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**ATTORNEYS FOR PLAINTIFFS**

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA CLARA**

CASE NO.: \_\_\_\_\_

**COMPLAINT FOR INJUNCTIVE  
RELIEF AND DAMAGES:**

STEVEN MEYER and

GINA MEYER,

INDIVIDUALLY AND AS SUCCESSORS  
IN INTEREST TO KATHRYN DIANE  
MEYER (a.k.a. KATIE MEYER)

Plaintiffs,

v.

THE LELAND STANFORD JUNIOR  
UNIVERSITY,

THE BOARD OF TRUSTEES OF THE  
LELAND STANFORD JUNIOR

1. Wrongful Death - Code of Civil  
Procedure § 377.60, *et seq.*

2. Survival Action - Code of Civil  
Procedure § 377.30, *et seq.*

3. Breach of Implied Contract

4. Breach of Contract

5. Violation of Cal.Educ.Code 66270

6. Loss of Consortium

7. Negligent Infliction of Emotional  
Distress (Plaintiffs)

8. Intentional Infliction of Emotional

1 UNIVERSITY,  
2 MARC TESSIER-LAVIGNE,  
3 SUSIE BRUBAKER-COLE,  
4 DEBRA ZUMWALT,  
5 LISA CALDERA,  
6 TIFFANY GABRIELSON,  
7 ALYCE HALEY, and  
8 JOHN DOES 1-25 and  
9 JANE DOES 1-25,  
10 Defendants.

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**Distress (Decedent)**

**JURY TRIAL DEMANDED**

11 COMES NOW, STEVEN MEYER and GINA MEYER, INDIVIDUALLY AND AS  
12 SUCCESSORS IN INTEREST OF KATHRYN DIANE MEYER (a.k.a. KATIE MEYER)  
13 (collectively referred to herein as "Plaintiffs"), by and through Plaintiff's undersigned counsel, and  
14 bring this action against THE LELAND STANFORD JUNIOR UNIVERSITY (hereinafter referred  
15 to as "Stanford"), THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR  
16 UNIVERSITY (hereinafter referred to as the "Board"), MARC TESSIER-LAVIGNE, SUSIE  
17 BRUBAKER-COLE, DEBRA ZUMWALT, TIFFANY GABRIELSON, ALYCE HALEY, JOHN  
18 DOES 1-25, and JANE DOES 1-25, (collectively referred to as "Defendants") and alleges, based  
19 upon information and belief and the investigation of Plaintiffs' counsel, in support of their  
20 Complaint, as follows:  
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22

23 **INTRODUCTION**

24 1. Plaintiffs bring this action for the personal injuries and emotional distress Katie  
25 Meyer sustained before her death and for the wrongful death of Katie Meyer.

26 2. At the time of her death, Katie was a Captain of Stanford Women's Soccer team, a  
27 Resident Advisor in a Stanford freshman dorm, a Mayfield Fellow, a Defense Innovator Scholar, a  
28

1 high academic achiever with a 3.84 GPA, an Ambassador for Just Women's Sports, the creator of  
2 the podcast "Be the Mentality" produced by a subsidiary of FaceBook, an upcoming speaker of a  
3 TedX Talk, a leader and influencer on social media, a candidate for Stanford Law School, a  
4 candidate for U.S. Women's Soccer, and above all, loving and loyal daughter, sister, friend,  
5 teammate and student.

6 3. The actions that led to the death of Katie Meyer began and ended with Stanford  
7 University.

8 4. On the night of her death on February 28, 2022, Stanford University's Office of  
9 Community Standards (OCS) negligently and recklessly issued Katie "formal written notice that  
10 you are charged" with a "Violation of the Fundamental Standard by spilling coffee on another  
11 student" through a letter received after hours.

12 5. The formal disciplinary charge stemmed from an occurrence on August 28, 2021,  
13 where Katie was riding her bike and was alleged to have spilled coffee on a football player who  
14 allegedly sexually assaulted a minor female soccer player on the team in which Katie served as a  
15 Captain.

16 6. The football player did not bring the OCS complaint, Defendant Lisa Caldera, Dean  
17 of Residential Education did, and instead the football player indicated throughout the disciplinary  
18 process that he would like to "make amends" and "did not want any punishment that impacts her  
19 life."

20 7. The formal disciplinary charge letter that Katie received on the evening of her death  
21 was 5 pages, single-spaced and contained threatening language regarding sanctions and potential  
22 "removal from the university," and was sent by Assistant Dean Tiffany Gabrielson.

23 8. The formal disciplinary charge letter related to spilled coffee also informed Katie  
24 her diploma was being placed on hold only three (3) months shy of her graduation; threatening her  
25

1 status as a Stanford student, Captain and member of the Soccer team, Residential Advisor, Mayfield  
2 Fellow, Defense Innovative Scholar, and her ability to attend Stanford Law school, amongst many  
3 other things.

4 9. The cover email and formal disciplinary charge letter related to spilled coffee both  
5 contained language assuming guilt and stated that the “Judicial Officer shall determine that there is  
6 sufficient evidence to file formal charges when s/he concludes that a fair-minded panelist could  
7 find the allegation(s) to be true beyond a reasonable doubt.”

8  
9 10. The OCS charge letter was recklessly and negligently sent by Stanford employees  
10 after hours, on the last day in which Stanford could charge Katie, as in accordance with Stanford’s  
11 policies, a charge must be brought within six (6) months of the occurrence and the spilled coffee  
12 occurred on August 28, 2021.

13 11. Katie received the formal charge letter on the evening of February 28, 2022, after  
14 7:00PM when the OCS office was closed.

15 12. Stanford’s Counseling and Psychiatric Services (CAPS) was also closed.

16 13. Katie, sitting alone in her dorm room, when it was dark outside, immediately  
17 responded to the email expressing how “shocked and distraught” she was over being charged and  
18 threatened with removal from the university.

19 14. Stanford failed to respond to Katie’s expression of distress, instead ignored it and  
20 scheduled a meeting for 3 days later via email.

21 15. Stanford employees made no effort whatsoever to check on Katie’s well-being,  
22 either by a simple phone call or in-person welfare check.

23 16. Stanford employees failed to support Katie when she expressed feelings of despair,  
24 despite having been previously on notice after having been told by Katie in November, 2021, that  
25 she was “terrified an accident will destroy my future,” and she had “been scared for months that  
26  
27  
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1 my clumsiness will ruin my chances of leaving Stanford on a good note,” and experiencing much  
2 “anxiety” related to the OCS Process. This was the final contact Katie had with the OCS office until  
3 February of 2022.

4 17. According to the reports of several friends, Katie had thought the complaint  
5 regarding spilled coffee was over and not being pursued since she had not been contacted by OCS  
6 since November of 2021.

7 18. From the onset, there was no reasonable basis, nor sufficient evidence, for Stanford  
8 to bring such harsh and aggressive disciplinary charges for purported “spilled coffee,” and the  
9 threats levied against Katie by Stanford employees were unwarranted, overly punitive, without due  
10 care and reckless. In short, Stanford employees used the OCS process selectively on Katie Meyer  
11 as a form of institutional bullying.  
12

13 19. Stanford was well aware prior to Katie’s disciplinary action, that its OCS process  
14 was “overly punitive,” “not educational” and causing harm to its students as reported by its own  
15 students and faculty assigned to bring it policies up to date through “Committee 10” in April of  
16 2021; yet Stanford failed to make any changes to its clearly harmful and dangerous processes.  
17

18 20. Prior to receiving the late evening email with the formal charge letter, Katie had no  
19 prior history of mental illness and was excitedly planning her future on February 28, 2022.

20 21. During the earlier hours of the day on February 28, 2022, prior to receiving the OCS  
21 charge letter, Katie was planning spring break, booking air fare, planning a birthday party for the  
22 next night, designing a class she intended to teach, attending her own classes and soccer practice,  
23 meeting with friends, on FaceTime with her mom and sisters; everyone she interacted with has  
24 advised she was well, in good spirits and the usual Katie.  
25  
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1           22.     Stanford's after-hours disciplinary charge, and the reckless nature and manner of  
2 submission to Katie, caused Katie to suffer an acute stress reaction that impulsively led to her  
3 suicide.

4           23.     Katie's suicide was completed without planning and solely in response to the  
5 shocking and deeply distressing information she received from Stanford while alone in her room  
6 without any support or resources.

7           24.     Stanford selectively chose not to bring any disciplinary charges against the football  
8 player who allegedly sexually assaulted Katie's minor teammate.

9           25.     David Shaw and Stanford University were required to dismiss the football player  
10 from the team under its own policies known as "Set the Expectation" pledge that claims to have  
11 zero tolerance for sexual violence, yet failed to initiate any meaningful Title IX or OCS disciplinary  
12 process for the football player.

13           26.     Furthermore, Defendant President Marc Tessier-Lavigne, Deans and Associate  
14 Deans Lisa Caldera, Tiffany Gabrielson, and Alyce Haley, Vice Provost Susie Brubaker-Cole, and  
15 General Counsel Debra Zumwalt (collectively "Individual Defendants"), were on notice that the  
16 OCS process was punitive and inflicting inappropriate, unnecessary distress on its students,  
17 including Katie.

18           27.     Despite this knowledge that the OCS process was overly punitive and inflicted  
19 emotional distress on its students, including Katie, Defendants President Marc Tessier-Lavigne,  
20 Deans and Associate Deans Lisa Caldera, Tiffany Gabrielson, and Alyce Haley, Vice Provost Susie  
21 Brubaker-Cole, and General Counsel Debra Zumwalt did nothing to rectify it, breaching the  
22 standard of care and duty owed to Katie and other students.

23           28.     On the facts alleged herein regarding Stanford's OCS process, Stanford and all  
24 Individual Defendants President Marc Tessier-Lavigne, Deans and Associate Deans Lisa Caldera,  
25

1 Tiffany Gabrielson, and Alyce Haley, Vice Provost Susie Brubaker-Cole, and General Counsel  
2 Debra Zumwalt breached the standard of care owed to Katie, substantially contributing to her  
3 untimely and tragic death.

4 29. Had Stanford and its employees acted with reasonable care and with any sense of  
5 humanity, Katie would be alive and here with us today.

6 30. Defendants are liable to the Plaintiffs under the following counts:  
7

- 8 a. Wrongful Death pursuant to Code of Civil Procedure § 377.60, *et seq.*;
- 9 b. Survivor Action pursuant to Code of Civil Procedure § 377.30, *et seq.*;
- 10 c. Negligence;
- 11 d. Breach of Contract;
- 12 e. Violation of California Education Code Section 66270;
- 13 f. Loss of Consortium; and
- 14 g. Negligent Infliction of Emotional Distress as to the Meyers and Katie.

15 31. Defendants' actions, and failures to act, resulting in the death of Katie Meyer are  
16 particularly egregious in light of the years of direct knowledge possessed by the Defendants that  
17 the University knew: (1) their disciplinary process of students was too punitive, and often violated  
18 students' constitutional due process rights (as it did in this case); (2) the university had a long history  
19 of extensive suicides and suicidal attempts of its students; (3) the university provided inadequate  
20 mental health for its students and in particular its student athletes; (4) many of its students and  
21 student athletes, including Katie, are "perfectionists"; (5) it discriminatorily treated Katie Meyer  
22 differently and far more punitively than it treated others for spilling coffee, including the football  
23 player accused of sexual assault despite the same types of evidence for each incident; and (6) Katie  
24 Meyer was traumatized by the OCS process which caused, or substantially contributed to cause,  
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1 Katie to suffer an acute stress reaction and the uncontrollable impulse to commit suicide resulting  
2 in her tragic, untimely death.

3 32. In particular, Defendants' negligence, intentional actions and/or inactions and/or  
4 Defendants' reckless actions and/or inactions caused, or substantially contributed to cause, Katie to  
5 suffer an acute stress reaction creating an uncontrollable impulse to commit suicide resulting in her  
6 tragic, untimely death.

7 33. The distress and the suicide of Katie was foreseeable. Indeed, it was almost  
8 inevitable that an event like this would occur because of such negligent and reckless behavior on  
9 the part of the Defendants.  
10

11 34. Defendants cannot escape the consequences of their actions; they must be held  
12 accountable, not only to satisfy the demands of justice, but just as importantly to discourage such  
13 flagrantly irresponsible actions and/or inactions (and the actions and/or inactions of others who  
14 Defendants control) from being perpetrated on vulnerable students like Katie Meyer and others in  
15 the future.  
16

#### 17 JURISDICTION & VENUE

18 35. This Court has personal jurisdiction over Defendants because Defendants directly,  
19 or through their agents, conduct business in the State of California and within the county in which  
20 this Court sits. Specifically, Defendant Stanford's principal place of business is located in Santa  
21 Clara County, residing at 450 Jane Stanford Way, Building 10, Stanford, California 94305.  
22 Defendants are authorized to do business in this County.  
23

24 36. Additionally, the acts and omissions complained of arise from Defendants' acts and  
25 omissions within this County. Defendants, therefore, have intentionally availed themselves of the  
26 markets within this county to render the exercise of jurisdiction by this Court just and proper.  
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37. Through its business operations in this District, Defendants intentionally availed themselves of the markets within this District and have sufficient minimum contacts with this State to render the exercise of jurisdiction by this Court just and proper.

