most trusted sidekick on accelerationism research. The woman temporarily abandoned the tattooed extremist research she initially contacted Doe about.

70. On August 29, 2019, Doe was hired to teach the first-ever class on militant accelerationism based on her groundbreaking work for a foreign academic program.

71. On September 7, 2019, Plaintiff said about colleagues in the field who wanted to exploit her work, “I’m not going to show mercy to those who treated me with sadistic cruelty. All they have to do is not steal. It’s not difficult. This isn’t complicated. I did not even want to be doing this in the first place. If I have to do this to help people I believe are traitors,

23 who have made me feel so terrible about having served my country that it brings me to
24 tears every time I think about it, without any opportunity to get what I was or closer to
25 anything I want then yes, no mercy."

26 72. In October 2019, Doe's close associate discussed some of their collaborations with
27 Defendant Brian Hughes, prompting Hughes to publish a report on accelerationism in
28 December 2019.

29 73. In early January 2020, Defendant Shiraz Mahir hired Plaintiff and Defendant Amarnath
30 Amarasingam as Associate Fellows for Defendant GIFCT's new Global Network on
31 Extremism and Terrorism Fellowship program at King's College London. Only 18
32 experts were hired at the outset of the Fellowship.

33 74. On or around January 29, 2020, Defendant Chelsea Daymon interviewed Doe for over an
34 hour about her research on accelerationism and the threat it posed to liberal democracy
35 for Daymon's well-respected terrorism podcast. Defendant Matthew Kriner introduced
36 himself to Doe on social media. He described himself as a private sector analyst who
37 worked on similar topics. He was interested to learn more about accelerationism because
38 of her singular expertise on the subject matter.

39 75. From this point forward, Plaintiff and Kriner developed an ongoing work relationship to
40 "chat about accelerationism and your research so far." Kriner told Doe that he wanted his
41 employer to invest resources to original research on accelerationism. Kriner also
42 increasingly needed non-public information into her proprietary research to pitch the
43 threat to high-level government officials. Kriner told Doe it "would be good to get more
44 granularity from you on it all if you can." Plaintiff believed based on Kriner's statements
45 that her creative labor invested in the research services she provided him was being used

46 exclusively for corporate resource allocation and government investigations to apprehend
47 suspects planning terrorist attacks and to mitigate political subversion. A reasonable
48 person would not conclude Doe provided these services to Kriner for his own personal
49 use or benefit. He said his employer did not allow him to publish anything related to his
50 work.

51 76. On February 4, 2020, Defendants Mahir and GIFCT published the first article on
52 accelerationism, written by Plantiff, for the fellowship program. It became the most-read
53 article on any topic published by GIFCT until the conclusion of the fellowship 18 months
54 later.

55 77. Doe continued to spend approximately 110 hours per week reading, writing, and
56 preparing her original work for clients and prospective employers. Despite her
57 productivity, the pressure she placed on herself about the quality of her work contributed
58 to persistent and overwhelming anxiety and depression.

59 78. In or around March 2020, a psychiatrist prescribed medication to treat Doe's clinical
60 depression. Doe also started weekly meetings with a psychologist to cope with her
61 deteriorating mental health. Conversation focused on the pressure and isolation of her
62 work, her deeply conflicted emotions about publishing, intensifying conditions of explicit
63 and implicit coercion by colleagues to provide them with her labor privately, or services
64 publicly, to avoid investing their own labor and time to conduct independent research. No
65 colleague she knew or had worked with would "lift a finger to help" her. She grew to
66 resent ongoing amplification of unreliable terrorism analysis warped by a state-backed
67 information operation despite her persistant warnings to individuals in the field. Plaintiff
68 experienced severe psychological distress because she was forced into a position where
69 she either suffered defamatory harassment behind her back to maintain autonomy over

70 her creative labor, or she could avoid being harmed if she provided her labor or services
71 to Defendants at their convenience and in the formats they expected or preferred.
72 Defendants did not offer Plaintiff any positive benefit in return except the implication that
73 her provision of labor or services would relieve her of their coercive threats.
74 Conversations on these and related topics dominated every session between Doe and the
75 psychologist for more than a year.

76 79. On April 3, 2020, Defendant Malika Criezis reached out to express concerned relief about
77 Doe's mental health and physical safety. Criezis wrote, "I'm really relieved that you are
78 around (I know things aren't ok but thank you for updating all of us because we were
79 worried). Please stay safe and well and I appreciate the work that you do."

80 80. On July 25, 2020, Kriner and Plaintiff discussed her ongoing experience of workplace
81 hostility and disparate treatment. Doe recounted harassment from a colleague who
82 "wanted my research on black nationalist terrorist attacks earlier and I wouldn't send it to
83 him. I guess he's pissed about it. People don't realize that the time it takes to compile that
84 information is valuable…not all of us are supported through a university. He expected me
85 to hand it over and I wouldn't, so now he's [publicly making passive-aggressive
86 criticisms of] me. That's his problem. I told them for a year and a half to do their own
87 research on accelerationism." Kriner empathized with Doe's frustration about property
88 interests in her work, "When I built a database…I had to manually comb reporting and
89 reports. There wasn't anyone to just HAND me that shit lol."

90 81. On August 11, 2020, Plaintiff said, "I have a bad attitude [because] I didn't want to do
91 this & now I'm in an unenviable position [with respect to] a terrorist network & hostile
92 nation to protect people that ignore me, belittle me, & turn their noses up at me…." Later
93 that day, Doe was transported by ambulance to the Emergency Department after she

94 experienced a medical event of unclear etiology that resembled seizures. At the hospital,
95 Doe learned she weighed approximately 100 lbs. She had inadvertently lost over 50 lbs.
96 since February 2019.

97 82. On August 18, 2020, Kriner asked Doe when she planned to begin publishing scholarship
98 on her unpublished research on accelerationism because he didn't "want to put anything
99 out… before you set the stage."

00 83. She replied she was "a little behind with recent events but it won't be too long. I don't
01 want to hold you up though. I can always give you a sneak peek and you can cite it as
02 "forthcoming."" He said she had "a good reason to be behind schedule."

03 84. On August 23 and 30, 2020, the plaintiff spoke to Amarnath Amarasingam. He
04 understood that Doe would use her research to constitute the basis for both employment
05 and educational opportunities. He supported her plan to "take what you love doing" and
06 "double-dip."

07 85. On September 25, 2020, Plaintiff mentioned Defendant Newhouse's article to one of her
08 closest mentors who had also taught Newhouse two years earlier in Defendant
09 Middlebury's masters program. She said that "in that one section he took the concept that
10 I'd been talking about and changed the name slightly to present it as his own." Her
11 mentor replied that "young researchers (like him) are infamous for not citing other
12 research and it's often a lack of lit[erature] review."

13 86. On October 25, 2020, Kriner told Doe that Defendant Jason Blazakis was recruiting him
14 from his then-employer to work with CTEC on a project after reading Kriner's report on
15 domestic militias. Kriner said that the extent of his contact with Blazakis was limited to a
16 few emails and he planned to schedule a brainstorming session. Kriner did not yet know

17 Defendant Alex Newhouse at that point. When Doe asked about the scope of the project,
18 Kriner said, "No specific scope yet…I'm hoping they can get their hands on data not
19 available to commercial entities."

20 87. In November 2020, Defendant Middlebury advertised two open job positions at CTEC.
21 Doe asked Newhouse if Defendant Middlebury hired employees for independent
22 contracts with CTEC. Newhouse replied that it happened occasionally and said he would
23 let her know when independent contractor opportunities were available because "it would
24 be awesome to work with you."

25 88. On December 8, 2020, Kriner applied and interviewed for a full-time position at CTEC,
26 which Doe had encouraged. Kriner said he believed Newhouse was trustworthy and
27 might "be a good person to talk to about accelerationism tracking." Doe replied "Maybe
28 we can [collaborate] on a paper if you join him at CTEC." Kriner agreed.

29 89. On December 15, 2020, American University's PERIL academic center released a report.

30 90. The report contained substantial theoretical components and research from Doe's
31 unpublished work, including "the Sorel angle," a concept from Doe's theoretical model.
32 The authors recognized external subject matter experts for their contributions. Doe was
33 not asked to contribute or recognized for her original work incorporated in the report.

34 91. On December 16, 2020, Doe prepared to apply to the doctoral program she had discussed
35 with Amarasingam in August. She asked Defendant Cynthia Miller-Iriss and two other
36 colleagues to write letters of recommendation to support her application.

37 92. Doe requested that Miller-Idriss not tell anyone because "I'm concerned someone in our
38 field may get wind of my intentions and use their academic gravitas to sabotage my

39 already-slim chances of admissions." Miller-Idriss agreed.

40 93. On December 21, 2020, Doe sent Miller-Idriss an unfinished draft of her application
41 research statement to inform her recommendation.

42 94. On December 22, 2020, Miller-Idriss replied, "I think it's good, just a bit long, and if I
43 didn't feel I could write you a strong letter, I would decline. I think you should get the
44 credential and get out there making changes in how the world sees this stuff. You have
45 great ideas and need ways to get them out there and the methods and empirical design to
46 test them out."

47 95. On January 1, 2021, Kriner told Doe that he and Defendant Jon Lewis were co-authoring
48 a scholarly article for West Point on a populist militia movement that they intended to
49 publish in West Point's January 2021 issue.

50 96. He said he was "trying to seed some [accelerationism] stuff for you and me to tackle later
51 on."

52 97. In mid-January 2021, Kriner was offered and declined the position at CTEC because the
53 defendant did not have the "operational budget and growth potential" he sought.

54 98. On January 28, 2021, Jane Doe discussed with Kriner various opportunities to collaborate
55 on papers that included her research and analyses. She specifically identified Defendant
56 Middlebury as a potential employer.

57 99. Kriner said, "I can ask at each of those." Doe replied "We can ask together. One of them
58 will say yes." Kriner was "not sure their [Defendants] receptivity" unless Lewis or
59 Newhouse were credited as co-authors on the scholarship.

60 100. On January 29, 2021, Kriner told Doe that he was starting a book on the populist militia

61 movement and aimed to complete the manuscript by February 2022. Doe encouraged
62 him.

63 101. On February 1, 2021, Kriner told Doe that he thought she'd appreciate the new angle for
64 his West Point article with Jon Lewis. He said they were "really leaning into the role that
65 insurrectionary accelerationism plays in precipitating violence from the movement to
66 date, and the interconnectivity of actors."

67 102. West Point published the article by Kriner and Lewis in its February 2021 issue. The
68 authors credited Doe for defining "accelerationism." They did not credit her in the
69 remainder of the article for the unacknowledged original work the authors used, such as
70 the "Sorel angle," a foundational concept developed by Doe.

71 103. Doe did not believe her absence was intentional. The plaintiff recalled Kriner's August
72 2020 comments about wanting Doe's scholarship to "set the stage" for the discourse. She
73 interpreted the premature application of the "Sorel angle" as an accident.

74 104. Crediting Doe with the "definition" in a footnote would become common practice by the
75 Defendants to deflect the validity of her complaints about the extensive plagiarism of her
76 novel theoretical models, original research, and unpublished scholarship.

77 105. On February 21, 2021, Kriner solicited Doe's input on resource allocation and strategic
78 threat priorities for his employer, explaining that he was "trying to come up with some
79 outcome goal planning as I get more resources assigned to me." Kriner asked to arrange a
80 strategy meeting. Doe agreed to consult with him on it after she knew her medical status.
81 "I have a thing [in] the middle of March that will determine the rest of my year-ish, so
82 how about we chat after that?"

83 106. Around this time, the Plaintiff created a dedicated work space on the encrypted
84 messaging system Keybase. Doe named the space "The Owls of Minerva," after the
85 Roman goddess of wisdom. There were channels for research and a discussion area called
86 "Parliament." The layout and features of the workspace could not be confused for a social
87 "chat" group. It was created one year into the global pandemic when in-person work
88 environments, including on Defendant Middlebury's Monterey campus, remained closed
89 while employees worked in virtual spaces in the interest of public health. The field of
90 terrorism studies was no different in this respect. The virtual work space's description
91 read "[t]he owl of Minerva flies at dusk," a quote by German philosopher G. W. Hegel.
92 The mission statement also paid homage to the legend that Cicero, dismayed that the
93 Roman Republic was on the brink of falling to Julius Caesar, recorded on a scrap of
94 parchment found tattered and charred after the collapse, "To Minerva, Guardian of
95 Rome." The Keybase group represented the totality of researchers in the field willing to
96 learn from her and invest their own labor to produce original work on accelerationism.

97 107. On February 26, 2021, the Ph.D. Admissions Committee informed Plaintiff that she was
98 not accepted into the doctoral program she applied for. Doe relayed this information to
99 Miller-Idriss who was sympathetic. The professor said the financial impact of the
00 pandemic had caused universities across the country to reduce funding available to accept
01 the usual number of applicants.

02 108. On March 7, 2021, Doe checked in on the Parliament of Minerva's Owls. Kriner and
03 Newhouse were asking Doe questions about her research. Rather, Doe's impression at the
04 time was elicitation, not inquiry. She told them to do the reading and then discuss it with
05 her. They both said they wanted "short cuts." They couldn't understand why she wouldn't
06 give away her analysis to save them the extensive time and effort that she spent gathering

07 the research. Doe told Kriner and Newhouse to do their own original work or at the very
08 least do the reading of texts she recommended to help them understand. Next they
09 proposed forming an organization and making all the research public. She told them that
10 they could do that when they had their own original research, but not with hers. She felt
11 like she was being used by Kriner and Newhouse. Her offers to help them learn were
12 being exploited. She was upset. This was the only incident when Doe did not champion
13 Kriner and Newhouse and instead took a firmer tone. She said she did not want them to
14 be "Anons," amateur internet sleuths known to bungle things when their ad hoc schemes
15 interfere in actual counterterrorism operations. Doe told them that she was the only one of
16 them who had professional experience stopping terrorists and she wanted them to
17 understand the threat before they made mistakes that could not be reversed. Doe said
18 privately to her closest associate, "I brought everyone together so that we could help them
19 learn how to research [accelerationism] and they in turn can contribute to what we know.
20 There is too much ground to cover and [we] can't do it all. They don't know enough
21 about what's going on yet to form anything more than a half-baked knee jerk reaction
22 with short-term adrenaline rush and long-term disadvantage to our side." She returned to
23 Parliament and apologized to Newhouse and Kriner if they felt disrespected. Doe
24 explained that she did not like people who use trump cards to win an argument. She said
25 she did not want to come off that way and regretted that she had given that impression by
26 inserting her counterterrorism accomplishments.

27 109. On March 26, 2021, her primary care physician said Doe's bloodwork showed life-
28 threatening deficiencies in iron and vitamin B12. The doctor advised her to immediately
29 make an appointment with a specialist in oncology and hematology.

30 110. In or around late March 2021, PERIL employees, including Malika Criezis, advised "[co-

31 workers] many times not to listen to things you [Doe] have to say" in the course of their
32 work for American University. Employees were admonished for making positive remarks
33 about Doe and told not to engage, associate with, listen to, or mention Doe. The only
34 acceptable comments about Doe were demeaning and discriminatory references to her
35 disability.

36 111. Starting in April 2021, Doe's attention focused on a search for new housing
37 accommodations during the housing crisis. Her landlord unexpectedly changed the terms
38 of her rental agreement. The landlord frequently turned off the water supply when Doe
39 returned home to shower and wash off carcinogenic toxins after firefighting. Without
40 notice, strangers moved in and out of the basement apartment at all hours of the day and
41 night in the house Doe rented alone. It caused her significant trouble and stress until she
42 moved out a few months later. Plaintiff's housing troubles at this time were well-known
43 to Defendants Kriner, Miller-Idriss, Criezis, Amarasingam, Kutner, Ihler, and Roes 1-
44 100.

45 112. On April 13, 2021, Shiraz Mahir informed the Global Network on Extremism and
46 Terrorism employees by email that their fellowships and preferential affiliations with
47 GIFCT were being terminated in May 2021. The email stated that research by subject
48 matter experts would now be hired, compensated, and invoiced directly as independent
49 contractors. The transition to a "horizontal partnership" model changed the nature of the
50 legal protections for the purposes of UK employment law. During the fellowship, workers
51 were entitled by UK law to rights that include "protection against unlawful
52 discrimination" on the basis of disability and "not to be treated less favorably if they work
53 part-time." These protections dissolved under the new arrangement where contributors
54 were independent contractors. After the transition, the supervisors of GIFCT institutional

55 partners, such as Defendants Seamus Hughes and George Washington University, gained
56 greater control over hiring processes for GIFCT-related job opportunities.

57 113. On April 14, 2021, Newhouse messaged Plaintiff to request permission for a junior
58 researcher to gain access to the Keybase virtual workspace because she "[w]ould be a
59 huge asset to the group and also she's trustworthy and brilliant." Doe agreed.

60 114. On April 20, 2021, Doe's hematologist wrote that "cognitive changes recently could be
61 related to iron deficiency…she is severely anemic but tolerating this well" and advised
62 that she needed intravenous iron infusions noting "this is urgent." The hematologist told
63 Doe that her vitamin B12 was also at a dangerous level and the "potential consequences
64 of this are significant."

65 115. On April 27, 2021, Paul Cruickshank published an article by Cynthia Miller-Idriss and
66 Brian Hughes on "mobilizing concepts" through West Point. It was Doe's theoretical
67 model. While Plaintiff was upset by the misappropriation, her theory caught the attention
68 of colleagues who spent the past two years harassing and ignoring her. Plaintiff did not
69 want to accuse the authors of misconduct now that people were listening and finally open
70 to conducting their own research on it. Doe was afraid her groundbreaking theory would
71 be abandoned once the field knew it originated with Doe. Doe stayed silent so that
72 Cynthia Miller-Idriss and Brian Hughes to give plausible deniability.

73 116. On May 20, 2021, Paul Cruickshank published an article credited to Alex Newhouse
74 through West Point. Doe did not read Newhouse's article when it was published because
75 she was in the process of buying her first home. Newhouse did not contribute any
76 intellectual labor to the substance of the article. He adopted the same phrasing from Doe's
77 January 2020 interview with Chelsea Daymon. Newhouse used a technique called parallel

78 construction to present Doe's original work and attribute the source of his information to
79 an open database. Parallel construction is qualitatively different than academic
80 malfeasance. The significance as it pertains to this Complaint warrants explanation.
81 Parallel construction is a technique for the cross-over between intelligence and law
82 enforcement operations. A suspect may be identified as a threat in the course of an
83 intelligence operation. Prosecution requires evidence and chain of custody to establish the
84 requisite elements of criminal intent and acts in court, but ongoing intelligence operations
85 are compromised when a source or method of intelligence is identified in public
86 documents. To balance the equities, a transition takes place. New actors working on
87 behalf of law enforcement are introduced to collect admissible evidence that may
88 establish an analogous threat the suspect poses to public safety. It is not the original threat
89 that brought the suspect on the radar. The criminal case is built on evidence deliberately
90 designed to render the sources and methods redundant. Parallel construction is an
91 essential tool in national security investigations, but practitioners do not dispute that its
92 inherent purpose is deception. Concealing the original source of intelligence and/or
93 method of collection is justified because it allows intelligence operations to continue in
94 the shadows while law enforcement can bring bad actors to light. The purpose of applying
95 parallel construction in the publication of academic scholarship is to deliberately erase
96 from historical record the original researcher and the methods the original researcher used
97 to make the discovery. The practice pretends the intellectual labor never happened
98 because the person who labored does not exist. It does not resemble a forgotten footnote.

99 117. Around this time, Plaintiff's psychologist abruptly announced she accepted a new
00 employment position and would be leaving her current role by June 1, 2021. This upset
01 and worried Doe because of the stressful circumstances.

02 118. On June 15, 2021, Doe purchased her first home. The shortage of affordable homes
03 required removing rotted floorboards, colonies of mold in the walls and ceiling, and
04 exposed electrical wiring throughout the house.

05 119. During this period, the plaintiff's mother precipitously declined in health. Her mother is a
06 graduate of Columbia University School of Journalism and Harvard Business School, but
07 around this time in 2021 she could not speak in complete sentences, find basic words, or
08 hold intelligible conversations.

09 120. As her mother's "next of kin," Doe coordinated with doctors for examinations and
10 treatment options. Medical specialists diagnosed her mother with a degenerative
11 neurological condition. Doe's time and attention were focused on admitting her mother to
12 an experimental medical trial for her treatment.

13 121. On June 28, 2021, Kriner messaged Doe. He wanted to know the answers to specific
14 questions about her research. Doe told Kriner that if he or his employer wanted to use her
15 research in the workplace she needed a contract with his employer and compensation.
16 Kriner said, "Ok I'll see if there's a budget I'm able to access for that."

17 122. On July 6, 2021, the plaintiff received an email from an employer about a series of essays
18 Doe had proposed and was in the process of writing. The plaintiff apologized for its
19 delay, "I had to put my professional obligations on hold for the past two months for
20 personal reasons…it only needs to be revised and edited."

21 123. When Doe next returned to Keybase, the proceedings of Parliament had abruptly ceased.

22 124. Every researcher Doe invited to Owls of Minerva was recruited, selected, or hired by
23 Defendant Middlebury for ARC except for one. The other excluded scholar has an actual

24 or perceived disability like Doe.

25 125. Doe asked Kriner on multiple occasions where the research group had gone. Each time,
26 he replied that it was too sensitive and he wouldn't talk about it online. Kriner stated the
27 plaintiff needed to wait to learn about the undisclosed course of events until his schedule
28 was less busy and could be done in person. Doe said she trusted his judgment.

29 126. Without disclosing the details, another Keybase member informed her there was a
30 "security breach."

31 127. The hostile statements in the workplace conveyed the understanding to one witness that
32 Doe was "being called a crank" by figures in positions of authority. The witness stated
33 that employees could not mention Doe when employment opportunities were available
34 for which she would have otherwise been considered highly qualified because of the
35 explicitly stated hostility towards her disability. Plaintiff was the only person harassed in
36 this manner. Junior researchers taught by Plaintiff on the subject who "basically believed
37 the same things as you [Doe]" were hired and praised by PERIL employees.

38 128. In or around July 2021, Plaintiff learned that Defendant Amarasingam was privately
39 accusing Doe of "baiting" colleagues to lure them into debates on terrorism and national
40 security issues to "play mind games." Doe was informed of this development in a
41 professional group where approximately 10% of the members were hired by Defendant
42 Middlebury's ARC. Amarasingam implied Doe was not engaging others in the good faith
43 essential to scholarly debate. The plaintiff learned Amarasingam was privately
44 encouraging members of the professional groups to pretend Doe did not exist.
45 Amarasingam paid particular attention to co-workers who worked closely and
46 continuously with Doe to disassociate with her.

47 129. One recipient of this advice, an ARC employee, prefaced a reply to Doe with "I know
48 Amar will be mad at me for responding to you, but…" Like Defendant Criezis,
49 Defendant Amarasingam's "stay-away" warnings about Doe were backed by
50 intimidation. Doe inferred the purpose was to foster a professional environment
51 sufficiently hostile to Doe that she would choose to leave the field voluntarily. Plaintiff's
52 suspicion was later confirmed in statements to a third party by Defendant Samantha
53 Kutner.

54 130. Defendant Amarasingam did not reveal the objective of Doe's mind games nor did he
55 describe the mind games with any particularity. The "mind games" accusation relied on
56 stereotypes about her mental illness to reframe Plaintiff's intelligence into a threat to
57 social cohesion. Amarasingam's "mind games" harassment resurfaced in the immediate
58 aftermath of ARC's formation. Colleagues to whom he had given this advice berated Doe
59 for her extreme emotional distress at a time when Amarasingam himself expressed
60 concern Doe would commit suicide.

61 131. On August 24, 2021, Doe attended a GIFCT work event.

62 132. On September 23, 2021, Kriner, Newhouse, and Meghan Conroy started publishing a
63 series of plagiarized articles through GIFCT. Doe was unaware that Director Shiraz
64 Mahir had "reassigned" Plaintiff's accelerationism series. Unlike Plaintiff who had been
65 contracted to write the articles, none of the authors had a professional relationship with
66 GIFCT or King's College London up to this point.

67 133. On October 1, 2021, DHS awarded a grant to CTEC to fund the proposal Newhouse
68 submitted in May. DHS made the grant winners' applications public. CTEC's submission
69 strongly resembled the substance and format of the research project Doe proposed for her

70 doctorate in December 2020.

71 134. On October 6, 2021, the plaintiff was ejected from the academic collective without
72 explanation. The drafter of the group's disciplinary policies and procedures contacted
73 Doe with surprise and confusion about her abrupt departure. Doe said she did not know
74 either. Doe and her colleague were not yet aware that Defendant Middlebury's ARC hired
75 10% or more of the academic collective members.

76 135. On October 15, 2021, Kriner announced his new employment with the defendant on
77 social media along with news that CTEC formed a new initiative dedicated to
78 accelerationism called the Accelerationism Threat Assessment and Research Initiative
79 ("ATARI"). She publicly praised Kriner and Newhouse and told colleagues that "ATARI
80 will be a research project worth keeping an eye on and I can't wait to see what they have
81 in store." Jane Doe interpreted the establishment of ATARI as a venue for Defendant
82 Middlebury's employees to conduct and publish original work on accelerationism. She
83 did not know what Defendants "[had] in store" for their research project because she was
84 not aware of any original work done by Kriner or Newhouse on accelerationism.

85 136. It is Doe's understanding that no original research or published scholarship was produced
86 by or published through ATARI from October 2021 to the present day. No events have
87 been scheduled by ATARI on behalf of Defendant Middlebury. All CTEC reports,
88 interviews, and presentations on accelerationism were delivered by and through
89 Defendant Middlebury's ARC.

90 137. Doe privately congratulated Kriner. He said "I've been doing stuff for a while" for
91 Defendant Middlebury. Until this conversation, Doe was unaware of Kriner's
92 employment relationship with Defendant Middlebury since he declined the CTEC

position in January 2021. Like Doe and Kriner's conversation in December 2020, Doe once again brought up working with Kriner and Newhouse on accelerationism on behalf of their employer Defendant Middlebury. Kriner replied it was "[d]efinitely on [his] radar of things to tackle."

138. She also asked, "When do I find out what happened to Minerva's Owls?" No answer was forthcoming.

139. Kriner, Newhouse, and Lewis announced they secured a book contract to publish the definitive scholarship on the modern doctrine of militant accelerationism. It was not clear to Doe how Kriner, Newhouse, or Lewis could write a manuscript on the topic on the basis of their own work rather than Doe's original work.

140. Doe publicly supported their book project and did not mention her reservations. She still relied in good faith on Defendants' representations made to her.

141. She boosted Defendants' career advancement whenever it warranted mention. Her support and encouragement was not reciprocated by Defendants, but Doe did not expect the praise of junior analysts to contribute meaningfully to her own standing in the field.

142. Doe lavished her encouragement on Defendants up to and including earlier in the same day she learned about ARC. Doe's good faith public support in 2021 was used against her on at least one occasion to blame her for the Defendants' adverse actions and the injuries she suffered.

143. Maura Conway organized an academic terrorism studies conference ("UK conference") held at the University of Swansea and sponsored by VOX-Pol Network. Prospective presenters were invited to submit their academic papers for the 2022 UK conference by

15 no later than October 2021. The papers were selected and the scheduled panels were
16 announced approximately three weeks before ARC. This is a biannual event that skipped
17 2020 because of COVID-19. The last VOX-Pol Network conference was held August
18 2018. Doe presented one of her papers at Conway's 2018 conference next to
19 Amarasingam where Erin Saltman also asked Doe a question from the audience.

20 144. On November 11, 2021, Plaintiff became aware that then-Moonshot employee Meghan
21 Conroy conducted an interview with Defendants Newhouse, Kriner, and Lewis on Doe's
22 original work. The interview was published by the Centre for the Analysis of the Radical
23 Right ("CARR"), a London-based policy center that employs four of Defendant
24 Middlebury's ARC employees as Fellows, including Conroy.

25 145. The interview deviated from standard practice and custom in the field. When Plaintiff
26 asked colleagues to provide a single comparable example in the past twenty years where
27 other people are interviewed on original work they did not do. There were none because
28 acting contrary to this custom would make peer-review and pre-publication
29 improvements impossible. No reasonable employee would submit their unpublished
30 scholarship and original research for appraisal by individuals who would turn around and
31 present it in the public domain as their own in the manner of Conroy, Newhouse, Kriner,
32 and Lewis. It is a fundamental principle that an individual is always interviewed on his or
33 her own original work unless they are deceased or incapacitated.

34 146. She publicly complained about CARR's professional misconduct concerning the
35 interview. Doe had never heard of Megan Conroy, the interviewer. She thought
36 interviewer Conroy was a CARR intern and did not know better. Doe mistakenly placed
37 the blame entirely on CARR's management for failing to train their junior staff on basic
38 professional responsibility.

39 147. Plaintiff even expressed a reserved defense of the academic ethics of Kriner, Newhouse,
40 and Lewis in the interview due to Doe's ignorance about Defendant Middlebury's ARC at
41 that point. She was not aware that Conroy, Kriner, Newhouse, and Lewis had an
42 undisclosed conflict of interest that motivated their misrepresentation of her work.
43 Conroy was Defendant Middlebury's ARC "Chief of Staff".

44 148. Doe's complaints and obvious distress compelled Kriner, Newhouse, and Lewis to
45 persuade Meghan Conroy to edit the interview. Conroy included a minimal
46 acknowledgement in one quote from Lewis at the bottom of the article that Doe was the
47 "inspiration" for their research on accelerationism. The substance of the CARR interview
48 consisted of work Doe had shared in confidence. There was no novelty introduced in the
49 interview by Newhouse, Lewis, or Kriner. She was not the inspiration, she was the
50 source.

51 149. Kriner messaged her afterwards to say that "We [Kriner, Newhouse, and Lewis] give you
52 a shoutout in the book for your early contribution to the understanding of
53 accelerationism." It marked a turning point for Doe's awareness of the Defendants'
54 intent. Plaintiff did not know what Kriner meant by "early" contribution, but she was
55 insulted by the whole incident and did not respond.

56 150. On November 16, 2021, Seamus Hughes presented policy recommendations to the
57 California State Assembly. Hughes' written statement was sponsored by NCITE Director
58 Gina Ligon. Gina Ligon is in an employment relationship with the Program on
59 Extremism as non-supervisory Senior Fellow hired and supervised by Deputy Director
60 Seamus Hughes. Director Ligon also hired and employs Program on Extremism non-
61 supervisory employee Jon Lewis as an independent contractor for NCITE. The contracted
62 work is concurrent with his full-time employment duties for Seamus Hughes and George

863 Washington University. The threat landscape Hughes discussed on two of the seven pages
864 was broadly indistinguishable from the analysis Hughes knew came from Doe and for
865 which Hughes repeatedly defamed her since 2019. Hughes attributed his assessment to
866 the research and scholarship of Newhouse, Kriner, and Lewis.

867 151. On December 14, 2021, a West Point employee contacted Plaintiff. He asked if she would
868 be the external reviewer for an article submitted to the CTC Sentinel to provide "a general
869 sense of how you view the piece, given your knowledge/experience with the topic." As
870 soon as she viewed the draft, Doe knew who wrote it. It contained a substantial overlap in
871 original research and analysis with her original research. Plaintiff did not consider it an
872 intrusion into her work because the author had been Plaintiff's most trusted and capable
873 collaborator since August 2019. Doe encouraged the collaborator to write and publish her
874 master's thesis for Defendant American University as an article for the CTC Sentinel,
875 which was the draft Plaintiff now reviewed. The draft Doe received did not have any
876 footnotes. When Doe sent her completed review, she emphasized that the author needed
877 to give credit for a section of the paper that relied on the other analyst's unpublished
878 work. The West Point employee offered to send her a version with the length of citations,
879 but Doe replied that it was unnecessary because she had no reason to suspect wrongdoing.
880 He mentioned that CTC had solicited another article on the topic and intimated that Doe
881 would be the external reviewer on that piece once it was submitted. The West Point
882 employee suggested that "[o]nce things settle down on the house renovation front for you,
883 get in touch as it would be good to revisit a potential future CTC Sentinel submission
884 from you."

885 152. On December 22, 2021, Paul Cruickshank printed an article by Kriner and Lewis as the
886 centerpiece of the monthly West Point CTC Sentinel issue. Plaintiff does not allege that

87 any aspect of this essay was plagiarized. The December CTC Sentinel publication also
88 contained the article Plaintiff reviewed in November.

