

‘Game On!’: Acquitted of Rape, Ex-Student Sues Yale University for \$110 Million

By Robert Storace

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Yale University has been hit with a \$110 million lawsuit filed on behalf of a student who was expelled twice, including once because of rape allegations. A jury eventually acquitted that student, Saifullah Khan, of all charges.

Saifullah Khan, who has been banned from Yale University on two occasions, including on an allegation of rape, has sued the institution for \$110 million.

In the midst of the #MeToo movement, the Khan case has garnered state and national attention. Protests and petitions calling for Khan to be expelled

from the university erupted soon after the rape allegations, and continued even after a jury acquitted him of the charge in March 2018 and Khan sought reinstatement.

Now, Khan’s high-profile attorney Norm Pattis is looking to make political correctness in the era of #MeToo a central focus.

Khan filed a federal lawsuit Friday against the university and a dozen Yale officials seeking the \$110 million in damages. Pattis said his client came up with the \$110 million figure.

“Whatever is going on in college campuses today is not good,” the Pattis & Smith founder said in an interview Friday, just hours after filing the 28-page lawsuit. “Mr. Khan was acquitted by a jury, and Yale [buckled] under to the PC crowd, and threw him out. The Khan acquittal captured national attention. This is the dark side of the #MeToo movement. It’s sexual and moral hysteria. Well, game on!”

Pattis said his client had sex with his peer, but did not rape her.

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In the lawsuit, Pattis takes further aim at Yale, writing, “The campus is also in the thrall of various claims of identity entitlement, rendering the campus less a place of unbridled intellectual stimulation, and more a smug hothouse catering to social justice warriors intent

on remaking the world in their own image.”

As of Friday afternoon, Yale had not assigned an attorney to represent it. And no one from the university’s office of public affairs and communications responded to a request for comment.

Khan, a 26-year-old Afghan, became a full-time Yale student in the fall of 2012. He was expelled soon after the allegations of rape in October 2015 by a female student became public. Khan sought readmission after his March 2018 acquittal. Yale allowed him to resume his studies as a full-time student in the fall of 2018.

But the lawsuit alleges Khan was then expelled again in October 2018. The lawsuit cites a Yale Daily News story in which Khan is alleged to have had a sexual relationship with a man and then committed physical violence because he slapped him. The Oct. 5, 2018, article, which students write, was titled “Khan and his consort.” Just days after the article appeared, Khan, the lawsuit states, was told he was suspended, effective immediately, due to an “emergency.” The lawsuit says the Yale newspaper article includes claims that “were never proven or substantiated.”

The lawsuit elaborates: “According to Dean [Marvin] Chun, the suspension ‘appears

necessary for your physical and emotional safety and well-being and/or the safety and well-being of the university community.” The lawsuit says Khan was barred from campus and prohibited from attending any classes.

With regard to what Chun said, the lawsuit states: “There is no credible evidence that permitting Mr. Khan to attend classes poses a threat of harm to himself or anyone affiliated with Yale. Indeed, there was no reason whatsoever to suspect that Mr. Khan was a danger to himself or others as a result of the allegations reported in the Yale Daily News in October 2018.”

Then, the lawsuit says, one month later in November 2018, Khan was permitted to return to campus for a hearing on the Jane Doe 2015 sexual assault allegation. But the lawsuit states that the hearing was “a mere sham,” and Khan is still not permitted at the university.

Among other things, the lawsuit says, his counsel was not afforded the right to speak. It claims Khan could “neither pose questions to witnesses, not tender objections when panel members repeatedly asked compound questions, assumed facts not in evidence, or otherwise transformed the hearing process into little more than the stillborn delivery of a predetermined outcome.”

The lawsuit cites loss of reputation, emotional distress and suffering and loss of educational opportunities. ■