38. Venue is proper in Santa Clara County in accordance with Section 395(a) of the California Code of Civil Procedure because the action is for injury to person and for death from wrongful act or negligence and this is the superior court in the county where the injury occurred and the injuries causing death occurred. Additionally, this is the county where The Leland Stanford Junior University resides and maintains its principal place of business as of the commencement of the action. Venue is also proper in Santa Clara County in accordance with Section 395.5, as the liability arose in Santa Clara County.

## PARTIES

**PLAINTIFFS**

**Steven and Gina Meyer**

39. Steven Meyer is the father of Kathryn D. Meyer, affectionately known as Katie Meyer.

40. Gina Meyer is the mother of Kathryn D. Meyer, affectionately known as Katie Meyer.

41. Steven and Gina Meyer currently reside in Newbury Park, California.

42. No proceeding is now pending in the State of California for administration of the Estate of Kathryn D. Meyer.

43. Steven Meyer is one of the successors in interest to Kathryn D. Meyer (as defined in Section 377.11 of the Code of Civil Procedure) and succeeds to Kathryn D. Meyer's interest in the above-entitled action or proceeding.

1           44.     Gina Meyer is one of the successors in interest to Kathryn D. Meyer (as defined in  
2 Section 377.11 of the Code of Civil Procedure) and succeeds to Kathryn D. Meyer's interest in the  
3 above-entitled action or proceeding.

4           45.     Steven Meyer and Gina Meyer are both authorized to act on behalf of Kathryn D.  
5 Meyer's other successor in interest (as defined in Section 377.11 of the California Code of Civil  
6 Procedure) with respect to Katie's interest in the action or proceeding.<sup>1</sup>

7           46.     No other person has a superior right to commence the above-entitled proceeding.  
8

9                           **THE DECEDENT**

10                          **Kathryn D. Meyer**

11           47.     Kathryn D. Meyer ("Katie") died on the evening of February 28, 2022 or early  
12 morning of March 1, 2022 in her Stanford dorm room in the County of Santa Clara, California. She  
13 was only 22 years old.

14                           **DEFENDANTS**

15           48.     Defendant THE LELAND STANFORD JUNIOR UNIVERSITY ("Stanford") is a  
16 private University located in Santa Clara County, California, and is a resident of Santa Clara County  
17 and a citizen of California.

18           49.     Defendant BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR  
19 UNIVERSITY is a private university founded in 1891.

20           50.     Under the provisions of the Founding Grant, the Board of Trustees is custodian of  
21 the endowment and all the properties of Stanford University. The Board administers the invested  
22 funds, sets the annual budget and determines policies for operation and control of the university.  
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27 <sup>1</sup> The Meyers are filing herewith a Joint Declaration, attaching Exhibit A, which contains the  
28 Death Certificate of Kathryn D. Meyer. The Exhibit is filed as Confidential in the public filing  
Pursuant to California Rule of Court 1.201 GENERAL LOCAL RULE (6)(B)(3). The original  
Exhibit A will be provided to the Defendants with service of this Complaint.

1           51.     Among the powers given to the trustees by the Founding Grant is the power to  
2 appoint a president. The board delegates broad authority to the president to operate the university  
3 and to the faculty on certain academic matters. The Board of Trustees holds Stanford land within  
4 the unincorporated area of Santa Clara County, including the university campus.

5           52.     Stanford University also owns lands located in the cities of Palo Alto, Menlo Park,  
6 Redwood City, Woodside, and Portola Valley and the unincorporated area of San Mateo County.  
7 The Board of Trustees was and is a corporate trust organized under the laws of the State of  
8 California.

9           53.     Defendant President and Board of Trustee of the Leland Stanford Junior University  
10 Member MARC TESSIER-LAVIGNE is an individual who has been given broad authority by the  
11 Board of Trustees of the Leland Stanford Junior University to operate the university. Marc Tessier-  
12 Lavigne appointed the co-chairs of the Community Board on Public Safety, which is charged with  
13 assessing the needs and concerns of the community related to policing (including community safety  
14 and equity of experience among students, faculty and staff) and fostering communication and trust  
15 between Stanford's Department of Public Safety and the broader university community.<sup>2</sup>

16           54.     President Marc Tessier-Lavigne was also involved in oversight of the Committee of  
17 12 (C12) (formerly C10), which was put into place to examine the OCS process. In this role,  
18 President Marc Tessier-Lavigne was well aware in April, 2021 that the OCS process was "overly  
19 punitive" failed to build character and instead focused on punishment, yet he failed to take any  
20 action to rectify the process.

21           55.     SUSIE BRUBAKER-COLE became Stanford University's Vice Provost for Student  
22 Affairs on October 1, 2017.<sup>3</sup> As Vice Provost, she oversees a Student Affairs division that manages  
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27 <sup>2</sup> <https://news.stanford.edu/2020/07/30/stanford-president-tessier-lavigne-appoints-co-chairs-community-board-public-safety/>

28 <sup>3</sup> <https://studentaffairs.stanford.edu/about-vice-provost/susie-brubaker-cole>

1 the residential life and many student experiences that take place outside the classroom.<sup>4</sup> The Student  
2 Affairs Division's units include, among other things, the Dean of Students and Residential  
3 Education.<sup>5</sup> Susie Brubaker-Cole is also a member of the University Cabinet.

4 56. One of the Vice Provost of Student Affairs Initiatives is the Committee of 12 (C12)  
5 (formerly C10). The Committee of 12 (C12) is a committee comprised of students, faculty, and  
6 staff tasked with examining and making recommendations regarding the Honor Code, Judicial  
7 Charter and Process, and interpretations of the Fundamental Standard. It is specifically charged  
8 with examining whether these documents and processes reflect a system of accountability that fairly  
9 aligns with the values and needs of today's campus community, prioritizing student development  
10 and learning. As Vice Provost for Student Affairs, Susie Brubaker-Cole is responsible for  
11 appointing staff members to the Committee of 12.  
12

13 57. The 2019 Judicial Charter Committee Charge created the Committee of 10 (C-10),  
14 charged with "examining whether the current [Student Judicial] Charter [of 1997] and related  
15 policies create a system of student accountability that aligns with the values and needs of today's  
16 campus community, including fostering student development and learning." The 2019 Charge  
17 provided a series of specific questions to pursue, which the C-10 have made significant progress  
18 toward addressing, including drafting a new judicial process that fosters student development and  
19 learning.  
20

21 58. As Vice Provost for Student Affairs, Susie Brubaker-Cole was a signatory to the  
22 2019 Judicial Charter Committee Charge and was responsible for appointing the staff Committee  
23 of 10 Members. As Vice Provost for Student Affairs, Susie Brubaker-Cole was also a signatory to  
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25  
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27 <sup>4</sup> <https://studentaffairs.stanford.edu/about-vice-provost/susie-brubaker-cole>

28 <sup>5</sup> <https://studentaffairs.stanford.edu/about-vice-provost/susie-brubaker-cole>



1 the 2022 Judicial Charter Committee Charge and is responsible for appointing the staff Committee  
2 of 12 Members.

3 59. In this C12 role, Vice Provost for Student Affairs, Susie Brubaker-Cole was well  
4 aware in April, 2021 that the OCS process was “overly punitive” failed to build character and  
5 instead focused on punishment, yet he failed to take any action to rectify the process.

6 60. The Office of the Vice Provost for Student Affairs serves as the administrative home  
7 of the Student Judicial Charter review.

8 61. At all relevant times, Defendant LISA CALDERA is and was an Associate Dean for  
9 the Office of Residential Education Student Support for Neighborhoods N + R at the time Katie  
10 attended Stanford.

11 62. Lisa Caldera filed a complaint against Katie without having direct knowledge of the  
12 coffee spill and filed the concern based on hearsay. Lisa Caldera further started an investigation on  
13 her own and without adhering to the investigative procedures and improperly contacted Katie and  
14 witnesses surrounding the case in violation of Stanford Fundamental Standards Procedure.

15 63. Since 2001, Defendant DEBRA ZUMWALT has been the Vice President and  
16 General Counsel of Stanford University and is in charge of the legal services provided to the  
17 University and its two affiliated hospitals.<sup>6</sup>

18 64. Ms. Zumwalt is a member of the University Cabinet and provides governance, legal  
19 and strategic advice to the boards of the University, Stanford Health Care, Lucile Packard  
20 Children’s Hospital at Stanford and Stanford Management Company. At all times mentioned  
21 herein, Defendant Debra Zumwalt as General Counsel had responsibility for the OSC department.

22 65. Defendant Debra Zumwalt was aware of the problems with the OCS process as early  
23 as July 2012 when presented with a Case Study on the punitive nature of the OCS Process from  
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28 <sup>6</sup> <https://ir.huronconsultinggroup.com/board-member/debra-zumwalt>

1 Stanford Alumni. In particular, Defendant Debra Zumwalt received Stanford Alumni Case Study  
2 regarding the problems with the Stanford Judicial Charter in July 2012. She responded to its authors  
3 four months later, only then after select Trustees began receiving the Case Study. Zumwalt is  
4 alleged to have called the Stanford judicial system an educational “discipline” system and expressed  
5 confidence Dean Chris Griffith (who oversaw the department when the identified problems  
6 occurred) would solve the problems.

7  
8 66. Despite the knowledge that the Stanford OCS process was punitive and inflicting  
9 severe emotional distress on its students, including Katie, Defendant Debra Zumwalt did nothing  
10 to rectify it, breaching the standard of care and duty owed to Katie and other students.

11 67. Defendant TIFFANY GABRIELSON has served as Associate Dean of Students and  
12 the Director of the Office of Community Standards at Stanford since May 2021. Prior to this  
13 position, Tiffany Gabrielson served as Assistant Dean of Students and Associate Director of the  
14 Office of Community Standards from June 2018 to May 2021.

15  
16 68. At all times mentioned herein, Defendant Tiffany Gabrielson was directly in charge  
17 of the OSC Department and was involved in the decision to bring charges against Katie.

18 69. Defendant ALYCE HALEY worked as Assistant Dean of Students in the Office of  
19 Community Standards from July 2018 to September 2021. Her roles and responsibilities included,  
20 among other things, investigating alleged violations of university policy by individuals and student  
21 organizations.

22  
23 70. From September 2021 to present, ALYCE HALEY was promoted to Assistant Dean  
24 of Group Accountability, Office of Community Standards, where she was directly involved in the  
25 OCS case related to Katie.

26 71. Haley represents on LinkedIn that she was promoted to manage the rollout and daily  
27 operations of the revamped process to address all alleged policy violations by student groups (600+  
28

groups) and to scale this process to include varsity sports teams and Row Houses (impacting an additional 2,000+ students); Created operational workflows to increase efficiency, allowing the process to address 53% more cases with no additional resources; Proactively communicate with relevant stakeholders to solicit qualitative and quantitative feedback to inform rollout plans and ensure the process meets stakeholder needs.

72. At all times mentioned herein, Alyce Haley as Assistant Dean of Students, Office of Community Standards had responsibility for the OSC department and was involved in the decision to bring charges against Katie.

73. Plaintiff is ignorant of the true names and capacities of defendants, whether individual, corporate, associate, or otherwise, of the defendants, sued herein as JOHN AND JANE DOES 1 TO 25, inclusive, and therefore sues these defendants by such fictitious names. Plaintiffs and Katie will amend this complaint to allege their true names and capacities when the same have been ascertained with specificity.

74. Plaintiff is informed and believes and thereon alleges that each of these fictitiously-named Doe Defendants either (a) is responsible in some manner for the acts and/or omissions herein described; and/or (b) proximately caused the injuries and damages to Plaintiffs and Katie as herein alleged.

75. Whenever in this Complaint reference is made to "Defendants," such allegation shall refer to the acts or omissions of Does 1 through 25, acting individually, jointly and/or severally.

76. Hereinafter and unless otherwise identified separately, all defendants will be referred to collectively as "Defendants."

#### **FACTUAL ALLEGATIONS**

**KATIE WAS A LOYAL AND LOVING DAUGHTER, SISTER AND FRIEND AND AN  
ICONIC ATHLETE, STUDENT AND LEADER AT STANFORD UNIVERSITY**

1           77.     Katie was born on January 20, 2000 in Burbank, California to Steven and Gina  
2 Meyer. She was raised with and leaves behind two loving sisters.

3           78.     Katie eagerly tried various sports and activities and was always an adventuresome  
4 child who radiated a boundless happy energy. She had a vibrant love for school from an early age  
5 and was always open to new friendships with anyone, happy to spend time playing and running  
6 outside, or creating art and painting on rainy days.

7           79.     Katie has played soccer since she was five years old. She played many positions,  
8 and eventually tried her hand in goalkeeping and quickly displayed a natural talent and fearlessness  
9 for that position. She worked very hard on her craft and soon ascended into the national travel club  
10 soccer world, the ECNL, as her competitive spirit and passion fueled her and her teammates.

11           80.     Through high school in Newbury Park, CA, Katie stayed involved in various  
12 activities at her school, including being a kicker on the football team. She took up surfing the waters  
13 off the shores of Ventura County and loved it. She traveled frequently, attending numerous US  
14 Youth National Team soccer training camps around the country and a few tournaments abroad,  
15 grateful to be representing her country.

16           81.     Indeed, Katie was getting recognition nationally for her soccer play. In addition to  
17 her school team, she played for club teams Real So Cal and Eagles Soccer Club, as well as the U-  
18 16 girls' national team.

19           82.     Because of her academic and athletic skills, and well-rounded character, Katie was  
20 recruited by many colleges, including Stanford University, which began recruiting her after her  
21 freshman year of high school.