89 153. On December 23, 2021, Plaintiff learned about Defendant Middlebury's ARC when
90 GIFCT Independent Advisory Committee Chairman Bjorn Ihler announced his
91 involvement. Doe read the list of other employees hired by Defendant Middlebury's
92 CTEC supervisors. There were a total of 30. Kriner's Chief of Staff was Meghan Conroy,
93 author of the plagiarized November CARR interview. She was hired for ARC along with
94 CARR Technology Unit supervisor Ashton Kingdon and Defendant Moonshot's CEO
95 Vidhya Ramalingam, Conroy's former employer. There were full-time employees of
96 Defendant Middlebury, such Kriner, Newhouse, Blazakis, Amy Cooter and Erica
97 Barbarossa, as well as Robin O'Luanaigh who left her job at Defendant Moonshot for
98 employment at Defendant Middlebury shortly thereafter. Defendants Kriner, Newhouse,
99 and Blazakis hired 50% of American University PERIL's full-time employees under
00 Miller-Idriss' supervision, including Brian Hughes, Chelsea Daymon, Meili Criezis, and
01 Kesa White. ARC Policy Director Jon Lewis hired both of his supervisors, Seamus
02 Hughes and Gina Ligon. All but four of ARC's remaining employees were in
03 employment relationships with GIFCT, GIFCT's technology companies, and/or
04 employed by the Directors of GIFCT's two partners Tech Against Terrorism and Global
05 Network on Extremism and Terrorism at King's College London, where Doe had been an
06 Associate Fellow. The final four were Doe's most trusted associate, the nation's leading
07 expert on Kriner's favorite militia, a former Deputy Attorney General of the U.S. Justice
08 Department, and Maura Conway.

09 154. Matthew Kriner, Alex Newhouse, Jon Lewis, H. E. Upchurch, Brian Hughes, and
10 Samantha Kutner were participants in Minerva's Owls. Plaintiff had been interviewed by

11 Chelsea Daymon on The Loopcast podcast in January 2020. Doe had corresponded with
12 Graham Macklin in September 2019 on the subject. Doe and Meili Criezis spoke for two
13 hours in 2019. Maura Conway, Seamus Hughes, Gina Ligon, Marc-Andre Argentino, and
14 Amarnath Amarasingam had been aware of Doe's analysis on accelerationism since at
15 least February 2019 and the latter two since October 2018. Twenty-five percent of ARC
16 employees were active in the academic collective Doe left in October. This was the first
17 time she learned that anyone in the field other than the individuals she recruited for
18 Minerva's Owls believed her because the others had not once acknowledged the
19 credibility of her research after dismissing it for several years and telling people to ignore
20 her.

21 155. Doe realized Defendants' plagiarism, harassment, and disparate treatment were not
22 isolated incidents that occurred by coincidence when she was recovering from the serious
23 physical and cognitive effects of her illness. Plaintiff reviewed the CTC Sentinel article
24 published the day earlier and observed that she was not credited anywhere in it. Daymon
25 owned the rights to the 2020 interview. Publications authored or co-authored by Kriner,
26 Lewis, Newhouse, Upchurch, and Brian Hughes contained independently plagiarized
27 material that, when put together, Defendant Middlebury's ARC could claim collective
28 intellectual ownership of Plaintiff's doctrine to the exclusion of its creator. Doe
29 understood this was the reason Defendants waited to announce its formation until the
30 week Defendant Cruickshank printed the article by Doe's close collaborator. Defendant
31 Middlebury's ARC consolidated copyrights to three years of Doe's creative labor, skills,
32 and ideas on behalf of the employer by hiring individuals who knew the work belonged to
33 her. After ARC formed, Defendant Brian Hughes and Upchurch encouraged Plaintiff to
34 leave the field. ARC employees who did not have access to Doe's research and did not

35 hold a relevant copyright were individuals who spent much of 2021 harassing and
36 defaming Doe, such as Defendants Amarasingam, Argentino, Criezis, Ihler, Seamus
37 Hughes, and Roes 1-100. Defendant Middlebury's ARC pooled the professional benefits
38 of Doe's exploitation among its participants.

39 156. On December 24, 2021, Doe complained to Defendant Anthony Lemieux about
40 Defendant Middlebury's ARC. Lemieux replied that he did not know anything about
41 Defendant Middlebury's ARC and never heard of Defendants Newhouse or Kriner's
42 expertise. Lemieux said to Doe, "I would assume that you would be part" of any research
43 undertaking on the subject. He added, "For what its worth, I would advocate for you
44 writing up and publishing your work and analysis so that it can be properly, cited,
45 credited, etc."

46 157. Defendant Middlebury's ARC hired PoE Deputy Director Seamus Hughes for its Board
47 of Advisors. Plaintiff asked him directly if he stood behind the misconduct of Defendants
48 Lewis and Middlebury. Doe said, "Without any exaggeration, I feel like I've been very
49 publicly and brutally gang-raped while everyone I know watched and cheered them on."

50 158. On Christmas Day 2021, Doe said "I plan to post a video before the new year. It may be
51 the last time many of you ever hear from me." Doe needed to be believed about her work.
52 She could not

53 159. On December 27, 2022, Seamus Hughes said that people who are "smart" but not "even-
54 keeled" have a "short shelf life in the field." This was commonly understood as a
55 reference to Doe and her mental health implying the end of her career as a proximate
56 result of her exclusion from ARC. A colleague immediately recognized the comment was
57 about Doe and privately sent it to her. Doe understood this was Seamus Hughes' indirect

58 reply to her earlier question about standing behind unlawful conduct.

59 160. Doe once again addressed Seamus Hughes directly. He said Plaintiff's complaints did not
60 warrant a reply. According to him, Doe's rhetoric about dehumanization and exploitation
61 was insulting to female colleagues who were legitimately victimized unlike Doe. He
62 trivialized her complaint to "a missing footnote." Plaintiff replied that she was not a
63 footnote. Doe explained that it was not an academic integrity issue per se when multiple
64 Defendants violated her trust and confidence to steal three years of her life's work and
65 degraded her as too mentally unfit to benefit from the value of her mind.

66 161. Seamus Hughes was one of multiple Defendants who used Plaintiff's colorful analogies
67 as examples of why she deserved the foreseeable consequences of Defendant
68 Middlebury's ARC discriminatory actions. Doe made her social media account private
69 and continued to express her severe emotional distress through any colorful analogy she
70 considered appropriate under the circumstances.

71 162. On December 31, 2021, Doe conveyed to Brian Hughes the nature of her devastation. She
72 wrote, " I was denied every shred of decency from the beginning. Now they're going to
73 write me out of it completely. As if none of it ever happened. They'll minimize it, deny it,
74 and rewrite what happened. I don't need to be continuously reminded about how little
75 value my life was worth…" B. Hughes said he was sorry to hear that and would
76 understand if Doe felt coerced to leave the field. He supported it.

77 163. On January 2, 2022, Plaintiff said, "If you intend to propel your careers forward on the
78 gang-rape of my intellect and the brutally-endured years of my life that you now plan to
79 steal from me, you have severely misjudged the situation."

80 164. A GIFCT academic researcher responded to Plaintiff's statements with a series of public

81 condemnations that described her as “disgusting and despicable.” She advised that Doe
82 “should not be taken seriously.” The employee recommended Plaintiff, specifically and
83 exclusively, to Defendant Daymon as possessing the singular expertise on
84 accelerationism for the January 2020 interview. Therefore, Doe interpreted the
85 condemnations as harassment and/or retaliation for the voiced opposition to Defendants'
86 actions rather than good faith doubts concerning her merit or expertise.

87 165. The criticism of Plaintiff's protected activity acknowledged the merits of her allegations
88 that Defendants coerced Doe to provide labor or services against her will. The GIFCT
89 employee characterized Plaintiff as “self-serving” and “problematic” for asserting her
90 civil or human rights on this basis. “Believe it or not, this person is crying about
91 intellectual theft …[and] stolen labour. Yeah been there…State your grievances and go.”

92 166. The GIFCT employee's acute awareness and verbatim repetition of specific phrases
93 Plaintiff used to express her pain and suffering creates an inference that Defendants
94 assisted or provoked the public opprobrium against Plaintiff. The employee did not have
95 independent access to view the social media account or messages. Doe's privacy settings
96 were enabled at the time of the incident.

97 167. On December 27, 2021, a West Point employee observed the plaintiff's distress and
98 reached out in a personal capacity to once again offer her the opportunity to publish
99 through West Point.

00 168. On December 27, 2021, Amarasingam recommended that Plaintiff call Kriner. She said,
01 “I'll be dead by then Amar… I can't watch this happen. I have to finish some things
02 before the new year.” He said, “Don't talk like that man. What are you talking about
03 even[?] There's literally a gazillion people studying jihadism. Why is this any different[?]

04 You could also write and get credit…I'm worried about your safety; are you going to
05 harm yourself?"

06 169. On December 28, 2021, her associate angrily messaged Doe for, among other things,
07 being territorial over her research and playing "stupid mind games." Plaintiff's
08 devastation was "melodramatic" and "crazy shit." She wanted to know if Doe had a
09 terminal illness citing symptomatic weight loss. Plaintiff found the observation surprising
10 because they did not know each other before severe anemia and mental distress reduced
11 one-third of Doe's body mass. No one mentioned it until this conversation, although
12 Plaintiff occasionally made caustic remarks and self-depreciating dark humor that only
13 her beauty offered material benefits now.

14 170. Once the close associate determined Doe's despair was not a "stupid mind game," she
15 declared, "I'm not about to sit here and let you put up some kind of elaborate suicide note
16 without attempting to stop you. I really don't care what you think of me one way or
17 another but I'm not f***ing around. If you're leaving to go do something else, honestly I
18 think that's healthy. However, I am not taking this vague shit for an answer. If you want
19 a cop-free experience here, tell me what's going on, specifically. Last time you pulled a
20 dumb stunt, I didn't know where you lived and I still got in a wellness check…" Plaintiff
21 replied, "I don't want you to blame yourself [because] I don't think you understand what
22 you did. I don't have anything left to say so I will leave it there. Please take care." The
23 police were called to Doe's house.

24 171. The initial police vehicle was followed ten minutes later by back-up. The two police units
25 arrived at the plaintiff's residence with their emergency lights activated throughout the
26 approximately 45-minute conversation with Jane Doe in her driveway. The scene was
27 perceived by neighbors that the plaintiff was involved in a crime that had been

28 committed.

29 172. On December 31, 2021, Brian Hughes said that he would “understand and support you if
30 you’re making the choice to step away and wash your hands of things.” Doe replied,
31 “They took years of my life. In the last 3 [years], I was patronized, mocked, humiliated,
32 dehumanized, and deprived of dignity by people I’ve known for almost a decade. I was
33 denied every shred of decency from the beginning. Now they’re going to write me out of
34 it completely. As if none of it ever happened. They’ll minimize it, deny it, and rewrite
35 what happened. I don’t need to be continuously reminded about how little value my life
36 was worth, how little basic respect.”

37 173. On January 2, 2022, Matthew Kriner publicly announced on social media that ARC
38 planned to release a report on their “understanding of the doctrine of accelerationism” in
39 coming days. The plaintiff understood that her research and scholarship would constitute
40 the majority or entirety of the report.

41 174. After reading Kriner’s announcement, Doe returned to Minerva’s Parliament and
42 discovered that everything pertaining to the Keybase had been permanently erased. No
43 one except Doe could delete the virtual workspace itself because she created it. Nothing
44 else remained.

45 175. On January 3, 2022, Director Shiraz Mahir dedicated a special section on the GIFCT
46 Global Network on Extremism and Terrorism website exclusively to ARC scholarship on
47 accelerationism.

48 176. Since ARC’s launch, Defendants’ adverse actions pushed Doe to the precipice of death
49 and serious bodily injury. The previous two days elevated her distress to new heights.
50 Doe could not bear the pain, suffering, and mental anguish. She had trouble breathing.

51 She could not eat or sleep. She woke up panicked and drenched in sweat nightly. Because
52 of the Defendants, Doe would not sleep one full night in 2022. Doe continued to
53 communicate her dismay and severe emotional distress by exercising her right to protest
54 the Defendants' unlawful conduct.

55 177. On January 4, 2022, Jane Doe said, "I am once again asking whether anyone can provide
56 me with an avenue to redress the injustice done to me, other than violence. Submission is
57 the only option off the table; violence is not." A PERIL supervisor observed, "Given
58 what's gone on the last week and a half or so, this is likely to be interpreted poorly." He
59 continued, "[I have] no alternatives to give. I'm just saying that this is going to be
60 interpreted as a threat and there's no way that ends up a win for anyone."

61 178. The following statements are representative of the general theme of Doe's voiced
62 opposition to the Defendants between January 4 and January 14, 2022:

63 179. "Tell me alternatives to recover what is mine [without] further debasement. This isn't
64 about citations. It's about asserting my human dignity after ceaseless dehumanization.
65 I'm not acquiescing to these brazen iniquities against me or negotiating the terms of my
66 own victimization."

67 180. "I take this extremely seriously. If the mechanisms to deter such glaring violations of
68 professional ethics are so rotted, I won't prop them up. I'm not the one you should
69 caution. I'm the victim without recourse. Caution was owed to the perpetrators."

70 181. "We all study the effects of civil societies that don't provide citizens adequate avenues to
71 redress wrongs perpetrated against them. I don't want to live in that kind of society. I am
72 asking for avenues of recourse."

73 182. "I'm asking for reasonable alternatives. No one can provide me any. I'm not ok with
74 being victimized and I find it insulting people would assume that I'd just take it."

75 183. "I would [prefer] not to be victimized. Seems easy enough to provide an option for justice
76 other than complacency… I, the victim, have been the only one criticized for my reaction
77 and the perpetrators celebrated for their depredations…"

78 184. On January 4, 2022, Doe spoke with her mental health counselor because of the all-
79 consuming duress she was was suffering. After the conversation, the mental health
80 professional was worried that the Defendants' actions posed a credible threat to the life of
81 Doe for 36 hours after their January 4 conversation.

82 185. On January 5, 2022, the counselor decided to call the police department to conduct a
83 wellness check on Doe. This was the second wellness check to prevent Doe from
84 foreseeable death or serious bodily injury in less than a week. Doe received social and
85 professional pushback for her refusal to accept the degrading treatment. She said she
86 would not apologize. Defendants intensified their harassment and retaliation against Doe.

87 186. Defendants adopted this line of attack for an escalated campaign of harassment. No one
88 provided Doe access to a grievance process or disciplinary measures for Defendants. Doe
89 demanded that her complaints be taken seriously despite the Defendants' communications
90 to one another that she deserved to be victimized because "she is crazy."

91 187. The worst of the conduct occurred in January 2022, but unlawful harassment in response
92 to her protected activity continued at events, gatherings, and conferences attended by the
93 Defendants through October 2022. Doe learned of her continued harassment through third
94 parties, having been banned from attendance in retaliation.

95 188. Defendants played into discriminatory stereotypes about mental illness. They called Doe
96 "dangerous" and "off-kilter." They deliberately misrepresented her demands for equal
97 treatment and access to grievances processes as "threatening to kill people" because she
98 wanted remedies for the irrecoverable losses she suffered.

99 189. Defendants never said anything comparably malicious of the ex-members of Al-Qaeda
00 they had hired for myriad positions, including as research fellows. Years of violent
01 extremist activity did not bar these individuals from employment as Doe's protected
02 activity did.

03 190. Seamus Hughes employed a former Al-Qaeda propagandist as a Research Fellow at the
04 Program on Extremism. Paul Cruickshank's business partner is a former Al-Qaeda bomb-
05 maker. Amarnath Amarasingam supported the employment of several former militants
06 from terrorist organizations in policy research jobs, including a former Al-Qaeda attack
07 planner who tried to blow up the New York transportation system and a U.S. military
08 base in Afghanistan.

09 191. All three (minus their Al-Qaeda employees) retaliated against or harassed Doe for
10 demanding the Defendants afford her basic decency.

11 192. On January 10, 2022, CARR Director Matthew Feldman announced his decision to
12 unfollow Doe from social media because he condemned her "hostile rhetoric" in the
13 January 4, 2022 message and refusal to apologize. Doe responded to Feldman's public
14 message, "I'm asking for alternatives. Can you provide me any? No one else I've asked
15 can find any solution other than doing nothing in response to being victimized. Would
16 you suggest I do nothing?…I don't want violence. I want a means of recourse, but no one
17 has any alternative options. They assume I should simply accept or negotiate my

18 victimization. Considering how much I've given up for this work, that in itself is a grave
19 insult."

20 193. Feldman wrote "We're supposed to be better than them." Doe interpreted "them" in
21 reference to terrorists and that she was being compared to advocates of genocidal hatred.
22 Doe used the opportunity to remind Feldman about Conroy's interview for CARR, "I
23 don't begrudge you… I don't expect your support. CARR interviewed 3 researchers other
24 than me consisting entirely of my research. I've never seen anything similar done to any
25 other analyst." Director Feldman accused Doe of trying to censor Conroy, Newhouse,
26 Kriner, and Lewis. Feldman made the logical deduction from complaints of disparate
27 treatment to censorship on his own. He recognized that equal treatment of Doe would
28 require the offending interview be removed from CARR because it was a profound
29 breach of ethics and professionalism to sabotage another scholar in this manner. He
30 insinuated Doe was a threat to academic freedom. Doe never asked for the interview to be
31 removed by CARR, "I didn't ask for censorship." She was asking him for the reasons
32 behind the disparate treatment.

33 194. Doe told Feldman that was "not unreasonable to ask for a means of recover[ing] what has
34 been taken from me or imposing costs on the perpetrators. Not stealing, easy option.
35 Consequences also easy. Expecting me to step aside so everyone can exploit what I've
36 worked for while they spit in my face? No." The CARR Director of his own life-changing
37 experience of harassment. He used the word "harassment" to describe his employees'
38 conduct whereas Doe had not used the term The anecdote involved faculty members
39 bullying him in graduate school and the resulting distress nearly drove him out of
40 academia. The lesson for Doe to learn, according to Feldman, was to frame the abusive
41 conduct as motivation for personal transformation. The Defendants would subject her to

42 less pain and suffering in the future if she made herself into a “better person” worthy of
43 the abusers’ respect. Her tormentors and the near-death experiences they caused were not
44 criticized. Doe interpreted Feldman’s advice as unreasonable.

45 195. On January 14, 2022, Doe withdrew from public on social media due to the severe
46 emotional distress Defendants’ actions caused her.

47 196. On or around January 27, 2022, GIFCT Director of Research Erin Saltman accepted a
48 position on the ARC Board of Advisors.

49 197. On January 28, 2022, Shiraz Mahir’s academic center at King’s College London and Gina
50 Ligon’s academic center NCITE published a joint report on accelerationism. Mahir
51 commissioned two of his employees, Amarnath Amarasingam and Marc-Andre
52 Argentino, and a third external researcher to co-write it.

53 198. On February 1 and 2, 2022, Doe discussed Defendant Middlebury’s ARC with
54 Amarasingam. She was upset that Matt Kriner, Alex Newhouse, and Jon Lewis were not
55 dissuaded from their adverse actions, that they continued to harm her interests and cause
56 her extreme emotional distress. Amarasingam wanted to know what her “ask” was.
57 Plaintiff said she didn’t have an “ask,” she demanded to be treated with basic respect, “I
58 want to be acknowledged and treated like a **** human being…it's about being
59 dehumanized and erased and other people being rewarded off the back of my suffering.”
60 Amarasingam offered to arrange a phone call with Kriner. Doe said she was not amenable
61 to negotiating the terms of her demand.

62 199. On February 2, 2022, Cynthia Miller-Idriss presented testimony to Congress. Defendants
63 Meili Criezis and Brian Hughes were acknowledged for their assistance. Doe did not read
64 Miller-Idriss’ testimony until months later. Despite Plaintiff’s conversation with Hughes

65 in December, she was not mentioned anywhere in the plagiarized portions of the
66 testimony. GIFCT Executive Director, Erin Saltman's boss, appeared beside Miller-Idriss
67 as an expert witness. In his testimony, he credited Miller-Idriss "and others" with raising
68 the alarm on the threat of accelerationism. Doe found the reduction of her contribution
69 distressing enough to point it out to Amarasingam that day and in an email to West Point
70 the next month.

71 200. On February 22, 2022, GIFCT's Tech Against Terrorism published an interview with
72 Kriner and Newhouse. Kriner described Defendant Middlebury's ARC as "a come-
73 together space for any and every capable entity and individual that wants to contribute
74 to…turning the tide against accelerationism violence. Ultimately, what we're trying to do
75 is give people an opportunity that those voices that can't really be heard, the institutional
76 barriers that kind of prevent them from getting in there, an opportunity to get that
77 knowledge that they've developed, whether that's from their own individualized
78 research…" into the hands of people with the ability to act on the knowledge. The same
79 day Kriner was interviewed with Michael Loadenthal in another media publication in
80 which both Kriner and Loadenthal parroted the research plagiarized from Doe.

81 201. That afternoon Plaintiff emailed the West Point employee who had showed concern for
82 her welfare in December and encouraged her to submit her scholarship to the CTC
83 Sentinel for publication. She attached an initial draft of an article that was approximately
84 3,000 words and asked if West Point would "be interested in publishing something on
85 accelerationism along these general lines at some point…let me know if this is the kind of
86 thing you're looking for."The employee replied the next day, "We will do some thinking
87 and get back to you on this in a little bit." Doe thought the initial hesitation was the result
88 of confusion about the ideas presented in her paper. On February 25, 2022, Doe emailed

89 West Point a substantially longer draft with additional information that "better clarifies
90 the major intersections." She continued to revise the article for two weeks until the West
91 Point employee emailed her on March 9, 2022 requesting a phone call to discuss it the
92 next day.

93 202. On March 10, 2022, Plaintiff and the West Point employee had an hour-long telephone
94 conversation. Doe learned that Editor-in-Chief Cruickshank rescinded West Point's
95 employment offer to publish her as an independent contractor. She asked if there was
96 something objectionable about the quality or angle of her paper. CTC Sentinel editorial
97 board did not read either one of the two drafts she emailed. CTC Sentinel Editor-in-Chief
98 Paul Cruickshank and the editorial board attributed their adverse decision to Doe's voiced
99 opposition to Defendant Middlebury's ARC in January 2022. Plaintif was asked if she
00 believed her opposition was "appropriate" or, in their view, "crazy" under the
01 circumstances. Doe told the West Point employee that until this conversation she did not
02 know she was expected to feel ashamed and embarrassed. She stated that Defendants'
03 actions were inappropriate and it was "crazy" in her view to "do nothing" about
04 Defendants' malicious treatment. Doe said that Defendants were trying to humiliate,
05 bully, and intimidate her into silence. She explained they were using her voiced
06 opposition as an excuse to permanently exclude her from employment in the field. The
07 West Point employee acknowledged that this was a reasonable assumption.

08 203. Plaintiff asked if Cruickshank restricted the employment opportunities of anyone hired by
09 Defendant Middlebury's ARC. The West Point employee said that Cruickshank did not
10 penalize, restrict, or ban anyone other than Doe for wrongdoing. Cruickshank and the
11 editors did not want to be targeted by Defendants. His employee said, "Do you know
12 what they will do to us if we publish you?" The editorial board's overriding concern was

13 not Doe's rhetoric or behavior. It was that "being [Jane Doe] is very bad optics."
14 Cruickshank did not want West Point to risk associating with Doe. The editorial staff was
15 intimidated by Defendants. Defendants would damage West Point's public image and
16 strain the editors' professional relationships in the field if Cruickshank and West Point
17 provided Doe with opportunities. Doe's optics threatened the institution of the U.S.
18 Military Academy at West Point by proximity. Doe interpreted her bad optics to include
19 both because of her January 2022 protected activity, and the actual or perceived "being
20 crazy" in general. West Point made clear the disassociation with the plaintiff would
21 remain in place indefinitely until Defendants would not attack them for offering Doe
22 employment.

23 204. Doe asked, "So what am I supposed to do?" She asked how to restore her employment
24 opportunities with West Point. Doe understood that this caught the employee off-guard
25 because Cruickshank did not mention any due process procedure. The employee advised
26 her in an informal capacity, not on behalf of his employer. He suggested that Doe could
27 shorten the duration of her ban by taking positive steps to improve the damage to her
28 reputation. This would reduce West Point's risk of public opprobrium. He clarified that
29 there was no guarantee that Cruickshank would change his mind. He made two
30 suggestions. First, Doe could apologize to Defendants. Doe said she would not apologize
31 to Defendants for being victimized by them under any circumstances. She asked why no
32 one encouraged Defendants to apologize to her and stated that Defendants had not
33 reached out to her at any point to address her concerns. Second, Doe could substantiate
34 the allegations she made against Defendants by presenting proof, so that West Point
35 would be better positioned to counter Defendants' bad faith reprisals. Doe said she did
36 not see a purpose in providing evidence because Defendants already knew that she was

37 telling the truth. She said she didn't know why the burden fell on her to spend months
38 compiling a public dossier. He also offered to help her find other places to publish on his
39 own time outside his employment capacity. Doe thanked him and said she would consider
40 it.

41 205. On March 14, 2022, Doe sent the West Point employee a follow-up email to the West
42 Point employee apologizing for placing him in an awkward position in relation to
43 Defendants' coercive threats, "Until you apprised me, I didn't know that I was subject to
44 'new' penalties. The inside of dog houses are indistinguishable from one day to the next."

45 206. She explained that Defendants' "public and private attacks on my reputation, as well as
46 attempts to drive me out of the field, are par for the course…I can never get back the
47 years I spent keeping the truth from being distorted and buried, or ignored. I was subject
48 to every kind of harassment and peer pressure you can imagine to dissuade me from
49 pursuing this work. There were long periods when not a single person supported me. I
50 won't be condescended to or minimized to a footnote. It meant nothing to anyone but it
51 means everything to me because I'm the person who had to do it and accept the
52 consequences."

53 207. After considering her alternatives, Doe was compelled to work for three to four months to
54 substantiate her allegations in a public document.

55 208. On April 4, 2022, Director Shiraz Mahir held a Global Network on Extremism and
56 Terrorism workshop with ARC employees Kriner, Upchurch, Crawford, and Conroy on
57 accelerationism. A substantial portion of the event, perhaps 50% or more, was spent
58 discussing Doe's original work without any mention of Doe. The remainder of the event
59 was research about sexless men that did not concern Doe.

60 209. Doe learned that Taylor & Francis Group's Dynamics of Asymmetric Conflict academic
61 journal was accepting work proposals for a Special Issue on Militant Accelerationism.
62 The deadline was May 30, 2022. Doe did not submit a proposal because Defendant
63 Anthony Lemieux, Editor-in-Chief of Dynamics of Asymmetric Conflict, hired
64 Defendants Kriner, Newhouse, Lewis, and Loadenthal, as the Editors of the Special Issue
65 on Militant Accelerationism to oversee all aspects of its preparation and production. It is
66 scheduled to be published in 2023.

67 210. On May 9, 2022, Defendant Middlebury's ARC published the report on the doctrine of
68 accelerationism initially announced on January 2. This confirmed her suspicions about
69 the consolidation of her intellectual property. The ARC report had one section dedicated
70 to each of the major themes of Doe's doctrine on accelerationism separately plagiarized
71 by Defendants' 2021 articles. The report also incorporated Plaintiff's analysis from
72 several segments on Daymon's 2020 interview with Doe. The report stitched together all
73 of the copyrights to present a coherent view of Doe's work while each source had
74 independently used parallel construction to deliberately deny her credit for discriminatory
75 reasons. Everything substantive in the report came from Plaintiff. There was nothing new
76 or outside of her research. Three years of Plaintiff's work on accelerationism was
77 presented by Defendants as the intellectual core of the "Accelerationism Research
78 Consortium" and deliberately concealed the intellectual source. This fulfilled the
79 allegations she made during her protest in January 2022 after learning about the
80 forthcoming report on January 2. Defendants did not attempt to add any value of their
81 own or change the May report in consideration of Doe's severe emotional distress.

82 211. On May 11, 2022, the plaintiff informed West Point editorial staff by email, "It was
83 brought to my attention that yesterday ARC published the essay postponed from January

84 (mentioned in my last email), which consists entirely of my analysis based on my original
85 research. I'm taking your advice and compiling proof." By this time, Doe had spent two
86 months compiling the extensive plagiarism in Defendants' secondary literature. She
87 reorganized this evidence of plagiarism and placed the new ARC report at the center of
88 those materials. Doe did not need to collect evidence from any additional sources because
89 everything in the 2021 articles Defendants plagiarized was contained in the report and
90 already flagged by Doe prior to the report's release.

91 212. On May 18 and 19, 2022, Defendants GIFCT, Saltman, and Mahir held a Global Network
92 on Extremism and Terrorism Conference at King's College London.

93 213. On June 5, 2022, Doe published her evidence of Defendants' research misconduct in a
94 94-page packet posted online and disseminated the link to colleagues in the field. She
95 wrote in the introduction that Defendants "forced her hand" to provide labor or services
96 by compiling and releasing dozens of pages of original research and unpublished
97 scholarship into the public domain. Plaintiff said she was providing the work against her
98 will because Defendants' coercive means gave her no choice under the circumstances.
99 Doe's introduction challenged readers to scour the pages of her document, and any other
00 literature on accelerationism published by Defendants, to find any substantive intellectual
01 contribution that did not originate with her. Plaintiff offered to provide additional
02 evidence to assuage the doubts of anyone who disputed the provenance of the original
03 ideas or identified any potential ambiguity. She knew that exposing the document could
04 jeopardize Miller-Idriss and Brian Hughes. At this point, Doe had not read Miller-Idriss'
05 Congressional testimony from February and later regretted her decision to give them an
06 excuse in her glowing remarks to perpetuate their use and concealment of illicit labor.

07 214. Thousands of subject matter experts and laymen reviewed the evidence. There were no

08 disputes or ambiguities identified. The only colleagues in the field who remained
09 uncertain of Defendants' misconduct declined to review the evidence because they were
10 concerned it would harm their working relationships, naming Defendant Blazakis in
11 particular. Colleagues who reviewed the evidence exchanged private messages to each
12 other that demonstrate the field's shared understanding of Defendants' motives and
13 actions. One third party wrote to another, "Just because she is (perceived) as a little bit
14 crazy…doesn't mean they can plagiarize her work."

15 215. On June 7, 2022, GIFCT partner Tech Against Terrorism published a joint report with
16 Defendants Middlebury, Kriner, and Newhouse about "Accelerationist Coalition Building
17 Online."

18 216. On June 10, 2022, Plaintiff sent an email to the West Point asking if the CTC Sentinel
19 editors reviewed the evidence packet she posted online. She asked if the CTC Sentinel
20 staff planned to make a public announcement once the editorial board determined that
21 Doe had proven her allegations.

22 217. On June 14, 2022, West Point replied to Doe's email confirming that the editors intended
23 to review the evidence and return to her with a decision. Doe offered additional proof to
24 supplement the public document if West Point still harbored any doubts. West Point
25 never requested additional documentation from her. They never returned to her with a
26 decision. Plaintiff interpreted this to mean she had worked hard enough to prove the
27 credibility of her accusations. She inferred from West Point's inaction that her evidence
28 packet left them bereft of excuses when once it became apparent to Doe that not believing
29 her had never been a material element in the decision to cause her serious harm.

30 218. On June 21, 2022, Doe learned Defendant Maura Conway changed the agenda for the UK

31 conference at Swansea University on June 28 to June 30, 2022. Conway scheduled a new
32 one hour or longer event for Defendant Middlebury's ARC employees to present the
33 inner workings of Doe's methodology, theories, and unpublished research to a large
34 audience of corporate, academic, and government employers and institutional
35 representatives. Plaintiff immediately emailed Defendant Conway to protest this
36 development. Doe explained that she believed Defendants actions were unlawful. She
37 stated her intention to take legal action against them, but expressed concern over the
38 jurisdictional limitations for injunctive relief. Doe said Defendants would cause her
39 irreparable harm if Conway permitted and facilitated Defendants' adverse actions against
40 Plaintiff at the UK conference. Doe informally requested that Conway temporarily
41 postpone the UK conference until measures could be taken to mitigate Plaintiff's
42 foreseeable injuries. Doe had not requested anything similar when she learned about the
43 conference papers selected in December 2021. Doe's pain and suffering were specifically
44 in response to the Defendants' workshop at the conference. Conway did not respond to
45 Doe's June 21 email or provide any alternative options. Conway changed the UK
46 conference agenda one more time between June 22 and June 27, 2022, to include Meghan
47 Conroy and expand the ARC workshop.

48 219. There was no workshop on accelerationism scheduled to take place at the conference in
49 October 2021 when the submission deadline ended, or in December 2021 when the
50 conference presenters were announced. The workshop was in addition to ARC's 11
51 presenters already selected by Conroy to speak on topics related to accelerationism in
52 seven separate conference sessions. The 90-minute workshop was described in the
53 prospectus as ARC disseminating Doe's methodology, theoretical models, and original
54 research, including the terrorist network she discovered in 2019.