22           83.     Katie committed to Stanford in the fall of her sophomore year of high school in  
23 2015.

84. Katie was extremely proud to be part of the Stanford family, and for good reason; she had worked relentlessly throughout her younger life to be qualified to become part of it.

85. Katie was excited and determined to play soccer for Stanford as a freshman, but was redshirted, as they had a senior goalkeeper. Katie was told the team wanted to preserve her four years of NCAA eligibility.

86. Because of her competitive nature, Katie was initially devastated by this decision, but she persevered by focusing on her studies and infusing the team with relentless, supportive energy during trainings and along the sidelines in their games.

87. By her sophomore year, (redshirt freshman) Katie's tireless work brought her into a key role on the soccer team and her impact played a critical role in the 2019 College Cup Championship Game against the University of North Carolina.

88. As a result of her work ethic and drive, Katie's remarkable saves in penalty kicks resulted in her being named the 2019 NCAA Championship Game's MVP.

89. By 2020, teammates voted Katie as a Captain of Stanford's Women Soccer, where she served and thrived in the role. Katie passionately mentored younger teammates and inspired them to be their best every day.

90. In addition to serving as a Captain for Stanford Women's Soccer, in her life away from Cardinal sport, Katie served the university without compensation as a Resident Assistant ("RA") in Crothers Hall (where approximately 120 freshmen reside) beginning in September of 2021.

91. Katie wanted to make a tangible difference at Stanford and beyond. She is quoted in a November 2nd, 2021 article from GoStanford as saying, "There will be a day when all Stanford athletes hang up their cleats and ask themselves, 'What is Next?' I want to make the world a better place and we need a few more optimists who believe they can be that change."

1           92.     Katie majored in International Relations with a minor in History, studied Italian and  
2 had a cumulative GPA of 3.84 in 2022.

3           93.     In late January of 2022, Katie was selected as just one of 12 Stanford students for  
4 the Mayfield Fellows Program; a prestigious opportunity to students of any major, to develop the  
5 theoretical understanding, practical knowledge, and leadership skills needed to establish, scale, and  
6 lead principled high-growth technology ventures.

7           94.     Katie also earned (in early 2022) a selection as Defense Innovation Scholar; where  
8 the selection team was impressed with her passion for national security, her demonstrated record of  
9 achievements both in and out of the classroom, and thoughtful responses to prompts. Also cited as  
10 reasons for selection as a D.I.S. were Katie's combination of intellectual curiosity, grit and  
11 commitment necessary to be successful in the selective program.

12           95.     Katie was chosen as an early ambassador for Just Women's Sports, a company  
13 dedicated to shine a light on the stories, athletes and moments that define and fuel the women's  
14 game. She was part of "The Varsity Squad" and slated to be in New York City in March, 2022 for  
15 a live event to celebrate the NCAA Women's March Madness Tournament.

16           96.     In early February, 2022, Katie had completed the initial episode of "Be The  
17 Mentality" - a podcast series launched in mid-February through a collaboration with a subsidiary  
18 of Facebook.

19           97.     Also in February of 2022, Katie navigated the application and interview process and  
20 was excited to have earned an opportunity to perform a TEDx Talk to be held on April 23, 2022.  
21 The theme of Katie's talk was to be, "All You Have Is All You Need (But It's All You Have)."

22           98.     In February of 2022, Katie was collaborating with leadership at the Stanford Design  
23 School and creating a class for freshman athletes, as Katie had a passion for integrating civics and  
24 citizen engagement into the lives of those in the sporting world. She was to serve in a leadership  
25

1 role in Stanford's Democracy Day and was slated to teach an upcoming class at the Stanford Design  
2 School.

3 99. In addition to being a model student and athlete at Stanford, Katie thrived in making  
4 friendships across the spectrum of students on campus and was widely known and adored by other  
5 students, faculty and staff.

6 100. Stanford appeared to love Katie as much as she loved the school, as over the years,  
7 Stanford repeatedly used Katie's image and likeness to promote its university, sports programs, and  
8 civic pride including in its recruitment of other women's soccer players.  
9

10 101. Stanford often used photos of her to promote the school and Stanford's Athletic  
11 Program:

2021 Women's Soccer Roster



2021 Women's Soccer Roster



22 102. Another example of Stanford using Katie's image and likeness was the head  
23 photograph on the Stanford Athletics Twitter page:  
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28 <sup>7</sup> See, <https://gostanford.com/sports/womens-soccer/roster/katie-meyer/18138>.



103. Since Katie's passing, Stanford Athletics has removed her image and likeness from the header. Because there is no one quite like Katie, Stanford Athletics has not been able to find a picture to replace it.

104. Katie remained a steadfast Stanford icon representing the school that she loved, in a positive, radiant light, both on the soccer field and off.

105. Katie put everything she had into her endeavors while at Stanford as a devoted student, peer and athlete.

106. Being a student, and soon-to-be graduate, of Stanford University meant the world to Katie.

107. Katie had a goal of continuing her devotion to Stanford by attending its law school. Before her untimely death, she was waiting acceptance into Stanford Law School and eagerly exploring the opportunities in front of her.



1                                   **STANFORD CONTINUED TO RECOGNIZE KATIE**  
2                                   **AS MODEL REPRESENTATIVE OF STANFORD**

3           108.   Following her death, Stanford honored Katie with the Stanford Athletics – STANNY  
4 AWARD, Cardinal Career Award 2022, which recognizes the athlete who best embodies the ideals  
5 of being a Stanford student-athlete and pursues excellence on and off the field.

6           109.   In June, Katie was also awarded the 2022 Spirit of Stanford Award, an award  
7 presented to a charismatic student-athlete who excels at his/her sport and is an effective leader on  
8 and off the field, and also is an exemplary teammate, active across campus and in the community  
9 and embraces the values of Stanford.

10                                   **STANFORD MADE REPRESENTATIONS TO STUDENTS**  
11                                   **AND FAMILIES ESTABLISHING A DUTY OF CARE AND THE**  
12                                   **SPECIAL RELATIONSHIP THE SCHOOL HAD WITH ITS STUDENTS**

13           110.   Stanford made many representations to the Plaintiffs in its promotional materials,  
14 orientation and admission documents, on its website and in all its communications with Katie, Steve  
15 and Gina Meyer.

16           111.   Through its representations to the Meyers, Stanford assumed an additional duty of  
17 care and entered into a special relationship with Katie to provide safeguards and protection to her.

18           112.   Stanford holds itself out to new students and their families, including the Meyers, as  
19 not just a university, but as a family. In its student orientation, Stanford represents: "We warmly  
20 welcome you and your student to the Stanford Family!"  
21

22           113.   On Stanford's New Orientation page of its website, it states "The Approaching  
23 Stanford and New Student Orientation (NSO) team is thrilled to welcome our undergraduate first-  
24 year and transfer students as the newest members of the Stanford family."  
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1 114. Stanford represented to parents, including Steve and Gina Meyer, that Stanford is in  
2 a partnership with them: “Stanford + Parent/Guardians: The student is at the center – and is the  
3 focus – of this important partnership.”

4 115. On the Stanford Undergraduate Admission page for Parents/Families, Stanford  
5 states: “Parents can be assured that their students are cared for during their freshman year and  
6 throughout their Stanford career.”

7 116. It also represents that: “Stanford offers several resources to help guide students and  
8 their families along the way.”

9 117. On the Undergraduate Admissions page regarding The First-Year Experience,  
10 Stanford represents:

11 “Stanford’s commitment to its undergraduates is inherently linked to every aspect  
12 of their life on “The Farm.” The extraordinary resources here provide the support  
13 and tools necessary to explore and construct their future pursuits; most notable is  
14 the Undergraduate Advising & Research office which welcomes and integrates  
15 freshmen into the Stanford family from acceptance of admission.”

16 118. At the 128th Opening Convocation, which is the year Katie enrolled in Stanford,  
17 Stanford President Marc Tessier-Lavigne delivered the following statements – which remain on  
18 Stanford’s website as of September 30, 2022:

19 **To all of the parents and family members who are here to wish you well as you**  
20 **embark on this journey, I thank you for entrusting your loved ones to us. I**  
21 **want to assure you that we will support and care for them** as they begin taking  
22 those first steps toward the future. We welcome you all to Stanford today. [...] Conclusion I want to say a final word to the parents and families who are able to  
23 be here today. With a college-age daughter myself, I know this is a bittersweet  
24 moment for you. There are two thoughts I wish to convey: First, I want to encourage  
25 you to give your kids the space they need to explore and make new connections  
26 here at Stanford. But second, at the same time, please let them know that you will  
27 always be there for them when they need you. You have raised tremendous young  
28 adults. **Now we will be your partners in supporting them as they develop into**  
**successful citizens who will offer their own important contributions.** Thank you  
so much for joining us this afternoon. I am so happy that you have chosen to spend

1 the next four years with us. I cannot wait to see the paths that each of you take to  
2 finding your purpose. Welcome to Stanford!<sup>8</sup>

3 119. Katie, Steve and Gina Meyer relied on these representations when choosing to send  
4 Katie to Stanford year after year.

5 120. Steve and Gina Meyer were reassured that their daughter Katie was now part of the  
6 Stanford family where she would be provided resources and be well cared for by the school.

7 121. In reliance on Stanford's representations, Plaintiffs Steve and Gina Meyer believed  
8 that when Katie was accepted and decided to go to Stanford, that her future was bright given  
9 Stanford was an elite educational institution with vast resources.

10 122. Stanford failed to provide the care that it represented it would to Katie, Steve and  
11 Gina Meyer while Katie was in her final year at Stanford.

12 123. As a result of Stanford's failure to use reasonable care and act as it represented to  
13 the Meyer family, Katie suffered severe harm and her ultimate death.

14  
15 **STANFORD'S SYSTEMATIC FAILURES IN ITS OCS AND OTHER DEPARTMENTS**  
16 **RESULTED IN SEVERE EMOTIONAL DISTRESS CAUSING KATIE'S DEATH**

17 124. In a series of systematic and preventable failures, Stanford destroyed Katie's world  
18 and caused her death.

19 125. On August 28, 2021, Katie Meyer was alleged to have spilled coffee on a Member  
20 of the Stanford Football Team ("Football Player") while riding her bike.

21 126. On August 20, 2021, the Stanford Football Player had allegedly sexually assaulted  
22 a young freshman on the Stanford Women's Soccer Team for which Katie served as Captain.

23 127. On August 21, 2021, the sexual assault was reported to the school.  
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27 <sup>8</sup> Text of address by Stanford President Marc Tessier-Lavigne at the 128th Opening Convocation,  
28 Sept. 20, 2018, Available at: <https://news.stanford.edu/2018/09/20/remarks-stanford-president-marc-tessier-lavigne-2018-convocation-ceremony/> (last visited 11/15/2022).

1           128. Stanford University selectively determined not to follow through with any formal  
2 discipline for the Football Player and he was allowed to play the entire season without any real  
3 consequence.

4           129. Despite the fact that David Shaw was previously on USA Football's Advisory  
5 Committee and a member of the NCAA Commission to Combat Campus Sexual Violence and  
6 touted to be a leading advocate of the Set The Expectation program, aimed at working to end the  
7 culture of sexual assault and domestic violence among college and high school athletes, the football  
8 player was never even subject to a disciplinary proceeding.

9           130. The Set The Expectation Pledge started as a paper pledge accompanied by a hashtag  
10 where coaches committed to set expectations with their players about harmful behaviors – such as  
11 rape and stalking, and where they “Set the expectation that sexual assault and physical violence are  
12 never okay.”

13           131. Football Coach David Shaw signed the Set The Expectation Pledge in 2017, where  
14 he agreed “to hold [Stanford] athlete[s] to the above pledge and I agree to hold myself and my staff  
15 to the same standards and expectations.”

16           132. Upon information and belief, the Football Player involved in the sexual assault likely  
17 signed the Set the Expectation Pledge, as it is normally something that is done early upon entry at  
18 Stanford.<sup>9</sup>

19           133. The Football Player was not dismissed from the team for violations of Stanford's  
20 football team's policy or pursuant to #SetTheExpectation Pledge.

21           134. The Football Player who allegedly sexually assaulted a minor soccer player suffered  
22 no material consequences whatsoever despite the fact that Coach Shaw was well aware of the sexual  
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27 <sup>9</sup> See, e.g., <https://twitter.com/caljoyseid/status/1142521988293939200> (Tweet of Callie Dale,  
28 June 2019, indicating such.

1 assault allegations made related to his player and Shaw's representations that he and Stanford would  
2 not tolerate such assaults.

3 135. Instead of pursuing the allegations of sexual assault against the Football Player,  
4 Stanford pursued claims against Katie for allegedly spilling coffee on him.

5 136. On August 30, 2021, Lisa Caldera, the Associate Dean of Residential Life, contacted  
6 Katie to discuss the coffee spill.

7 137. Upon information and belief, Katie spoke with Associate Dean Caldera, and  
8 explained that the spill was an accident.

9 138. Notwithstanding this conversation, and the fact that the Football Player himself did  
10 not feel the coffee spill warranted filing a complaint with Stanford, Associate Dean Caldera  
11 nonetheless filed a complaint against Katie with Stanford's Office of Community Standards (OCS)  
12 on September 16, 2021.

13 139. Unbeknownst to Katie, on September 16, 2021, Associate Dean Caldera wrote a  
14 Fundamental Standard Letter of Concern to the Office of Community Standards and the Dean of  
15 Students Office.

16 140. Assistant Dean Caldera curiously also cc'd Dr. Mona Hicks, Senior Associate Vice  
17 Provost and Dean of Students and Dr. Cheryl Brown, Assistant Vice Provost, Residential  
18 Education. As Senior Associate Vice Provost and Dean of Students, Mona Hicks leads both  
19 Residential Education and the Office of Community Standards (among other areas).

20 141. Despite Stanford's representations that Dr. Hicks has "extensive senior-level  
21 experience addressing individual student needs and responding to students in crisis," never once  
22 did she or Dr. Cheryl Brown provide any assistance to Katie.  
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1           142.    On September 17, 2021, Associate Dean of OCS, Tiffany Gabrielson, sent a letter  
2 to Katie informing her that “a concern has been filed about you with our Office in regards to a  
3 possible violation of the Fundamental Standard.”

4           143.    The September 17, 2021 letter contained heavy legal jargon and threatening  
5 language, stating:

6                   “Finally, subject to your right not to incriminate yourself, we expect you to respond  
7 to our communications and cooperate with the OCS process in a timely and  
8 professional manner. Failure to do so could result in further actions being taken by  
9 the University, including an enrollment hold being placed on your student account.  
10 ... Additionally, failure to respond to our requests in a timely fashion may result in  
the investigation proceeding without the benefit of your participation.”

11           144.    In the September 17, 2021 cover email, the Judicial Advisor Alyce Haley tells Katie  
12 that her “role is to serve as a resource to all the parties involved (you, the Reporting Party, and any  
13 witnesses).” She further warns Katie as follows:

14                   “All parties have the right to be offered reasonable protection from retaliation,  
15 intimidation, harassment and/or malicious prosecution. As such, there should be no  
16 direct communication between any of these parties, about the concern, for the  
duration of the OCS process. All communication about this concern should go  
through my office.”

17           145.    Particularly important is that the Charter states that the student has the right to be  
18 considered innocent of a charge until found to be responsible “beyond a reasonable doubt.”

19           146.    In correspondence dated September 20, 2021, Alyce Haley acknowledges “I  
20 recognize that this is an inherently stressful process.”

21           147.    On September 23, 2021, Katie met with Associate Dean Tiffany Gabrielson from  
22 the OCS regarding the complaint filed by Associate Dean Caldera.

23           148.    Associate Dean Tiffany Gabrielson sent Katie a follow up email summarizing their  
24 conversation, acknowledging that Katie was concerned about how the investigation would affect  
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1 her future, and that Katie was surprised that a report had been filed because she had spoken with  
2 Dr. Caldera about the coffee spill weeks prior.

3 149. Specifically Associate Dean Tiffany Gabrielson noted in the summary provided on  
4 September 23, 2021 for Katie's review, that "you were freaking out because you are senior and  
5 looking to go to law school...and the last thing you need is something to derail you."

6 150. Following this initial meeting, Katie received only intermittent follow-ups from  
7 Stanford employees related to the OCS process.

8 151. Katie provided OCS with a formal statement on November 21, 2021, which  
9 contained the following questions that were never addressed nor answered in the OCS process  
10 regarding the football player on which she spilled coffee:

11 "his claim that this specific incident caused him to lose 15 pounds and not to be  
12 able to sleep ... instantly question the claim and ask about alternative possibilities.  
13 Could he have lost weight and not been able to sleep because of his guilt about  
14 assaulting a 17 year old?"

15 152. Katie's formal statement also put Stanford on notice of the distress the OCS process  
16 was causing her and her concerns about her future:

17 "I have been stressed out for months, had to check the OCS box on my graduate  
18 program application, and have been terrified that an accident will destroy my future.  
19 I'm not sure how far this case will go, but I have been so scared for months that my  
20 clumsiness will ruin my chances of leaving Stanford on a good note."

21 153. Katie also noted the stressors that accompanied her as a female athlete and  
22 perfectionist in her formal letter to Stanford:

23 While he may think male athletes are untouchable, female athletes know that one  
24 mistake can ruin everything. My whole life I've been terrified to make any  
25 mistakes. No alcohol, no speeding tickets, no A- marks on my report cards.  
26 Everything had to be perfect to get in and stay at Stanford. I suffer from anxiety  
27 and perfectionism, as so many female athletes do. We know all too well that in  
28 professional settings women have everything to lose and have to work twice as hard  
to prove that they are qualified and professional, and any mistake is magnified, any  
attitude of assertiveness is demonized. I never take anything for granted. Why  
would I risk it all on a random Saturday afternoon at a dining hall I wasn't even

1 supposed to be at? I have given everything to this school and the people here. I love  
2 Stanford. The last thing I would want to do is jeopardize my future here as a senior  
3 applying to grad programs. I wish he knew this.

4 154. Not once did Tiffany Gabrielson, Alyce Haley or any Stanford employee  
5 appropriately respond to Katie's repeated expression of terror, fear, and distress caused by the OCS  
6 process.

7 155. Throughout the OCS process, Katie had documented increased symptoms of  
8 anxiety, depression and suicidal ideations that directly correlated with her interactions with OCS.

9 156. On November 12, 2021, Katie met with Dr. Julie Sutcliffe, Assistant Director of  
10 Sport Psychology who noted: "...returns to sport psychology clinic after several months. Mood was  
11 reported as irritable/frustrated/down; affect was congruent with mood. A follow up appointment  
12 was scheduled for November 19, 2021; however, client missed her appointment due to oversleeping  
13 and being exhausted. The appointment was rescheduled for November 23, 2021.

14 157. On November 22, 2021, the day after Katie submitted her OCS statement, she had  
15 an appointment with Francesco Dandekar, M.D.<sup>10</sup> and represented in this appointment that she was  
16 experiencing increased depression symptoms associated with perceived failure and endorsed  
17 suicidal ideations.

18 158. The next day, on November 23, 2022, Katie reported to Julie Sutcliffe<sup>11</sup> and again  
19 stated that she was experiencing worsening anxiety and mood and increased depression. This  
20 appointment also coincided with her interaction with the OSC investigation.  
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23 <sup>10</sup> Dr. Francesco Dandekar is the Associate Director of Sports Psychiatry and a Clinical Assistant  
24 Professor at Stanford University. Teamed with Clinical Professor Dr. Douglas Noordsy, Dr.  
25 Dandekar helped to incorporate psychiatric services into Stanford's sports psychology program,  
26 and continues to see elite athletes as part of the Stanford Sports Psychiatry Clinic. He also  
27 specializes in treating physicians, and sees many residents, fellows, and attendings in his private  
28 practice. Upon information and belief, at all times mentioned herein, Dr. Dandekar was aware that  
Stanford did not have sufficient counseling staff to meet the needs of their students.

<sup>11</sup> Dr. Julie Sutcliffe, PsyD, LP, CMPC served as the Assistant Director of Sport Psychology for  
Stanford Athletics from approximately September 2018 to October 2022. She also served as a



1           159.   Katie had been prescribed Concerta, an ADHD medicine and was taking it to help  
2 with issues of concentration since May, 2021.

3           160.   Stanford failed to follow their own policies to ensure that necessary forms were  
4 completed by the Meyers to provide extensive history for Katie and nonetheless prescribed  
5 Concerta without it.

6           161.   Stanford physicians also failed to advise Katie of the extensive withdrawal side  
7 effects when discontinuing Concerta, including increased suicidal ideations.

8           162.   In November, 2021, when dealing with the OCS process, Katie reported she had not  
9 been taking Concerta because she was having issues filling the prescription due to insurance issues.

10          163.   Katie attempted to fill the Concerta prescription on multiple occasions, but  
11 encountered difficulties, and asked Dr. Dandekar to assist in obtaining it.

12          164.   The inability to get Concerta filled went on for several months and ultimately Katie  
13 was never able to obtain the Concerta after being prescribed it again in November of 2021 to assist  
14 with the increased anxiety surrounding the OCS process.

15          165.   Neither Dr. Sutcliffe and Dr. Dandekar appropriately monitored Katie for  
16 withdrawal symptoms associated with Concerta, despite their knowledge that suicidal ideations  
17 may be present for months after discontinuation.

18          166.   While Katie was not dealing with OCS process, she saw Julie Sutcliffe on December  
19 1, 2021 and December 6, 2021, when she reported "Improvements in mood and enjoying being  
20 home."

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25           Clinical Assistant Professor, Department of Psychiatry and Behavioral Sciences (Full Time).  
26 Stanford represents on their website that Dr. Julie Sutcliff "is a licensed psychologist specializing  
27 in working with student-athletes and team performance. She uses an integrative, collaborative, and  
28 systemic approach to working with teams and individuals to enhance performance across athletic,  
academic, and social spheres." Upon information and belief, at all times mentioned herein, Dr.  
Julie Sutcliffe was aware that Stanford did not have sufficient counseling staff to meet the needs of  
their students.

1           167. When she went home for winter break, Katie was doing well at home with her  
2 family. She also had a wonderful trip to London over this break. She did not have to deal with the  
3 OCS process during her winter break.

4           168. During her trip to London, Katie made the following note: *"You're living the dream.*  
5 *You're in London, sitting in the most beautiful café in the park...It's a beautiful morning to be*  
6 *exactly where you are."*

7           169. When Katie returned from winter break in early 2022, she was of the belief that the  
8 OCS process was over and had shared this belief with others.

9           170. Katie believed this due to not hearing from the OCS office for months, and due to  
10 her having been recently selected by Stanford to be a Mayfield Fellow, as a Defense Innovator  
11 Scholar and as one of 4 Stanford students selected to perform a TedX presentation.

12           171. In fact, from November 21, 2022 until February 25, 2022, Katie had no contact with  
13 the OCS office, for the coffee spill complaint which occurred at the beginning of the school year.

14           172. In February of 2022, Katie was preparing for and excited about her future, believing  
15 the whole OCS matter was behind her.

16           173. On February 25, 2022 at 10:29 am on Friday morning, Katie was sent an e-mail from  
17 the OSC Associate Dean Tiffany Gabrielson, which indicated the following: "I am writing to let  
18 you know that I have now added a series of documents to your case documents folder in Box (see  
19 documents 04-12 in the investigative documents section). I will soon be making a formal charging  
20 decision in this matter." The email also requested that she provide any further exonerating evidence  
21 in her case by Monday, February 28, 2022.

22           174. At a time when Katie, a full-time student, Division I Athlete, Residential Assistant,  
23 was juggling additional commitments (e.g., Mayfield Fellows, class enrollment for the next quarter,  
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1 etc.), Katie was expected by OCS to provide exonerating evidence in her case within three days.  
2 However, she was not allowed to communicate with witnesses or parties.

3 175. It is unclear if Katie reviewed this email.

4 176. On the afternoon of February 28, 2022, Katie was attending classes, soccer practice,  
5 a Mayfield Fellow event, and texting with numerous friends and family members making plans for  
6 her future, including spring break, a birthday party the next day, and her last set of classes at  
7 Stanford, among other things.

8  
9 177. At around 5:15 PM on the evening of February 28, 2022, Katie FaceTimed with her  
10 mother and sisters about booking flights for spring break.

11 178. At around 6:45 PM, Katie sent an email to her mother showing her the flights that  
12 she had booked for a trip to Burbank on March 18, 2022.

13 179. Later that same night shortly after 7:00 PM, when dark and alone in her dorm room,  
14 Katie received an e-mail from OCS informing her that she was being charged with a “Violation of  
15 the Fundamental Standard by spilling coffee on another student.”

16  
17 180. The OSC letter sent to Katie after hours on February 28<sup>th</sup> and the cover email both  
18 contained language assuming guilt, indicating that Tiffany Gabrielson “determined that the  
19 charging standard in this matter is met” namely that “The Judicial Officer shall determine that **there**  
20 **is sufficient evidence** to file formal charges when s/he concludes that a fair-minded panelist  
21 could **find the allegation(s) to be true beyond a reasonable doubt.**”

22  
23 181. In the contemporaneously sent five-page OCS letter, she was informed that she was  
24 being charged with Violation of the Fundamental Standard by spilling hot coffee on another student,  
25 that a **degree hold was going to be placed on her account, and that she was facing charges**  
26 **which could result in her removal from the University.**

1           182. It is reasonable that Katie believed she was already assumed to be guilty as charged  
2 based upon this language of the letter and the email.

3           183. Katie promptly emailed back, stating she was “shocked and distraught” over the  
4 charge addressed in the OCS letter.

5           184. She received a reply via email at 7:48 p.m., which failed to fully acknowledge  
6 Katie’s grave concerns whatsoever, and did not adequately address her safety or wellbeing, and  
7 instead only offered a meeting on the matter days later.

8           185. The letter was sent six months from the day that the initial incident occurred, as this  
9 was the last day for the university to take action before the right to proceed/statute of limitations  
10 would expire under Stanford policies.

11           186. Katie had managed challenges in the past, however, the receipt of the email from the  
12 OCS office that informed her that she was being charged with a violation of the Fundamental  
13 Standard, and that her degree was on hold and that she was facing removal from the university, led  
14 her to believe that all of her future plans were being upended, making all of her hard work for  
15 naught, and leaving her in an acute emotional episode with a loss of purpose, a sense of  
16 embarrassment and humiliation, and feelings of helplessness and hopelessness.

17           187. Computer forensics shows that Katie frantically toggled back and forth between the  
18 letter and the attachments and searching how to defend a disciplinary complaint.

19           188. In the folder were statements from the Football Player, his mother, his teammates,  
20 the athletic trainer, and text messages between Coach David Shaw and the football player’s mother  
21 and Eric Sanders and the Football Player’s mother.