55 220. On July 19, 2022, West Point published its monthly issue. Defendant Cruickshank hired
56 Defendant Amarasingam, Defendant Argentino, and Graham Macklin, to write about
57 "cumulative momentum." Doe did not receive a communication from Cruickshank
58 reversing his March employment decision about indefinitely denying her an equal
59 opportunity to enter into an employment contract with West Point to write about
60 "accelerationism." West Point also did not make a public statement to mitigate the harm
61 to Doe's interests caused by the misrepresentations and research misconduct the employer
62 published.

63 221. Graham Macklin is the editor of the Routledge Series on Fascism and the Far Right for
64 Routledge, an imprint of Defendant Informa's Taylor & Francis Group. He was also hired
65 by Defendant Middlebury's ARC for the Board of Directors. Macklin hired Amarasingam
66 and Argentino on behalf of Routledge to select contributors and edit a forthcoming book
67 in the series titled "Far-Right Culture: the Art, Music, and Everyday Practices of Violent
68 Extremists." Macklin and Doe corresponded about her research in September 2019, some
69 of which appeared in ARC's May report on accelerationism. Macklin knew about
70 Amarasingam and Argentino's discriminatory harassment of Doe when he hired them.
71 Based on conversations in September 2019, Macklin also knew that Defendant
72 Middlebury's research came from Doe when he ratified Amarasingam and Argentino's
73 decision to hire Kriner to write on accelerationism for the Routledge publication. The
74 Routledge book is scheduled to be published in 2023.

75 222. In August 2022, Doe ceased construction on her home. The prohibitive costs associated
76 with retaining legal counsel required her to dismiss contractors and day laborers.
77 Plaintiff's home has no flooring or drywall in any room, no kitchen, and limited heat and
78 insulation in sub-freezing temperatures. The extent of Doe's amenities are a bed, a

79 washer/dryer, a bathtub with no shower, a sink, and a toilet. She also cannot sell her home
80 in its current state for an alternative source of income. Defendants knew that Doe was in
81 the process of heavy renovation from conversations about the decrepit conditions. They
82 saw photos of her removing black mold, rotted walls and floorboards, and heard her
83 complain about the stench of sulfur that permeated her home until she replaced the water
84 filtration system.

85 223. Doe informed Defendants Ligon, Saltman, and Ihler on social media that a lawsuit would
86 impose significant financial hardship that would disproportionately affect her mother who
87 was at risk of physical injury due to the deterioration in her neurological condition. While
88 none directly responded, Samantha Kutner did. Defendant Kutner attempted to
89 discourage and/or dissuade the plaintiff not to pursue civil remedies for the defendant's
90 actions. When a colleague intervened, Kutner implied that legal action was a futile
91 gesture and anyone who supported Doe's decision was an "enabler." The colleague
92 replied that Doe was "ten times smarter than the both of us combined. Do you think she
93 hasn't considered doing nothing?" Kutner conceded that this thought had occurred to her.
94 When asked privately by the intervening party for perspective, Kutner proceeded to
95 weave a story to defame and cast blame on Doe.

96 224. Kriner said Doe was seduced into a white supremacist community. "The last time I
97 interacted with [Doe] was in the academic collective. We were all trying to explain to
98 [Doe] that she had fallen in with a bad crowd in the place she loved and [Doe] said
99 something to the effect of 'They're helping me move. Is anyone in this collective going to
00 drive up and do that?' We [Kutner and Ihler] struggled to explain that racists and Neo
01 Nazis are some of the most helpful people you'll meet when they feel white kinship, but
02 that doesn't discount the harm." According to Kutner, Plaintiff's mental illness caused

03 her descent into the embrace of "white kinship" and socialized bigotry. The assumption
04 relies on discriminatory stereotypes of individuals with mental illness as "soft-headed,"
05 confused, dangerous, and delusional.

06 225. When the incident took place in July 2021, Kutner held a different position. It was Bjorn
07 Ihler who argued with Doe about the furniture movers. The plaintiff explained that one of
08 her movers used racist slang for Brazil nuts that he ate at a holiday party. She had never
09 heard it before. On hearing about the Brazil nuts, Ihler advised the plaintiff to drop the
10 hammer on racists and move the kitchen cabinets herself. Doe said the furniture movers
11 were tree trimmers who offered to help her on two Saturdays without compensation. This
12 led to a dispute between Plaintiff and Ihler. As Kutner recalled correctly, Plaintiff told
13 Ihler and Kutner that she did not care who moved the cabinets. Doe said she could not lift
14 them and needed help because of her physical limitations.

15 226. Plaintiff's iron saturation was 9% when it should have been 35.5 to 44.9%. Her serum
16 vitamin B12 level was 202 pg/mL in a range of 200 to 900 pg/mL. She weighed 100 lbs
17 at 5'6". Plaintiff asked Kutner and Ihler "are you going to help me?" if she complied with
18 Ihler's recommendation to fire the movers. Kutner replied, "lol no."

19 227. According to Kutner, Doe's racist conversion occurred in or around May 2021 when she
20 moved into her new home. May 2021 was the same month Newhouse started to take
21 adverse employment actions against Doe by submitting his DHS proposal. Plaintiff's
22 alleged socialization into the white supremacist community was depicted as an
23 unfortunate consequence of Jane Doe being unable to understand what was happening
24 around her because of her mental illness and contributory trauma. Kutner explained that
25 Doe's behavior violated policies informally enforced by symbolic procedures of "due
26 process" and punishment, hence the implied futility of Doe's announcement to commence

27 formal legal action against the defendant.

28 228. On August 24, 2022, Shiraz Mahir announced a formal partnership with ARC workshop.
29 GIFCT would hold a workshop on accelerationism scheduled for September 12, 2022. It
30 was the last of GIFCT's workshops for the year. For the event, Mahir and Saltman hired
31 Conroy, Argentino, and Kriner. Plaintiff was re-traumatized every time Defendants'
32 benefited from her victimization. Upon learning that Mahir and Saltman partnered with
33 Defendant Middlebury's ARC despite the evidence of misconduct, Plaintiff permanently
34 deleted all her social media accounts, terrorism journalism feeds, and any interface with
35 broadcast media where Defendants regularly appeared as commentators. Doe took these
36 actions to mitigate the severe pain and mental anguish caused when she was exposed to
37 reminders of Defendants adverse actions.

38 229. The plaintiff's absence from the field was noted by a colleague. He wrote her an email
39 soon after she erased her internet presence. The colleague conveyed with sympathy that
40 Doe "did trailblazing work on accelerationism when nobody was paying attention to it
41 and invested the time to learn the doctrine. And to teach it to others who subsequently
42 stole the work and claimed it as their own." The email continued, "I've realized that the
43 field doesn't realize the magnitude of the theft because it does so little trailblazing work
44 that it underestimates what the theft of a source code means."

45 230. On or around the week of September 19, 2022, ARC agents convened at a conference in
46 Pittsburgh, PA. Argentino publicly complained that his work had been plagiarized by a
47 colleague. He mocked the plaintiff's protest from December 2021 and January 2022 as a
48 point of comic relief. On or around September 23, Defendant Middlebury's ARC went to
49 Rick's Burlesque, a strip club near the conference site, where Defendants stayed for
50 several hours in a professional capacity. Attendees included Amarasingam, Conroy, and

51 Roes 1-100. One of Defendant Middlebury's ARC employees was sexually violated and
52 traumatized at the event. She was referred to by ARC employees thereafter as a
53 "survivor."

54 231. Starting the next day, and for several days, Defendants made public statements that
55 alluded to serious but non-specific sexual violation of Defendant Middlebury's ARC
56 employee. Despite their rhetoric of "accountability," they asked everyone in the field not
57 to ask any questions about it. For instance, one employee of both Defendants American
58 University and Middlebury's ARC said, "Stop asking what happened. If you do not
59 know, you are not obligated to know the who, what, when, where, and why. Be an ally
60 and support victims and survivors without having them retell their trauma."

61 232. In or around November 2022, West Point editorial board solicited a subject matter expert
62 to conduct an external review on an article submitted for publication. The article under
63 review was the same one that the West Point employee intimated in November 2021 she
64 would review as the leading expert on the topic once it was submitted to the editorial
65 staff. West Point knew from Doe's earlier review and the proof of research misconduct
66 that she was more qualified than anyone else to conduct the external review on the
67 subject. West Point's new external reviewer for the topic recommended West Point not
68 publish the November 2022 article. The editorial board acted on the reviewer's advice
69 and rejected the submission. It is custom for external reviewers to remain anonymous and
70 Cruickshank did not reveal the reviewer's identity. However, West Point refused to show
71 the authors the feedback that caused the article to be rejected. This is not industry
72 standard. One of the authors told Cruickshank that Kriner and Newhouse harassed and
73 bullied her at an ARC event she attended in the District of Columbia. She and her co-
74 author believed that the reviewer may have had an undisclosed conflict of interest. The

75 authors exchanged emails with West Point for a few weeks until Cruickshank sent them
76 the external review.

77 233. Reading the reviewer's comments confirmed to the authors that something was amiss.
78 The authors believed the external reviewer came from ARC. The authors found the
79 external review unusual because it contained unattributed quotes from Doe and analogous
80 insights that Doe shared from her research into the topic in earlier conversations with one
81 of the authors. The authors had never experienced or heard of a reviewer plagiarizing
82 another expert in an article review. They concluded that this was a likely reason West
83 Point did not want to share its contents with them initially. Doe confirmed that she did not
84 read the authors' article. She offered to be a second external reviewer for the article. The
85 authors emailed Cruickshank to tell him that Doe was the only expert in the country with
86 the qualifications to conduct the external review for their article. West Point still did not
87 contact Doe.

88 234. At a conference on November 24, 2022, Defendant Kriner produced a presentation from
89 labor he coerced from Doe. Defendant Newhouse also presented original work coerced
90 from Doe on accelerationist gaming dynamics as a product of Defendant Middlebury in
91 public and private professional events on one or more unspecified dates in 2022. To date,
92 the substantive work on accelerationism presented in public by Defendant Middlebury's
93 CTEC supervisors has relied on labor or services coerced from Doe rather than any of its
94 own employees or employees Middlebury hired for ARC.

CIVIL RIGHTS VIOLATIONS OF THE D.C. HUMAN RIGHTS ACT 1977

COUNT I

D.C. Code § 2–1402.01 – General Discrimination
Against All Defendants

235. The Council's intent for enacting the Human Rights Act of 1977 and subsequent amendments ("DCHRA") is "to secure an end in the District of Columbia to discrimination for any reason other than that of individual merit, including, but not limited to, discrimination by reason of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, sealed eviction record, status as a victim of an intrafamily offense, place of residence or business, status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking, and homeless status." D.C. Code § 2–1401.01. The legislative intent provides D.C. Courts interpretative guidance in interpreting causes of action to give effect to the rights granted in the DCHRA.

236. DCHRA is a "powerful, flexible, and far-reaching prohibition against discrimination of many kinds." *Blodgett v. Univ. Club*, 930 A.2d 210, 218 (D.C. 2007). The Council of the District of Columbia intended the 1977 Act as "broad remedial statute" to be "construed generously" and extend anti-discrimination protections to District employees that are unavailable in federal employment discrimination legislation Title VII of the Civil Rights Act of 1964 (Pub. L. 88-352) ("Title VII"), as amended. *Compare* D.C. Code § 2-1401.01 *et seq.* with 42 U.S.C. § 2000e *et seq*. (2003).

237. Rights guaranteed by the DCHRA, as amended, impose corresponding obligations on

19 employers for a wider range of employment relationships and may be enforced by
20 members of more enumerated classes than Title VII. An employer is "any person who,
21 for compensation, employs an individual...; any person acting in the interest of such
22 employer, directly or indirectly; and any professional association." DCHRA § 2–1401.02
23 (10). Pursuant to Council's intent, D.C. Courts may err on the side of class membership
24 by liberally interpreting the requisite characteristics for inclusive protection. *Esteños v.*
25 *PAHO/WHO Fed. Credit Union*, 952 A.2d 878, 887 (D.C. 2008).

26 238. Effective September 2022, the Human Rights Enhancement Amendment Act of 2022
27 amended DCHRA to eliminate preferential employment statuses that remain in force for
28 claims brought under federal legislation and labor laws in D.C. Code, Title 32 ("Labor
29 code"). An employee is any "individual employed by or seeking employment from an
30 employer…includ[ing] an unpaid intern and an individual working or seeking work as an
31 independent contractor." DCHRA § 2–1401.02 (9).

32 239. DCHRA guarantees "every individual shall have an equal opportunity to participate fully
33 in the economic, cultural and intellectual life of the District and to have an equal
34 opportunity to participate in all aspects of life, including, but not limited to, in
35 employment, in places of public accommodation, resort or amusement, in educational
36 institutions, in public service, and in housing and commercial space accommodations."
37 D.C. Code § 2–1402.01.

38 240. Every individual has an actionable right to civic participation free from discrimination
39 and disparate treatment in any aspect of life. All other DCHRA rights are negative rights
40 defined relative to "prohibited acts." D.C. Code § 2–1402.01 is a positive right that
41 provides an independent cause of action.

42 241. The events described in this Complaint negatively impacted every aspect of Plaintiff's
43 life, including her participation in employment, education, social interactions, and
44 emotional and physical health. Defendants' denied or abridged Plaintiff's full
45 participation in the "economic," "cultural," and/or "intellectual" life of the district; her
46 right to participate in all aspects of employment, places of public accommodation, and
47 educational institutions; and her right to participate in aspects of life not limited to these
48 examples. Defendants' adverse actions, separately and taken as a whole, violate D.C.
49 Code § 2–1402.01.

50 242. A member of an enumerated class who works or seeks work as an independent contractor
51 has standing to raise this course of action against a covered employer. D.C. Code § 2–
52 1401.02(9). The duty of care not to discriminate against an employee arises from an
53 employment relationship. Plaintiff may enforce her right under this section against
54 Defendants "when the effects of such alleged discrimination are felt in the District."
55 *Monteilh v. AFSCME, AFL-CIO,* 982 A.2d 301, 303-304 (D.C. 2009) (referencing the
56 rule articulated in *Matthews v. Automated Business Systems Services, Inc.,* 558 A.2d 1175
57 (D.C. 1989)), *Sims v. Sunovion Pharmaceuticals, Inc.*, No. CV 17-2519 (CKK), 2019 WL
58 690343, at *13 (D.D.C. Feb. 19, 2019).

59 243. Pleadings do "not require detailed factual allegations," but Plaintiff's Complaint should
60 contain "more than an unadorned, the-defendant-unlawfully-harmed-me accusation."
61 *Ashcroft v. Iqbal*, 556 U.S. 678, 129 S.Ct. 1937, 173 L.Ed.2d 868 (2009). This Court
62 adopted Iqbal's pleading standard in *Potomac Development Corp. v. District of*
63 *Columbia*, 28 A.3d 531, 544 (D.C. 2011).

64 244. This Court may find "sufficient information to outline the legal elements of a viable claim
65 for relief or to permit inferences to be drawn from the complaint that indicate that these

66 elements exist" based on the facts common to all causes of action, facts expressed in
67 specific counts, reasonable inferences of facts deduced from the circumstances, and/or
68 any combination thereof to establish a prima facie case that Defendants violated D.C.
69 Code § 2–1402.01. *Williams v. District of Columbia*, 9 A.3d 484, 488 (D.C.2010)).

70 245. "In interpreting [the Human Rights Act] we have generally looked to cases from the
71 federal courts involving claims brought under the Civil Rights Act of 1964 for guidance
72 and have adopted those precedents when appropriate." *Benefits Communication Corp. v.*
73 *Klieforth*, 642 A.2d 1299, 1301-02 (D.C. 1994), *Goos v. National Association of*
74 *Realtors*, 715 F. Supp. 2 (D.D.C. 1989).

75 246. Individuals working or seeking work as independent contractors is not an employee
76 category protected under federal anti-discrimination statutes. However, federal case law
77 evolved from a narrow interpretation of worker classifications that required a rejected job
78 application or an employment contract to establish an "employer-employee relationship."
79 *McDonnell Douglas Corporation v. Green* 411 U.S. 792, 802, 93 S.Ct. 1817, 36 L.Ed.2d
80 668 (1973) ("McDonnell Douglas").

81 247. The interpretation expanded in the development of failure-to-hire discrimination cases
82 and futile gesture doctrine cases to eventually dispense with rigid applications of specific
83 criteria. Proving an employment relationship between Plaintiff and Defendant
84 Middlebury is an evidentiary standard for trial. It is not required at the pleading stage.
85 *Swierkiewicz v. Sorema*, N.A., 534 U.S. 506, (2002).

86 248. The framework set out in the Supreme Court analysis in *McDonnell Douglas Corporation*
87 *v. Green* ("McDonnell Douglas") allows plaintiffs to use circumstantial evidence to draw
88 an inference of discriminatory intent in Defendants' employment decision-making. 411

89 U.S. 792, 802, 93 S.Ct. 1817, 36 L.Ed.2d 668 (1973). D.C. Courts adopted the
90 McDonnell Douglas' shifting burdens of proof to examine the validity of the inference.
91 *Miller v. American Coalition of Citizens with Disabilities*, 485 A.2d 186, 189 (D.C.
92 1984); *RAP, Inc. v. District of Columbia Commission on Human Rights*, 485 A.2d 173,
93 176 (D.C. 1984).

94 249. In the landmark case of McDonnell Douglas, the Supreme Court held that an employment
95 relationship between parties for the purpose of standing in Title VII cases could only be
96 proven by a pre-existing employment contract or a rejected application submitted by a
97 "job applicant." The job applicant was granted employee status with Title VII protections
98 based on evidence of the application. In drafting amended DCHRA, the Council did not
99 use the term "job applicant." District employers have an obligation to treat "job seekers"
00 with protected characteristics on equal footing as "job applicants" because their
01 employment status is equal to an employee if there is a relationship with the employer.

02 250. In McDonnell Douglas, the defendant and plaintiffs did not have a pre-existing
03 relationship. Without a relationship, the employer could not know whether the plaintiffs
04 were qualified for vacant positions. The Supreme Court held an employer owed no duty
05 of care to strangers not to discriminate in employment decisions. The McDonnell Douglas
06 standard gave rise to a prima facie case analysis that required an employment contract or
07 a job application for plaintiffs to have standing under Title VII. A plaintiff bringing suit
08 against an employer for Title VII violations absent an employment contract was required
09 to show there was a vacant position, they were qualified for the position and applied, and
10 the employer rejected the application for an allegedly discriminatory reason and
11 continued to search for applicants without the plaintiff's protected characteristic(s).

12 251. The case law gradually shifted toward inferences of an employment relationship between

13 parties that could be decided in fact at trial. By 2002, the Supreme Court decided that
14 rigid interpretations of requirements under the McDonnell Douglas standard failed to
15 account for the subtleties of discriminatory practices in the early stages of a prospective
16 employment relationship. It clarified that precise requirements, like an application or
17 contract, were not required to establish an employer-employee relationship for a prima
18 facie case of disparate treatment. *Swierkiewicz v. Sorema*, N.A., 534 U.S. 506, (2002).

19 252. This Court may grant Plaintiff compensatory and punitive damages for pain and
20 suffering, and relief from financial hardship, including but not limited to losses in past
21 earnings, future opportunities, and earnings potential, caused by Defendants' actions.

22 **COUNT II**

23 D.C. Code § 2–1402.11 — Employment

24 Against Defendants Middlebury, Blazakis, Newhouse, Kriner, Informa,
25 Conway, Lemieux, GIFCT, Saltman, & Mahir

26 253. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if
27 fully stated herein.

28 254. Under the DCHRA, Defendants Middlebury, Blazakis, Newhouse, and Kriner are
29 prohibited from taking adverse actions against employees working or seeking work as
30 independent contractors that "in any way which would deprive or tend to deprive any
31 individual of employment opportunities, or otherwise adversely affect [Plaintiff's] status
32 as an employee," or "for any reason that would not have been asserted for, partially or
33 wholly, a discriminatory reason." D.C. Code § 2–1402.11. "Disability" includes conduct
34 related to, arising from, stemming from, or originating in, partially or wholly, the
35 protected medical condition. *EEOC v. Amego, Inc.*, 110 F.3d 135, 137 (1st Cir. 1997),
36 *Harris v. Allstate Insurance Co.*, 300 F.3d 1183, 1190 (10th Cir. 2002) (quoting Black's
37 Law Dictionary 102 (7th ed. 1999)).

38 255. An "adverse action" is an employment decision that causes a protected employee to
39 "experience materially adverse consequences affecting the terms, conditions, or privileges
40 of employment or future employment opportunities such that a reasonable trier of fact
41 could find objectively tangible harm." *Slate v. Public Defender Service for D.C.*, 31 F.
42 Supp. 3d 277, 291 (D.D.C. 2014) (citing *Forkkio v. Powell*, 306 F.3d 1127, 1131
43 (D.C.Cir.2002)).

44 256. Defendants Middlebury, Blazakis, Newhouse, and Kriner maintain a discriminatory
45 applicant referral system that results in the disparate treatment in Plaintiff's selection,
46 recruitment, and hiring by employers and her access to employment processes, partially
47 or wholly, on the basis of her disability. *Harris v. Allstate Insurance Co.*, 300 F.3d 1183,
48 1185 (10th Cir. 2002). This is an unlawful discriminatory practice that violates Plaintiff's
49 right to equal opportunity in employment protected by D.C. Code § 2–1402.11.

50 257. Defendant Middlebury's referral system allows employers to segregate access to and
51 selection in the hiring processes for ARC employees and non-ARC employees. An
52 employer in the District of Columbia cannot "limit, segregate, or classify...employees in
53 any way which would deprive or tend to deprive any individual of employment
54 opportunities, or otherwise adversely affect his or her status as an employee" for
55 discriminatory reasons.

56 258. Defendant Middlebury's applicant referral system denies, or tends to deny, Plaintiff equal
57 opportunity in employment decisions and/or compensation for her labor or services
58 among agents of academic, commercial, and government employers, which "materially
59 adverse consequences affecting the terms, conditions, or privileges of employment or
60 future employment opportunities," partially or wholly, on the basis of her actual or
61 perceived disability. D.C. Code § 2–1402.11 (a)(1)(A).

62 259. Defendant Middlebury, Blazakis, Newhouse, and Kriner are liable for maintaining the
63 segregationist system, failing to oppose participating employers' referral requests that
64 adversely affect Plaintiff for known discriminatory reasons, and Blazakis' failure to
65 oppose the adverse actions of Newhouse and Kriner after becoming aware of Plaintiff's
66 allegations of unlawful discrimination.

67 260. Defendants Newhouse, Lewis, Kriner, and Conroy designed policies, procedures, and/or
68 practices for the referral system maintained by Defendant Middlebury for ARC. The
69 referral system does not increase the availability of job opportunities on accelerationism
70 or, as advertised on the ARC website, attempt in any manner to overcome the entrenched
71 discrimination in the field. Instead, Defendants' ARC is infected with discrimination so
72 that the referral system erects substantial barriers to Plaintiff's ability to enter into
73 contracts with employers.

74 261. The circumstance evidence gives rise to an inference of employment discrimination by
75 Defendant Middlebury's ARC. Like the social environment surrounding the racist referral
76 system in *Daniels*, ARC employees are pressured by participants not to associate with
77 Plaintiff because her actual or perceived disability will adversely affect their employment
78 opportunities with participating employers. *Daniels v. Pipefitters' Ass'n Local Union*, 945
79 F.2d 906, 910 (7th Cir. 1991).

80 262. The discriminatory intent of the referral system's planners is supported by direct
81 evidence. Defendants Newhouse, Lewis, Kriner, Conroy, and Roes 1-100's written
82 communications and witnessed oral statements are clear and convincing evidence that
83 their adverse actions were decided and carried out with wilful and malicious intent. The
84 discriminatory intent of Defendant Middlebury's policies and procedures were known to
85 and ratified by Blazakis. Direct evidence succeeds on the merits in establishing a prima

86 facie case for employment discrimination. *Trans World Airlines, Inc. v. Thurston*, 469
87 U.S. 111 (1985).

88 263. Employers participating in Defendant Middlebury's applicant referral system and
89 supervisory participants on the ARC Board of Advisors acting on behalf of employers
90 made discriminatory hiring decisions that deprived and/or tend to deprive Plaintiff
91 employment opportunities, or otherwise creates "materially adverse consequences
92 affecting the terms, conditions, or privileges of employment or future employment
93 opportunities," that affects her status as an employee, partially or wholly, on the basis of
94 her actual or perceived disability in violation of the employers and supervisors DCHRA
95 obligations. D.C. Code § 2–1402.11.

96 264. Defendant Middlebury's ARC applicant referral system adversely affected Plaintiff's
97 opportunities to attend and participate in the training activities at academic conferences
98 organized by Defendant Maura Conway on behalf of Swansea University, Dublin College
99 University, and Vox-Pol Network. Submitting an application to Conway's programs or
00 activities would be a "futile gesture" in light of her participation in Defendant
01 Middlebury's ARC, her role in influencing the discriminatory practices of Informa, and
02 the discriminatory hiring pattern or practice of hiring independent contractors for her
03 Swansea University, et. al., training or employment programs, such as the accelerationism
04 workshop at the 2022 UK conference.

05 265. Insofar as Defendant Middlebury's ARC discriminatory referral system affects
06 "admission to or the employment in, any program established to provide apprenticeship
07 or other training or retraining, including an on-the-job training program," it also violates
08 D.C. Code § 2–1402.11 (4A).

09 266. Defendant Middlebury's ARC discriminatory policies and procedures of its applicant
10 referral system adversely affected Plaintiff's opportunities in the "nation's premier
11 provider of counterterrorism research, technology, and workforce development
12 programs" supervised by Defendant Gina Ligon. Submitting an application to Ligon's
13 programs or activities would be a "futile gesture" in light of her participation in
14 Defendant Middlebury's ARC and the discriminatory hiring pattern or practice of hiring
15 independent contractors Seamus Hughes, Mahir, Lewis, and/or Roes 1-100, whom she
16 knows to express discriminatory animus against Plaintiff on the basis of her disability.

17 267. Defendant Middlebury's ARC applicant referral system adversely affected Plaintiff's
18 opportunities to attend and participate in the training activities at academic conferences
19 organized by Defendant Maura Conway on behalf of Swansea University, Dublin College
20 University, and Vox-Pol Network. Submitting an application to Conway's programs or
21 activities would be a "futile gesture" in light of her participation in Defendant
22 Middlebury's ARC, her role in influencing the discriminatory practices of Informa, and
23 the discriminatory hiring pattern or practice of hiring independent contractors for her
24 Swansea University, *et. al.*, training or employment programs, such as the
25 accelerationism workshop at the 2022 UK conference.

26 268. Defendants Informa, Lemieux, Middlebury, Newhouse, Kriner, Lewis, and Loadenthal
27 deprived or tended to deprive Plaintiff of employment opportunities, or otherwise
28 adversely affected her employment status on the basis of disability discrimination in the
29 recruitment and/or hiring process for authors to the Dynamics of Asymmetric Conflict
30 Journal's special issue on militant accelerationism in violation of D.C. Code § 2–
31 1402.11(a)(1A). Kriner, Newhouse, Lewis, and Loadenthal's editorial duties include
32 reviewing articles proposed for publication in the special issue, selecting the authors for

33 the special issue based on the proposed articles, and editing the drafts of the articles.

34 269. The deadline for proposed articles to appear in the special issue ended May 30, 2022.
35 Information about the special issue, submissions, and deadline, and other information on
36 the Taylor & Francis Group webpage, came from Defendant Middlebury's ARC website
37 and employees. The publicity materials for the Journal indicate a distinction and strong
38 preference for hiring applicants from Defendant Middlebury's ARC and limitation on
39 Plaintiff for discriminatory reasons. It is an employment practice for Informa,
40 Middlebury, Lemieux, Newhouse, and Kriner to "print or publish, or cause to be printed
41 or published, any notice or advertisement, or use any publication form, relating to
42 employment by such an employer, or to membership in, or any classification or referral
43 for employment…unlawfully indicating any preference, limitation, specification, or
44 distinction" on the basis of disability. D.C. Code § 2–1402.11 (a)(4B).

45 270. A reasonable person under the circumstances would not submit an application for this
46 employment opportunity because of Defendants Newhouse, Kriner, Lewis, and
47 Loadenthal discriminatory animus against the disabled evidenced by express statements
48 about Plaintiff's mental health. Plaintiff applying for this job through the article
49 submission process would have been a "futile gesture" based on the editors' pattern or
50 practice of employment discrimination, harassment, and retaliation against her, and
51 Lemieux's participation in Middlebury ARC's discriminatory referral system on behalf of
52 Informa.

53 271. The Supreme Court's decision in *Teamsters v. United States* recognized "the futile
54 gesture doctrine" in failure-to-hire discrimination cases. Job seekers who did not submit
55 an application could nonetheless establish the employment relationship required in a
56 prima facie analysis for disparate treatment in federal failure-to-hire discrimination cases

57 under the futile gesture doctrine. A qualified non-applicant for an open position could
58 demonstrate that he would have applied for the vacancy but-for the pattern or practices of
59 discriminatory hiring practices. A job seeker who is deterred from applying to an
60 employer in the face of humiliation and explicit rejection "is as much a victim of
61 discrimination as is he who goes through the motions of submitting an application."
62 *Teamsters v. United States*, 431 U.S. 324, 365-366 [97 S. Ct. 1843 (1977)].

63 272. Defendants Informa and Lemeiux knew of the unlawful discriminatory practices of the
64 employees it hired to edit the special issue on militant accelerationism, including but not
65 limited to Kriner and Newhouse's roles as planners of ARC's discriminatory referral
66 system. Defendant Informa and Lemieux did not refuse the discriminatory referrals for
67 Taylor & Francis Group and Routledge from Defendant Middlebury's ARC, which
68 caused Plaintiff "materially adverse consequences affecting the terms, conditions, or
69 privileges of employment or future employment opportunities."

70 273. Defendants also knew that the requirement for job applicants to submit drafts of original
71 work for publication would deter Plaintiff and similarly situated employees because of
72 Defendants Newhouse, Kriner, Lewis, and Loadenthal's severe labor exploitation
73 practices against individuals with protected characteristics. No reasonable employee in
74 Doe's position would apply due to the near certainty of Defendants' actions
75 misappropriating labor or services of rejected applicants during the hiring process.

76 274. Despite Lemeiux's knowledge of Plaintiff's allegations, neither he, Maura Conway, nor
77 Informa took any steps to investigate or prevent Newhouse, Kriner, Lewis, or Loadenthal
78 from misappropriating work on accelerationism contained in products submitted during
79 the hiring and editorial process, and plagiarizing the author's work as their own in the
80 special issue or in another public venue prior to publication of the special issue. Informa

81 and Lemieux's awareness of Defendant Middlebury's ARC pattern or practice of
82 discrimination gave them the constructive knowledge of unlawful employment practices
83 by granting them hiring authority in the selection of article proposals and authors to
84 commission and publish.

85 275. Defendant Middlebury did not refuse the discriminatory referral requests of foreign
86 employer, Maura Conway, for employment opportunities at Taylor & Francis Group,
87 Vox-Pol Network, Swansea University, and/or Dublin College University. Conway is an
88 employer who has DCHRA obligations insofar as she hires and/or hired one or more
89 employees working as independent contractors in the District of Columbia. She hired four
90 or more independent contractors through the ARC applicant referral system for the Vox-
91 Pol and Swansea University conference workshop on accelerationism methodology that
92 took place on or around June 28, 2022. District residents and workers Kriner, Robin
93 O'Luanaugh, Conroy, and Lewis are four of the five employees hired by Conway as
94 workshop presenters. All work performed under contract for the workshop occurred in the
95 District of Columbia between the time Conway hired the employees on an unknown date
96 between November 2021 and June 2022, and their international departure to perform the
97 final requirement of the contract, presentation of the workshop at Swansea University.
98 This was an employment and/or training opportunity separate and distinct from
99 educational activities and programs at the conference.

00 276. Defendants GIFCT, Shiraz Mahir, and Erin Saltman "limit[ed], segregat[ed], or
01 classify[ed]" contributors and/or recruitment, selection, and benefits of employment with
02 GIFCT, Global Network on Extremism and Terrorism, and Tech Against Terrorism
03 events, publications, and opportunities by partnering with, participating in, and/or failing
04 to refuse discriminatory referrals from Defendant Middlebury's ARC. These adverse

05 actions "deprive[d] or tend[ed] to deprive" Plaintiff of "employment opportunities, or
06 otherwise adversely affect[ed]" her employment status as a subject matter expert on
07 accelerationism in violation of D.C. Code § 2–1402.11 (a)(1A).