22           189. The actions of Stanford and its employees in charging Katie with a violation of  
23 fundamental standards over spilling coffee on a Football Player perpetrator of sexual assault without  
24

1 sufficient evidence was reckless, and wrongful and resulted in an acute stress reaction and her  
2 impulsive suicide.

3 190. The actions of Stanford employees in sending a highly threatening letter after hours  
4 while Katie was alone and failing to provide any emotional support for her caused, or substantially  
5 contributed to cause, Katie to suffer feelings of absolute hopelessness leading to an acute stress  
6 reaction and uncontrollable impulse to commit suicide resulting in her tragic and untimely death.

7 191. Had Katie not received the after-hours disciplinary charge while alone in the dark  
8 without support, six months after the coffee spill, she would not have committed suicide.

9 192. Katie did not have suicidal intent or a plan in the time leading up to her suicide, nor  
10 did she suffer from a mental illness.

11 193. Prior to receiving this after-hours email Katie was making future plans, including  
12 booking flights for spring break, and planning a friend's birthday party for the next day and planning  
13 her last semester of classes.

14 194. Prior to receiving the threatening letter assuming guilt, Katie had been attending  
15 classes, soccer practice, a Mayfield Fellow event and had been regularly and normally spending  
16 time with friends and communicating with family.

17 195. Katie was a high-achieving and conscientious person. She was a perfectionist,  
18 looked out for and cared deeply about her family and friends, acted as a role model and leader for  
19 her teammates and others, and wanted to be successful in all arenas.

20 196. She was looking forward to attending law school, continuing her athletic pursuits,  
21 and embarking on other exciting influencing opportunities that she had worked hard to secure.

22 197. Stanford and its employees' deviations from reasonable care and affirmative acts to  
23 bully and cause Katie distress, caused, or substantially contributed to cause, Katie to suffer an acute  
24 stress reaction and uncontrollable impulse to commit suicide resulting in her tragic death.

1           198. On March 1, 2022, Katie was found deceased in her dorm room at Stanford  
2 University. The letter from OCS was open on Katie's computer screen at the time of her death.

3 **STANFORD HAD INSUFFICIENT EVIDENCE TO FORMALLY CHARGE KATIE AND**  
4 **DID SO IN A PUNITIVE ACT OF GENDER DISCRIMINATION**

5           199. The Football Player upon whom Katie was alleged to have spilled coffee that  
6 resulted in a formal charge against her, never himself, received any appropriate consequences for  
7 his alleged sexual misconduct.

8           200. Had Coach David Shaw followed through with his pledge to not tolerate sexual  
9 assault, and dismissed the football player from his team, Katie would likely not have ever interacted  
10 with the Football Player who assaulted her team and likely would be alive today.

11           201. The Football Player would have been dismissed from the team if Coach Shaw  
12 followed the pledge, making him ineligible to be on campus during the fall semester. As a result,  
13 the Football Player wouldn't have been given access to the athlete dining hall where Katie was prior  
14 to the alleged coffee spill in August, 2021.

15           202. In contrast, despite Stanford's charge against Katie, there was not sufficient  
16 evidence in the file to conclude that "a fair-minded panelist could find the allegation(s) to be true  
17 beyond a reasonable doubt."  
18

19           203. At best, as explained *supra*, the file contained disputed, ambiguous statements for  
20 the accusation of "spilling coffee," as well as the other deficiencies in the investigation identified  
21 *supra*.  
22

23           204. For example, the letter sent to Katie stated "the injured student informed me that his  
24 teammates spoke with you and while you initially said this was an accident, you subsequently  
25 indicated it was intentional... I spoke with two of the teammates who he identified...they both told  
26 me that as far as they know you have consistently indicated the *incident was an accident*."  
27

1           205. Despite these exonerating assertions by the same Football teammates who the  
2 injured student claimed would back him up, and the fact that the Football Player himself did not  
3 feel the spill incident warranted filing a complaint, Stanford still proceeded with formal charges  
4 against Katie putting her diploma on hold, threatening her with removal from the university, and  
5 ending her soccer career and dreams of law school.

6           206. The charging document indicates that Stanford had met with the injured student's  
7 Football coaches, Athletic Trainer, teammates, and mother.

8           207. No one on Katie's side had been contacted or informed so that she could receive  
9 support, not even her parents, Plaintiffs Steve and Gina Meyer.

10           208. Even if the spilling of coffee was believed intentional, despite Katie and other's  
11 consistent statements that it was an accident, Stanford should have factored in the context of the  
12 Incident - that Katie - the Captain of the Stanford Women's Soccer team and protector of young  
13 teammates - was standing up for the victim (and teammate) of a sexual assault and that the alleged  
14 conduct was minor in nature.

15           209. Additionally, the Football Player at issue never filed a complaint with Stanford  
16 against Katie. He declined to press charges with the police.

17           210. Stanford also failed to offer Katie the informal restorative justice options that would  
18 allow the parties to meet and apologize over the incident.

19           211. In discriminatory fashion, the male Football Player who allegedly sexually assaulted  
20 a minor soccer player, was *never charged* by OCS or Title IX because of what was deemed he  
21 said/she said evidence despite a far more serious offense than Katie's coffee spill.

22           212. Providing Katie with the worst-case scenario of all the potential charges, including  
23 a degree hold and removal from the university in an after-hours email, in the proverbial 11<sup>th</sup> hour  
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25  
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1 of when she could've been prosecuted, is Stanford bullying one of its own female students given  
2 the selective application of its own disciplinary process.

3 **STANFORD WAS ON NOTICE THAT ITS OCS PROCESS WAS PUNITIVE,**  
4 **VIOLATED STUDENTS' RIGHTS AND CAUSED THEM HARM, AND TRAGICALLY,**  
5 **KATIE'S DEATH WAS ENTIRELY FORESEEABLE AND PREVENTABLE HAD**  
6 **STANFORD ACTED REASONABLY**

7 213. Beginning in June 2011, a group of Stanford Alumni entered into a case study (the  
8 "Student Justice Project") involving Stanford University's Office of Judicial Affairs, now the  
9 Office of Community Standards ("OCS").

10 214. The Student Justice Project ultimately uncovered systemic misconduct and  
11 wrongdoings within Stanford violating the 1997 Student Judicial Charter and students' due process  
12 rights.

13 215. The Student Justice Project created a 60-page report and included dozens of student  
14 testimonials describing intimidation and bullying tactics, and how punitive, unfair and distressing  
15 the OCS process was at Stanford.

16 216. This report was provided to Defendant Stanford, Defendant Board of Trustees,  
17 Defendant Debra Zumwalt and other individuals.

18 217. After these findings, the group continued to attempt to work with Stanford on  
19 implementing change to protect student's rights. The Student Justice Project proposed to recruit,  
20 train, and supervise *free* alumni lawyers who would be assigned to students to support them through  
21 the University investigations, starting on day one of a complaint.

22 218. Stanford took no steps in response to the findings in the report including the repeated  
23 pattern of the university violating its students' due process rights.

24 219. Not only did Stanford ignore the violations of due process brought to its attention  
25 and fail to remedy them, the Student Justice Project's offer to provide free representation to students  
26 in the OCS process was met with hostility and an adversarial reaction from Stanford.  
27



1           220. The Student Justice Project provided the 60-page report and dozens of testimonials  
2 to the Stanford Daily, where it reported:

3           “students, parents and counsel have accused the OCS of failing to follow due  
4 process. Many allege that the University and its officers denied Charter guarantees  
5 like access to witnesses and legal representation, and abused positions of power to  
6 intimidate students.”

7           221. After publishing the story, and upon information and belief, the Editor of the  
8 Stanford Daily was met with an email in the middle of the night from “a senior University official”  
9 threatening him and demanding that he retract the article. The Editor expressed significant concern,  
10 noting “the gall of the University to send me a message that carried with it the threat of pursuing a  
11 libel case, a message that I felt at least in some way had to be sent with an air of intimidation.”

12           222. On November 4, 2013, the Student Justice Project sent a letter to members of  
13 Stanford administration and Board of Trustees, describing the violations of student rights  
14 experienced in the Stanford judicial process.

15           223. Individuals who received the letter include Debra Zumwalt - General Counsel, John  
16 Hennessy - University President, John Etchemendy - University Provost, Harry Elam, Jr. - Vice  
17 Provost for Undergraduate Education, and all members of the Board of Trustees - Attention to  
18 Wendy Munger.

19           224. By at least November 2013, nine years before Katie’s death, the highest members of  
20 Stanford University administration, including but not limited to Defendant Debra Zumwalt, and the  
21 Board of Trustees were on notice that the OCS process was violating students’ constitutional rights  
22 and causing harm.

23           225. Several year later, the same issues were found by The Foundation for Individual  
24 Rights in Education when it issued a report entitled “Spotlight on Due Process 2019-2020” wherein  
25  
26  
27  
28

1 the Foundation evaluated the fundamental fairness of disciplinary proceedings in 53 colleges and  
2 Universities across the county.<sup>12</sup>

3 226. In this Foundation report Stanford received a grade of “none” as it relates to timely  
4 and adequate written notice of complaints, in spite of being admonished for this issue just one year  
5 prior by the US Department of Education.

6 227. The Foundation report also found Stanford’s presumption of innocence was  
7 “limited.”

8 228. Roughly six years after being on notice of the significant deficiencies in its OCS  
9 processes, around the time of the Foundation report, and three years before Katie’s death, Stanford  
10 put together its own “Committee of 10” (“C-10”) to complete a formal review of the Student  
11 Judicial Charter, which is the governing document for the university’s individual student conduct  
12 proceedings and processes.

13 229. The Committee of 10 was created to determine whether the Student Judicial Charter,  
14 which dates back to 1997, needs to be updated to create a more efficient conduct proceeding process  
15 that focuses on student learning and fairness.

16 230. A formal review of the Student Judicial Charter of 1997, which is the governing  
17 document for the university’s individual student conduct proceedings and processes, began in  
18 2019.<sup>13</sup>

19 231. The Committee of 10 was created to determine whether the Student Judicial Charter,  
20 which dates back to 1997, needed to be updated to create a more efficient conduct proceeding  
21 process that focuses on student learning and fairness.

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27 <sup>12</sup> <https://www.thefire.org/resources/spotlight/due-process-reports/due-process-report-2019-2020/>

28 <sup>13</sup> <https://news.stanford.edu/report/2021/04/23/stanford-student-judicial-process-called-overly-punitive-not-education-report-faculty-senate/>

1           232. In Winter quarter 2020 the Associated Students of Stanford University (ASSU)  
2 Presidents, Faculty Chair, and Vice Provost of Student Affairs appointed the Judicial Charter  
3 Review Committee (“the Committee of 10” or “C-10”) to examine the current Charter and to make  
4 recommendations for how to improve the process.

5           233. The review, a partnership among the ASSU, the Faculty Senate, and the university  
6 administration, was created to determine whether the charter needed to be updated to create a more  
7 efficient process that focuses on student learning and fairness.<sup>14</sup>

8           234. Among other goals, committee members were asked to consider whether the current  
9 judicial process is fair to students, if sanctions are overly punitive, and how to better focus the  
10 process on student learning.<sup>15</sup>

11           235. The committee was charged with examining whether the current Student Judicial  
12 Charter and related policies create a system of student accountability that aligns with the values and  
13 needs of today’s campus community.<sup>16</sup>

14           236. The committee also was charged with examining whether the Fundamental  
15 Standard, drafted in 1896, requires updating. The committee was also to consider whether the  
16 university should continue to operate under the Honor Code, created in 1921, as written for matters  
17 of academic integrity.<sup>17</sup>

18           237. In or about April 2021, approximately 5 months prior to the September 2021  
19 complaint involving Katie and another student-athlete, Marcia Stefanick, chair of the Committee  
20 of 10, presented the group’s interim report on the student judicial process with Mark DiPerna,  
21  
22  
23  
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26 <sup>14</sup> <https://news.stanford.edu/report/2021/04/23/stanford-student-judicial-process-called-overly-punitive-not-education-report-faculty-senate/>

27 <sup>15</sup> *Id.*

28 <sup>16</sup> *Id.*

<sup>17</sup> *Id.*

1 director of the Office of Community Standards, and Nate Boswell, special assistant to the Vice  
2 Provost for student affairs.

3 238. Ms. Stefanick reported the findings including that a key problem in Stanford's  
4 current judicial process is that it relies on a "one-size-fits-all" approach. That approach, which  
5 committee members called "overly punitive" in their report, fails to build character and instead  
6 focuses on punishment. The system should, they noted, focus on education.<sup>18</sup>

7 239. Stanford's student judicial process was deemed "overly punitive" and "not  
8 educational," according to an interim report of the Committee of 10 that was presented to the  
9 Faculty Senate.<sup>19</sup>

10 240. Committee members, who have spent more than a year reviewing the Student  
11 Judicial Charter, found that the process of resolving cases at Stanford takes too long – in some  
12 cases, months – even for minor violations and could cause unintended consequences for students  
13 who go through the process.<sup>20</sup>

14 241. In addition, committee members, who spent more than a year reviewing the Student  
15 Judicial Charter, found that the process of resolving cases at Stanford takes too long – in some  
16 cases, months – even for minor violations.