08 277. On January 3, 2022, Mahir acting on behalf of GIFCT created a special page for
09 Defendant Middlebury's ARC and "print or publish, or cause to be printed or published,
10 any notice or advertisement, or use any publication form, relating to employment by such
11 an employer, or to membership in, or any classification or referral for
12 employment…unlawfully indicating any preference, limitation, specification, or
13 distinction" on the basis of disability in violation of D.C. Code § 2–1402.11 (a)(4B). This
14 segregation of authorship would deprive Doe of employment opportunities or otherwise
15 adversely affect her employment status. Mahir's adverse decision was ratified by
16 Defendant GIFCT's Director of Research Erin Saltman when she joined Defendant
17 Middlebury's Board of Advisors on or around January 28, 2022.

18 278. Based on communications with Roes 1-100, reasonable triers of fact would conclude on
19 clear and convincing evidence that Mahir decided to take and continues to take adverse
20 employment actions against Plaintiff wilfully and maliciously "for any reason that would
21 not have been asserted for, partially or wholly, a discriminatory reason." D.C. Code § 2–
22 1402.11 (b).

23 279. Defendants' discriminatory system is maintained to present. The D.C. Circuit ruled that
24 "to establish a continuing violation, a plaintiff must show 'a series of related acts, one or
25 more of which falls within the limitations period,' or the maintenance of a discriminatory
26 system both before and during the period." *Anderson v. Zubieta*, 180 F.3d 329, 336 (D.C.
27 Cir. 1999) (quoting *McKenzie v. Sawyer*, 684 F.2d 62, 72 (D.C. Cir. 1982)). Plaintiff
28 submits the doctrines of equitable tolling and continuing violations apply to her claims in

29 this Complaint. *Moskowitz v. Trustees of Purdue University*, 5 F.3d 279, 281-282 (7th
30 Cir. 1993).

31 280. This Court may grant Plaintiff injunctive relief to compel Defendant Middlebury's ARC
32 to cease and desist maintaining its applicant referral system, Defendant employers'
33 participation and/or acceptance of referral requests from Defendant Middlebury's ARC,
34 and any discriminatory policies, procedures, and/or practices planned or implemented by
35 Newhouse, Kriner, and Roes 1-100. It may further award her compensatory and punitive
36 damages for pain and suffering and relief from financial hardship, including but not
37 limited to loss of past earnings, future opportunities, reputational harm, and earnings
38 potential, caused by Defendants' actions.

39 **COUNT III**
40 D.C. Code § 2–1402.41(c-2) — Harassment
41 Against All Defendants

42 281. Employees have a right to working environments free of discrimination. *Bundy v.*
43 *Jackson*, 641 F.2d 934, 945 n.10 (D.C. Cir. 1981).

44 282. Unlawful harassment is "conduct, whether direct or indirect, verbal or nonverbal, that
45 unreasonably alters an individual's terms, conditions, or privileges of employment or has
46 the purpose or effect of creating an intimidating, hostile, or offensive work environment."
47 D.C. Code § 2-1402.11 (c-2) (2)(A). Human Rights Enhancement Amendment Act of
48 2022 articulated that harassment is an unlawful discriminatory practice for the purposes
49 of DCHRA liability. D.C. Code § 2-1402.11 (c-2)(1) & § 2–1401.02 (31).

50 283. Plaintiff must demonstrate that Defendants' conduct "altered the conditions of the
51 victim's employment and created an abusive working environment." It was motivated,

52 partially or wholly, by her membership in a protected class. "Conduct need not be severe
53 or pervasive to constitute harassment and no specific number of incidents or specific level
54 of egregiousness is required." D.C. Code § 2-1402.11 (c-2) (3).

55 284. The facts and circumstances of the hostile work environment must be considered as a
56 whole rather than in isolation. Factors to weigh in determining unlawful harassment
57 include the frequency, duration, or location of the conduct, "whether the conduct involved
58 threats, slurs, epithets, stereotypes, or humiliating or degrading conduct; and [w]hether
59 any party to the conduct held a position of formal authority over or informal power
60 relative to another party." D.C. Code § 2-1402.11 (c-2) (3) (A-E).

61 285. Under the DCHRA, it is not relevant whether Defendants' harassment consisted of a
62 single incident, was directed at a person other than Plaintiff, caused Plaintiff no physical
63 or psychological injury, occurred outside the workplace, or was overtly attributed to
64 something other than a protected characteristic. It is immaterial whether the Plaintiff
65 submitted to or participated in the conduct, or was able to complete employment
66 responsibilities despite the conduct. D.C. Code § 2-1402.11 (c-2) (4)(A-G).

67 286. Considered as separate harassing acts or in the totality of circumstances, all Defendants
68 repeated comments about her mental illness in discussions about her work and
69 professional competency "unreasonably alters an individual's terms, conditions, or
70 privileges of employment or has the purpose or effect of creating an intimidating, hostile,
71 or offensive work environment." This Court held that repeated references to a plaintiff's
72 protected characteristic constituted unlawful harassment under DCHRA absent
73 discrimination in employment decisions or retaliation. The plaintiff testified that the
74 discriminatory comments "hurt me deeply because it had me thinking about myself much
75 more, you know, was I really coming to the end of the road of employment, of working?

76 … It just started to prey on my mind about maybe I'm getting old, and maybe I can't do
77 anything any more." The repeated references and the impact on the employee persuaded
78 the jury that the employer's hostile work environment was created with evil intent or
79 actual malice. *Daka, Inc. v. Breiner*, 711 A.2d 86, 90-91 (D.C. 1998).

80 287. Defendants Kriner, Newhouse, and Roes 1-100 sent and received electronic
81 communications about victimizing Doe. In the messages, they expressed that Plaintiff
82 "deserved it" because of her actual or perceived disability. Defendants implied in their
83 communications that no one in the field would believe Plaintiff's complaints. They
84 perpetuated discriminatory stereotypes that Doe's disability impaired her faculties of
85 reason. The individuals said Doe is "irrelevant" and no one would care if Defendants
86 stole from her in the unlikely scenario that people believed her allegations were credible.

87 288. Defendants' harassing conduct, independently and collectively, nearly resulted in her
88 death in late December 2021 and January 2022. Her severe emotional distress was
89 ridiculed, trivialized, and characterized as disruptive, delusional, disgusting, and
90 unacceptable. Despite the foreseeable consequence that their discriminatory harassment
91 could cause Plaintiff severe physical injury or death, and one or more Defendants
92 acknowledging this potential outcome explicitly, Defendants said repeatedly to "ignore
93 her."

94 289. When their harassment did not have the effect of killing Plaintiff for discriminatory
95 reasons, Defendants publicly and privately blamed their victim for her actual or perceived
96 disability and/or conduct arising therefrom. Defendants intensified their harassment of
97 Plaintiff wilfully and maliciously with unlawful intent, by unlawful means, and for
98 unlawful ends.

99 290. Defendant Malika "Meili" Criezis is an American University doctoral candidate and
00 PERIL employee. On December 30, 2019, before Criezis was hired by American
01 University, Criezis and Plaintiff discussed her subject matter expertise on accelerationism
02 for approximately two hours. Criezis made no suggestion in that private conversation, or
03 any other, with Doe that her research was unsound. Criezis did not appear to consider
04 Doe's expertise disreputable. Criezis did not imply Doe's analysis was unreasonable.
05 Criezis agreed with Doe's conclusions and expressed enthusiasm about Plaintiff's
06 forthcoming publications. After Criezis was hired by American University, Criezis was
07 defaming Plaintiff's reputation, the quality of work, and engaging in other excessive,
08 intemperate, and unreasonable harassment. Criezis instructed American University
09 coworkers to "stay away" from, ignore, and not speak positively of Plaintiff in the
10 workplace for reasons that one PERIL employee understood were discriminatory and
11 coercive.

12 291. Defendant Chelsea Daymon is an American University doctoral candidate and PERIL
13 employee. In January 2020, Daymon interviewed Plaintiff about her research. It was one
14 of two occasions where Plaintiff consensually volunteered to provide her services in the
15 public domain. In June 2021, Defendant Newhouse published an article in the CTC
16 Sentinel that contained segments from Daymon's interview verbatim. In May 2022,
17 Defendant Kriner published the intellectual core of Defendant Middlebury's ARC with
18 segments directly from the 2020 interview. Her conduct in response to Plaintiff's
19 allegations of misconduct in June 2022 that this use of her interview was accepted as a
20 matter of course constitutes harassment under the circumstances in violation of DCHRA.

21 292. Defendants Cynthia Miller-Idriss and Brian Hughes "altered the terms, conditions, and
22 privileges" of Plaintiff employees by concealing the source of labor for three or more

work products, specifically related to the role of “mobilizing concepts” in accelerationism. This misrepresentation caused Amarasingam to laugh at Plaintiff when she said in February 2022 that Miller-Idriss’ “mobilizing concepts” section of the West Point article came from Plaintiff’s application of Georges Sorel’s mobilizing myths to accelerationism. Miller-Idriss and Hughes acknowledged privately that Plaintiff has “great ideas” and is a “trailblazer,” but concealment of Plaintiff’s labor indirectly contributed to the harassment of their subordinates and the defamation of Plaintiff. It was conduct that contributed to the hostile work environment at American University.

293. Moreover, in February 2022, Miller-Idriss presented testimony that contained Plaintiff’s labor, not limited to mobilizing concepts. It was prepared with assistance from Brian Hughes, Criezis, and another ARC employee. Brian Hughes knew from the private conversation with Plaintiff after ARC’s formation that this conduct by Defendant Middlebury’s ARC caused her severe emotional distress and feelings of dehumanization, Miller-Idriss and Brian Hughes continued this pattern or practice. A reasonable person under the circumstances would conclude that PERIL employees fostered a hostile work environment against Plaintiff for discriminatory reasons in violation of American University’s DCHRA obligation under this section.

294. PoE Director Seamus Hughes participated in and/or witnessed and failed to prevent harassment of Plaintiff by Poe employees, partially or wholly, because of her disability. Seamus Hughes’ harassing conduct “materially adverse consequences affecting the terms, conditions, or privileges of employment or future employment opportunities,” in violation of D.C. Code § 2–1402.11.

295. In December 2021, Seamus Hughes trivialized Doe’s years of labor to “a footnote.” Plaintiff is not required to provide her services in a published format or make it publicly

47 available. Seamus Hughes expressed that Defendant Middlebury's ARC would reap
48 benefits of Doe's labor because they are "even-keeled," implying she is not. A colleague
49 stated to Doe when it was written that PoE supervisor's statement "was so poorly written
50 university HR departments could use it for years about how to be exclusionary of
51 neurodivergent people." This confirmed to Plaintiff that third parties in the field also
52 understood Seamus Hughes' use of "even-keeled" as a euphemism to disparage Doe's
53 disability.

54 296. Seamus Hughes said that her abusers were "kind" and would "have a long-lasting impact"
55 in their careers. Plaintiff's impact would be nullified by a "short shelf life in the field."
56 The message implied that Doe's career was over as a proximate result of Defendant
57 Middlebury's ARC intended pattern or practices. Defendant Amaranth Amarasingam, a
58 George Washington University PoE non-supervisory employee supervised by Seamus
59 Hughes, "liked" this post on social media. The District Court found that telling a plaintiff
60 that she would "never find work in Washington" and suggesting to her that "it would be a
61 good idea for [the plaintiff] to resign" constituted unlawful harassment under the
62 DCHRA. *Atlantic Richfield v. District of Columbia Commission on Human Rights*, 515
63 A.2d 1095, 1098 (D.C. 1986).

64 297. Seamus Hughes implied "the field" would not acknowledge her professional
65 contributions or tolerate her career advancement. He did not say that only he, Deputy
66 Director of the Program on Extremism, would not acknowledge her professional
67 contributions or tolerate her career advancement. Seamus Hughes implied that the totality
68 of employers in the industry of Doe's profession would not acknowledge Doe's
69 professional contributions or tolerate her career advancement because she was not
70 perceived as even-keeled. George Washington University and Middlebury cannot use

71 government-assistance, or government-assisted programs and activities, to deny Doe
72 employment in any occupation in a manner or for reasons that deprive her of property or
73 liberty interests for discriminatory reasons, or without due process. *Schware v. Board of*
74 *Bar Examiners*, 353 U.S. 238-239 (1957).

75 298. Monopolistic market practices in skilled industries that effectively allow entities to
76 blackball a worker from the profession "results in something resembling peonage of the
77 baseball player…The most extreme of these penalties is the blacklisting of the player so
78 that no club in organized baseball will hire him… The violator may perhaps become a
79 judge…or a bartender or a street-sweeper, but his chances of ever again playing baseball
80 are exceedingly slim." *Gardella v. Chandler*, 172 F.2d 402, 412 (2d Cir. 1949).
81 Defendants blackballing Plaintiff resembles the monopolistic practices for baseball
82 players that "possess characteristics shockingly repugnant to moral principles that, at least
83 since the War Between the States, have been basic in America, as shown by the
84 Thirteenth Amendment to the Constitution, condemning 'involuntary servitude,' and by
85 subsequent Congressional enactments on that subject." *Id*. A reasonable person would
86 interpret Seamus Hughes' conduct unreasonably alters the terms, conditions, and
87 privileges of Plaintiff's employment.

88 299. On December 27, 2022, after ARC was announced, Amarasingam's "mind games"
89 harassment produced the effect that an ARC employee did not believe the sincerity of
90 Doe's severe emotional distress after ARC was announced. She angrily berated Plaintiff's
91 "crazy shit" and "mind games" even after Doe desperately and repeatedly begged the
92 D.C.-based researcher to stop with the abusive treatment. The ARC employee would not
93 stop, so Plaintiff chose to leave rather than continue to endure the harassment technique
94 of gaslight by George Washington University employee Amarnath Amarasingam.

95 300. Gaslighting causes a victim to doubt their sanity and interpretations of reality. The
96 strategy was depicted and popularized in a 1944 film starring Ingrid Bergman. In "Gas
97 Light," Bergman's onscreen husband manipulates the starlet's senses, perceptions, and
98 memory of events, so that he can commit her to an insane asylum for his own financial
99 benefit. According to the National Domestic Violence Hotline, psychological exhaustion
00 gradually makes a victim more vulnerable to the abusive behavior over time.

01 301. Long-term effects of harassment include loss of self-confidence, psychological trauma,
02 social isolation, anxiety, and depression. Socio-economic inequality and the
03 discriminatory stereotyping often implicated in psychological abuse make individuals
04 with protected characteristics disproportionately vulnerable to the effects. The harassing
05 conduct erodes a victim's institutional credibility, which adversely affects their
06 employment when the harassing conduct is carried out in professional settings. For
07 example, Amarasingam said that "no one knew what you were talking about" when she
08 tried to discuss the urgency of accelerationism while he also encouraged or suggested to
09 colleagues not to listen to her.

10 302. Amarasingam encouraged or suggested to at least three residents of the District of
11 Columbia to unlawfully harass and exclude Doe from aspects of life, partially or wholly,
12 because of her actual or perceived disability. All three researchers are employed by
13 Defendant Middlebury's ARC and reside and work in the District of Columbia.
14 Amarasingam interacted with Kriner for the first time in July or August 2021. The advice
15 Kriner received from Amarasingam in relation to Doe was a significant motivating factor
16 in the discriminatory practices adopted by Middlebury supervisors. As supervisor of PoE
17 Fellows, PoE Deputy Director Seamus Hughes ratified his employee Amarasingam's
18 discriminatory behavior. "In view of the ongoing nature of the conduct in the instant case,

19 as well as the control [Defendants] held over [Plaintiff's] professional future, the
20 comparison to an isolated remark, even one made with knowledge of special sensitivity,
21 is disingenuous." *Russell v. Salve Regina College*, 890 F.2d 484, 488 n.7 (1st Cir. 1989).

22 303. On February 1 and 2, 2022, Doe messaged Amarasingam in a state of severe emotional
23 distress. During the discussion, Amarasingam deliberately brought up the report that
24 Ligon funded as an example of providing Doe "recognition" for her contribution. Plaintiff
25 said she had not seen or read the report. He said that he and his co-authors used Doe's
26 definition of accelerationism in the report. He said, "that's what credit looks like. We
27 don't do parades in academia." Plaintiff thanked him, "but it isn't about the citations. Its
28 about being acknowledged and not used and abused and violated."

29 304. Her gratitude was premature. When Plaintiff later read the report, she observed that the
30 authors did in fact use her "definition." It was contained in a footnote. The footnote did
31 not have quotations around the term to signify any attribution to Doe. The definition was
32 immediately followed by a citation to the first plagiarized article by Kriner, Newhouse,
33 and Conroy when Mahir reassigned Doe's accelerationism series to them. Another
34 plagiarized article followed the first citation. Doe's citation was in the lower-middle
35 section. The article Plaintiff reviewed for West Point in November 2021 was given the
36 visibility of being attributed at the bottom. This attribution of Doe's work deviated from
37 the "practice or method of dealing having such regularity of observance in a place,
38 vocation, or trade as to justify an expectation that it will be observed with respect to the
39 transaction in question." D.C. Code § 28:1–303 (c).

40 305. It had "purpose or effect of creating an intimidating, hostile, or offensive work
41 environment" as it was intended. Amarasingam purposefully drew Doe's attention to this
42 report, and the footnote in particular, when she was already in severe emotional distress

43 and demanding to be treated like a human being. Amarasingam told Doe that she should
44 not expect a parade. This was harassing conduct with malice that could have foreseeably
45 caused Plaintiff's death or physical injury under the circumstances. Ligon's indirect
46 conduct, independently and together with PoE coworkers, Seamus Hughes,
47 Amarasingam, and Lewis, fostered the hostile work environment that targeted Plaintiff
48 for unlawful and discriminatory reasons at George Washington University.

49 306. Defendant Ligon is an independent contractor for Defendant George Washington
50 University as a PoE Senior Fellow supervised by Defendant Seamus Hughes. She has
51 DCHRA obligations not to harass Plaintiff for discriminatory reasons in the course of her
52 employment as a non-supervisory employee at George Washington University. On two
53 occasions since the formation of Defendant Middlebury's ARC, Ligon directed
54 government-assisted funding from her primary employer to George Washington
55 University PoE, where is employed as a non-supervisory employee, to indirectly
56 participate in the harassing conduct of her PoE co-workers, Defendants Seamus Hughes,
57 Jon Lewis, and Amarnath Amarasingam. Ligon knows or should know her indirect
58 conduct "unreasonably alters [Plaintiff's] terms, conditions, or privileges of employment
59 or has the purpose or effect of creating an intimidating, hostile, or offensive work
60 environment" in violation of DCHRA. D.C. Code § 2-1402.11 (c-2)(2A).

61 307. Ligon also directed government-assisted funding on another two occasions to the
62 secondary employer of PoE Director Seamus Hughes, by and through, the secondary
63 employer's agent, Shiraz Mahir. Defendant Ligon's conduct had the effect of funding the
64 January 2022 report co-authored by her George Washington University PoE co-worker
65 Amarnath Amarasingam that he used to harass Plaintiff during their conversation in early
66 February 2022. Mahir allocated Ligon's funds to compensate Amarasingam and

67 Argentino for the January 28, 2022, report on accelerationism. The unique aspects of
68 accelerationism contained in the report came from a junior researcher who had
69 confidential access to Doe's original research on Minerva's Owls. Defendant Newhouse
70 requested Doe give the researcher access on April 14, 2021. Newhouse told Doe the
71 young woman "does a lot of analysis at the accelerationist edge (but is obviously missing
72 some context)." This was the researcher that Amarasingam referenced in his December
73 2021 about Middlebury's ARC employment opportunities for "younger researchers"
74 championed by Doe. Amarasingam made this comment while explaining how Plaintiff
75 was interpreting the situation incorrectly. That is, Doe's incorrect interpretation was that
76 her labor was being used to deny her employment opportunities and benefits by
77 Defendant Middlebury's ARC for discriminatory reasons. A reasonable person would feel
78 that the harassing conduct of George Washington University employees unreasonably
79 alters the terms, conditions, and privileges of employment.

80 308. Defendant GIFCT, by and through the direct and indirect conduct of Erin Saltman, and
81 witnessing and failing to prevent the harassing conduct of GIFCT employees, including
82 independent contractors for Global Network on Extremism and Terrorism and Tech
83 Against Terrorism, unreasonably altered Plaintiff's "terms, conditions, or privileges of
84 employment" and/or had the "effect of creating an intimidating, hostile, or offensive work
85 environment" in violation of the DCHRA. D.C. Code § 2-1402.11.

86 309. GIFCT witnessed and failed to prevent the harassing conduct of the GIFCT contractor
87 who harassed Doe and defamed her as "disgusting and despicable," and the harassment
88 by Mahir, Kriner, Newhouse, Lewis, Conroy and Roes 1-100, in their employment as
89 GIFCT independent contractors, in January 2022. Saltman hired, encouraged, and
90 publicly participated alongside Kriner, Argentino, and Roes 1-100 at GIFCT-funded

91 programs and activities despite her knowledge of their harassing conduct against Plaintiff
92 for discriminatory reasons and that Plaintiff would be adversely affected by her and
93 GIFCT's acceptance and/or participation in the harassing conduct.

94 310. Bjorn Ihler was employed as GIFCT Chairman between 2020 and 2022. Bjorn Ihler is the
95 founder of a non-profit organization headquartered in Sweden. Ihler's foundation
96 employs Samantha Kutner on a regular basis. Kutner is also employed by Facebook, a
97 founder of GIFCT and Saltman's former employer. Defendant Middlebury employs Ihler
98 on the ARC Board of Advisors and Kutner as an ARC Fellow.

99 311. In August 2021, Doe told Erin Saltman and Bjorn Ihler that she would be forced to
00 undertake a cost-prohibitive lawsuit to recover what ARC stole from her. Kutner tried to
01 dissuade the plaintiff's legal action by advising Doe to focus on "her own space" away
02 from the field. Kutner's comments attracted the attention of a third party employed in the
03 field. Kutner told a colleague that only "enablers" support the plaintiff and words of
04 comfort are dishonest. The colleague privately messaged Kutner for context.

05 312. She accused the plaintiff of going "off the rails." Kutner dismissed Doe's allegations as
06 delusional products of a disturbed mind by relying on stereotypic perceptions that equated
07 mental illness with a threat to public safety and the dissolution of rational faculties.
08 Kutner stated that the plaintiff had been deliberately excluded in a range of professional
09 and educational programs and activities because of her mental health. The pretext offered
10 was to "protect marginalized people" from Doe and the effects of her disability.
11 Marginalized people in this context referred to researchers with protected characteristics
12 who also enjoyed the benefits of institutional support unlike Doe. Kutner characterized
13 Doe, not only as mentally deranged, but also as a white supremacist sympathizer.

14 313. Prior to Defendant Middlebury's ARC, Kutner publicly stated that Doe was responsible
15 for everything she knew about accelerationism. She acknowledged and supported Doe's
16 public complaints about Conroy, Kriner, Lewis, and Newhouse interview for CARR in
17 November 2021.

18 314. Kutner said Plaintiff posed a threat to "marginalized people." Ihler said in September
19 2022 that he has a firm policy to deny employment opportunities to colleagues who cause
20 indirect harm to members of protected classes. This was presumably also a policy in place
21 when Ihler acted on behalf of GIFCT during his two-year employment as Chairman of the
22 Independent Advisory Committee.

23 315. Covered employers cannot commit DCHRA violations on the basis of "the comparative
24 characteristics of one group as opposed to another, the stereotyped characterization of one
25 group as opposed to another, and the preferences of co-workers, employers, customers or
26 any other person." D.C. Code § 2–1401.03 (a). According to Kutner, Doe was socially
27 isolated and denied equal treatment and opportunity in the workplace because "there are
28 some basic structural things to protect marginalized people that does have a purpose and
29 function."

30 316. Doe was recovering from severe anemia and its effects on other aspects of her health
31 when Kutner and Ihler equated her disability to extremism for requiring assistance with
32 cabinets. Doe told Ihler that it would directly harm her to follow his advice under the
33 circumstances and did not want to. Rather than accept her decision, the conversation
34 ended with Ihler insinuating that Doe supported racial hatred to control her behavior.
35 Plaintiff thought Ihler's position was unreasonable. A reasonable person would find this
36 conduct harassing and offensive. Ihler did not consider Plaintiff's physical limitations
37 sympathetic or protected on equal terms and as a result of GIFCT's failure to prevent its

38 employee's unlawful harassment. Circumstantial evidence may permit an inference of
39 discriminatory bias in Chairman's actions as it evolved from harassing conduct to
40 employment decisions he made after leaving GIFCT.

41 317. During her employment in business development for Moonshot CVE's D.C. office,
42 Meghan Conroy created a hostile work environment. Moonshot, by and through its CEO
43 Vidhya Ramalingam, "witnessed and failed to prevent the discriminatory acts, or
44 refrained from acting on complaints of unlawful discriminatory practices." *Smith v. Café*
45 *Asia*, 598 F.Supp.2d 45, 48–49 (D.D.C.2009).

46 318. Moonshot employed Meghan Conroy as a non-supervisory employee in its business
47 development division until November 2021. In the course of her employment, she
48 developed business for Moonshot CVE with Defendant Middlebury, Newhouse, and
49 Kriner. It was in this capacity while she was employed by Moonshot that Conroy, Kriner,
50 Newhouse, and Lewis worked on the planning, policies, and preparatory stages for
51 Defendant Middlebury's ARC discriminatory applicant referral system. While she is not
52 and has never been a supervisor for Middlebury or Moonshot, Conroy also influenced
53 Defendant Middlebury's decisions in hiring, outreach, and practices. When ARC formally
54 launched in December 2021, Conroy's position was and is Chief of Staff on the Steering
55 Committee. Conroy's conduct, "whether direct or indirect, verbal or nonverbal, that
56 unreasonably alters an individual's terms, conditions, or privileges of employment or has
57 the purpose or effect of creating an intimidating, hostile, or offensive work environment"
58 in the course of her business development for Moonshot CVE. D.C. Code § 2-1402.11 (c-
59 2) (2)(A)

60 319. Conroy also knowingly defamed Plaintiff and misrepresented her work on
61 accelerationism in the course of her business development for Moonshot, partially or

62 wholly, for discriminatory and unlawful reasons. She deliberately concealed and made
63 false statements that unreasonably altered Plaintiff's terms, conditions, or privileges of
64 employment. The harassing conduct created the effects of an "intimidating, hostile, or
65 offensive work environment," at Moonshot and also led indirectly to Plaintiff's
66 harassment by CARR employees. Conroy explained to co-workers that the targeted
67 harassment of Plaintiff was her actual or perceived disability.

68 320. Moonshot ratified Conroy's discriminatory harassment and adverse actions against
69 Plaintiff in the scope of her then-former business development employment when
70 Ramalingam accepted a position on Defendant Middlebury's ARC Board of Advisors.

71 321. Defendants are personally liable for directly or indirectly participating in conduct that
72 unreasonably altered Plaintiff's terms, conditions, or privileges of working or seeking
73 work as an independent contractor or had the purpose or effect of creating an
74 intimidating, hostile, or offensive work environment because of her actual or perceived
75 disability in violation of D.C. Code § 2-1402.11 (c-2)(2A).

76 322. Defendant supervisors are personally liable for their direct participation in violations of
77 DCHRA and/or for witnessing and failing to prevent it. Defendants Middlebury,
78 American University, George Washington University, and GIFCT, are liable for the
79 "knowledge or constructive knowledge" about the harassing conduct and has not
80 "exercised reasonable care to prevent the supervisors' harassing conduct" under the
81 theory of respondeat superior. *Faragher v. City of Boca Raton*, 524 U.S. 775, 118 S.Ct.
82 2275, 141 L.Ed.2d 662 (1998), *Burlington Industries, Inc. v. Ellerth*, 524 U.S. 742
83 (1998).

84 323. Defendants Criezis, Amarasingam, Seamus Hughes, Lewis, Mahir, Argentino, Newhouse,

Kriner, Conroy, Kutner, Ihler, and Roes 1-100 participated in discriminatory harassment in communications disparaging Plaintiff's reputation and/or the quality of her labor or services on the basis of disability discrimination. The Supreme Court recognized that a scholar has property and liberty interests in an academic career and academic reputation and entitlements to benefits of those interests. Defendants' harassment resulted in a severe "foreclosure of opportunities or the harm to reputation amount[s] to the deprivation of liberty protected by the due process clause." *Keddie v. Pennsylvania State University*, 412 F. Supp. 1273 (M.D. Pa. 1976).

324. Defendants American University, Cynthia Miller-Idriss, and Brian Hughes knew or should have known about and failed to prevent Criezis, Daymon, and Roes 1-100, employees under their supervision, from ongoing conduct that fosters a hostile work environment for Plaintiff in violation of their DCHRA obligations on employers.

325. Defendants George Washington University and Seamus Hughes witnessed and failed to prevent the ongoing discriminatory harassment of Plaintiff by PoE non-supervisory employees in the course of their employment that fostered a hostile work environment. George Washington University knew or should have known that Seamus Hughes participated in the ongoing discriminatory harassment in violation of its DCHRA obligations on employers.

326. Defendants Middlebury, Blazakis, Newhouse, and Kriner witnessed and failed to prevent the ongoing discriminatory harassment of Plaintiff by CTEC and ARC employees in the course of their employment that fostered a hostile work environment. Defendant Middlebury and Blazakis knew or should have known that Newhouse and Kriner participated in the ongoing discriminatory harassment in violation of the DCHRA obligations on subsidiary institutions of the Presidents and Fellows of Middlebury

09 College.

10 327. Defendant Moonshot witnessed and failed to prevent the discriminatory harassment of
11 Plaintiff by its non-supervisory employees Conroy and Roes 1-100 until the dates of their
12 termination.

13 328. Defendant Informa's Routledge witnessed and failed to prevent, by and through its
14 supervisor Graham Macklin in his capacity as Routledge series editor, the harassing
15 conduct of Amarasingam and Argentino, volume editors of a forthcoming Routledge
16 book. DCHRA obligations apply to employers with one or more employees working or
17 resident in the District. Under the supervision of Macklin, a Routledge agent,
18 Amarasingam and Argentino hired Matthew Kriner as an author for the forthcoming
19 Routledge book and the duties of this independent contractor are fulfilled by Kriner in the
20 District of Columbia.

21 329. Defendants Informa's Taylor & Francis Group and the Editor-in-Chief of its Dynamics of
22 Asymmetric Conflict Journal, Anthony Lemieux, witnessed and failed to prevent the
23 unlawful harassment of Plaintiff by Kriner, Newhouse, and Roes 1-100 that occurred in
24 the course of their independent contracts. Kriner, Newhouse, and Roes 1-100 are
25 employed to provide services as Editors or authors by Taylor & Francis Group under the
26 supervision of Lemieux. The conduct of these employees fostered a hostile work
27 environment, altering the terms, conditions, and benefits of Plaintiff's working
28 conditions.

29 330. Defendants GIFCT and Erin Saltman witnessed and failed to prevent the unlawful
30 harassment of Plaintiff by Mahir, Ihler, Roes 1-100, and independent contractors
31 providing labor or services to GIFCT.

32 331. Defendant Mahir witnessed and failed to prevent the harassing conduct of Amarsingam,
33 Argentino, Seamus Hughes, and Roes 1-100 in his full-time employment as Director of
34 the International Centre for the Study of Radicalisation. The International Centre for the
35 Study of Radicalisation ("ICSR") has one or more employees living or working as
36 independent contractors in the District of Columbia. Seamus Hughes, an ICSR Associate
37 Fellow lives and performs work as an independent contractor in the District of Columbia.
38 ICSR also provides employment contracts to Matthew Kriner, Meghan Conroy, Chelsea
39 Daymon, Meili Criezis, and Roes 1-100, and the corresponding benefits of those
40 opportunities offered in the course of its partnership with Defendant Middlebury's ARC,
41 which also employs Amarasingam, Argentino, Seamus Hughes, Kriner, Conroy, Daymon,
42 Criezis, and Roes 1-100.

43 332. There is clear and convincing evidence that the defamatory harassment of Amarasingam,
44 Argentino, Seamus Hughes, Mahir, Kriner, Newhouse, Kriner, Conroy, and Roes 1-100
45 was wilful and malicious. Their published and oral communications "forbid any other
46 reasonable conclusion than that the defendant[s] [were] actuated by express malice."
47 *Ashford v. Evening Star Newspaper Co.*, 41 App. D.C. 395, 405 (1914).

48 333. This Court may grant Plaintiff compensatory and punitive damages for pain and suffering
49 and relief from financial hardship, including but not limited to losses in past earnings,
50 future opportunities, reputational harm, and earnings potential, caused by Defendants'
51 actions.

52 **COUNT IV**
53 D.C. Code § 2–1402.61 — Retaliation
54 Against Defendants Middlebury, Blazakis, Newhouse, Kriner, Informa,
55 Lemieux, Conway, Cruickshank, GIFCT, Saltman, & Mahir

56 334. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if
57 fully stated herein.

58 335. Unlawful retaliation is an intentional act made in response to an activity protected by
59 legal right ("protected activity"). The Supreme Court observed that "a ban on
60 discrimination encompasses retaliation" due to the "close connection between
61 discrimination and retaliation for complaining about discrimination." *University of Texas*
62 *Southwestern Medical Center v. Nassar,* 570 U.S. 338 (2013), *Harris v. Allstate*
63 *Insurance Co.*, 300 F.3d 1183, 1185 (10th Cir. 2002).

64 336. Retaliation for protected activity provides a basis for relief under DCHRA if Plaintiff
65 "voiced her opposition" by describing the employer's conduct as "unethical" or motivated
66 by discrimination against a protected characteristic. *Goos v. National Ass'n of Realtors*,
67 715 F. Supp. 2 (D.D.C. 1989).

68 337. The DCHRA prohibits practices that constitute direct or indirect retaliatory conduct. It
69 prohibits "any person to coerce, threaten, retaliate against, or interfere with any person in
70 the exercise or enjoyment of, or on account of having exercised or enjoyed, or on account
71 of having aided or encouraged any other person in the exercise or enjoyment" of legal
72 rights protected under the DCHRA. It also prohibits "any person to require, request, or
73 suggest that a person retaliate against, interfere with, intimidate or discriminate against a
74 person" for objecting to any practice prohibited by the DCHRA. D.C. Code § 2–1402.61
75 (a-b).

76 338. D.C. Courts apply DCHRA provisions concerning retaliation and retaliatory intent
77 through local interpretations of the elements in federal Title VII jurisprudence. *Allen-*
78 *Brown v. District of Columbia,* 174 F. Supp. 3d 463, 481 (D.D.C. 2016), *Ali v. District of*

79 *Columbia*, 697 F. Supp. 2d 88, 92 n.6 (D.D.C. 2010). The adverse employment decision
80 must have a causal connection to the employee's protected activity to constitute
81 retaliation. *Jones v. Washington Metropolitan Area Transit Authority*, 205 F.3d 428, 433
82 (D.C. Cir. 2000). "At the prima facie stage of a retaliation claim, a plaintiff's burden 'is
83 not great; [he] merely needs to establish facts adequate to permit an inference of
84 retaliatory motive.'" *Clipper v. Billington*, 414 F. Supp. 2d 16, 25 (D.D.C. 2006) (quoting
85 *Holcomb v. Powell*, 433 F.3d 889, 903 (D.C. Cir. 2006)).

86 339. On May 9, 2022, Defendant Middlebury published the report Kriner announced on
87 January 2, 2022. Defendants Middlebury, Blazakis, Newhouse, and Kriner made the
88 decision to conceal the source of labor they coerced Plaintiff to provide that constituted
89 the entirety of the publication. Defendants ridiculed Plaintiff's suicidal distress at the
90 prospect of this report when Kriner announced its forthcoming debut on January 2, 2022.
91 They characterized Plaintiff as delusional in January for alleging that Defendant
92 Middlebury's ARC report on accelerationism would resemble or rely on her three years
93 of labor. The actual report of May was a composite of the labor coerced from Plaintiff by
94 Newhouse, Kriner, Lewis, Miller-Idriss, Brian Hughes, and Roes 1-100 in 2021.

95 340. Defendant Middlebury presented the report as the intellectual core of ARC with the
96 content exclusively drawn from violation and exploitation of Plaintiff's labor in
97 retaliation for her protected activity. There is clear and convincing evidence that
98 Defendants wilfully and maliciously retaliated against Plaintiff in this manner in May
99 with full knowledge that the announcement of this report nearly caused her death in
00 January.

01 341. Plaintiff may establish an inference of retaliation in an adverse action when there is a
02 close temporal relationship between participation in protected activity and a covered

03 employer's decision. *Holcomb*, 433 F.3d at 903 (citing *Mitchell v. Baldrige*, 759 F.2d 80,
04 86 (D.C. Cir. 1985)), *Holbrook v. Reno*, 196 F.3d 255, 263 (D.C. Cir. 1999)). The
05 employer's knowledge of the protected activity must be one "substantial contributing
06 factor" in the decision, but it does not need to be the only substantial contributing factor
07 to find retaliation or retaliatory intent. *Arthur Young Co. v. Sutherland,* 631 A.2d 354
08 (D.C. 1993).

09 342. Defendants Middlebury and Roes 1-100, subject to the jurisdiction of DCHRA,
10 unlawfully required, requested, or suggested West Point retaliate against Plaintiff for
11 participation in protected activity. Editor-in-Chief Paul Cruickshank made adverse
12 employment decisions against Doe on at least three occasions in March 2022, July 2022,
13 and November 2022, acting on the basis of Defendants' unlawful motive.

14 343. In March 2022, Cruickshank made the adverse decision to rescind Doe's earlier offers to
15 commission an article for West Point. The draft she submitted constituted an employment
16 application for a service contract that the CTC Sentinel editors believed she was qualified
17 to fill until her opposition to Defendant Middlebury's ARC.

18 344. To lessen the duration of Cruickshank's retaliation, Plaintiff provided public evidence on
19 June 5, 2022, that proved her allegations against Defendant Middlebury's ARC to the
20 satisfaction of CTC Sentinel editors and all colleagues in the field who read it. The CTC
21 Sentinel's next publication after Plaintiff's evidence was its July issue in which
22 Cruickshank made the decision to publish an article on accelerationism written by three
23 independent contractors hired from ARC's Board of Advisors (Amarasingam, Argentino,
24 and Graham Mackin). The CTC Sentinel article renamed accelerationism "cumulative
25 momentum" in response to Plaintiff's evidence that her work on accelerationism was
26 stolen because she never claimed any work on a non-existent area called cumulative

27 momentum.

28 345. In November 2022, Cruickshank arranged for an ARC employee to conduct an outside
29 review on the exact same article that West Point had suggested in a communication to
30 Plaintiff in November 2021 that she would review once its authors completed their draft.

31 346. There is direct evidence of retaliatory motive in Cruickshank's decision to deny Plaintiff
32 employment indefinitely. During Plaintiff's March phone call with West Point, the reason
33 given for the employer's adverse employment action was Doe's protected activity in
34 January 2022 and the implied threats of Defendants to concoct a smear campaign against
35 any institution that hired her.

36 347. Failure to obey applicable laws in a good faith fear of the foreseeable consequences on
37 "institutional optics" is an unlawful discriminatory practice. An individual decision-
38 maker acting under the color of law may be held liable. *Faraca v. Clements*, 506 F.2d 956
39 (5th Cir. 1975). U.S. Government employees "cannot find sanctuary from the
40 consequences of an act of…discrimination in a fear that public reaction will bring
41 unfavorable results." *Cooper v. Aaron*, 358 U.S. 1, 78 S.Ct. 1401, 3 L.Ed.2d 5 (1968),
42 *Bell v. West Point Municipal Separate School Dist.*,446 F.2d 1362 (5th Cir. 1971).

43 348. The facts support an inference of retaliatory motive in West Point's adverse actions in
44 July and November 2022 and resulted, partially or wholly, from Defendant Middlebury
45 and Roes 1-100's requirement, request, or suggestion rather than an independent
46 judgment. The terms and conditions of Plaintiff's employment, or exclusion therefrom,
47 remain in force to present day. The veracity of her January allegations were accepted by
48 West Point hiring employees in June. West Point took no remedial action. There is no
49 outward evidence that contradicts an assertion that the initial retaliatory motive did not

50 also motivate, partially or wholly, the subsequent acts of retaliation in July or November.

51 349. Cruickshank allowed, and compensated with U.S. taxpayer dollars, three foreign
52 employees on Defendant Middlebury's ARC Board of Directors to introduce the terrorist
53 threat of "cumulative momentum" in the very next issue of the CTC Sentinel after Doe
54 published evidence that included two of the contributing authors. Plaintiff may establish a
55 prima facie of retaliation by demonstrating temporal proximity between the protected
56 activity and the adverse employment action. *Carney v. American University*, 151 F.3d
57 1090, 1094 (D.C. Cir. 1998), *Mitchell v. Baldrige*, 759 F.2d 80, 86 (D.C. Cir. 1985).

58 350. Cruickshank and CTC Sentinel editors retaliated against Doe by taking adverse actions
59 that, absent discrimination or retaliation, would still violate U.S. Government policies,
60 procedures, and professional obligations imposed on West Point employees by the U.S.
61 Department of Defense, Office of Government Ethics, and the university's faculty
62 handbook. West Point had no reason to take these adverse actions against Plaintiff or
63 retaliate against Plaintiff independently of Defendant Middlebury and Roes 1-100's
64 undue influence on the decision of its hiring agent, Paul Cruickshank.

65 351. Plaintiff's evidence persuaded the CTC Sentinel editors. She never accused West Point of
66 culpability for the misconduct of its contractors or implied constructive knowledge.West
67 Point's employment contracts with authors state that CTC Sentinel accepts no liability for
68 legal claims arising from the articles that it commissions from independent contractors.
69 Furthermore, West Point has sovereign immunity from suit. There is no legal justification
70 for West Point's decision to conceal the wrongdoing of Defendant Middlebury's ARC
71 under the circumstances. The preponderance of evidence creates an inference that West
72 Point's adverse employment actions against Plaintiff were caused, partially or wholly, by
73 Defendants' requirement, request, or suggestion to retaliate against her.

74 352. Defendants Middlebury, Lemieux, Kriner, Newhouse, and Roes 1-100 required,
75 requested, or suggested Taylor & Francis Group and Routledge take adverse actions
76 against Plaintiff in retaliation for her protected activity against Defendant Middlebury's
77 ARC.

78 353. Taylor & Francis Group did not advertise the vacant editorships or the militant
79 accelerationism issue, partially or wholly, to deny Plaintiff access to the hiring process in
80 retaliation for her protected activity against Defendant Middlebury's ARC. The failure to
81 advertise a vacant job before filling it constitutes an unlawful act when the employer's
82 intent is the discriminatory treatment of potential applicants. *Paxton v. Union National*
83 *Bank*, 688 F.2d 552, 568 (8th Cir. 1982).

84 354. On December 24, 2021, Doe told Lemieux about Defendant Middlebury's ARC actions
85 against her, including their discriminatory, harassing, and coercive conduct, and her
86 severe emotional distress. Lemieux said he did not know about Defendant Middlebury's
87 ARC or whether anyone involved with ARC had expertise on militant accelerationism at
88 all. Lemieux said he assumed that Doe would be part of any educational or employment
89 opportunity, program, or activity that involved research on accelerationism because she
90 was the only known authority on the topic.

91 355. On an unknown date, Lemieux made the decision on behalf of Taylor & Francis Group to
92 produce the Dynamics of Asymmetric Conflict Journal special issue on militant
93 accelerationism. Around the same time, Lemieux made the decision on behalf of Taylor
94 & Francis Group to hire Defendants Middlebury, Newhouse, Kriner, Lewis, and
95 Loadenthal to fill the vacant employment positions for the special issue. Based on the
96 marketing materials, a reasonable person would infer that Taylor & Francis Group is
97 publishing the Journal's special issue in partnership with Defendant Middlebury's ARC.

98 Defendant Gina Ligon is the Editor Emeritus for the Taylor & Francis Group Dynamics
99 of Asymmetric Conflict Journal and Maura Conway is on the Journal's Editorial Board.

00 356. Lemieux made the decision on behalf of Taylor & Francis Group not to inform Plaintiff
01 of the vacancies or advertise them publicly. The special issue on militant accelerationism
02 was not announced until after Kriner, Newhouse, Lewis, and Loadenthal were already
03 hired by Lemieux. Lemieux knew that Doe was the best qualified candidate for the
04 position and would have applied for a job if she was aware. Taylor & Francis Group
05 made adverse employment decisions in the recruitment and selection stages of the hiring
06 process in retaliation for her participation in protected activity. Her equal opportunity to
07 apply for the open position was wilfully and maliciously denied for unlawful
08 discriminatory reasons in violation of DCHRA. *Chappell-Johnson v. Powell,* at 440 F.3d
09 484 (D.C. Cir. 2006).

10 357. Defendant Informa, by and through its Routledge employee Graham Macklin, hired
11 Defendants Amarasingam and Argentino as book editors for Macklin's Routledge series.
12 Amarasingam and Argentino made explicitly discriminatory and harassing statements
13 about Plaintiff in professional settings and to employers as recently as September 2022 at
14 the Pittsburgh Conference. Macklin knew or should have known that his ARC co-workers
15 would retaliate against Plaintiff in the hiring process for book contributors. Amarasingam,
16 and Argentino did in fact retaliate against Doe by hiring Kriner to write a chapter on
17 accelerationism for Routledge. Macklin, Amarasingam, and Argentino are aware that
18 Kriner has not conducted any original research on accelerationism. The Routledge editors
19 are aware that Kriner exclusively plagiarizes Doe's work on accelerationism for
20 Defendant Middlebury and employers' publications. The Routledge editors know that it is
21 foreseeable Kriner will misappropriate Doe's research in the Routledge book chapter.

22 Defendants deliberately hired Kriner to publish Doe's research in order to discriminate
23 and retaliate against her in violation of the DCHRA.

24 358. Defendants required, requested, or suggested Swansea University and VOX-Pol Network
25 to retaliate, interfere, intimidate, or discriminate against Plaintiff because of her protected
26 activity. On June 21, 2022, Plaintiff emailed Maura Conway and asked her to postpone
27 the UK conference because of the ARC workshop. Doe stated that she believed
28 Defendants would continue their unlawful conduct and cause her irreparable harm. She
29 said that she intended to pursue legal charges against them, but could not enjoin their
30 actions overseas. Maura Conway did not respond to Doe.

31 359. Conway made one change to the UK conference agenda before June 27, 2022. The
32 change expanded Defendant Middlebury's ARC workshop to include Meghan Conroy, a
33 D.C. resident. Conway's ARC workshop caused Doe irreparable harm in employment
34 and educational opportunities as a result. The shorter the time between the employer's
35 knowledge and the adverse action, the stronger the inference that retaliation was a
36 significant contributing factor in the decision. *Jones v. Lyng,* 669 F. Supp. 1108, 1121
37 (D.D.C.1986).

38 360. Defendants Middlebury, Moonshot, Conroy, Newhouse, Lewis, and Kriner, unlawfully
39 required, requested, or suggested that CARR retaliate against, interfere with, intimidate,
40 or discriminate against her exercising her rights on or around November 11, 2021, and on
41 or around January 10, 2022. Defendant Middlebury's ARC employees made false
42 representations about Doe's work. As a result, CARR Director Feldman relied on
43 Defendants' statements and retaliated against her despite suggesting that she was a victim
44 of Defendants' harassment.

45 361. CARR Director Feldman admonished her and severed professional association with her.
46 He implied poor moral character at least twice, belittled her severe emotional distress, and
47 told Doe to suffer the harassment of Defendants. CARR retaliated against Doe for her
48 protected activities in public view of colleagues and third parties to harm her reputation.
49 The Director's admonishments lowered the credibility of her complaints of discrimination
50 and harassment to deny her support in the field.

51 362. To show disparate treatment, Plaintiff may use the example of a similarly situated
52 employee. Three weeks after CARR retaliated against Doe, a CARR employee wrote an
53 article that political violence by antifascist protestors should be discouraged. In the
54 article, its author discouraged antifascist violence. CARR accused Doe of being no better
55 than a terrorist for asserting her right to non-violent recourse.

56 363. CARR employees accused the article author of covert discriminatory bias in support of
57 fascism. Doe alleged overt discrimination by the Defendant and CARR employees.
58 CARR Director Feldman acknowledged that his employees were harassing her for
59 discriminatory reasons and blamed her for it.

60 364. The negative backlash generated by CARR employees led to CARR's censorship of the
61 offending article. CARR removed the offending article from its website. Defendant
62 Middlebury's ARC employees were among CARR employees who influenced the
63 employer's decision to censor the author. CARR Director Feldman accused Plaintiff of
64 trying to censor Conroy when Doe asked for an explanation of CARR's disparate
65 treatment of her work and no one else in the field.

66 365. CARR terminated the author's employment for covert discrimination. CARR did not
67 terminate or investigate Doe's allegations of overt discrimination and misconduct by

68 Conroy.

69 366. CARR issued a reform statement that said the author's article - the discouragement of
70 antifascist violence - did "not reflect our values." Feldman told Doe that CARR did not
71 hold institutional positions when she asked why CARR wouldn't hold its employees
72 accountable for harming her or training them on basic ethics. CARR's reform statement
73 did not pass judgment on the hostility of rhetoric in its employee's defense of violence,
74 whereas Feldman retaliated against her when Doe stated she wanted answers and access
75 to justice.

76 367. Defendants retaliated against Plaintiff by defaming her for engaging in protected activity
77 from January 2022 to present. Jane Doe requested a non-violent grievance process on
78 January 4, 2022. She said "I am once again asking whether anyone can provide me with
79 an avenue to redress the injustice done to me, other than violence. Submission is the only
80 option off the table; violence is not."

81 368. Defendants misrepresented Doe's opposition to unlawful discriminatory practices as Doe
82 participating or planning to participate in violent criminal activity. Defendants describe
83 themselves as experts on violent extremism and terrorist use of the internet, including
84 expert knowledge of violent speech on the internet. The expert knowledge and
85 qualifications form the basis of Plaintiff's claim that these statements served no purpose
86 other than to harass and retaliate against Plaintiff.

87 369. This Court may grant Plaintiff compensatory and punitive damages for pain and suffering
88 and relief from financial hardship, including but not limited to losses in past earnings,
89 future opportunities, reputational harm, and earnings potential, caused by Defendants'
90 actions.

91

92 **COUNT V**
93 D.C. Code § 2–1402.41 — Education
94 Against All Defendants

95 370. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if
96 fully stated herein.

97 371. DCHRA forbids any educational institution to "deny, restrict, or to abridge or condition
98 the use of, or access to, any of its facilities, services, programs, or benefits of any
99 program or activity to any person otherwise qualified, partially or wholly, for a
00 discriminatory reason…" D.C. Code § 2–1402.41. An educational institution is "any
01 public or private institution including an academy, college, elementary or secondary
02 school, extension course, kindergarten, nursery, school system or university…" D.C.
03 Code § 2–1401.02 (8).

04 372. Under the DCHRA, an educational institution "includes an agent of an educational
05 institution." D.C. Code § 2–1401.02 (8). The Supreme Court has held that full-time
06 faculty are supervisory agents of university employers. *NLRB v. Yeshiva University*, 444
07 U.S. 672, 679-691 (1980). Defendants are educational institutions within the meaning of
08 this provision.

09 373. Defendants discriminatory misappropriation of Plaintiff's research and doctoral proposal
10 foreclosed her opportunity to pursue a doctorate on her original research and her
11 December 2020 proposal. Defendant Middlebury's ARC stated they stole Plaintiff's work
12 because of her mental illness. These adverse actions denied, restricted, abridged, or
13 conditioned her use of or access to educational facilities, services, programs, or benefits

14 in violation of D.C. Code § 2–1402.41 (1).

15 374. Defendant Middlebury's ARC are employees and/or affiliates of George Washington
16 University, Georgetown University, American University, Johns Hopkins University, and
17 the University of Maryland-College Park in the Greater Washington-Baltimore
18 Metropolitan Area. These are universities in the vicinity of where Plaintiff lives and
19 works that have doctoral programs in her area of expertise and desired courses of study.
20 Doe cannot apply or matriculate for educational advancement at these universities in her
21 area of advanced study because a reasonable person in Plaintiff's position would expect
22 past and present colleagues of Defendants to continue discriminating, harassing,
23 retaliating, and/or exploiting Doe's labor or services. Defendants adverse actions denied,
24 restricted, abridged, or conditioned Plaintiff's use of or access to educational facilities,
25 services, programs, or benefits in violation of D.C. Code § 2–1402.41 (1).

26 375. There are no mechanisms to restrain Defendants from using academic venues to continue
27 stealing the labor or services Doe invests in papers or presentations pursuant to
28 educational advancement.The purpose of academic conferences and editorial processes
29 for academic journals are to preview and/or refine scholarship prior to publication.
30 Defendants denied, restricted, abridged, or conditioned her attendance or participation in
31 academic conferences and/or peer-review process, partially or wholly, on the basis of
32 disability discrimination.

33 376. Defendants' defamatory harassment about her academic reputation and
34 misrepresentations about the scope of her academic contribution to the subfield she
35 pioneered is a violation of DCHRA. Defendants' statements continue to deny, restrict,
36 abridge, or condition Plaintiff's access to the benefits of doctoral programs and research
37 activities for discriminatory reasons. Depriving Doe of her academic reputation in

38 research and scholarship may pose “a foreseeable barrier to employment by universities,
39 access to research grants, and/or having one’s literature accepted by libraries and
40 academic colleagues.” *Beckman v. Dunn*, 276 Pa. Super. 527, 419 A.2d 583 (Pa. Super.
41 Ct. 1980), all of which are essential to Plaintiff’s educational advancement.

42 377. Plaintiff is traumatized by the severe labor exploitation she suffered because of
43 Defendants’ discrimination. The fear of working in collaboration with a supervisor and/or
44 other graduate students where they may choose to steal her contributions would place an
45 unreasonable psychological and emotional burden on Doe. Defendants’ violations of this
46 section are willful and malicious.

47 378. Reading the scholarship of colleagues is a major component of the academic enterprise.
48 Defendants’ deliberate concealment of Doe’s labor or services exploited in their
49 publications has made educational advancement emotionally unbearable. Doe is
50 repeatedly re-traumatized when exposed to journalism or analysis where her insights and
51 accomplishments are claimed by expert commentators, such as Defendants Loadenthal,
52 Newhouse, Lewis, and Kriner in the February interviews. In the written requirements for
53 her doctoral program, Doe would be required as a matter of academic integrity and
54 professional ethics to credit Defendants with the theoretical, methodological, and
55 scholarly work they deprived her of.

56 379. As Brian Hughes said Doe was a “seriously dedicated researcher” and, in the words of
57 Amarasingam in August 2020, her proposed doctoral research is what she “loved.”
58 Defendant Middlebury’s ARC deprived her of much more than a diploma and their
59 violations of this section are willful and malicious.

60 380. This Court may grant Plaintiff compensatory and punitive damages for pain and

61 suffering, loss of training opportunities, her academic reputation, and future earnings
62 potential, caused by Defendants' actions.

63 COUNT VI
64 D.C. Code § 2–1402.62 — Aiding and Abetting
65 Against All Defendants

66 381. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if
67 fully stated herein.

68 382. In the District of Columbia, "[I]t shall be an unlawful discriminatory practice for any
69 person to aid, abet, invite, compel, or coerce the doing of any of the acts forbidden under
70 the provisions of this chapter or to attempt to do so." D.C. Code § 2–1402.62.

71 383. There is no aiding and abetting clause in Title VII. This Court held that personal liability
72 for aiding and abetting DCHRA violations is not based on the *respondeat superior* of
73 employer liability. It inferred from the legislative distinction that the different basis of
74 liability for aiding and abetting violations of DCHRA was deliberate. *Wallace v. Skadden,*
75 *Arps, Slate, Meagher & Flom,* 715 A.2d 873, 889 n.31 (D.C. 1998). Defendants are liable
76 for unlawful discriminatory practices prohibited by DCHRA if they directly participated
77 in DCHRA violations, exercised supervisory authority over the workplace, or aided and
78 abetted the discriminatory violations of others. *Smith v. Café Asia*, 598 F.Supp.2d 45, 48
79 (D.D.C.2009), *Purcell v. Thomas*, 928 A.2d 699, 716 (D.C.2007).

80 384. An aider or abettor is one who "in some sort associate[s] himself with the venture, . . .
81 participate[s] in it as something he wishe[s] to bring about, [and] seek[s] by his action to
82 make it succeed." *Roy v. United States*, 652 A.2d 1098, 1104 (D.C. 1995) (quoting *United*
83 *States v. Peoni*, 100 F.2d 401, 402 (2d Cir. 1938)).

84 385. The aiding and abetting clause prohibits any individual from assisting another person in
85 discriminating, retaliating, or fostering a hostile work environment for prohibited reasons.
86 *King v. Triser Salons*, LLC,815 F.Supp.2d 328, 331 (D.D.C.2011). Defendants' actions
87 also may constitute "aiding and abetting" under this section if "they knew or should have
88 known about the discriminatory conduct and failed to stop it." *McCaskill v. Gallaudet*
89 *University*, 36 F. Supp. 3d 145, 156-57 (D.D.C. 2014).

90 386. This Court observed that discriminatory decisions made by two or more university
91 professors to take adverse employment actions against a colleague in violation of
92 DCHRA may resemble cartel-like behavior. When academics act in parallel rather than
93 by using independent judgment, the actions may "very well signify illegal agreement"
94 due to "sparse competition among large firms" *Poola v. Howard University*, 147 A.3d
95 267, 277 (D.C. 2016) (quoting *Bell Atlantic Corporation v. Twombly*, 550 U.S. 544, 556–
96 57, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007)).

97 387. When collegial customs are carried outside of university halls into an economic
98 marketplace, aiding and abetting unlawful conduct may be facially dismissed as dubious
99 but lawful "garden-variety cronyism" or "informal preferment." D.C. Courts have held
00 that cronyism is the lawful cousin of employment discrimination. Cronyism crosses the
01 line into violations of the DCHRA aiding and abetting clause when the motivation for the
02 conduct is a protected legal right. *Howard University v. Green*, 652 A.2d 41 (1994).

03 388. The concept of "collegiality" implies power and authority vested in a body composed of
04 academic colleagues acting as a group, which "does not square with the traditional
05 authority structures…in the typical organizations of the commercial world." *Adelphi*
06 *University*, 195 N.L.R.B. 639, 648 (N.L.R.B-BD 1972), *C.W. Post Center* 189 NLRB
07 No. 109. The Supreme Court explained the academic "system of 'shared authority'

08 evolved from the medieval model of collegial decision-making, in which guilds of
09 scholars were responsible only to themselves." *Yeshiva*, 444 U.S. at 680 (1980).
10 Acknowledging wrongdoing in one institutional disciplinary process would foreseeably
11 complicate the "collegiality" between Defendants and adversely affect commercial
12 relationships and interests of their employers.

13 389. University activities, programs, and employees deliver both educational and commercial
14 services and products to its customers. *Andre v. Pace University*, 618 N.Y.S.2d 975, 979
15 (City Ct. 1994), rev'd, 655 N.Y.S.2d 777 (App. Div. 1996). Academic decisions are
16 afforded special deference from judicial interference when the facts are limited to the
17 educational services and products. However, when decisions are made with fraud or bad
18 faith, or apply to a university's commercial services and products, academic decisions are
19 subject to scrutiny. *Howard University v. Best*, 484 A.2d 958 (1984). The Supreme Court
20 recognized the "widespread and compelling problem of invidious discrimination in
21 educational institutions." *University of Pennsylvania v. EEOC*, 493 U.S. 182, 190, 110
22 S.Ct. 577, 107 L.Ed.2d 571 (1990).

23 390. An employer may escape liability if "it had adopted policies and implemented measures
24 such that the victimized employee either knew or should have known that the employer
25 did not tolerate such conduct and that she could report it to the employer without fear of
26 adverse consequences." *Hunter v. Ark Rests. Corp.,* 3 F.Supp.2d 9, 14 (D.D.C.1998)
27 (quoting *Gary v. Long*, 59 F.3d 1391, 1398 (D.C.Cir.1995)).

28 391. Defendants employed by American University, George Washington University,
29 Middlebury, or Roes 1-100 did not avail Plaintiff of the institutional corrective measures
30 and grievance procedures. Knowledge of these mechanisms encourage victims of
31 harassment to come forward. She was denied knowledge of options that may have

32 alleviated her injuries despite Doe's complaints, severe distress, and repeated questions
33 addressed to employees about avenues of recourse. *Meritor Savings Bank, FSB v. Vinson*,
34 477 U.S. 57, 73, 106 S.Ct. 2399, 91 L.Ed.2d 49 (1986)

35 392. Defendant Middlebury supervisors Blazakis, Newhouse, and Kriner ignored Doe's
36 complaints. Defendant American University supervisors Kurt Braddock told Doe that he
37 was not aware of avenues of recourse available to her. Miller-Idriss and B. Hughes did
38 not provide any. Defendant George Washington University supervisor Seamus Hughes
39 trivialized and dismissed her complaints. Defendant Conway did not reply to Doe's
40 request with an alternative. Defendant GIFCT supervisors Saltman and Mahir did not
41 acknowledge or provide any process to address her complaints.

42 393. This Court may grant Plaintiff compensatory and punitive damages for pain and suffering
43 and relief from the financial hardship, including but not limited to losses in past earnings,
44 future opportunities, and earnings potential, caused by Defendants' actions.

45 **COUNT VII**
46 D.C. Code § 2–1402.68 — Discriminatory Effects or Consequences
47 Against Defendants Middlebury, American Univ., & George Washington
48 Univ.

49 394. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if
50 fully stated herein.

51 395. The DCHRA "Effects Clause" states that "any policy or conduct of an employer or other
52 entity subject to the DCHRA that creates adverse effects or consequences that limits the
53 opportunities of individuals based on protected characteristics is an unlawful
54 discriminatory practice." D.C. Code § 2–1402.68. Claims of discriminatory effects or
55 consequences aim to remedy situations where a disparate impact results "despite the

56 absence of any intention to discriminate…practices are unlawful if they bear
57 disproportionately on a protected class and are not independently justified for some
58 nondiscriminatory reason." *Gay Rights Coalition of Georgetown University Law Center*
59 *v. Georgetown University*, 536 A.2d 1, 29 (D.C.1987), *2922 Sherman Ave. Tenants'*
60 *Association v. District of Columbia,* 444 F.3d 673, 685 (D.C.Cir.2006).

61 396. A prima facie case of discriminatory effects or consequences under the DCHRA requires
62 the identification of a specific employment practice that, while facially neutral,
63 nonetheless had a disproportionate adverse effect on a protected class of individuals. "
64 *Anderson v. Duncan*, No. 06–1565, 20 F.Supp.3d 42, 54, 2013 WL 5429274, at *9
65 (D.D.C. Sept. 30, 2013). Causation is demonstrated by "statistical evidence of a kind and
66 degree sufficient to show that the practice in question ... caused" individuals to suffer the
67 disparate impact "because of their membership in a protected group." *Watson v. Fort*
68 *Worth Bank & Trust*, 487 U.S. 977, 994, 108 S.Ct. 2777, 101 L.Ed.2d 827 (1988). A one-
69 time decision that affects one employee with a protected characteristic is generally not
70 actionable because it could be abused by litigants who convert a failed disparate treatment
71 claim into a claim for disparate effects or consequences, which was not the Council's
72 intent in drafting the provision. *McCaskill v. Gallaudet University*, 36 F. Supp. 3d 145,
73 157 (D.D.C. 2014).

74 397. The Council of the District of Columbia modeled the Effects Clause on the Supreme
75 Court ruling of *Griggs v. Duke Power Co*., 401 U.S. 424, 91 S. Ct. 849 (1971). In Griggs,
76 the African-American plaintiffs challenged the employer's policy that required job
77 applicants, transferees, and employees eligible for promotion to submit a high school
78 diploma or perform satisfactorily on two administered aptitude tests. The standards were
79 applied equally to applicants and employees, but the testing process had a disparate

impact. Fewer African-American employees and applicants were found eligible for hire, transfer, or promotion compared to their white co-workers as a result of the employer's offered alternative to the high school diploma.

398. The Supreme Court stated that Congress enacted Title VII with the intent to remove "artificial, arbitrary, and unnecessary barriers to employment when the barriers operate invidiously to discriminate on the basis of racial or other impermissible classification." *Id.*, at 431. The ruling held that the critical factor in the analysis of disparate impact was business necessity. An employment practice is prohibited if it has the effect or consequence of creating a statistical disparity in treatment for a protected class if the exclusionary practice does not measure or pertain to job performance. In Griggs, neither of the intelligence tests were designed or purported to measure an employee's ability to perform a particular job or job track. "History is filled with examples of men and women who rendered highly effective performance without the conventional badges of accomplishment in terms of certificates, diplomas, or degrees. Diplomas and tests are useful servants, but Congress has mandated the commonsense proposition that they are not to become masters of reality." *Id.*, at 433.

399. Defendants Middlebury, American University, and George Washington University systematically fail to uphold or enforce the broad range of misconduct encompassed by academic integrity policies and practices unless faculty or student work violates federal law. This creates adverse effects or consequences that limit opportunities of protected employees who work or seek work as independent contractors and rely on creative labor for their source of income.