17 242. The Committee made the following suggestions that were ignored by Stanford, and  
18 that would have prevented Katie's death had they been implemented: (a) Implement a three-tiered  
19 system based on the severity of violations, with differing sanctions, evidence requirements and  
20 durations of time on a student's record; and (b) Cut down on the amount of time it takes to resolve  
21 violations, committee members suggest a process for quickly clearing "low-level" violations...They  
22 also recommend limiting the period of time a concern about student behavior can be submitted.  
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27 <sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

1           243. Another Stanford committee made similar important recommendations for group  
2 accountability,<sup>21</sup> that if implemented in the OCS individual student process, would have prevented  
3 Katie's death: (a) To speed up the process, we're creating different avenues through which  
4 violations can be addressed, depending on their alleged severity and the group's conduct history;  
5 (b) To improve transparency, the process outlines the possible avenues for adjudication and possible  
6 sanctions for each tier; and (c) This is a learning and student-centered process that protects student  
7 safety and well-being and prevents harm to the university community.

8           244. Despite these findings, Stanford did nothing, but instead instituted a highly tenuous  
9 charge against Katie through the OCS as the evidence collected was either exonerating or he  
10 said/she said evidence.

11           245. Throughout the OCS investigation, Stanford, through its OCS Office, was put on  
12 direct notice by Katie that the OSC process was causing her emotional distress requiring psychiatric  
13 counseling.

14           246. Additionally, during the OSC process, Stanford was on notice that Katie had been  
15 seeking therapy based on her treatment with Dr. Sutcliffe (Sports' Psychologist) and Dr. Dandekar  
16 (Sports' Psychiatrist).

17           247. Following the initial meeting with Tiffany Gabrielson, Katie received only  
18 intermittent follow-ups from OCS.

19           248. Stanford was on notice that Katie received counseling at the Sports Medicine Center,  
20 part of Stanford's healthcare system, and that their offices closed at 6 PM, leaving Katie without  
21 her support system at the time the February 28<sup>th</sup> OCS letter was sent.

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27 <sup>21</sup> *Update on student group policies and accountability*. (January 14, 2022). Available at:  
28 <https://news.stanford.edu/report/2022/01/14/update-student-group-policies-accountability/>.

**STANFORD HAS A LONG HISTORY OF FAILING TO APPROPRIATELY HANDLE  
MENTAL HEALTH CONCERNS AND TO ADOPT BEST PRACTICES FOR THE  
SAFETY OF ITS STUDENTS, CONTRIBUTING TO KATIE'S DEATH**

249. Stanford has been on notice that its students, noticeably its NCAA Division 1, student athletes, are perfectionists.

250. Stanford not only actively pressures and intimidates its students, like Katie, but when they are in need and suffering distress, the school fails to offer assistance and has historically attempted to oust students struggling with such concerns.

251. Stanford has actively discriminated and mistreated students with mental health needs.

252. In May, 2018, a class action lawsuit was filed against Stanford University for violating the rights of students with mental health disabilities. The lawsuit set forth Stanford's:

"practice of treating students who experience mental health crises as liabilities: pressuring them into taking leaves of absence and requiring immediate withdrawal from all classes and housing, all without an individualized evaluation of reasonable accommodations. Further perpetuating mental health stigma, Stanford requires students wishing to return to the University to write statements accepting blame and apologizing for the "disruption" they have caused the University community."<sup>22</sup>

253. In October of 2019, the class action lawsuit against Stanford settled, requiring the school to revise its involuntary leave of absence policy, ensure sufficient staffing to support students with mental health disabilities, increase training for anyone involved with implementing the policy and pay \$495,000 for the plaintiffs' legal fees.<sup>23</sup>

254. It has been reported that a psychiatric ward near Stanford admits between one and three students every week, meaning at least one out of the 15 beds is constantly in use by a Stanford

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<sup>22</sup> *Stanford University Systematically Violates the Rights of Students with Mental Health Disabilities*. Available at: <https://dralegal.org/press/stanford-university-systematically-violates-the-rights-of-students-with-mental-health-disabilities/>.

<sup>23</sup> *In 'historic' settlement, Stanford agrees to revise leave of absence policies for students in mental health crisis*. Available at: <https://www.paloaltoonline.com/news/2019/10/07/in-historic-settlement-stanford-agrees-to-revise-leave-of-absence-policies-for-students-in-mental-health-crisis>.

1 student, and this does not include students who are admitted to the unlocked unit, G2, or four other  
2 psychiatric wards in the area that students could go to, indicating that the rough estimate of Stanford  
3 students admitted to psychiatric wards per week could be higher.<sup>24</sup>

4 255. In 2019 alone, three Stanford students died by suicide.<sup>25</sup> In the 13 months preceding  
5 Katie's death, 2 or 3 other students died by suicide.<sup>26</sup>

6 256. The mental health epidemic at Stanford has been ongoing for years. As early as  
7 March 7, 2014, The Stanford Daily was reporting, it is not uncommon for each of the seven  
8 residence deans to have at least one of their students in the psychiatric ward of the hospital.<sup>27</sup>

9 257. In the past few years, on April 5, 2019, The Stanford Daily reporting indicates that  
10 nothing has changed: "I remember the nurses telling me that they get a lot of Stanford students [in  
11 H2] — they were telling me that in a reassuring way," he said. "That there's clearly something at  
12 Stanford and it's not me."<sup>28</sup>

13 258. Yet in the face of so many students at Stanford with mental health needs, Stanford  
14 understaffs its counseling centers, resulting in students waiting months for much need treatment.  
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22 <sup>24</sup> *Where do Stanford students go if they've attempted suicide?* (April 5, 2019). Available at:  
23 [https://stanforddaily.com/2019/04/05/where-do-stanford-students-go-if-theyve-attempted-](https://stanforddaily.com/2019/04/05/where-do-stanford-students-go-if-theyve-attempted-suicide/)  
24 [suicide/](https://stanforddaily.com/2019/04/05/where-do-stanford-students-go-if-theyve-attempted-suicide/).

25 <sup>25</sup> *Id.*

26 <sup>26</sup> Jacob Meisel (August 2021) and Rose Wong (February 2021) also died by suicide at Stanford.  
27 Dylan Simmons also died in an on-campus residence at Stanford.

28 <sup>27</sup> *Where do Stanford students go if they've attempted suicide?* Available at:  
[https://stanforddaily.com/2019/04/05/where-do-stanford-students-go-if-theyve-attempted-](https://stanforddaily.com/2019/04/05/where-do-stanford-students-go-if-theyve-attempted-suicide/)  
[suicide/](https://stanforddaily.com/2019/04/05/where-do-stanford-students-go-if-theyve-attempted-suicide/).

<sup>28</sup> *In 'historic' settlement, Stanford agrees to revise leave of absence policies for students in mental health crisis.* Available at: <https://www.paloaltoonline.com/news/2019/10/07/in-historic-settlement-stanford-agrees-to-revise-leave-of-absence-policies-for-students-in-mental-health-crisis>.





1           265. Stanford Daily writer, Michaela Brewer who was also a Basketball player who  
2 attempted suicide in 2017 and came back to the sport, stated as follows:

3           "It is no secret that stress builds up, especially when coaches make it explicit that they don't  
4 want to hear about students' non-athletic stressors during practice. Often, student-athletes  
5 are expected to simply "suck it up" in the name of focusing on their sport. To this point,  
6 many coaches offhandedly throw around the phrase, "Fake it 'til you make it" — a casual  
7 enough colloquialism, but with greater implications for student-athletes. Under this  
8 mentality, many athletes believe there will be large repercussions if they are unable to  
9 compete or perform. Put short: If you're not able to hide everything you're feeling  
internally, then you're not tough enough. You're not strong enough. You can't be a Stanford  
student-athlete. For student-athletes, if a conversation occurs at all, it tends to happen in the  
proximity of teammates. Of course, peers are not always equipped with the resources or  
knowledge to help, and may not be trained to provide proper support in more serious  
circumstances."<sup>34</sup>

10           266. Even after a suicide attempt, Stanford is reported to fail to make time for treatment:  
11 "After Kelly [Catlin]'s previous suicide attempt and week-long hospital stay in January, [...] she  
12 was unable to see her preferred campus sports psychiatrist, Francesco Dandekar, because he was  
13 backlogged with cases until May."

14           267. Stanford has failed its student-athletes, like Katie, by failing to follow the NCAA  
15 guidelines and best practices for mental health care of athletes.

16           268. While the NCAA Best Practices recommend interdisciplinary collaboration to  
17 ensure that athletes mental and physical well-being is monitored and cared for, Stanford's policy  
18 actively prohibits that, stating "ALL conversations and correspondence between you, the student-  
19 athlete, and your psychologist remain confidential. Any information discussed will not be shared  
20 with coaches..."  
21

22           269. In the 2018 American Psychiatric Association Annual Meeting's - Caucus on  
23 College Mental Health, Presenters: Mehak Chopra, DO; Julie Sutcliffe, PsyD; Douglas Noordsy,  
24

25  
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28 <sup>34</sup> *Id.*

MD; Francesco Dandekar, MD (all from Stanford) and Courtney Albinson, PhD (of Northwestern) presented information:

In 2016, the NCAA published a consensus statement for best practices in mental health care recognizing the crucial importance for athletes' well-being. This focus on mental health has led to universities creating different models of mental health care and the creation of new positions for sport psychologists.

270. At all relevant times, Julie Sutcliffe, PsyD; Douglas Noordsy, MD; Francesco Dandekar, MD are each from Stanford's Sport's Psychology and Sports Psychiatry Department.

271. While Stanford Coaches receive daily updates as to the status of their athletes' physical condition and prescriptions treating physical injuries, these same reports ignored the mental health and well-being of the students entirely.

272. In Katie's case, she affirmatively gave consent for her athletic trainer to be advised that she was seeking therapy service, yet Stanford failed to advise Katie's athletic trainer of this fact important to her well-being.

273. Stanford knew that brain development does not fully occur until 25 years old, as their professors did their own research on young adults/teens and this area of the brain being a major component in stress response/depression/anxiety:

"It's very compelling that the functional architecture of the brain that supports executive functioning seems to have such an integral role in coping with stress," says Chahal. "Prior studies have shown this to an extent, but not in this particular age group and not accounting for the social conditions caused by the pandemic."<sup>35</sup>

274. Since January 2019, at least seven (7) students have died by suicide, not taking into account those who may have died by suicide in 2020-2021 when Stanford's classes were virtual.

275. Stanford Graduate student Ziwen Wang died at Stanford by suicide on February 11, 2019.

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<sup>35</sup> *Stanford psychologists investigate COVID-19's mental toll on teenagers.* Available at: <https://news.stanford.edu/2020/09/22/covid-19s-mental-toll-teens/>.

1           276. Stanford Graduate student Kelly Catlin (World Champion Cyclist) died at Stanford  
2 by suicide on March 7, 2019.

3           277. Stanford Student Norah Borus died at Stanford by suicide on June 14, 2019.

4           278. Stanford Medical student Rose Wong died at Stanford by suicide on February 2,  
5 2021.

6           279. Stanford Student Jacob Meisel died by suicide on August 2, 2021.

7           280. Stanford Law School student Dylan Alexander Simmons died by suicide at Stanford  
8 on January 20, 2022.

9           281. There also appears to be additional suicides at Stanford that have not been publicly  
10 acknowledged:

11           “There are cases in which a student’s family members do not wish to disclose the  
12 cause of death publicly, particularly if a student died by suicide. Please avoid  
13 speculating or sharing any rumors beyond what the university has communicated.”

14           Stanford acknowledges that “[t]he death of a student is a tragedy that has a significant impact  
15 on the Stanford community.”<sup>36</sup>

16           282. Sadly, it seems there have been so many suicided that Stanford has prepared form  
17 language regarding what to say when a student dies:

18           “I have no profound words that can heal us after the unimaginable tragedy yesterday,  
19 only feelings. Sadness, shock, frustration. I know we have things to do in class , and  
20 at the same time...I am here for you, either now or later today, to hold space for  
processing grief, connect you with resources, or to just be in each other’s company.

21           As we try to move forward with our grief and sadness, if anyone needs extra time to  
22 study for the test or complete the final project, please send me a message so we can  
23 make adjustments as needed.” Shashank Joshi, from the SOM’s Department of  
Psychiatry and Behavioral Sciences.

24           283. Stanford knew Katie was a student-athlete, Captain of the Women’s soccer team and  
25 experienced increased pressure and stress as a result.

26  
27  
28 <sup>36</sup> <https://deanofstudents.stanford.edu/policies-processes-and-protocols/student-death>

1           284. Stanford knew that Katie was receiving counseling services, where she reported  
2 increased suicidal ideations and depressive mood decline in direct correlation to events in the OCS  
3 process.

4           285. Stanford also knew that Katie was “terrified,” “distraught,” and “scared” over the  
5 OCS process and that Katie had never been in trouble before.

6           286. Stanford knew Katie’s brain was not fully developed and that the impulsive part of  
7 the brain is in control at her age.

8           287. Despite all of this knowledge, Stanford recklessly sent her a threatening 5-page letter  
9 after hours, while Katie was alone in the dark, putting her diploma on hold and threatening removal  
10 from the university.

11           288. Katie again cried out to the OCS department for help after receiving the letter  
12 threatening everything she worked her entire life for (notably without sufficient evidence and after  
13 months of violating her rights), stating she was “shocked and distraught,” and Stanford took no  
14 action to ensure her well-being.

15           289. Stanford’s wrongful conduct is directly responsible for causing, or substantially  
16 contributing to cause, Katie to suffer an acute stress reaction and uncontrollable impulse to commit  
17 suicide resulting in her tragic and untimely death.