400. Employment opportunities for Doe and similarly situated employees rely on the property interests in their creative labor. By failing to enforce institutional policies unless crimes

are committed, Defendants' practices have a disparate impact on the employability and work value of individuals with protected characteristics, who are often targets for commercial exploitation of this nature. According to the U.S. Bureau of Labor Statistics, the unemployment rate for disabled individuals is more than double that of comparably educated employees without a disability. Compensation for commercial academic activities are not provided on an equal basis to fulfill identical contractual obligations.

401. Academics employed as full-time faculty for universities also work or seek work as independent contractors to provide labor or services. These are commercial activities that compete in the same market as independent contractors who are not full-time faculty. The competitive advantage of non-institutional contractors is the freedom to invest time in intellectual labor to produce higher quality work because this time is often exhausted in institutional settings on fulfilling administrative duties.

402. Offers of compensation and availability of opportunities for independent contractors not employed by universities are dependent on public visibility and academic reputation of this higher quality output in services provided based on the enhanced labor.

403. Creating generational advancements in models, theories, and discoveries of value requires a substantial time commitment. It requires extensive reading, contemplation, and process of refinement. The nature of this labor makes it unique. The value of intellectual labor provides the basis of a creator's employment opportunities over a longer duration once converted to educational or commercial services.

404. "Edutainment" is a category of services provided by subject matter experts without meaningful contributions of intellectual labor. Edutainment services adopt the intellectual labor of a creator and supplement it with non-substantive elements such as aesthetic

27 appeal, opinions, policy recommendations, and so on, rather than substantive knowledge
28 or novelty. The labor invested by an edutainer is the packaging. When institutional
29 employees, acting as independent contractors, provide services prematurely before the
30 creator completes the process of refinement, edutainers are unjustly enriched by
31 commingling of non-substantive edutainment labor and the creative labor they did not
32 produce. This practice thereby deprives the creator of the full value of their labor as well
33 as the benefits and status of employment and opportunities. This has a disparate impact
34 on employees with disabilities that may prolong the period of production or refinement
35 before the labor is ready to be converted to educational or commercial services.

36 405. University employees will find that misappropriating the intellectual labor of independent
37 contractors at any point in the process saves them years of arduous labor in preparation of
38 high quality work. The Supreme Court has held that disparate impact claims require a
39 "proper comparison" must be made "between the qualified persons in the labor market
40 and persons holding at issue jobs" to establish a prima facie case of discrimination on a
41 protected class of employees. *Wards Cove Packing Co. v. Atonio, 490 U.S. 642, 109 S.*
42 *Ct. 2115 (1989)*. Plaintiff's claim under DCHRA for discriminatory effects or
43 consequences only relates to full-time institutional employees in their capacities working
44 or seeking work as independent contractors.

45 406. Independent contractors, whether or not employed as faculty, are not beholden to the
46 pressures of "publish or perish" requirements for institutional tenure. Tenure occurs in the
47 course of certain employment contracts pursuant to "educational purpose." This does not
48 mean that the livelihood and employment status of independent contractors in the process
49 of refining novel intellectual contributions do not depend on providing services other than
50 formal publication. Independent contractors hired by an employer for speaking

51 engagements, roundtables, or advisory services on their subject matter expertise may or
52 may not receive financial compensation, such as an honorarium or travel and lodging
53 financed by the employer.

54 407. There is no inference that paid contractors are volunteers, but less established and less
55 institutionally-connected independent contractors are statistically less likely to receive
56 compensation for these opportunities. However, contractors do not enter into
57 uncompensated employment contracts in a spirit of volunteerism. They are indirectly
58 compensated by monetary offers for subsequent employment opportunities by a range of
59 employers because of the exposure and peer-recognized credibility. Subsequent
60 employment and career advancement is therefore an effect and/or consequence of the
61 visibility of a contractor's services, and the labor invested to provide those services, made
62 possible through these compensated or uncompensated opportunities.

63 408. Defendants have written policies defining prohibited activities and detailed adjudicative
64 procedures for infractions that would prevent discriminatory effects or consequences.
65 Policies and procedures of educational institutions are designed to foster discoveries,
66 breakthroughs, and paradigm shifts by protecting the liberty or property interests of
67 intellectual pioneers, especially because the most valuable and rarest achievements result
68 in non-copyrightable ideas, such as those produced by Plaintiff. There are two categories
69 of ideas that are not subject to copyright. The first are everyday thoughts. The second
70 category is closer to the ideals of academic employees, "the most extraordinary ideas or
71 discoveries are also beyond the ken of legal protection: the calculus, the Pythagorean
72 theorem, the idea of a fictional two-person romance, the cylindrical architectural column,
73 or a simple algorithm. These extraordinary ideas usually are broadly applicable concepts,
74 but they can be very specific - as in the case of accurate details on a navigation map." 77

75 Geo. L.J. 287, 295-296.

76 409. Courts have consistently respected the spirit of academic abstention by examining
77 university policies, procedures, and manuals. This Court held"[i]t is well established that,
78 under District of Columbia law, an employee handbook such as the Howard University
79 Faculty Handbook defines the rights and obligations of the employee and the employer,"
80 therefore, "[o]ur analysis of this case must, therefore, begin with an examination of the
81 Faculty Handbook." *McConnell v. Howard University*, 818 F.2d 58, 62-63 (D.C. Cir.
82 1987). In that case, the employer's deviation from written policies and procedures of the
83 university entitled the plaintiff to relief for improper employment termination.

84 410. The Supreme Court held that institutional policies and procedures create protectable
85 property and liberty interests in the benefits of the written guarantees. "Property interests
86 are not created by the Constitution. Rather, they are created by existing rules or
87 understandings that stem from an independent source such as state laws, rules or
88 understandings that secure certain benefits and that support claims of entitlement to those
89 benefits." *Board of Regents of State Colleges v. Roth*, 408 U.S. 564 (1972).

90 411. However, these guarantees do not apply to individuals without a contractual relationship
91 with the employer. As a consequence, third parties have no standing to enforce property
92 or liberty interests when infringed by contracted parties. They only have standing to
93 remedial action when a university employee or student infringes federal copyright
94 protections by making an exact copy. There is a discrepancy between the standard of
95 originality required for legal copyright and the expectations of academic integrity as
96 written in the policies and procedures of handbooks and other materials. Federal
97 copyright does not protect "novelty or invention," and "originality" only confers "the sole
98 right of multiplying copies." *Jewelers Circular Pub. Co. v. Keystone Publishing*, 281 F.

83, 94. "Absent copying, there can be no infringement of copyright." *White-Smith Music Pub. Co. v. Apollo Co.*, 209 U. S. 1, *Bleistein v. Donaldson Lithographing Co.*, 188 U. S. 239, 188 U. S. 249, *Arnstein v. Porter*, 154 F.2d 464, 468-469, *Alfred Bell & Co., Ltd. v. Catalda Fine Arts, Inc.*, 191 F.2d 99, 103, *Christie v. Cohan*, 154 F.2d 827.

412. Original ideas are indispensable drivers of economic growth in diverse employment markets, such as corporate research and development (R&D), entertainment, marketing, and public policy think tanks. Each industry represents "a small community that depends on that most precious of commodities: the original idea." 46 Fed. Comm. L.J. 373, 374 (1994). Creative labor is often associated with a host of positive professional outcomes for employees and this translates to a meritocratic incentive that allows historically underserved populations to overcome barriers to their success. 119 Harv. L. Rev. 703, 711-712 (2005). Employees accumulate property or liberty interests in the benefits and employment opportunities of the quality of their work. The DCHRA entitles them to equal opportunity and earnings potential based on the value of their skills, talent, and efforts.

413. Federal copyright laws are rights to copy or reproduce identical publications; they do not protect property or liberty interests in substantive ideas. The enforcement of Defendants' formal policies and procedures would protect an individual's liberty or property interests in creative labor and intellectual risk-taking at the core of academia's "educational purpose."

414. The fact that one person created the ideas for several supervisors, and their research assistants and graduate students, at Defendants' institutions indicates that the effects of failing to enforce academic integrity is more widespread than believed and the result is an incentive for Defendant employees to prey on vulnerable people who do not have the

23 institutional support structures to hold perpetrators accountable in all but the most
24 extreme circumstances. More than two dozen individuals across institutions exploited the
25 creative labor of a single person who they deliberately did not employ or contract for
26 discriminatory reasons. Defendants understood she was not eligible for administrative
27 mechanisms of recourse without an underlying contract between the university. In the
28 District of Columbia, the disparate impact on disabled independent contractors and the
29 degree of risk is particularly acute because of the number of educational institutions per
30 capita within the jurisdiction.

31 415. Employees with disabilities who generate bold and risky original ideas through
32 painstaking creative labor are statistically more likely to be disenfranchised by this
33 practice and more likely to be targeted for exploitation by the incentives it creates.
34 Reliance on low-protectionist interpretations of originality in copyright represents critical
35 reputational, financial, and psychological disadvantages for their creative labor that may
36 be rectified by holding faculty members accountable for comprehensive compliance with
37 university academic integrity policies in published work.

38 416. The Supreme Court held "[T]he right to be heard before being condemned to suffer
39 grievous loss of any kind, even though it may not involve the stigma and hardships of a
40 criminal conviction, is a principle basic to our society." *Joint Anti-Fascist Refugee*
41 *Committee v. McGrath*, 341 U. S. 123, 341 U. S. 168. When pushed too far, as in the case
42 of Defendants, the structural inequities incentivize faculty and students to infringe the
43 civil rights and fundamental human rights of individuals with disabilities.

44

HUMAN RIGHTS VIOLATIONS OF THE PROHIBITION AGAINST HUMAN TRAFFICKING AMENDMENT ACT 2010

BACKGROUND

417. A contract cannot be enforced if the goods or services are illegal. This basic tenet of contract law applies to employment agreements even when parties consent to the terms and conditions of their own volition. Until the Human Rights Enhancement Amendment Act of 2022, many District employees who earn their source of income by providing sexual services to discrete customers did not have standing to exercise their civil rights under DCHRA because of the illicit nature of employment contracts in their industry.

418. Due to the recent amendment, any member of a protected class working or seeking work as an independent contractor may use evidence of an employer-employee relationship for the prima facie case of discrimination instead of an enforceable contract. The sole exception to DCHRA's definition of independent contractor is "a service vendor who provides a discrete service to an individual customer." D.C. Code § 2–1401.02 (9)(B). Independent contractors may provide discrete services to many individual customers in the course of an ongoing employment relationship with an employer or supervisor. The exclusion attaches liability to the service vendor's constructive employer or supervisor rather than the individual customers serviced by the employee.

419. This interpretation is consistent with the Council's enumeration of "source of income" as a protected basis. A source of income is "the point, the cause, or the form of the origination, or transmittal of gains of property accruing to a person in a stated period of time; *including, but not limited to, money and property secured from any occupation, profession or activity, from any contract, agreement or settlement*...." (emphasis added)

68 D.C. Code § 2–1401.02 (29). The Council overcame the discriminatory consequences of
69 worker classifications premised on contract by giving primacy to the nature of
70 employment relationships as they appear in practice across diverse and underserved
71 industries. Employees who are unlawfully discriminated against cannot make their
72 DCHRA rights meaningful unless they have standing to enforce them.

73 420. Vendors of sexual services who operate with managerial oversight are employees.
74 Employer exploitation of workers is a spectrum that ranges from commonplace denials of
75 agreed upon benefits to severe forms of exploitation, known as trafficking. Labor laws
76 remedy the milder forms of labor exploitation by allowing workers to recover lost wages
77 or benefits, such as transportation, housing, vacation, or overtime. See D.C.Code Title 32.
78 At the far end of the spectrum, D.C. law provides civil remedies to victims of forced labor
79 and other trafficking offenses prohibited by D.C. Code § 22-1832, *et. seq*. Legal
80 culpability for trafficking offenses is not contingent on the lawful or unlawful status of
81 the underlying industry or profession. The basal fact of trafficking labor or services of
82 adult victims is the voluntariness of the worker's consent.

83 421. The civil rights provisions of D.C. Code § 2–1401.01, *et. seq.*, and the human rights
84 provisions of D.C. Code § 22-1832, *et. seq*. both rely on "work" in imposing obligations
85 on labor managers for the humane treatment of workers. Neither the Human Rights
86 Enhancement Amendment Act of 2022 nor the Prohibition on Human Trafficking
87 Amendment of 2010 defined "work" for their respective D.C. Code provisions.

88 422. The 2022 Act recognizes that independent contractors provide "services" as an aspect of
89 "work," but does not elaborate. It does not use the term labor. The 2010 Act defines
90 "services" and "labor" in the absence of "work." Services are "legal or illegal duties or
91 work done for another, whether or not compensated " D.C. Code § 22-1831(8). Labor is

92 "work that has economic or financial value." D.C. Code §22-1831(6). The intentional
93 distinction in Council's language recognizes by implication that an employee may be
94 denied an equal opportunity to contract his or her work with an employer for
95 discriminatory reasons and the unlawful discriminatory practices may give rise to
96 trafficking offenses because they share commonalities in undervaluing their victim's
97 human dignity. Discriminatory decision-making that results in a failure to hire does not
98 preclude the employer's recognition of the economic or financial value of the victim's
99 work. Traffickers of forced labor deny the dehumanized providers of labor or services the
00 contractual basis to consent to the terms and conditions of their exploitation.

01 423. A doctoral student, like a Spanish peon, voluntarily enters into a contract with a master to
02 provide labor in service of a debt. The master reduces the outstanding amount in
03 proportion to the labor obtained. Students are credited for labor expended in courses that
04 satisfy their degree requirements. Like peons, graduate students choose to accept years of
05 labor exploitation, sometimes under dehumanizing conditions and physical debilitation,
06 but even the bleakest prospects of a graduate student are still prospects denied to a peon.

07 424. There is nothing untoward about university employees and students entering contracts for
08 work that reconfigure or reassign liberty and/or property interests in the benefits of labor
09 provided. Under contractual arrangement, graduate students temporarily forgo the
10 immediate benefits of their labor in anticipation of greater returns on the investment of
11 their labor once they earn the credits to graduate with a diploma. The benefits of their
12 accrued liberty and property realized on graduation in earnings potential and career
13 opportunities. Plagiarism, falsification, and other forms of research misconduct are
14 subject to academic discipline because a student's own labor must create the property
15 interests invested in the education. "Certain attributes of `property' interests protected by

16 procedural due process emerge…To have a property interest in a benefit, a person clearly
17 must have more than an abstract need or desire for it. He must have more than a unilateral
18 expectation of it. He must, instead, have a legitimate claim of entitlement to it." *Board of*
19 *Regents v. Roth*, 1972, 408 U.S. 577, 92 S. Ct. 2709, 33 L.Ed.2d 561.

20 425. Students are not entitled to the benefits of someone else's labor and cannot gain the value
21 of someone else's property interests by investing them in their own course credits.
22 Students may transfer course credits to other universities, but the education contracts that
23 apply the credits toward degrees are not fungible commodities. If a student is expelled
24 from Harvard for academic dishonesty, it will not matter that 75% of his course credits
25 came from Harvard if he completes the remaining 25% of a degree with course credits
26 elsewhere. The full value of Harvard course credits under an education contract are only
27 realized if the student receives a Harvard diploma. Expulsion for plagiarism deprives the
28 student of the full value of their labor insofar as the value of diplomas from universities
29 are not equal in the employment market.

30 426. While Defendants may impose coercive conditions in the university setting, there are
31 legal consequences in continuing those practices to control the behavior of individuals
32 who never consented to transfer interests in their labor, "the more important the rights at
33 stake the more important must be the procedural safeguards surrounding those rights."
34 *Speiser v. Randall,* (1958) 357 U.S. 513, 520-521 [2 L. Ed. 2d 1460, 1469, 78 S. Ct.
35 1332].

36 427. Plaintiff is neither a student nor an employee of Defendants. She is not a party to the
37 terms and conditions of a contract that governs the affairs between actors within an
38 academic institution. *Eberline v. Douglas J. Holdings*, 982 F.3d 1006, 1011 (6th Cir.
39 2020).

40 428. An education contract between a graduate student and university does not deny a graduate
41 student property or liberty interests in the benefits of their academic labor. A student may
42 be considered an employee for work done in a training or learning environment when the
43 employee is not the primary beneficiary in the relationship with the educational
44 institution. *Eberline,* 982 F.3d at 1017. It converts the property interests from academic
45 labor into a commodity that reflects the value of the labor invested. *Salem v. Michigan*
46 *State University,* Case No. 1:19-cv-220, 11 (W.D. Mich. Apr. 13, 2021). There are no
47 lawful instances where an educational institution maintains its ability to convert the
48 property interests in a former students' labor, academic or otherwise, performed outside
49 of the contract. A student can break or breach an education contract for academic labor at
50 any time. The decision to drop-out or transfer may have negative consequences in the
51 value reduction of the labor investment up to that point, but agents of an educational
52 institution cannot force the person to provide labor against their will or reassign property
53 or liberty interests in the benefits of someone else's labor to which they have no legal
54 right.

55 429. Unlike graduate students, professors are expected to produce novel advancements in their
56 field of study. Faculty employment contracts, as represented by salary and benefits,
57 reflect the value of their labor and skill to produce novel intellectual advancements, not
58 the market exchange rates of intellectual property rights over the number of their
59 copyrighted publications.

60 430. When faculty members abuse positions of authority in a university to exploit the student
61 labor for their private benefit, the tangible costs of their research misconduct are minimal.
62 Employment and education exploit the benefits of property or liberty interests in
63 academic labor independently. The low-value of students' cognitive labor before

64 graduation is the reason they consent to education contracts with universities in the first
65 place. It is recognized by all parties to an education contract that the incremental
66 contributions of academic labor are not worth much in isolation from the degree. The
67 low-value labor is converted to course credits towards the high-value diploma whether or
68 not an authority figure exploits the student's entitlements to benefit their own
69 employment. Faculty members do not appreciably enhance the value of their services by
70 relying on the exploitation of low-value labor sources. Although it is legal for a faculty
71 member by virtue of the university's educational purpose, it is a deeply unethical practice
72 that may subject an employee to administrative procedures and processes.

73 431. Creative intellectual labor's dichotomous application to a student's educational purpose
74 and a professor's private gain makes it difficult to prove tangible injury under legal
75 evidentiary standards.

76 432. The Supreme Court held that a "substantial departure from accepted academic norms
77 [can] demonstrate that the person or committee responsible did not actually exercise
78 professional judgment." *Regents of the University of Michigan v. Ewing*, 474 U.S. 214,
79 225 (1985) (citing *Youngberg v. Romeo*, 457 U.S. 307, 323 (1982)). University employers
80 can avoid the inference of bad faith and unfair dealing by following its own established
81 procedures for denying entitlements or imposing discipline. *Allworth v. Howard*
82 *University*, 890 A.2d 194, 201, 202-203 (D.C. 2006), *Paul v. Howard University*, 754
83 A.2d 297, 310-311 (D.C. 2000).

84 433. There is a single case that has alleged discrimination and forced labor in an academic
85 environment. Doctoral students brought forced-labor claims against Michigan State
86 University alleging their faculty advisor threatened them with "serious harm" to compel
87 their performance of strenuous manual labor at his private company. An internal

88 investigation by the university confirmed the accused professor "isolate[d] the students
89 from the university campus, require[d] them to work excessively with little or no pay,
90 verbally abuse[d] them, and repeatedly threaten[ed] them with academic
91 consequences…" *Salem v. Michigan State University,* Case No. 1:19-cv-220, 5 (W.D.
92 Mich. Apr. 13, 2021).

93 434. The District Court found in favor of plaintiffs for discrimination on the basis of national
94 origin, and in favor of the defendant university on the forced labor claims. The District
95 Court in Michigan decided it was inconsistent with TVPA's legislative intent "to
96 criminalize an academic advisor's abuse of his authority to compel his students to perform
97 unreasonably difficult, or even self-enriching, labor." *Id.*, at 12. The reasoning identified
98 three critical differences between the doctoral students' experience and victims of forced
99 labor. The opinion is non-binding but may be instructive for this Court because it brings
00 the distinguishing features of Plaintiff's claims into stark relief.

01 435. The court applied a different standard of coercion to graduate students because of their
02 contractual relationship with the university and the nature of their educational experience.
03 The District Court held the "working conditions may have been more arduous than the
04 typical graduate experience in their program, and failure to complete their programs may
05 have subjected plaintiffs to a risk of significant financial burden and professional delay,
06 but those consequences are not what compelled plaintiffs to continue their labor. A
07 university graduate program is different from other work environments. It holds out the
08 promise of valuable intangible benefits in exchange for a significant investment of time,
09 money, and unpaid (or underpaid) labor on the part of the student. The benefits received
10 by the student in exchange for these sacrifices are not immediate financial rewards but
11 training, experience, knowledge, and academic credentials…what might look a bit like

12 forced labor in another context (e.g., little or no pay, long hours, grueling work, and the
13 possibility of significant financial or reputational harm from failure to meet a supervisor's
14 demands) is simply an accepted feature of our education system, which assumes that the
15 long-term benefits of the experience and the degree outweigh the risks and costs borne by
16 the students." *Id.* at 11.

17 436. The terms and conditions of academic labor contracts are explicit in provisions of
18 employment and educational contracts, as well as implicit in policies and procedures of
19 university handbooks and catalogs, bulletins, circulars, and regulations of the institution
20 made available to students. *Leyden v. American Accreditation Healthcare Commission*,
21 83 F. Supp. 3d 241 (D.D.C. 2015). Restatement (Second) of Torts § 46 cmt.e states
22 "school authorities… have been held liable for extreme abuse of their positions" because
23 a "student stands in a particularly vulnerable relationship vis-a-vis the university, the
24 administration, and the faculty." Relief is possible when the circumstances require it
25 because of the institution's obligations of good faith and fair dealing. *Allworth*, 890 A.2d
26 at 201 (citing *Paul,* 754 A.2d at 310).

27 437. The District Court said the first difference between "graduate school gone terribly wrong"
28 and forced labor is that "a victim of forced labor remains in servitude to avoid negative
29 consequences inflicted or threatened by their employer. In other words, the consequences
30 compel the labor; without them, the victim would not remain under the employer's power.
31 A graduate student, on the other hand, accepts the risk of negative consequences in order
32 to obtain substantial benefits. The benefits are what motivate the labor, not the
33 consequences; without them, the students would not enter or continue in the program."
34 *Id.,* at 10.

35 438. The hardship induced was "the unreasonable expectations of an academic advisor

36 stand[ing] in the way of achieving their career goals…. what motivated [p]laintiffs' labor
37 was not the threat of harm itself, but that which motivates any graduate student: the desire
38 to complete their degree programs and attain their career goals." *Id.,* at 11-12. Moreover,
39 the decision described the doctoral candidates' manual labor as "working
40 conditions…more arduous than the typical graduate experience in their program" but the
41 physicality of the work was not a consideration in determining whether or not the facts of
42 the case supported a claim for forced-labor. *Id*., at 10.

43 439. Plaintiff's circumstances, there were only negative consequences at stake. Defendants
44 knew the reason she continued to work was fear. Defendants' extensive acts of
45 harassment and subterfuge sought to deprive Doe of any benefit of her labor. There was
46 no employer in Doe's case because they intended to deprive her of any benefit.
47 Furthermore, acknowledging Doe by hiring her as an employee would have caused
48 Defendants difficulties in obscuring the source of the labor.

49 440. The second difference is the "harm that arises as a natural consequence of the employee's
50 decision to cease work and harm that would not arise as a natural consequence but is
51 intentionally inflicted or threatened by the employer if the victim refuses to continue
52 working. A claim of forced labor typically involves the latter. Otherwise, it is difficult to
53 say that the harm compelled the labor rather than motivated it because the loss of
54 employment almost always results in some financial harm due to lost wages." *Id.*
55 Contrasting the graduate students to the Calimlims' victim, "the salient point is that the
56 harm involved something more than the loss of future wages, which is the natural and
57 expected result of losing any job." *Id.,* at 12.

58 441. Doe worked tirelessly for three years in the face of no employment opportunities and
59 constant abuse as her physical health and circumstances deteriorated. When she stopped

60 to recover, Defendants targeted her vulnerability to deliberately and maliciously deny
61 Doe's right to freely contract her labor or services. Doe has a fundamental right to freely
62 contract labor, but her property interests in the labor expended are bound to a non-
63 consensual labor arrangement with Defendants. Defendants obtained her labor through
64 coercion and took overt actions to ensure no other employers in the field would contract
65 Plaintiff's services based on the same labor they illicitly gained. Defendants implied
66 through their actions they would not allow her to enter new employment contracts in the
67 field. These are tactics that "prevent [vulnerable] victims from leaving and to keep them
68 bound to their captors." *United States v. Callahan*, 801 F.3d 606, 619 (6th Cir. 2015).

69 442. Third, the District Court said that labor traffickers actively shape environment factors to
70 heighten or prolong the victim's fear. The Michigan professor "did not intentionally
71 create or control the most serious negative consequence of [p]laintiffs' failure to meet
72 [d]efendants' work demands." *Salem, supra,* at 13-14. In the case before this Court,
73 Defendants used harassment to create the effect of Plaintiff drowning in quicksand
74 regardless of the strenuous effort she exerted.

75 443. The one similarity between Doe and the students appeared in the court's finding of
76 discrimination. The faculty member targeted student victims because of their protected
77 characteristics that made them vulnerable to labor exploitation compared to other doctoral
78 students. Moreover, the contingency of their institutional support created a bond between
79 the professor and his graduate laborers. The difference in that respect, however, is that
80 Doe's gratitude, apologia, and career support of academic perpetrators of labor trafficking
81 was a product of trauma and psychological distortion by the pervasive harassment she
82 endured from other participants in their venture. "Over a long period of enduring severe
83 levels of trauma…and psychological manipulation, victims demonstrate resilience

strategies and defense mechanisms that normalize abuse in their minds. In a relative mental assessment, what once may have been viewed as abuse may now be experienced as a normal part of everyday life. This changing 'lens' on viewing the world impacts the ability to self-identify as a victim."

444. Pursuant to D.C. Code § 22–1840 (a), any individual who is a victim of an offense prohibited by D.C. Code § 22-1832, *et. seq.*, "may bring a civil action in the Superior Court of the District of Columbia. The court may award actual damages, compensatory damages, punitive damages, injunctive relief, and any other appropriate relief. A prevailing plaintiff shall also be awarded attorney's fees and costs. Treble damages shall be awarded on proof of actual damages where a defendant's acts were willful and malicious." In assessing damages, the harm may be physical, mental, and/or emotional, and result directly and/or indirectly from Defendants' prohibited acts or practices. A "victim of trafficking" is a "person against whom..offenses were committed." D.C. Code § 22–1831 (12). A "victim" is "any person who has suffered a physical, mental, or emotional injury as a direct or indirect result of human trafficking or a human trafficking-related crime." D.C. Code § 22–1841 (3). The former is defined by specific acts or practices while the latter is defined by the injuries suffered.

COUNT VIII

D.C. Code § 22–1832 (a) — Forced Labor
Against Defendants Middlebury, Blazakis, Newhouse, Kriner, Amarasingam, & Roes 1-100

445. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if fully stated herein.

446. When the facts and circumstances are considered in their totality, Defendants' adverse

08 actions against Doe exceed the bounds of DCHRA's unlawful employment practices.
09 Failure-to-hire fact patterns are generally limited to the employer's discriminatory
10 decision to reject the job seeker. In this Complaint, Defendants obviated the need to offer
11 Plaintiff a contract on the grounds that she is not "capable" (of giving consent) by reason
12 of her mental health. Rather than lawfully obtain Plaintiff's labor or services by consent,
13 Defendants treated Doe's labor as if she was already an employee for Defendant
14 Middlebury. There was no job opening for her to fill if Defendants coerced her to provide
15 labor or services in lieu of offering her a compensated position commensurate with the
16 skill, knowledge, and time she invested into her work up to that point. She cannot exit or
17 breach a contract for labor or services that never existed. Defendants obtained Doe's
18 work through a labor arrangement she did not voluntarily enter and did not avail her of
19 any avenues of recourse to reclaim property and/or liberty interests in her years of work
20 when Defendants revealed the intentionality of their activities against her.

21 447. Defendants also foreclosed opportunities for her to enter new contracts or arrangements
22 by harassment, intimidation, and retaliation tactics, and implied threats of retaliation
23 against prospective employers, to leave her without a source of income. "…one of the
24 disabilities of slavery, one of the indicia of its existence, was a lack of power to make or
25 perform contracts, and that when these defendants, by intimidation and force, compelled
26 the colored men named in the indictment to desist from performing their contract they to
27 that extent reduced those parties to a condition of slavery, that is, of subjection to the will
28 of defendants, and deprived them of a freeman's power to perform his contract." *Hodges*
29 *v. United States*, 203 U.S. 1, 17 (1906). The distinguishing feature of forced labor from
30 other forms of labor exploitation is the Defendants' use of force, fraud, and/or coercion to
31 cause Plaintiff to provide her labor and/or services and deprive her of property and liberty

32 interests therein. In the District of Columbia, "[i]t is unlawful for an individual or a
33 business knowingly to use coercion to cause a person to provide labor or services." D.C.
34 Code § 22-1832 (a). Plaintiff has a private right of civil action pursuant to D.C. Code §
35 22-1840 (a).

36 448. Involuntary servitude was first prohibited in the District of Columbia by an Act of April
37 16, 1862, 12 Stat. 376. *United States v. Shackney*, 333 F.2d 475, 484 (2d Cir. 1964). The
38 modern D.C. Code laws were introduced by the Prohibition Against Human Trafficking
39 Amendment Act of 2010 and are modeled on the amended provisions of the Trafficking
40 Victims Protection Reauthorization Act of 2000 ("TVPA") in18 U.S.C. § 1594. Congress
41 revised the meaning of coercion in the TVPA following the Supreme Court's ruling in
42 favor of a criminal defendant who caused two disabled men to provide labor against their
43 will by means other than threats of physical force or abuse of law. *United States v.*
44 *Kozminski*, 487 U.S. 931 (1988). To overcome the Supreme Court's narrow interpretation
45 in Kozminski, Congress amended the TVPA "to reach cases in which persons are held in
46 a condition of servitude through nonviolent coercion." *United States v. Dann*, 652 F.3d
47 1160, 1169 (9th Cir. 2011).

48 449. Sex trafficking allegations dominate the criminal cases while cases for labor trafficking
49 are most frequently civil actions under 18 U.S.C. § 1594. Due to the paucity of D.C. civil
50 cases brought under D.C. Code § 22–1832 (a), this Complaint applies principles of
51 federal jurisprudence, but, although there are strong familial resemblances, the statutes
52 differ in important ways. Many of the differences in the local statute are codifications of
53 established principles from federal case law.

54 450. TVPA prohibits "[w]hoever" from violating its provisions whereas D.C. law prohibits "an
55 individual or a business" from applying coercive means to compel forced labor. While

56 educational institutions are not explicitly mentioned, it may be deduced from case law
57 principles that universities act in commercial and educational capacities. When a
58 university acts for educational purposes, there cannot be labor trafficking because even
59 the most severe forms of labor exploitation, e.g. of doctoral candidates, are governed by
60 contractual agreement. When a university engages in commercial activities, it may be
61 held liable.

62 451. The predicate offense of forced labor under the TVPA is "provid[ing] or obtain[ing] the
63 labor or services of a person." 18 U.S.C. § 1589. By contrast, the D.C. forced labor
64 provision prohibits "caus[ing] a person to provide labor or services." § 22–1832 (a).
65 Under D.C. law, the material element of the offense is coercion. Defendants do not need
66 to "provide or obtain" any labor or services.

67 452. The federal statute prohibits the use of three illicit means of coercion and the illicit means
68 of force or physical restraint. 22 U.S.C. 7102 (3). D.C. legislation incorporates the four
69 illicit means, including force and physical restraint, within its definition of coercion and
70 enumerates three additional means of coercion, for a total of seven illicit means of
71 coercion. D.C. Code § 22–1831 (3).

72 453. There are three elements to allege forced labor under D.C. Code § 22-1832 (a). First,
73 Defendants must compel or attempt to compel Plaintiff to work or continue to work by
74 any combination of threats and means enumerated in D.C. Code § 22-1831 (3), namely
75 subsections (b) "[s]erious harm or threats of serious harm," (c) "abuse or threatened abuse
76 of law or legal process," and/or (d) "[f]raud or deception." Second, Defendants must
77 knowingly or recklessly "create the belief that serious harm is possible, either at the
78 defendant's hands or those of others" if she refuses to provide or continue providing labor
79 or services. *United States v. Calimlim*, 538 F.3d 706, 711 (7th Cir. 2008). Plaintiff must

80 show the labor or services were provided on the basis of this belief and/or fear of negative
81 consequences expressed or implied in Defendants' coercive threats. Third, Plaintiff must
82 provide evidence sufficient for a reasonable trier of fact to infer a causal connection
83 between Defendants' use of coercion and Plaintiff's decision to provide labor or services.