18           290. Stanford’s negligent and reckless attitude towards Katie and the importance of  
19 student athletes’ mental health is indicative of the greater dismissive attitude toward mental health  
20 needs of its students on Stanford’s campus even today while students continue to suffer without  
21 proper assistance.  
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**STANFORD'S EMPLOYEES/INDIVIDUAL DEFENDANTS RESPONSIBLE FOR  
THE OSC PROGRAM / PROCESS THAT CAUSED OR SUBSTANTIALLY  
CONTRIBUTED TO CAUSE KATIE'S DEATH**

291. At all times mentioned herein, the Defendant Board of Trustees had responsibility to safeguard Stanford students and for oversight over various Departments in the university, including the OCS department.

292. For the reasons stated herein, Defendant Board of Trustees knew or should have known that the OCS process was punitive and inflicting inappropriate, unnecessary distress on its students, including Katie.

293. For the reasons stated herein, Defendant Board of Trustees knew or should have known that the disciplinary process at Stanford was applied discriminatorily, and that Katie and other women were prosecuted while male students were let off with minimal consequence.

294. Despite this knowledge that the OCS/discipline process was discriminatorily applied and punitive and inflicting distress on its students, including Katie, Defendant Board of Trustees did nothing to rectify it, breaching the standard of care and duty owed to Katie and other students.

295. On the facts alleged herein regarding Stanford's OCS process Defendant Board of Trustees and Stanford did not act as a partner in supporting Katie and breached his standard of care owed to her. Defendant Board of Trustees did not continue to care and support Katie throughout their years at Stanford as promised, both expressly and implied and as required by the common law.

296. At all times mentioned herein, Defendant Marc Tessier-Lavigne as President of the University was in charge of and had responsibility for the OSC department and Stanford in general.

297. For the reasons stated herein, Defendant President Marc Tessier-Lavigne knew or should have known that the OCS process was punitive and inflicting inappropriate, unnecessary distress on its students, including Katie.

298. For the reasons stated herein, Defendant President Marc Tessier-Lavigne knew or

1 should have known that the disciplinary process at Stanford was applied discriminatorily, and that  
2 Katie and other women were prosecuted while male students were let off with minimal  
3 consequence.

4 299. Despite this knowledge that the OCS/discipline process was discriminatorily applied  
5 and punitive and inflicting distress on its students, including Katie, President Marc Tessier-Lavigne  
6 did nothing to rectify it, breaching the standard of care and duty owed to Katie and other students.

7  
8 300. On the facts alleged herein regarding Stanford's OCS process Defendant Marc  
9 Tessier-Lavigne and Stanford did not act as a partner in supporting Katie and breached his standard  
10 of care owed to her. Defendant Marc Tessier-Lavigne did not continue to care and support Katie  
11 throughout their years at Stanford as promised, both expressly and implied and as required by the  
12 common law.

13 301. Defendant Vice Provost Susie Brubaker-Cole had a long career working in school  
14 administration, notably spending six years as Oregon State University's associate provost for  
15 academic success and engagement and working from 2014 to 2017 at OSU's Student Affairs  
16 division, an office similar in scope to that at Stanford. Notably from her time at Oregon State, she  
17 was well aware of the risk of suicide to the student population.<sup>37</sup>

18  
19 302. At all times mentioned herein, Defendant Susie Brubaker-Cole, as Vice Provost for  
20 Student Affairs, had responsibility for the OSC department, disciplinary process, and students in  
21 general.

22 303. For the reasons stated herein, Defendant Susie Brubaker-Cole knew or should have  
23 known that the OCS process was punitive and inflicting inappropriate, unnecessary distress on its  
24  
25

26  
27 <sup>37</sup> [https://www.nbc4i.com/news/local-news/osu-promotes-suicide-prevention-programs-after-](https://www.nbc4i.com/news/local-news/osu-promotes-suicide-prevention-programs-after-incidents-at-ohio-union-garage/)  
28 [incidents-at-ohio-union-garage/](https://news.wosu.org/news/2018-04-09/ohio-state-investigates-after-two-people-fall-from-same-parking-garage/). See also, [https://news.wosu.org/news/2018-04-09/ohio-state-](https://news.wosu.org/news/2018-04-09/ohio-state-investigates-after-two-people-fall-from-same-parking-garage/)  
[investigates-after-two-people-fall-from-same-parking-garage.](https://news.wosu.org/news/2018-04-09/ohio-state-investigates-after-two-people-fall-from-same-parking-garage/)

1 students, including Katie.

2 304. For the reasons stated herein, Defendant Susie Brubaker-Cole knew or should have  
3 known that the disciplinary process at Stanford was applied discriminatorily, and that Katie and  
4 other women were prosecuted while male students were let off with minimal consequence.

5 305. Despite this knowledge that the OCS/discipline process was discriminatorily applied  
6 and punitive and inflicting distress on its students, including Katie, Defendant Susie Brubaker-Cole  
7 did nothing to rectify it, breaching the standard of care and duty owed to Katie and other students.  
8

9 306. On the facts alleged herein about Stanford's OCS process, Defendant Susie  
10 Brubaker-Cole breached her standard of care owed to Katie.

11 307. Defendant Lisa Caldera was involved in the OCS process with Katie as stated herein,  
12 including by filing a complaint against Katie despite not having sufficient information and the  
13 student involved not wanting to bring a complaint.  
14

15 308. For the reasons stated herein, Defendant Lisa Caldera knew or should have known  
16 that the OCS process was discriminatorily applied and punitive and inflicting inappropriate,  
17 unnecessary distress on its students, including Katie.

18 309. Despite this knowledge that the OCS process was punitive and inflicting distress on  
19 its students, including Katie, Defendant Lisa Caldera did nothing to rectify it, breaching the standard  
20 of care and duty owed to Katie and other students.

21 310. On the facts alleged herein about Stanford's OCS process, Defendant Lisa Caldera  
22 breached her standard of care owed to Katie.  
23

24 311. Defendant Tiffany Gabrielson was involved in the OCS process with Katie as stated  
25 herein, including participating in the after-hour, discipline letter threatening her diploma and  
26 removal from Stanford, and failing to reasonably respond to her expression of severe distress.

27 312. For the reasons stated herein, Defendant Tiffany Gabrielson knew or should have  
28

1 known that the OCS process was punitive and inflicting inappropriate, unnecessary distress on its  
2 students, including Katie.

3 313. Despite this knowledge that the OCS process was punitive and inflicting distress on  
4 its students, including Katie, Defendant Tiffany Gabrielson did nothing to rectify it, breaching the  
5 standard of care and duty owed to Katie and other students.

6 314. On the facts alleged herein about Stanford's OCS process, Defendant Tiffany  
7 Gabrielson breached her standard of care owed to Katie.

8 315. Defendant Alyce Hayley was involved in the OCS process with Katie as stated  
9 herein, including participating in the after-hour, discipline letter threatening her diploma and  
10 removal from Stanford, and failing to reasonably respond to her expression of severe distress.

11 316. For the reasons stated herein, Defendant Alyce Haley knew or should have known  
12 that the OCS process was punitive and inflicting inappropriate, unnecessary distress on its students,  
13 including Katie.

14 317. Despite this knowledge that the OCS process was punitive and inflicting distress on  
15 its students, including Katie, Defendant Alyce Haley did nothing to rectify it, breaching the standard  
16 of care and duty owed to Katie and other students.

17 318. On the facts alleged herein about Stanford's OCS process, Defendant Alyce Haley  
18 breached her standard of care toward Katie.

19 319. Based on the foregoing, Defendant Debra Zumwalt was expressly on notice for  
20 years and knew or should have known that the OCS process was punitive and inflicting  
21 inappropriate, unnecessary distress on its students, including Katie.

22 320. On the facts alleged herein about Stanford's OCS process, Defendant Debra  
23 Zumwalt breached her standard of care toward Katie.



1           321. For the reasons stated fully herein, the Individual Stanford Defendants Marc Tessier-  
2 Lavigne, Susie Brubaker-Cole, Debra Zumwalt, Lisa Caldera, Tiffany Gabrielson, and Alyce  
3 Haley, negligently, carelessly, recklessly, wantonly, and/or unlawfully breached their duties of care  
4 to Katie by, for example, making a disciplinary charge, and in the manner of notifying her of the  
5 OCS charge; in particular, not delivered in person as required by Stanford policies and procedures  
6 with access to available after hours mental health counseling and care, but instead in an after-hours  
7 email in the proverbial final hour of the available statute of limitations, in the final semester of her  
8 exceptional Stanford athletic and academic career that was about to lead to Stanford Law School,  
9 without access to available after hours mental health counseling and care.  
10

11           322. For the reasons stated fully herein, the Individual Stanford Defendants Marc Tessier-  
12 Lavigne, Susie Brubaker-Cole, Debra Zumwalt, Lisa Caldera, Tiffany Gabrielson, and Alyce Haley  
13 negligently, carelessly, recklessly, wantonly, and/or unlawfully breached their duties of care to  
14 Katie when, for example, sending an e-mail that contained misleading, inaccurate information about  
15 the OSC charge; assuming guilt, in the OSC letter using the following language: "The Judicial  
16 Officer shall determine that there is sufficient evidence to file formal charges when s/he concludes  
17 that a fair-minded panelist could find the allegation(s) to be true beyond a reasonable doubt[.],"  
18 which reasonably made Plaintiff believe that she was already guilty as charged.  
19

20           323. Unbeknownst to Katie, there was not sufficient evidence in the file that "a fair-  
21 minded panelist could find the allegation(s) to be true beyond a reasonable doubt." At best, as  
22 explained *supra*, the file contained disputed, ambiguous statements for the accusation of "spilling  
23 coffee," and witness statements were not taken from individuals favorable to Katie as well as the  
24 other deficiencies in the investigation identified *supra*.  
25

26           324. For the reasons stated fully herein, the Individual Stanford Defendants negligently,  
27 carelessly, recklessly, wantonly, and/or unlawfully breached their duties of care to Katie.  
28

1           325. For the reasons set forth herein, all Individual Defendants acted maliciously, with  
2 knowing disregard of the rights and safety of Katie.

3           326. For the reasons set forth herein, Defendant Stanford and Defendant Board of  
4 Trustees, by and through their officers, directors and agents, authorized and/or knew of and  
5 approved the malicious conduct, acting with knowing disregard of the rights and safety of Katie.

6           327. Defendants negligently, carelessly, recklessly, wantonly, and/or unlawfully  
7 breached their duties of care to Katie by bringing the OSC charge on at best he said/she said  
8 information; the football player at issue never filed a Complaint with Stanford and declined to press  
9 charges through the police; the potential penalties, notably a diploma hold for a Stanford degree  
10 and/or potential removal from the university were disproportionate to the alleged charge: spilling  
11 coffee on a student; by sending such threatening charge after hours, to Katie by herself without  
12 support; and for the reasons stated herein; and for other reasons that discovery will uncover.  
13

14  
15                                   **COUNT I**  
16                                   **WRONGFUL DEATH**  
17                                   **GENERAL NEGLIGENCE**  
18                                   **PURSUANT TO CCP § 377.60 ET SEQ.**

19                                   **(Plaintiff Steven Meyer and Plaintiff Gina Meyer,**  
20                                   **On Behalf Of Themselves And As Successors In Interest To Decedent Katie Meyer,**  
21                                   **against All Defendants)**

22           328. Plaintiffs re-allege and incorporate by reference each and every allegation and  
23 statement set forth above as if fully set forth herein.

24           329. Plaintiff Steven Meyer and Plaintiff Gina Meyer both, on their own behalf under  
25 Code of Civil Procedure § 377.60, *et seq.*

26           330. At all times relevant, Katie was a student and student-athlete at Stanford University.

27           331. At all times mentioned herein, Defendants owed a duty of care to its students,  
28 including Katie.

1           332. Defendants had a duty to ensure a safe environment on campus for both living and  
2 learning for its Stanford students, including Katie.

3           333. Defendants had a duty to know that your typical Stanford students, especially a  
4 Stanford student-athlete, as well as a Captain of the Stanford Soccer Team and star goalie, present  
5 traits of perfectionism- which is associated with additional pressures.

6           334. Defendants had a duty to know what a diploma hold and other penalties in the final  
7 semester of one's college would mean to a Stanford Student and/or a high-achieving, Division 1,  
8 Stanford student-athlete and the threat it would be to her academic and athletic career at Stanford  
9 and her future.

10           335. Defendants owed its students, including Katie, a duty of reasonable care in the  
11 hiring, training, and supervision of its staff, administrators, medical care professionals, therapists,  
12 and/or counselors.

13           336. Defendants owed its students, including Katie, a duty of reasonable care in  
14 administering the OCS disciplinary process.

15           337. Defendants had actual notice from Katie that the OCS process was overly punitive,  
16 caused inappropriate distress and an emotional stressor for Katie.

17           338. Defendants had actual notice that the OCA process was draconian and often  
18 implemented disproportionate punishment in comparison with the alleged violation, as with Katie.

19           339. Defendants had actual notice that she was seeing a sports' psychologist for help with  
20 focusing and anxiety.

21           340. Katie gave the sports' psychology department express permission to advise her  
22 athletic trainer of their visits, yet her provider never contacted Katie's athletic trainer, leaving out  
23 a key individual in her treatment and in violation of NCAA Best Practices.  
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341. Defendants had actual notice through its sport's psychology department that Katie experienced additional anxiety and depressive symptoms concurrently with the distressing OCS process.