84 454. The law imposes positive obligations on other professions when actions or omissions are
85 contrary to the public interest, but standards of professional conduct are not regulated in
86 the field of terrorism studies. Defendants did not owe a legal duty of care to acknowledge
87 or address the threat, conduct independent research, or otherwise mitigate their
88 contribution to the coercive circumstances or effects of serious harm to others. The
89 degree of gross professional negligence in the field, including but not limited to
90 Defendants, falls short of the mens rea standards of either knowingly or recklessly setting
91 the initial conditions for Defendants' venture in 2021 onward.

92 455. In mid-January 2019, Plaintiff's labor was bonded to a moral obligation, not a legal duty
93 of care. Terrorists' compelled her initial labor by means of coercive threats. Plaintiff
94 feared serious harm would befall members of the public through the actions of terrorists if
95 she did not undertake this work. She made her decision in light of, but not because of, her
96 field's failings. Her skills and expertise placed her in a special position to prevent
97 foreseeable harm. A reasonable person with Plaintiff's background would feel there was
98 no choice except to work under the circumstances.

99 456. These conditions evolved after the Presidential election on November 5, 2020.
00 Defendants deliberately coerced Plaintiff to provide her labor or services against her will
01 by exploiting her desperation to be believed and intensifying their discriminatory
02 harassment, knowing that Doe would be motivated to provide her labor or services as she
03 was backed into a corner. Defendants further knew that the absence of their own original

04 research or independent efforts to understand the threat burdened her with coercive demands to provide labor or services against her will. Based on years of interaction and relationships with Doe, they knew she could not stop until either her analysis was taken seriously or Defendants demonstrated they were capable of producing reliable analysis without her creative labor propping them up. She explicitly conveyed to Defendants Newhouse, Kriner, Lewis, and Roes 1-100 that she felt obligated to provide her labor or services by teaching them until they could conduct research themselves.

457. Plaintiff did not want to continue her work on unconscionable terms, which exposed her to professional risks, intensifying harassment, mental distress, and physical deterioration in health. But with two exceptions, the podcast with Chelsea Daymon and the GIFCT article for Mahir, Plaintiff did not provide her services to Defendants. This was illustrated when Amarasingam told Doe that "[y]ou didn't give me anything" played a role in justifying Defendants' adverse actions against her.

458. At no point between October 2018 and December 2021 did Defendants acknowledge to Doe that they believed her analysis until they formed Defendant Middlebury's ARC to steal it.

459. Rather, between late 2020 and December 2021, Defendants manipulated social and professional conditions to completely isolate her socially and professionally, defame her intellectual reputation, harass her, and deliberately deny her the kind of credibility, moral support, and self-confidence she needed to persuade others of her claims. When Amarasingam, Argentino, Criezis, and Roes 1-100 succeeded in completely isolating Plaintiff from support mechanisms, and leaving her nowhere to turn, Doe did not have a choice but to provide her labor or services to the few Defendants willing to take the risk of helping her in light of the implied and explicit threats of reputational penalties for

28 colleagues who exhibited basic respect for the quality of her work. This is the starting
29 point of Plaintiff's allegations of forced labor against Defendants, not the initial
30 conditions beginning in 2018 and continuing into 2020.

31 460. Defendants used and/or threatened to use a combination of serious harms to cause Doe to
32 provide her labor or services against her will. D.C. Code § 22-1831 (3)(b). Coercion by
33 means of "serious harm or threats of serious harm" is "any harm, whether physical or
34 nonphysical, including psychological, financial, or reputation harm, that is sufficiently
35 serious, under all the surrounding circumstances, to compel a reasonable person of the
36 same background and in the same circumstances to perform or to continue performing
37 labor or services in order to avoid incurring that harm." D.C. Code § 22-1831 (7). It
38 "encompass[es] not only physical violence, but also more subtle psychological methods
39 of coercion." *United States v. Bradley*, 390 F.3d 145, 150 (1st Cir.2004), *vacated on other*
40 *grounds,* 545 U.S. 1101, 125 S.Ct. 2543, 162 L.Ed.2d 271 (2005), *United States v.*
41 *Calimlim*, 538 F.3d 706, 714 (7th Cir. 2008).

42 461. Before the formation of the ARC venture, Defendants knew Doe would not stop working
43 until she was believed. A reasonable person would perform or continuing laboring to
44 understand if no one else would expend the labor. Defendants manipulated her pre-
45 existing belief that her failure to work would result in serious physical harm to members
46 of the public in order to provide or obtain Doe's labor. Doe consistently urged her
47 colleagues to conduct their own research. She did not want her labor exploited. Plaintiff
48 told Kriner, Newhouse and others to conduct their own original work and not rely on
49 hers.

50 462. Among colleagues, it became a meme to "motivate" or trick Doe into providing labor or
51 services. This was brought to Doe's attention by Kriner. At the time, Plaintiff suspected it

52 was "probably Marc[-Andre Argentino] or someone." Kriner was not acquainted with
53 Argentino at the time, but subsequently hired him as a Fellow for Defendant
54 Middlebury's ARC. This is one of several hiring decisions by Kriner that illustrate the
55 spirit of the ARC venture regardless of who initiated the "meme."

56 463. Defendants caused Doe serious psychological harm by alienating and isolating her from
57 social support. Amarasingam, Argentino, Criezis, and Roes 1-100 warned colleagues to
58 stay away and not listen to her. This made her more vulnerable to manipulation and
59 exploitation by Defendants Middlebury, Kriner, and Newhouse because she needed their
60 help. Traffickers create dependence through isolation and the provision of basic needs,
61 such as Plaintiff's need to be believed. Many of the tactics used by traffickers "distort the
62 victim's sense of reality through manipulation, coercion, and fraud,
63 amplifying…insecurities and creating confusion."

64 464. Defendants leveraged Doe's actual or perceived disability to psychologically exhaust and
65 abuse her. Defendants harassed Doe because of her disability. They defamed her to the
66 point of social and professional alienation. When the few researchers listened to her, they
67 took advantage of her desperation by exploiting her labor to their benefit. The field writ
68 large only paid attention when her pioneering innovations came from Defendants as a
69 result of Defendants' discriminatory conduct. When Defendant Middlebury's ARC
70 appropriated three years of her labor and excluded her, she was blamed for "playing mind
71 games" by being their victim twice-over.

72 465. Amarasingam told Doe "on the one hand, you needed others to 'speak' your ideas. But on
73 the other hand, they shouldn't have done it. I'm asking you why it was 'wrong' to begin
74 with since you wanted to use them to get your ideas out there. If you are playing mind
75 games with people the whole time, you have no right to be upset with the results…I don't

76 get it because you are trying to have it both ways: I used them to get my ideas out there
77 because no one would have taken me seriously, and now you're mad that your ideas are
78 out there when in fact your premise is wrong. I told you from 2018 onwards that people
79 would have taken you seriously if you put out actual content…"

80 466. Doe formed unhealthy relationships with Defendants who preyed on her and she made
81 excuses for them when they abused and violated her trust. The coercive conditions caused
82 her to feel indebted to the very people causing her irreparable harm. This is a known
83 mechanism of traumatic bonding. Doe publicly supported and defended them, which was
84 used by Defendants to later counter her complaints of victimization and tell her that it was
85 her fault.

86 467. Defendants published "objectional" communications to third parties and prospective
87 employers to deliberately incite public opprobrium and incite hatred against Plaintiff.
88 Objectionable Defendants knew that Doe's statements were fully protected speech under
89 the First Amendment. *Snyder v. Phelps*, 562 U.S. 443, 451-453 (2011), *Watts v. United*
90 *States*, 394 U.S. 705, 707-708 (1969). Defendants knew Doe's statements did not
91 constitute a "true threat" exception to her Constitutional right. *Virginia v. Black*, 538 U.S.
92 343, 359 (2003), *Bauer v. Sampson*, 261 F.3d 775, 783-84 (9th Cir. 2001). Defendants
93 painted Doe as menacing and supplemented their misrepresentations of her protest with
94 discriminatory stereotypes as means of coercion to maintain Plaintiff in isolation from
95 professional or social support for the purposes of forced labor in violation of this section.

96 468. Defendants caused or attempted to cause Doe serious financial harm by advising
97 colleagues to dismiss her, thus compelling her to to work to justify the value of her
98 analysis and skilled labor. "The D.C. Circuit has not interpreted the term 'serious harm,"
99 but applying these principles, other courts have held that severe financial harm could

00 suffice." *United States ex rel. Hawkins v. ManTech Int'l Corp.*, Civil Action No. 15-2105
01 (ABJ), 34 (D.D.C. Jan. 28, 2020), *United States v. Dann*, 652 F.3d 1160, 1170-71 (9th
02 Cir. 2011). Doe made significant financial sacrifices by leaving a high-paying position
03 and the earning potential of an Ivy League graduate degree to dedicate herself to the
04 work. She bore all expenses herself without any institutional support and could not afford
05 to stop working. *Norambuena v. Western Iowa Tech Community College*, No. C20-4054-
06 LTS, 16 (N.D. Iowa Mar. 31, 2022).

07 469. Defendants also caused Plaintiff serious financial harm by compelling her to work
08 between March and June 2022 to "prove" allegations against Defendant Middlebury's
09 ARC that Defendants knew were true at the outset. Amarasingam challenged her to
10 "prove it" in light of his knowledge of her research from May 2019 without any intention
11 of influencing a different outcome. Plaintiff worked for months to provide the 94-page
12 document to exculpate herself of Defendants' misrepresentations without any benefit.

13 470. Defendants could reasonably foresee that their deliberate acts to inflict severe financial
14 harm would prevent Plaintiff from improving her living conditions. Plaintiff told Saltman,
15 Ihler, and Ligon that bringing legal charges against ARC would cause her significant
16 financial difficulties and result in squalid living conditions until the matter was resolved.
17 She also said that not finishing her home would place her mother, who intended to move
18 in because of physical challenges caused by the diagnosed degenerative neurological
19 condition, at risk of injury. Saltman, Ihler, and Ligon did not acknowledge or respond to
20 these concerns. Rather, Ihler's business partner Kutner advised Doe to forgo legal action
21 to focus on her "own space" and implied that Doe needed to accept "the hard truth"
22 without recourse to the malicious actions by Defendant Middlebury that nearly cost her
23 her life six months prior.

24 471. By limiting Doe's access to the hiring process and deliberately withholding information
25 about vacancies, Defendants repeatedly denied employment opportunities in the field,
26 which caused significant financial hardship.

27 472. Opportunities for Doe's expertise did not exist at the outset, because the need was yet
28 unidentified. As time wore on, the growing threat of accelerationist violence became
29 undeniable and rather than invite Doe as a contributor, Defendants chose to extract her
30 labor through coercion and commingle her property interests in the commercial and
31 educational services they offered. Doe was forced to continue advancing her research
32 because she was consistently unable to receive any compensation for her labor from
33 earlier discoveries due misappropriation by Defendants.

34 473. Cruickshank did not change his mind and decide to compensate Doe as an independent
35 contractor for the period of time it took her to write the paper she submitted in February
36 2022. He also hired Amarasingam, Argentino, and Macklin to write about "cumulative
37 momentum" to avoid association with "accelerationism." Cruickshank continued to take
38 adverse actions against her on behalf of Defendant Middlebury's ARC through November
39 2022 when he recruited an ARC employee to plagiarize an external review for the CTC
40 Sentinel.

41 474. Defendants caused or threatened to cause serious harm to Doe's reputation that compelled
42 her to provide labor or services. Perpetuating and subjecting a person to "hatred,
43 contempt, ridicule, or other significant injury to personal reputation or [academic]
44 reputation" is a form of serious harm recognized by federal courts. Defendants' unlawful
45 harassment of Doe was tantamount to a foreclosure of liberty interests in future
46 employment opportunities because her brain is the source of her professional
47 competencies and her disability. A reasonable person would feel there was no choice but

48 to provide labor or services to vindicate the quality of her work by contradicting
49 Defendants' accusations. A reasonable person would also be compelled to provide labor
50 or services to counter Defendants' harassment that stigmatized Doe as mentally unstable
51 and dissociated from reality for insisting that she did the work they claimed as their own.

52 475. Defendants caused or threatened to cause serious harm to the personal and/or professional
53 reputations of third parties with the intended effect of maintaining control over Plaintiff
54 and denying her the liberty of exercising fundamental rights in labor and contract.

55 476. West Point CTC Sentinel revoked their offer to hire and publish Plaintiff citing "what
56 they will do to us." The editorial board believed Defendants would seriously harm their
57 personal or professional reputations ("optics") if West Point compensated and recognized
58 Doe for her work. The two options given to Doe to prevent the threat of serious harm to
59 West Point's optics from materializing were apologizing to Defendants for opposing their
60 treatment or providing labor or services in the expansive release of unpublished
61 scholarship she was compelled to share under the circumstances.

62 477. Fear of reprisals that would cause third parties serious harm is coercion for the purposes
63 of threatening serious harm. Doe declined the assistance of colleagues to come to her
64 defense because she feared for their interests. Kutner publicly implied to a third party
65 that colleagues who supported Doe were dishonest "enablers." Defendants fostered fear
66 of reputation harm and reprisal to control Plaintiff's behavior. It is cited in the literature
67 as a common tactic used by traffickers to isolate their victims.

68 478. Defendants abused or threatened to abuse the law or legal processes of 17 U.S. Code §
69 106 ("Copyright Act of 1976" or "Section 106") as a means of coercion in violation of
70 D.C. Code § 22-1831 (3)(c)). Defendants threatened or abused the legal void between

71 academic plagiarism and the federal intellectual property regime to force Plaintiff to
72 publish or provide other services with the implied or explicit threat that if she did not
73 comply, Defendants would use her labor to provide services, such as publications, events,
74 or employment opportunities, to benefit themselves and their employers. Abuse of law or
75 legal process may occur "in any manner or for any purpose for which the law was not
76 designed, in order to exert pressure on another person to cause that person to take some
77 action or refrain from taking some action," D.C. Code § 22-1831 (1). The law or legal
78 process abused may be administrative, civil, or criminal in nature.

79 479. The Copyright Act of 1976 is the implementing legislation for Clause 8 of Article I, § 8,
80 of the U.S. Constitution through which States granted Congress the federal power "[t]o
81 promote the Progress of Science and useful Arts, by securing for limited Times to
82 Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

83 480. Examining the origins of the Copyright Act of Constitutional power demonstrates that
84 Defendants' behavior is antithetical to the design of this law. The predecessor to modern
85 copyright was an informal system of intellectual property rights exclusion that
86 monopolized the power of a London printers' guild in the emerging book trade. The
87 guild's internal registration system assigned rights of printing or reprinting outside of
88 government control and censorship. It decoupled private copyright interests from Privy
89 Council's mandated approval process for publications, which existed under a legislative
90 licensing scheme that ended in 1694. *See* Camden, J. *Donaldson v. Beckett* (1774). The
91 London printers' guild coalesced into a monopoly to enforce the rights of copy against
92 the unauthorized reproduction of literary or artistic work, known as piracy. Piracy was
93 differentiated from plagiarism because of its commercial nature.

94 481. Parliament enacted the 1709 Statute of Anne ("An Act for the Encouragement of

Learning by the Vesting of the Copies of printed Books in the Authors or Purchasers of such Copies during the Times therein mentioned," 8 Anne, c. 19) to assign authors a "sole right of printing or reprinting" in their intellectual products for the first time. *Fred Fisher Music Co. v. M. Witmark & Sons*, 318 U.S. 643, 647 (1943). The Statute of Anne gave rise to a court dispute about the nature and purpose of an author's exclusive and perpetual rights of ownership in literary and artistic work. The Court of the King's Bench held that publishers and booksellers owned literary or artistic productions in perpetuity under a very narrow interpretation of copyright in the common law.

482. The reasoning for the majority's decision was informed by the tradition in the classical style of art that imitated great artistic or literary masters as an homage to their achievement rather than an act of subversion to appropriate their greatness. *Millar v. Taylor* (1769) 4 Burr. 2303, 2408, 98 Eng. Rep. 201. On appeal, the House of Lords overturned the judicial decision of perpetual common law ownership to set statutory time limits for property rights in creative work in 1774. The vote reflected the distrust and dissatisfaction with the printers' guild monopoly that wanted to maintain exclusive control over publications in perpetuity. The Founding Fathers drafted Article I, Clause 8 of the U.S. Constitution in the wake of this controversy. This is the source of rights contained in the modern Copyright Act of 1976.

483. Insofar as ideas are refined through discourse, this does not negate the creative labor and risk of the originator. Novel ideas of professors are generated through professional interactions with peers with minimal difference to copyright disputes over unilateral publication of private correspondence between multiple parties in the era of the Statute of Anne. Renowned English poet Alexander Pope enjoined a publisher from reproducing his personal letters in a printed volume without consent. The defendant publisher argued that

19 an author's private correspondence was legally distinct from the author's protectable
20 "learned works" because it was a gift that vested legal right in the recipient. This
21 argument was rejected. The Court held "it is only a special property in the receiver,
22 possibly the property of the paper may belong to him; but this does not give a license to
23 any person whatsoever to publish them to the world, for at most the receiver has only a
24 joint property with the writer." *Pope v. Curl* (1741) 2 Atk 342, 26 ER 608, 608.

25 484. Sir Isaac Newton had well-documented cognitive differences, although the historical
26 record is undecided if a mood disorder, developmental disorder, or toxic exposure was the
27 source. Newton's neurodivergence made close relationships challenging and personality
28 disputes among colleagues when he presided over the Royal Society. However, his
29 disability did not divest him of his achievements in absence of copyright. Newton's
30 creation of classical mechanics was not minimized in comparison to scientists' earlier
31 observations that apples fall from trees. He was not eclipsed by scientists who
32 "discovered" other objects also fall. The scientific community of his time did not conceal
33 in derivative work that Newton's methods to measure and predict velocity, inertia, and
34 force of falling led to the discoveries. While replication is a stage in the scientific process,
35 selective omission and substitution of the original methodology is fabrication of results.

36 485. TVPA "requires more than evidence that a defendant violated other laws of this country
37 or encouraged others to do the same. It requires proof that the defendant 'knowingly'
38 abused the law or legal process as a means to coerce the victim to provide labor or
39 services against her will." *Muchira v. Al-Rawaf,* 850 F.3d 605, 622-23 (4th Cir. 2017). In
40 the District of Columbia, Plaintiff must evidence a defendant knowingly or recklessly
41 abused or threatened to abuse the law or legal process for this purpose.

42 486. Plaintiff gave an interview to Defendant Chelsea Daymon in January 2020. Defendant

Newhouse copied lines directly from the interview for his copyrighted publication in May 2021 in order to secure legal rights in print. Defendant Newhouse and Kriner then hired Daymon for Defendant Middlebury's ARC because she holds the copyright to the interview. Plaintiff published an article for Defendant Shiraz Mahir. Defendant Middlebury's ARC partnered with GIFCT to publish her research in plagiarized materials and abusing copyright to exclude her from any benefits or opportunities of her labor.

487. Copyright law does not always "protect creative persons from unconscionable contractual terms..." Scholars point to Elvis Presley's practice of requiring 50% of the co-writing credit from African-American songwriters before he agreed to record a song as an example of exploiting the creative labor of marginalized people on unconscionable terms. This is analogous to Kriner's response to Plaintiff that Defendants Middlebury's CTEC and George Washington University's PoE would likely require co-writing credit for Newhouse and Lewis, respectively. This is a predatory practice in the industry that results from power asymmetry. However, Doe was free to refuse a contract for labor or services with Defendants on unconscionable terms. This is the point at which the coercive conditions are exposed: Plaintiff declined to be separated from her property interests on unacceptable and discriminatory terms.

488. The legislative intent of the Copyright Act of 1976 sought to achieve the opposite effects of Defendants' actions. The Act's provisions on copyright are intended to protect "the exclusive right of a man to the production of his own genius or intellect" and promote creativity. *Burrow-Giles Lithographic Company v. Sarony,* 111 U.S. 53, 58 (1884). The abuse of this law is malicious per se because of the nature of creative labor. This was recognized by English Courts in the literary property debate, "[t]he value in originality had more than economic significance; the image of the author as intellectual laborer

67 contributed to an understanding that the relationship between the creative and the objects
68 of his labor was integral to the creator's personhood, and deserved protection aside from
69 his economic interests."

70 489. Defendants' abuse of copyright law in Defendant Middlebury's ARC defeats the purpose
71 of public copyright policy and the negative historical experience in Britain of independent
72 industry regulation. Copyright's predecessor for exclusive rights in intellectual property
73 created a monopoly in the book trade for members of a London printers' guild. The
74 guild's internal registration system assigned rights of printing or reprinting outside of
75 government control and censorship. It decoupled private copyright interests from Privy
76 Council's mandated approval process for publications, which existed under a legislative
77 licensing scheme that ended in 1694. See Camden, J. *Donaldson v. Beckett* (1774). The
78 London printers' guild coalesced into a monopoly to enforce the rights of copy against
79 the unauthorized reproduction of literary or artistic work, known as piracy. Piracy was
80 differentiated from plagiarism because of its commercial injury rather than moral injury
81 to the author.

82 490. Defendant Middlebury's ARC created a monopoly in a marketplace of one person's ideas
83 to the exclusion of the creator. Copyright is the right to reproduce a particular expression
84 of ideas. In academia, it implies that the ideas expressed are the intellectual labor of the
85 author and "founded in the creative powers of the mind." This is implied because
86 employees are not rewarded based on the value of the copyrights but the strength and
87 creativity of the labor reflected in the copyrighted work.

88 491. Defendants Roe 1-100 Defendants retaliated by misrepresenting Plaintiff's protest against
89 ARC to a recently-retired Assistant Attorney General at the Department of Justice as a
90 means of coercion to continue providing Plaintiff's labor or services. Defendants'

91 conduct of misrepresenting Plaintiff's activities and statements to a former high-ranking
92 government official could reasonably be interpreted to influence Department of Justice
93 decisions to prosecute or investigate Doe based on Defendants' statements and/or protect
94 Defendants' from legal consequences of their offenses against Plaintiff. The coercive
95 effect on her decision-making was observed when she stated on July 28, 2022, "One thing
96 I'm curious to find out is whether ARC involved Mary McCord because they believed
97 they were all above the law or so that they could be."

98 492. One incident of An EEOC investigator informed Doe that, although she filed a charge of
99 retaliation against West Point on the same day as other Defendants, the New York office
00 did not have jurisdiction to investigate the U.S. Military Academy for unlawful
01 retaliation. Doe explained the incident concerning the external reviewer to the EEOC
02 investigator. Plaintiff said she believed West Point's latest decision demonstrated a
03 pattern of continued retaliation. Since EEOC did not have jurisdiction, the investigator
04 said that the Department of Justice would conduct the investigation into West Point
05 concerning her allegations. The EEOC investigator recommended Plaintiff call West
06 Point's internal anti-discrimination office in the meantime.

07 493. Doe contacted the Equal Opportunity officer at West Point the next day. She asked to be
08 connected with the person in charge of accepting discrimination-related complaints filed
09 by individuals not employed by the U.S. Government. The Equal Opportunity officer
10 informed her it was the purview of the Office of the Inspector General, so Doe called the
11 Inspector General.

12 494. The Inspector General initially told Doe that Cruickshank and the CTC Sentinel were
13 "absolutely not" part of the U.S. Military Academy. If not West Point, Doe asked who
14 employed them. The Inspector General said he did not know and then, a moment later,

15 quizzically asked Doe, “Who employs these guys?” Doe replied, “West Point.” After
16 generally inspecting the results of a Google search, he observed that university faculty
17 and employees populated the editorial staff and the academic center that produced the
18 publication was located in the social science department on campus. The Inspector
19 General conceded that it was West Point, but it was not subject to oversight by the
20 Superintendent and no one at West Point could hold them accountable for discrimination
21 and retaliation if the victim was not a federal employee. The Department of Justice found
22 that it also had no jurisdiction to investigate.

23 495. A reasonable person with Plaintiff’s background and in her circumstances would feel
24 coerced to provide labor by Defendants’ threatened abuse of legal processes of the
25 Department of Justice by hiring a former Assistant Attorney General, misrepresenting
26 Plaintiff, and abusing an absence of federal oversight over employees of U.S.
27 Government entities participating in Defendant Middlebury’s ARC spectrum of unlawful
28 activities.

29 496. Defendants Amarasingam, Kriner, Newhouse, and Roes 1-100 used and/or threatened to
30 use fraud or deception to cause Plaintiff to provide her labor or services. D.C. Code § 22-
31 1831 (3)(d).

32 497. Doe continuously made statements between February 2019 and January 2022 that she did
33 not want to undertake her research at that time. Defendant Kriner knew from his
34 conversations with Doe that she feared for public safety if she did not work or continue
35 working to understand the threat. Coercion by fraud or deception frequently targets a
36 peculiar vulnerability that makes an individual susceptible to undue pressure by
37 traffickers. Usually, corresponding with law enforcement constitutes coercion by abuse of
38 law in labor trafficking cases. However, it constitutes coercion by fraud or deception in

39 this Complaint. Kriner emphasized in conversations with Doe that the labor or services
40 she provided him about her original work was being used to persuade law enforcement to
41 recalibrate the scope of their investigative agenda towards the growing threat. Doe
42 provided her labor or services to him based on the understanding he was helping Plaintiff
43 convince government officials to take the threat seriously when there was no support for
44 it.

45 498. Kriner accompanied on his requests for information with justifications that exploited this
46 same vulnerability to coerce her cooperation by fraud or deception. For example, on or
47 around October 31, 2020, Kriner said he was "working some angles to submit to agencies
48 hopefully soon." On November 6, 2020, Kriner said "my company is giving me a shot to
49 win a contract with the DOJ [Department of Justice] and stand up a team aimed at
50 domestic terrorism in an ops center and long term analysis setting." On January 18, 2021,
51 when his employer tasked him to support law enforcement on domestic extremism,
52 Kriner told Doe that "based on the requests so far" he was "80% confident" that
53 government employees were testing him on his knowledge of Doe's doctrine of
54 accelerationism, implying that he needed to learn more. On January 28, 2021, Kriner said
55 "that's what I brought Alex [Newhouse] and Jon [Lewis] in on just the other day. We're
56 gonna tackle that heavy. And my company is now in talks for a permanent contract with
57 the FBI. So I could have a pipeline soon" to communicate the urgency of the threat to law
58 enforcement. On February 19, 2021, when Doe offered to tell Kriner about a schema she
59 developed, he responded eagerly and said "I'm gonna have to start answering tougher
60 questions soon at work to get stronger tools and greater resources allocated to me,"
61 knowing Plaintiff would be more likely to provide her labor or services voluntarily to
62 protect the public from serious harm. Kriner knew that Doe was compelled to work

63 because of her fear that members of the public would be injured or killed by
64 accelerationist terrorism. He also knew that Plaintiff did not believe she could affect
65 necessary change when no one believed her, partially and increasingly, because of the
66 campaign of defamation, abuse, and harassment behind her back. "Trafficking victims
67 may believe that no one cares to help them, a belief that is reinforced by traffickers' lies."

68 499. Kriner preyed on Doe's isolation to befriend and deceive her. He told her that he was
69 working on an unrelated book and unrelated projects in order to gain her trust and exploit
70 her labor for Defendant Middlebury's ARC venture. Newhouse and Kriner deceived Doe
71 with promises of future work collaborations and opportunities. Kriner told Plaintiff that
72 George Washington University and Middlebury would probably not offer opportunities
73 without agreeing to exploitative contractual terms that credited Newhouse or Lewis with
74 intellectual labor that was not their own.

75 500. Defendants fraud or deception to third parties caused Plaintiff to provide labor or services
76 in correcting their fraudulent misrepresentations about the source. She wrote in her
77 introduction to the evidence document that she felt she had no choice but to provide
78 writings she did not feel comfortable disclosing publicly.

79 501. Lastly, Plaintiff must demonstrate Defendants' coercive threats and/or actions caused her
80 to provide labor or services. The element of causation is a mixed question of law and fact.
81 Plaintiff puts forth two alternative or complementary legal theories for this Court to find
82 in her favor. The first is an application of the principles as articulated in federal TVPA
83 decisions to the facts of this case. The second legal theory is based on an interpretation of
84 D.C. statutory language in light of differences between the local common law and the
85 standards of measurable influence set forth in the federal cases.

86 502. The effects of coercion on the mind of a trafficking victim is the determinative factor for
87 a court to find conditions of forced labor under the federal framework's perpetrator theory
88 of liability. *United States v. Mussry,* 726 F.2d 1448, 1453 (9th Cir. 1984), *Pierce v.*
89 *United States*, 146 F.2d 84, 86 (5th Cir. 1944)), *Norambuena v. Western Iowa Tech*
90 *Community College*, No. C20-4054-LTS, 12 (N.D. Iowa Mar. 31, 2022).

91 503. Congress intended the standard for coercion in TVPA offenses to be flexibly "construed
92 with respect to the individual circumstances of victims that are relevant in determining
93 whether a particular type or certain degree of harm or coercion is sufficient to maintain or
94 obtain a victim's labor or services...." H.R. Conf. Rep. No. 106-939, at 101 (Oct. 5, 2000).

95 504. When considering the causal connection in TVPA cases, federal courts have held "[t]he
96 correct standard is a hybrid" that requires the victim's "acquiescence be objectively
97 reasonable under the circumstances." *United States v. Rivera*, 799 F.3d 180, 186-187 (2d
98 Cir. 2015).

99 505. The facts and circumstances specific to this Complaint must be analyzed to decide
00 "whether the challenged conduct would have had the claimed effect upon a reasonable
01 person of the same general background and experience. Thus, the particular individual's
02 background is relevant in deciding whether he or she was coerced into laboring for the
03 defendant." *United States v. Mussry,* 726 F.2d 1448, 1453 (9th Cir. 1984). "The test of
04 undue pressure is…asking how a reasonable employee would have behaved…[known]
05 objective conditions that make the victim especially vulnerable to pressure…bear on
06 whether the employee's labor was obtained by forbidden means." *Bradley,* 390 F.3d at
07 153.

08 506. Under the federal framework, "…the critical inquiry for the purposes of the TVPA is

09 whether a person provides those services free from a defendant's physical or
10 psychological coercion that as a practical matter eliminates the ability to exercise free will
11 or choice." *United States ex rel. Hawkins v. ManTech Int'l Corp.,* Civil Action No. 15-
12 2105 (ABJ), 35 (D.D.C. Jan. 28, 2020)(quoting *Muchira v. Al-Rawaf,* No. 1:14-CV-770
13 AJT/JFA, 2015 WL 1787144, at *6 (E.D. Va. Apr. 15, 2015), *aff'd*, 850 F.3d 605 (4th
14 Cir. 2017), *as amended* (Mar. 3, 2017)).

15 507. Federal courts have asked reasonable triers of fact to assess the degree of coercion on a
16 victim's state of mind by considering "if [defendant] had not resorted to these unlawful
17 means, the [plaintiff] would have declined to perform additional labor or services."
18 *Muchira v. Al-Rawaf*, 850 F.3d 605 (4th Cir. 2017) (affirming *United States v. Kalu*, 791
19 F.3d 1194, 1212 (10th Cir. 2015)).

20 508. This Court may interpret the element of causation in the common law of the District of
21 Columbia to find an unlawful measure of undue influence on Plaintiff's decision-making
22 processes as a result of Defendants' force, fraud, or coercion.

23 509. in accordance with "Maryland common law in effect as of 1801 (incorporating English
24 common law and statutes in effect as of 1776) unless expressly repealed or modified by
25 statute." *Williams v. United States*, 569 A.2d 97, 99 (D.C. 1989).

26 510. Pursuant to D.C. Code § 45–401, "[a]ll British statutes in force in Maryland on February
27 27, 1801, the principles of equity and admiralty, all general acts of Congress not locally
28 inapplicable in the District of Columbia, and all acts of Congress by their terms
29 applicable to the District of Columbia and to other places under the jurisdiction of the
30 United States, in force in the District of Columbia on March 3, 1901" remain in force in
31 the common law of the District of Columbia except "insofar as the same are inconsistent

32 with, or are replaced by, some provision of the 1901 Code." D.C. Code § 45–401.

33 511. Causation in forced labor claims under D.C. law may significantly depart from federal
34 interpretations because the common law standard of voluntariness is distinct from the
35 evidentiary standard for admissible confessions in the trial phase of criminal cases.
36 McCormick on Evidence § 146, at 372 (E.W. Cleary 3d ed. 1984) explains the difference
37 between non-constitutional, common law standard of voluntariness, and "the federal
38 `constitutionalization' of the voluntariness requirement."

39 512. Nineteenth century Maryland and England common law in force today in the District of
40 Columbia is relevant to an analysis of facts and circumstances in this Complaint under
41 D.C. Code § 22–1832 (a). The applicable common law standard of voluntariness is most
42 often, but not exclusively, discussed in case law on police interrogations and questions of
43 whether coercive means were sufficiently serious to "overcome the will" of a suspect
44 with regard to the "totality of circumstances" and personal vulnerabilities. The federal
45 cases brought under TVPA use the same phrases to establish the causal connection of the
46 defendant's coercion and the effects on the victim's decision to provide labor or services.
47 As a result of the D.C. Code, the legal analysis on the third element of this section may
48 apply the common law standard of voluntariness in the Maryland and English case law as
49 it existed on February 27, 1801.

50 513. The Supreme Court stated that there is "no talismanic definition of 'voluntariness,'
51 mechanically applicable to the host of situations where the question has arisen…[N]either
52 linguistics nor epistemology will provide a ready definition of the meaning of
53 voluntariness." *Schneckloth v. Bustamonte*, 412 U.S. 218, 224 (1973).

54 514. "By incorporating the common law of Maryland, Congress did not intend to freeze the

55 common law as it existed in 1801. Rather, Congress meant to incorporate the "dynamic"
56 common law, not merely "its then-current pronouncements on specific problems."
57 *Comber v. United States*, 584 A.2d 26, 35 n.5 (D.C. 1990). The common law has not been
58 overturned by stare decisis in D.C. case law. Civil actions for forced labor brought
59 exclusively under D.C. Code § 22–1832 *et seq*. rather than federal law, do not address the
60 standard of voluntariness in a victim's decision to provide labor or services. This Court
61 may interpret unresolved questions of D.C. law with guidance from federal case law, as it
62 does in DCHRA decisions. The language of voluntariness as it is applied to the cases
63 brought under federal statute is the same as the English common law. The distinction is
64 that the Maryland common law standard of 1801 is non-applicable at the federal level
65 whereas it is still in force in the District of Columbia unless it can be shown (1)
66 inconsistent with Council's intent, or (2) abrogated or superseded in legislation or stare
67 decisis.

68 515. This interpretation of the common law standard of voluntariness in the application to
69 local law is strongly supported by the Council's intentional distinction from federal
70 statutory language. Voluntariness is the operative factor of coercion in D.C. statutory
71 language. The local statute uses the word "voluntarily" to identify the presence of
72 coercion when determining criminal culpability. In addition to possessing requisite
73 knowledge of the offense, D.C. Council inserted a voluntariness requirement into the
74 mens rea element for an individual to be held responsible for benefiting from trafficking
75 ("knowingly to benefit, financially or by receiving anything of value, *from voluntarily*
76 *participating* in a venture…"). D.C. Code § 22–1836. The Council's enhancement of the
77 mens rea requirement is designed to protect trafficking victims from criminal prosecution
78 because of the undue influence of coercion in their participation. The federal legislation

79 only requires knowledge ("knowingly benefits, financially or by receiving anything of
80 value, from participation in a venture…"). 18 U.S. Code § 1593A.

81 516. The standard of voluntariness in the common law as it existed in Maryland and England
82 has not been abrogated by the Thirteenth Amendment, implementing legislation, or state
83 statutes that abolished slavery and involuntary servitude. Enacted by the Continental
84 Congress, Article VI of the Northwest Ordinance of 1787 stated, "There shall be neither
85 slavery nor involuntary servitude in the said territory, otherwise than in the punishment of
86 crimes, whereof the party shall have been duly convicted..." Free individuals "in the said
87 territory" exercised their rights under Article VI and brought claims against employers in
88 courts of relevant jurisdiction. In *The Case of Mary Clark, a Woman of Color,* a free
89 citizen brought a claim under Article VI of the Ordinance for the right to leave her
90 employment, which was "voluntary by operation of law" but "involuntary in fact." The
91 Indiana Supreme Court held that initial voluntary consent to an employment contract can
92 constitute involuntary servitude when the employee is not availed of a right to quit
93 working. This decision set the precedent for Thirteenth Amendment jurisprudence after
94 its ratification in 1866. *Clark*, 1 Blackf. 122, 124-126 (Ind. 1821).

95 517. The Northwest Ordinance did not apply to residents of Maryland on February 27, 1801.
96 Slavery and involuntary servitude would not be criminal offenses in Maryland for another
97 63 years and 8 months. Peons had civil and political rights, but slaves and involuntary
98 servants did not.Without rights, the latter did not have standing in Maryland courts. The
99 common law institution of human bondage and its practices of forced labor were
00 superseded in D.C. law by the D.C. Emancipation Act of 1862 ((12 Stat. 376) and in
01 Maryland when the new state constitution drafted at the Maryland Constitutional
02 Convention of 1864 became effective by referendum on November 1, 1864. Shortly

03 thereafter, Congress enacted the Thirteenth Amendment to the U.S. Constitution as a
04 mirror image of Article VI of the Northwest Ordinance of 1787. As a result of these
05 historical developments, the statutory abolition of slavery and involuntary servitude in
06 Maryland and the United States do not abrogate the common law principle of
07 voluntariness.

08 518. Under the common law, threats and promises are analyzed the same in determining the
09 voluntariness of a person's decision. It may be constituted by a conditional promise of
10 benefit, i.e. not to harm the person, or threatening a detriment. Applying the common law
11 test, a threat to cause the victim serious harm is analogous to a conditional promise of not
12 causing the victim serious harm. A "conditional promise is, by definition, a threat in the
13 eventuality the condition is not satisfied." The Maryland common law may find coercion
14 in the use of improper promises and threats that are presumed to render decision-making
15 involuntary regardless of whether the victim's will was overcome under the totality of
16 circumstances. "The per se rule [for undue pressure in police interrogations] is based on
17 old Maryland cases, dating back to 1873, which themselves were based upon the
18 expansive common-law per se rule from eighteenth and early nineteenth century
19 England." *See* 32.1 U. Balt L.F. 11 (2001).

20 519. Amarasingam told Plaintiff in May 2019 when he reviewed an early draft of a paper
21 containing research published by ARC in May 2022, that she would not suffer serious
22 harm if she published her work. He recommended Plaintiff continue working on it before
23 publishing. In December 2021 and January 2022, he said to Plaintiff, "I told you this
24 would happen in 2018." Based on the coercive threat and/or promise, combined with
25 actively contributing to the coercive conditions that made the effects of serious harms
26 tangible to the victim this establishes the causal nexus to satisfy a prima facie cause of

27 action for forced labor.

28 520. This is also consistent with the Seventh Circuit decision in Calimlim in response to the
29 defendants' argument that "nothing they said or did to [the plaintiff] amounted to a threat.
30 To the contrary, they urge, they meant her no harm and were only telling her these things
31 in her best interest. Perhaps another jury might have accepted this story, but the one that
32 heard their case did not. The key to distinguishing this innocent explanation from the
33 facts of conviction, and the reason why the record contains evidence supporting the jury's
34 verdict, lies in part in what they did not tell her…" *United States v. Calimlim*, 538 F.3d
35 706, 711, 713 (7th Cir. 2008).

36 **COUNT IX**
37 D.C. Code § 22–1833 (1) — Labor Trafficking
38 Against All Defendants

39 521. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if
40 fully stated herein.

41 522. Defendants knowingly participated in the trafficking venture by funding or providing
42 services, programs, and/or activities knowingly or in reckless disregard that the services
43 provided or obtained by Defendant Middlebury's ARC relied on labor provided by
44 Plaintiff against her will. Plaintiff brings a civil action for relief against Defendants under
45 D.C. Code § 22-1833 (1) pursuant to D.C. Code § 22-1840 (a).

46 523. In D.C. law, providing or obtaining a victim's labor or services is an independent cause of
47 action from coercion, a separation not made in federal trafficking legislation. Trafficking
48 in labor may be committed by "any means." The prohibition against trafficking states
49 "[i]t is unlawful for an individual or a business to recruit, entice, harbor, transport,

50 provide, obtain, or maintain by any means a person knowing, or in reckless disregard of
51 the fact that, [c]oercion will be used or is being used to cause the person to provide labor
52 or services…" D.C. Code § 22–183.

53 524. The statutory language of the action verbs, e.g. maintaining, and noun "a person" may
54 conjure mental images associated with human smuggling. Smuggling in persons is a very
55 different offense than trafficking. Smuggling in persons is a crime committed against a
56 government. Laws against smuggling are exercised by a state to enforce the territorial
57 sovereignty of its national borders, not the human dignity of smuggled persons.
58 Smuggling is not laden with moral turpitude of trafficking offenses because there is
59 nothing inherently violative, offensive, or dehumanizing about moving whole bodies.

60 525. Trafficking is violative, offensive, and dehumanizing because it is not about whole
61 bodies. It is about body parts valued by commercial sectors in which traffickers operate.
62 Trafficking applies to the non-consensual use of those body parts irrespective of whether
63 the body or its parts physically move across space-time. It is called trafficking "in
64 persons" to symbolically acknowledge the unified personhood of victims dehumanized by
65 perpetrators who reduce them to their parts.

66 526. Defendants did not believe Plaintiff's work was property because it is a product of her
67 mind. Plagiarism, according to Defendants, is not an offense against a person's property.
68 Piracy and copyright violations are property-based offenses. The ancient Greek
69 etymology of the word plagiarism is "the kidnapping of another man's child." From the
70 first century A.D., offenders were called "kidnappers," or plagiarists. The language of
71 "plagiarism" used by Defendants to diminish the severity of their offenses is nonetheless
72 consistent with human trafficking case law in other industries that equates the exploited
73 body part with the victim's personhood to attach liability for severe forms of labor

74 exploitation and trafficking “in persons.”

75 527. Defendants did not recruit, obtain, provide, or maintain Plaintiff’s whole body. Her mind
76 is the only body part of value to the field. Her intellectual labor is worth millions of
77 dollars more than her manual labor expended in the same period of time.

78 528. While federal law requires a person “knowingly” commit acts of trafficking, the D.C.
79 standard of intentionality is knowingly or “in reckless disregard of the fact” that coercion
80 is or will be used. Reckless disregard of the fact is the conventional mens rea element of
81 recklessness, requiring a lower burden of proof than knowledge but higher than
82 negligence. See *Carrell v. United States*, 165 A.3d 314, 334 n.6 (D.C. 2017). “A person
83 acts recklessly with respect to a material element of an offense when he consciously
84 disregards a substantial and unjustifiable risk that the material element exists or will result
85 from his conduct." *Dorsey v. United States*, 902 A.2d 107, 113 (D.C. 2006) (quoting
86 *Jones v. United States*, 813 A.2d 220, 225 (D.C. 2002)).

87 529. D.C. law does not require direct participation in coercion to be independently liable for
88 acts of trafficking, namely “recruit[ing], entic[ing], harbor[ing], transport[ing],
89 provid[ing], obtain[ing], or maintain[ing] by any means a person.” *Compare* 18 U.S.C. §
90 1590 (a) and D.C. Code § 22–183.

91 530. Defendants formed a “venture” for trafficking in Plaintiff’s labor or services. A venture
92 is “two or more individuals associated in fact, whether or not a legal entity.” D.C. Code §
93 22–1831 (11). The venture was eventually formalized through Defendant Middlebury as
94 the Accelerationism Research Consortium on or around December 23, 2021.

95 531. There are three elements in a cause of action for trafficking. First, a predicate act occurred
96 or will occur, e.g. “coercion…used to cause the person to provide labor or services” in

97 violation of D.C. Code § 22–1832 (a). Second, Plaintiff must show Defendants
98 "recruit[ed], entice[d], harbor[ed], transport[ed], provide[d], obtain[ed], or maintain[ed]
99 by any means" her person. Defendants do not need to complete the act to satisfy this
00 element. *United States v. Mozie*, 752 F.3d 1271, 1286 (11th Cir. 2014), *Ricchio v.*
01 *McLean*, 853 F.3d 553, 558 (1st Cir. 2017). Third, Plaintiff must demonstrate Defendants
02 possessed the requisite state of mind to commit the offense.

03 532. Defendants Newhouse, Kriner, and Roes 1-50 explicitly stated that their actions were
04 intended to obtain Plaintiff's labor against her will. They acted with "knowledge" of the
05 predicate act.

06 533. Defendants Cruickshank, Argentino, Kutner, and Roes 50-100 voiced disapproval that
07 Doe was using threatening rhetoric *because* Defendant Middlebury's ARC
08 misappropriated her work against her will. They acted with "reckless disregard of the
09 fact" that Doe's labor or services were coerced by Defendants Newhouse, Kriner, and
10 Middlebury. Each Defendant "knows the facts that make his conduct fit the definition of
11 the offense…even if he does not know that those facts give rise to a crime." *Elonis v.*
12 *United States*, ––– U.S. ––––, 135 S.Ct. 2001, 2009, 192 L.Ed.2d 1 (2015). Defendants
13 acted knowingly or in reckless disregard of the fact that Defendant Middlebury's ARC
14 was using means of coercion to cause Plaintiff to provide labor or services.

15 534. Defendants Middlebury, George Washington University, Blazakis, Newhouse, Kriner,
16 Ligon, Seamus Hughes, Mahir, Cruickshank, and Roes 1-100 by means of abusing public
17 funding to maintain Doe in a state of servitude knowing or in reckless disregard of the
18 fact that she provided the labor misappropriated for services offered by their employers
19 against her will.

20 535. In June 2021, Doe told Kriner that if his employer wanted to use her research for work
21 she required the employer hire her under contract for compensation. Doe told Kriner that
22 she would provide her services at an hourly rate of $250. The amount she gave Kriner
23 was based on her previous annual salary divided by hours worked per week. Kriner
24 replied, "Ok. Let me see if we have the budget for that." "Liberty of contract relating to
25 labor includes both parties to it; the one has as much right to purchase as the other to sell
26 labor." *Lochner v. New York,* 198 U.S. 45 (1905). The employer would owe a sum of
27 roughly $3,000,000 for the 110 hours per week Plaintiff worked from mid-January 2019
28 to February 2021 when Defendants started labor trafficking.

29 536. Kriner declined Defendants Blazakis and Newhouse's initial job offer in January 2021
30 when his annual income was $70,000. He stated that he expected a salary equal to or
31 higher than his current one, but Defendant Middlebury's CTEC did not have the budget to
32 adequately compensate him. The pay cut was too severe to enter the employment contract
33 on the terms offered. Doe was entitled to almost $190,000 in salary and benefits by the
34 time she left her job in January 2019. If Defendant Middlebury could not afford Kriner, it
35 follows that it could not afford to obtain Plaintiff's labor or services for a greater return
36 on investment but at a much higher price point.

37 537. Newhouse and Kriner received money on two or more occasions that would not be
38 possible without obtaining Plaintiff's labor against her will and providing it to third
39 parties. Defendant Middlebury's CTEC activities for FY2021–2023 are funded in part
40 with $1.33 million in government-assisted grants. Another major contribution comes
41 from GIFCT founder, Meta Platforms. Defendant Middlebury used the proceeds of the
42 illicit labor to hire three or more new full-time CTEC employees. As in the case of elite
43 athletes, "if the players be regarded as quasi-peons, it is of no moment that they are well

paid; only the totalitarian-minded will believe that high pay excuses virtual slavery." *Gardella*, 172 F.2d at 410.

538. In the Tech Against Terrorism interview, Kriner said Defendant Middlebury's ARC aims to "come-together space for any and every capable entity and individual that wants to contribute…give people an opportunity that those voices that can't really be heard, the institutional barriers that kind of prevent them from getting in there, an opportunity to get that knowledge that they've developed" through "specialized research" into the right hands. While there are other relevant passages in the interview, it is instructive in establishing the inference of intent that Kriner qualifies participation to individuals who are "capable" and "want to contribute." Defendants made explicit and implicit statements to third parties about excluding Doe because of her disability (hence she is not "capable"). Plaintiff conveyed to Defendants Newhouse and Kriner in various ways that she would not voluntarily transfer her property and/or liberty interests in her labor on terms she found exploitative (hence she did not "want to contribute").

539. Individuals hired by Defendant Middlebury for ARC, including but not limited to Defendants, were already past the barriers of educational, corporate, and government institutions. Its employees "getting in there" was not the issue ARC was created to solve. Not to belabor the point, the problem was that, while Defendants and other individuals hired by Defendant Middlebury's ARC were already inside the institutions, the specialized research on accelerationism was not. The knowledge was developed on the opposite side of the barrier where Doe labored for more than three years as the object of ridicule, insult, and harassment of Defendants. Defendant Middlebury formed ARC to provide Plaintiff's labor without her consent because she was not "capable" of making the decision herself. The effects are such that "the control of the labor and services of one

68 man for the benefit of another, and the absence of a legal right to the disposal of his own
69 person, property and services." *Plessy v. Ferguson*, 163 U.S. 537, 542 (1896), *Bailey v.*
70 *Alabama*, 219 U.S. 219, 241 (1911).

71 540. After the formation of the venture, Defendants positioned themselves in positions of
72 authority as reviewers, editors, and public presenters to coerce Doe to work or continue to
73 work against her will to prevent or mitigate the serious harm their actions would cause
74 her. Defendants obtained Doe's labor by coercive means and provided it to Defendants.
75 Defendants knew Defendant Middlebury's ARC was trafficking in illicit labor when they
76 obtained and provided it to others as part of their services. Defendants knew these actions
77 were intended to cause Doe to suffer serious harm. If Defendants did not know they were
78 participating in illicit labor trafficking at the outset of the venture, Plaintiff's evidence in
79 June 2022 removed the plausibility of ignorance as to the origin and non-consensual
80 expropriation of the ARC's labor. "It is difficult to argue that a person did not have notice
81 that certain conduct was illegal when the offense requires that the conduct be improper or
82 wrongful and that the actor intend that the conduct have a coercive effect." *United States*
83 *v. Mussry*, 726 F.2d 1448, 1455 (9th Cir. 1984).

84 541. In November 2022, Cruickshank recruited an external reviewer for the article that West
85 Point intimated a year earlier that Doe would review. The reviewer made comments
86 sufficiently similar to Doe's discussion of her own research that the authors believed were
87 plagiarized from Doe. The comments provided Doe's creative labor to the authors in
88 order for the authors to produce a product acceptable for compensation by West Point.
89 The CTC Sentinel editorial board rejected the authors' article for publication despite
90 soliciting the submission for a year. Cruickshank rejected the article based on the external
91 reviewer's comments that essentially advised the authors to rewrite the paper and adhere

to the guidance offered in the review. That is, an article was rejected as sub-par because the authors had not trafficked in Doe's labor when they wrote it in 2021.

542. A reasonable trier of fact would infer on the preponderance of evidence that Defendants Newhouse, Kriner, Lewis, and Loadenthal are attempting to legitimate the labor trafficking venture through the authorship of commissioned intermediaries on topics and themes chosen from Plaintiff's research. Outsourcing the writing of articles on Plaintiff's research through editorial positions is an iteration of their pattern or practice of parallel construction at-scale.

543. Taylor & Francis Group hiring agent Lemieux acted and continues to act knowingly or in reckless disregard of the fact that the labor obtained by Informa for educational or commercial services provided by Defendants Middlebury, Newhouse, Kriner, Lewis, Loadenthal, and Roes 1-100 was coerced from Plaintiff against her will.

544. Routledge hiring agent Graham Mackin acted and continues to act knowingly or in reckland disregard of the fact that the labor obtained by Informa for educational or commercial services provided by Defendant Middlebury and Roes 1-100 was coerced from Plaintiff against her will.

545. A reasonable person in Doe's position would feel compelled to work or continue working to publish papers against her will if Defendant Middlebury's ARC is using its positions of authority to pressure employers to reject independent service providers who do not follow editorial instructions to participate in the labor trafficking venture of ARC. However, Doe's health and the trauma caused by Defendants are complicating factors that significantly impede her ability to continue working only to prevent Defendants from causing her more harm and without any foreseeable benefit for her.

15 546. Between April 2019 and 2022, Plaintiff said publicly to Defendants dozens of times that
16 she did not want to perform the labor or take the risks her research required. Her other
17 statements conveyed anger, hopelessness, distress, and resignation at the circumstances
18 that compelled her to continue. Doe told Defendants from May 2019 onward that they
19 would see the results of her labor in services she provided when she was ready to publish.
20 Plaintiff declined entering into agreements to provide her labor on terms she found
21 unacceptable, such as handing it over voluntarily.

22 547. An assessment of seriousness may consider that under the federal statute, "an attempt to
23 kill" a trafficking victim justifies an enhanced penalty. Defendants' actions must be
24 "sufficiently serious" to satisfy the legislative intent of violations under the Prohibition
25 Against Human Trafficking Amendment Act of 2010. "An attempt to kill" is an
26 aggravating factor in the federal offenses of forced labor and labor trafficking. 18 U.S.C.
27 § 1589 (d), 18 U.S.C. § 1590 (a). While it is not an aggravating factor in D.C. law, it
28 nonetheless warrants attention that Defendants proceeded with the trafficking venture
29 "consciously disregard[ing] a substantial and unjustifiable risk" that Plaintiff's death
30 would result from their conduct. "Some non-intentional murderers may be among the
31 most dangerous and inhumane of all… utterly indifferent to the fact that the desire to rob
32 may have the unintended consequence of killing the victim as well as taking the victim's
33 property. This reckless indifference to the value of human life may be every bit as
34 shocking to the moral sense as an 'intent to kill.'" *Carrell v. United States*, 165 A.3d 314,
35 332 n.3 (D.C. 2017) (quoting *Tison v. Arizona,* 481 U.S. 137, 157, 107 S.Ct. 1676, 95
36 L.Ed.2d 127 (1987)).

37 **COUNT X**

38 D.C. Code § 22–1836 — Benefitting from Trafficking

39 Against All Defendants

40 548. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if
41 fully stated herein.

42 549. If either or both Count VII and VIII are satisfied, Plaintiff brings a civil action against
43 beneficiaries of Defendants' venture under D.C. Code § 22–1836. In the 2010 Act, the
44 intended prohibition is phrased "benefiting financially from human trafficking services."

45 550. Two elements are required to allege Defendants benefited from Plaintiff's forced labor.
46 Plaintiff must demonstrate that Defendants received "anything of value, from voluntarily
47 participating" in the venture, where "anything of value" is construed "extremely broad."
48 *United States v. Cook*, 782 F.3d 983, 988 (8th Cir. 2015). Second, Plaintiff must allege
49 that Defendants received benefits "knowing or in reckless disregard of the fact" that the
50 venture engaged in prohibited conduct. Defendants' states of mind may be alleged
51 generally. Fed.R.Civ.P. 9(b). The mens rea standard for liability is the same in the federal
52 statute. *Compare* 18 U.S.C. § 1593A and D.C. Code § 22–1836.

53 551. Beneficiaries of trafficking do not need to know or have reason to know that Plaintiff's
54 labor or services were provided against her will to find Defendants benefitted from a
55 trafficking venture in violation of D.C. Code § 22–1836. Defendants knew or should have
56 known they benefited from illicit labor either by addressing the nature of Plaintiff's
57 complaints, or reflecting on the conspicuousness of Defendant Middlebury's CTEC
58 unenvied intellectual capital transforming overnight into a "brain trust" on a subject the
59 employees did not conduct research on. "Many TVPRA cases discussing whether a
60 defendant knew or should have known a venture was engaged in criminal activity arise in
61 the sex-trafficking context. Those cases often involve victims suing a hotel and alleging
62 that it knew or should have known the venture was committing sex trafficking crimes in
63 the hotel. In those cases, no court has found the plaintiff must allege the hotel knew or

64 had reason to know that the offense was perpetrated by force, threats of force, fraud, or
65 coercion." *Norambuena v. Western Iowa Tech Community College*, No. C20-4054-LTS,
66 22 n.7 (N.D. Iowa Mar. 31, 2022).

67 552. Defendants are the suppliers and/or the suppliers' suppliers in the supply chain within the
68 field who knowingly benefited, financially or by receiving value, from their voluntary
69 participation in the venture that caused Plaintiff's injuries. There must be a causal
70 connection between the injury and the conduct complained of, "the injury has to be 'fairly
71 . . . traceable to the challenged action of the defendant, and not . . . the result of the
72 independent action of some third party not before the court.'" *Simon v. E. Ky. Welfare Rts.*
73 *Org.*, 426 U.S. 26, 41-42 (1976). Non-participants in the venture are unlikely to possess
74 the requisite knowledge and intent to commit this offense because of Defendants'
75 fraudulent misrepresentations and deception about the source of and conditions under
76 which the labor or services were obtained or provided. *Nestle U.S. v. Doe*, 141 S. Ct.
77 1931, 210 L. Ed. 2d 207 (2021).

78 **COUNT XI**

79 Intentional Infliction of Emotional Distress

80 Against All Defendants

81 553. Plaintiff incorporates by reference and re-alleges every allegation set forth above as if
82 fully stated herein.

83 554. The District of Columbia recognizes the tort theory of intentional infliction of emotional
84 distress. D.C. Courts have adopted § 46 of the Restatement (Second) of Torts (1965) as
85 the standard for the common law tort. In deciding whether alleged conduct is "extreme
86 and outrageous," the court must consider: "(1) applicable contemporary community

87 standards of offensiveness and decency, and (2) the specific context in which the conduct
88 took place." The "liability clearly does not extend to mere insults, indignities, threats,
89 annoyances, petty oppressions, or other trivialities," although statements that were
90 considered a "petty oppression," "trivial" or merely "inconsiderate and unkind" fifty years
91 ago may be "extreme and outrageous" conduct under "today's social standards and
92 principles (or vice-versa)." Courts have applied a balancing test to determine whether the
93 alleged conduct "violates prevailing social norms and is sufficiently outrageous to ensure
94 that the advantage to society of preventing such harm seems greater than the advantage of
95 leaving ill-disposed persons free to seek their happiness in inflicting it." *Burnett v. Am.*
96 *Fed'n of Gov't Emps.*, 102 F. Supp. 3d 183, 190 (D.D.C. 2015) (quoting *King v. Kidd*, 640
97 A.2d 656, 668-69 (D.C. 1993)).

98 555. Plaintiff must show Defendants' conduct was extreme and outrageous, committed
99 intentionally or recklessly, and it caused her severe emotional distress. *Howard*
00 *University v. Best*, 484 A.2d 958, 985 (D.C. 1984), *Abourezk v. New York Airlines, Inc.*,
01 895 F.2d 1456, 1458 (D.C.Cir.1990). "Intent or recklessness can be inferred from the
02 outrageousness of the acts." *Anderson v. Prease*, 445 A.2d 612, 613 (D.C. 1982).

03 556. "Liability is imposed only for conduct `so outrageous in character, and so extreme in
04 degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious,
05 and utterly intolerable in a civilized community.'" *Homan v. Goyal*, 711 A.2d 812, 818
06 (D.C. 1998)(quoting Restatement (Second) of Torts, § 46 (1965)).

07 557. "The conduct must be so outrageous in character and so extreme in degree as to go
08 beyond all possible bounds of decency, and to be regarded as atrocious, and utterly
09 intolerable in a civilized society." *Smith*, 882 A.2d at 794 (quoting *Homan v. Goyal*, 711
10 A.2d 812, 818 (D.C. 1998)).

11 558. "Creation of a hostile work environment by racial or sexual harassment may, upon
12 sufficient evidence, constitute a prima facie case of intentional infliction of emotional
13 distress." *Howard University v. Best*, 484 A.2d 958, 986 (D.C. 1984). "The ultimate
14 question is whether the recitation of the facts to an average member of the community
15 would arouse his [or her] resentment against the actor, and lead him [or her] to exclaim
16 `Outrageous!'" *Id.*

17 559. Plaintiff has suffered symptoms of severe depression, nightmares, stress and anxiety,
18 requiring psychological treatment, and ongoing mental, physical, and emotional harm
19 proximately caused by Defendants' actions and continuing violations. These are harms or
20 injuries that sustain a claim for intentional infliction of emotional distress.

21 560. Doe was forced by circumstance to abandon construction on her home because she could
22 not afford to take legal action. For all intents and purposes, she has lived for a year with
23 no kitchen, no interior walls, no shower. There is no indoor heat when the outside
24 temperature falls below freezing. She cannot sell her house in this condition because it is
25 not habitable. Plaintiff cannot make it habitable because of Defendants' deliberate
26 actions. Defendants understood Doe's housing circumstances when they made their
27 adverse decisions. This Court held that a jury should decide on the facts and
28 circumstances specific to the case before it "if reasonable people could differ on whether
29 the conduct is extreme and outrageous." *Best*, 484 A.2d at 985-986 (affirmed in *Futrell v.*
30 *Department of Labor Federal Credit Union*, 816 A.2d 793, 808 (D.C. 2003)).

31 561. In December 2021 and January 2022 Defendants proceeded to harass Plaintiff when it
32 knew their actions could kill her. Its employees ignored, belittled, ridiculed, and blamed
33 her when she was most vulnerable. Defendants were aware of her mental state and
34 foresaw its actions would cause the plaintiff a serious risk of physical injury or death.

35 *Langer v. George Washington University*, 498 F. Supp. 2d 196, 201 (D.D.C. 2007).
36 Defendants' response was to intensify their harassment to worsen Doe's severe emotional
37 distress. The behavior assumed the tortious nature of intentional infliction of emotional
38 distress. *Sere v. Group Hospitalization, Inc.,* 443 A.2d 33 (D.C. 1982).

39 562. Conduct "may become heartless, flagrant, and outrageous when the actor proceeds in the
40 face of such knowledge, where it would not be so if he did not know." *Drejza v. Vaccaro*,
41 650 A.2d 1308, 1313 (D.C. 1994), Restatement (Second) of Torts § 46 cmt. j (1965).
42 Severe emotional distress is "of so acute a nature that harmful physical consequences
43 might be not unlikely to result." *Daniels v. District of Columbia*, 894 F. Supp. 2d 61, 68
44 (D.D.C. 2012) (citing *Sere v. Group Hospitalization, Inc.,* 443 A.2d 33, 37 (D.C. 1982)).

45 563. The defendant's relationship to the plaintiff and its knowledge of the plaintiff's special
46 susceptibility is a requisite element to impose liability for intentional infliction of
47 emotional distress. The special relationship allows the court to draw an inference of
48 intentional or reckless indifference. The defendant's intentionality or reckless
49 indifference can be inferred from "the actor's knowledge that the other is peculiarly
50 susceptible to emotional distress, by reason of some physical or mental condition or
51 peculiarity." *Bernstein v. Fernandez*, 649 A.2d 1064, 1075 (D.C. 1991) (citing
52 Restatement (Second) of Torts § 46 cmt. d (1965)). The defendant may be ignorant of the
53 plaintiff's source of peculiar susceptibility. It is sufficient to know that the plaintiff
54 "might be more vulnerable to harassment or verbal abuse." *Boyle v. Wenk*, 378 Mass. 592
55 392 N.E.2d 1053, 1056 (Mass. 1979).

56 # PRAYER FOR RELIEF

57 WHEREFORE, Jane Doe incorporates by reference every allegation contained in the
58 preceding paragraphs as though fully stated here, and prays that the Court grant the following
59 relief:

60 1. Issue a declaratory judgment that the practices complained of in this Complaint are unlawful.

61 2. Enjoin Defendants from participating in or benefiting from severe labor exploitation and
62 trafficking.

63 3. Award Plaintiff all appropriate and legally available monetary relief, including lost past
64 income, compensation, and benefits, and front pay for the economic value of her remaining
65 working life due to the psychological injuries caused by the unlawful conduct alleged in this
66 Complaint in an amount according to proof. *Pollard v. E. I. du Pont de Nemours & Co.*, 532
67 U.S. 843, 853 (U.S. 2001).

68 4. Award Plaintiff any interest at the legal rate on such damages as appropriate, including pre-
69 and post-judgment interest, in an amount according to proof.

70 5. Award Plaintiff compensatory damages to fully compensate her for future pecuniary losses,
71 emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, other
72 non-pecuniary losses, and other expenses caused by the harmful conduct alleged in this
73 Complaint in an amount according to proof.

74 6. Award Plaintiff punitive damages for the oppression, cruelty, and unjust hardship she

75 suffered when the Defendant acted with malice and evil intent, and conscious disregard for
76 her property or legal rights, otherwise cause her harm, or aggravate her injuries.

77 7. Award Plaintiff a reasonable amount of attorneys' fees and costs for the legal expenses she
78 has incurred in an amount according to proof.

79 8. Award Plaintiff all costs, disbursements, and expenses she paid or that were incurred on her
80 behalf in an amount according to proof.

81 9. Award Plaintiff such additional relief the Court deems just and proper.

82 10. Award Plaintiff any other relief as allowed by law.

83 **DEMAND FOR A JURY TRIAL**

84 Pursuant to Rule 38(b) of the Superior Court Rules of Civil Procedure, Plaintiff demands a
85 trial by jury of all issues so triable and by maximum number of jurors permitted by law.

86

87 Respectfully submitted,

____

Date: March 10, 2023

JANE DOE

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