342. Defendants had actual notice that Katie was recovering from knee surgery and unable to play soccer for the first time in her time at Stanford.

343. Defendants had actual notice that many of their students were suffering emotional distress as a result of the pandemic.

344. Defendants had actual notice that high-achieving Stanford students, suffered emotional distress as a result of Stanford's challenging academic and athletic programs, often leading to mental health treatment (like with Katie), mental health hospitalization, suicide attempts, and suicidal deaths. The pandemic only added to the stress to these students, including Katie.

345. There have been several suicides each year at Stanford before Katie's death, and Stanford was no notice that its CAPS and other mental health services were entirely inadequate given the needs of its students.

346. Defendants negligently, carelessly, recklessly, maliciously, and/or unlawfully breached their duties of care to Katie in the following ways:

- a. Bringing the OSC charge without doing a proper investigation notably by not taking any witness statements from individuals favorable to Katie, not doing any follow-up investigations on ambiguous statements;
- b. Bringing the OSC charge without sufficient evidence;
- c. Bringing the OSC charge despite the football player not wanting to file a charge;
- d. Bringing the OCS charge that presumed guilt, after hours, while Katie was alone in the dark, with no support available to her;
- e. Bringing the OSC charge with excessive punishments, notably a diploma hold and threat of removal from Stanford, disproportionate to the alleged charge;
- f. Failing to properly and timely notify Katie of the charge in a manner that would have prevented her suicide;

- 1 g. Failing to follow Stanford's policies and procedures in the manner in which it  
2 notified Katie;  
3 h. Failing to inform Katie of the charge in person and with appropriate mental health  
4 counseling and care available for consultation and support;  
5 i. Failing to provide Katie with accurate and non-misleading information in the charge;  
6 j. Failing to implement any system to guarantee that the OSC discipline process treat  
7 its students with emotional distress in a safe way;  
8 k. Failing to act reasonably for its students after being on notice that the university's  
9 disciplinary process was too punitive, violated students' constitutional rights and  
10 caused distress;  
11 l. Failing to hire, retain, train and supervise individuals in the OCS Office notably  
12 Tiffany Gabrielson and Alyce Haley, who were unfit to perform the work for which  
13 they were hired, namely implementing the OSC process for someone like Katie and  
14 charging her, and delivering the information in such a reckless manner, for the  
15 reasons stated herein;  
16 m. Failing to hire, retain, train and supervise individuals in the Athletic Department  
17 and/or Compliance Services Office, who were unfit to perform the work for which  
18 they were hired, namely applying the NCAA, Pac-12, and/or Stanford bylaws and  
19 rules for the reasons stated herein;  
20 n. Failing to adhere to the NCAA Bylaw 16.4.2 that mandates the Mental Health Best  
21 Practices despite representing to all that it did;  
22 o. Failing to apply the NCAA Bylaw 16.4.2 and each employee at Stanford failed to  
23 adhere to the NCAA Bylaw 16.4.2;  
24 p. Failing to comply with NCAA Bylaw 16.4.2 – namely, Stanford trained its  
25 employees to withhold information on the basis of FERPA and/or HIPAA;  
26 q. Failing to follow through on Stanford's representations to Katie, Steve and Gina  
27 Meyer.

28 347. Stanford knew or should have known that the individuals in the OCS Office notably,  
Tiffany Gabrielson and Alyce K. Haley, were unfit to perform the work for which they were hired,  
namely implementing the OSC process for someone like Katie for the reasons stated herein.

348. Stanford knew or should have known the school was violating NCAA Mental  
Health Best Practices.

1           349. Defendant Stanford is also vicariously liable for injuries caused by the negligence  
2 of its employees and/or independent contractors who are acting in the course and scope of their  
3 employment.

4           350. The death of Katie occurred as a direct and proximate cause of Defendants' breaches  
5 of its duty of care by causing Katie's acute stress reaction and uncontrollable impulse to commit  
6 suicide resulting in her tragic and untimely death.

7           351. As a direct and proximate result of the reckless and negligent conduct of Defendants,  
8 Plaintiffs have sustained damages resulting from the loss of love, affection, society, service,  
9 comfort, support, right of support, expectations of future support and counseling, companionship,  
10 solace and mental support, as well as other benefits and assistance from Katie, in an exact amount  
11 in excess of the jurisdictional minimum to be proven at trial pursuant to Section 425.10 of the  
12 California Code of Civil Procedure.

13           352. As a direct and proximate result of the reckless and negligent conduct of Defendants,  
14 Plaintiffs will be deprived of the financial support and assistance of Katie the exact amount of which  
15 to be proven at trial pursuant to Section 425.10 of the California Code of Civil Procedure.

16           353. Plaintiff Steven Meyer and Plaintiff Gina Meyer both on their own behalf under  
17 Code of Civil Procedure § 377.60, *et seq.* and as successors in interest to the Decedent, Katie Meyer,  
18 suffered extensive damages and are entitled to recover funeral expenses, loss of Katie's financial  
19 support, Plaintiffs' and Katie's pain and suffering and other damages.

20           354. As a direct and proximate result of the negligent conduct of Defendants, Decedent  
21 Katie was severely injured and impulsively died from those injuries.

22           355. Defendants negligence, misconduct, and malicious actions caused, or were a  
23 substantial contributing factor in causing in Katie's tragic, untimely death.

**COUNT II  
SURVIVAL ACTION  
GENERAL NEGLIGENCE  
PURSUANT TO CCP § 377.30, ET SEQ.**

**(Plaintiff Steven Meyer and Plaintiff Gina Meyer,  
As Successors In Interest To Decedent Katie Meyer,  
against All Defendants)**

356. Plaintiffs re-allege and incorporate by reference each and every allegation and statement set forth above as if fully set forth herein.

357. Plaintiff Steven Meyer and Plaintiff Gina Meyer both, as the successor in interest/surviving heirs of the deceased as justified in Code of Civil Procedure § 377.30, *et seq.*

358. At all times relevant, Katie was a student and student-athlete at Stanford University.

359. At all times mentioned herein, Defendants owed a duty of care to its students, including Katie.

360. Defendants had a duty to ensure a safe environment on campus for both living and learning for its Stanford students, including Katie.

361. Defendants had a duty to know that your typical Stanford students, especially a Stanford student-athlete, as well as a Captain of the Stanford Soccer Team and star goalie, present traits of perfectionism- which is associated with additional pressures.

362. Defendants had a duty to know what a diploma hold and other penalties in the final semester of one's college would mean to a Stanford Student and/or a high-achieving, Division 1, Stanford student-athlete and the threat it would be to her academic and athletic career at Stanford and her future.

363. Defendants owed its students, including Katie, a duty of reasonable care in the hiring, training, and supervision of its staff, administrators, medical care professionals, therapists, and/or counselors.

1           364. Defendants owed its students, including Katie, a duty of reasonable care in  
2 administering the OCS disciplinary process.

3           365. Defendants had actual notice from Katie that the OCS process was overly punitive,  
4 caused inappropriate distress and an emotional stressor for Katie.

5           366. Defendants had actual notice that the OCA process was draconian and often  
6 implemented disproportionate punishment in comparison with the alleged violation, as with Katie.

7           367. Defendants had actual notice that she was seeing a sports' psychologist for help with  
8 focusing and anxiety.

9           368. Katie gave the sports' psychology department express permission to advise her  
10 athletic trainer of their visits, yet her provider never contacted Katie's athletic trainer, leaving out  
11 a key individual in her treatment and in violation of NCAA Best Practices.

12           369. Defendants had actual notice through its sport's psychology department that Katie  
13 experienced additional anxiety and depressive symptoms concurrently with the distressing OCS  
14 process.

15           370. Defendants had actual notice that Katie was recovering from knee surgery and  
16 unable to play soccer for the first time in her time at Stanford.

17           371. Defendants had actual notice that many of their students were suffering emotional  
18 distress as a result of the pandemic.

19           372. Defendants had actual notice that high-achieving Stanford students, suffered  
20 emotional distress as a result of Stanford's challenging academic and athletic programs, often  
21 leading to mental health treatment (like with Katie), mental health hospitalization, suicide attempts,  
22 and suicidal deaths. The pandemic only added to the stress to these students, including Katie.  
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1           373. There have been several suicides each year at Stanford before Katie's death, and  
2 Stanford was no notice that its CAPS and other mental health services were entirely inadequate  
3 given the needs of its students.

4           374. Defendants negligently, carelessly, recklessly, maliciously, and/or unlawfully  
5 breached their duties of care to Katie in the following ways:

- 6           r. Bringing the OSC charge without doing a proper investigation notably by not taking  
7 any witness statements from individuals favorable to Katie, not doing any follow-  
8 up investigations on ambiguous statements;
- 9           s. Bringing the OSC charge without sufficient evidence;
- 10          t. Bringing the OSC charge despite the football player not wanting to file a charge;
- 11          u. Bringing the OCS charge that presumed guilt, after hours, while Katie was alone in  
12 the dark, with no support available to her;
- 13          v. Bringing the OSC charge with excessive punishments, notably a diploma hold and  
14 threat of removal from Stanford, disproportionate to the alleged charge;
- 15          w. Failing to properly and timely notify Katie of the charge in a manner that would  
16 have prevented her suicide;
- 17          x. Failing to follow Stanford's policies and procedures in the manner in which it  
18 notified Katie;
- 19          y. Failing to inform Katie of the charge in person and with appropriate mental health  
20 counseling and care available for consultation and support;
- 21          z. Failing to provide Katie with accurate and non-misleading information in the charge;
- 22          aa. Failing to implement any system to guarantee that the OSC discipline process treat  
23 its students with emotional distress in a safe way;
- 24          bb. Failing to act reasonably for its students after being on notice that the university's  
25 disciplinary process was too punitive, violated students' constitutional rights and  
26 caused distress;
- 27          cc. Failing to hire, retain, train and supervise individuals in the OCS Office notably  
28 Tiffany Gabrielson and Alyce Haley, who were unfit to perform the work for which  
they were hired, namely implementing the OSC process for someone like Katie and  
charging her, and delivering the information in such a reckless manner, for the  
reasons stated herein;

1 dd. Failing to hire, retain, train and supervise individuals in the Athletic Department  
2 and/or Compliance Services Office, who were unfit to perform the work for which  
3 they were hired, namely applying the NCAA, Pac-12, and/or Stanford bylaws and  
4 rules for the reasons stated herein;

5 ee. Failing to adhere to the NCAA Bylaw 16.4.2 that mandates the Mental Health Best  
6 Practices despite representing to all that it did;

7 ff. Failing to apply the NCAA Bylaw 16.4.2 and each employee at Stanford failed to  
8 adhere to the NCAA Bylaw 16.4.2;

9 gg. Failing to comply with NCAA Bylaw 16.4.2 – namely, Stanford trained its  
10 employees to withhold information on the basis of FERPA and/or HIPAA;

11 hh. Failing to follow through on Stanford's representations to Katie, Steve and Gina  
12 Meyer.

13 375. Stanford knew or should have known that the individuals in the OCS Office notably,  
14 Tiffany Gabrielson and Alyce K. Haley, were unfit to perform the work for which they were hired,  
15 namely implementing the OSC process for someone like Katie for the reasons stated herein.

16 376. Stanford knew or should have known the school was violating NCAA Mental  
17 Health Best Practices.

18 377. Defendant Stanford is also vicariously liable for injuries caused by the negligence  
19 of its employees and/or independent contractors who are acting in the course and scope of their  
20 employment.

21 378. The death of Katie occurred as a direct and proximate cause of Defendants' breaches  
22 of its duty of care by causing Katie's acute stress reaction and uncontrollable impulse to commit  
23 suicide resulting in her tragic and untimely death.

24 379. As a direct and proximate result of the negligent conduct of Defendants, Decedent  
25 Katie was severely injured and impulsively died from those injuries.

26 380. Defendants negligence, misconduct, and malicious actions caused, or were a  
27 substantial contributing factor in causing Katie damage to property and clothing, conscious pain  
28 and suffering before her death, and ultimately her tragic, untimely death.

1 381. Prior to her death, Decedent Katie experienced great pain and suffering causing  
2 shock and injury to her nervous system and she suffered for nearly ten (10) minutes, her great  
3 mental, physical and nervous, strain, pain and suffering prior to her death all to their general  
4 damages in a sum in excess of \$10,000,000, pursuant to California Code of Civil Procedure Section  
5 377.34.

6 382. As the successors in interest/surviving heirs of the deceased, Katie, Plaintiffs are  
7 entitled to recovery for Katie's nearly 10 minutes of pain and suffering, economic losses related to  
8 her property damages Katie suffered during her death, and punitive damages as justified in Code of  
9 Civil Procedure § 377.30, *et seq.*

11 **COUNT III**  
12 **BREACH OF IMPLIED CONTRACT**

13 **(Plaintiff Steven Meyer and Plaintiff Gina Meyer,**  
14 **On Behalf Of Themselves And As Successors In Interest To Decedent Katie Meyer,**  
15 **against All Defendants)**

16 383. Plaintiffs incorporate and re-allege each allegation stated above as if stated fully  
17 herein.

18 384. As a condition of the contracts, Stanford agreed to abide by and implement the  
19 promises set forth in its own constitution and bylaws and comply with the representations made to  
20 them.

21 385. Katie, Steve and Gina entered into various contracts with Stanford and agreed to be  
22 bound by their rules and regulations.

23 386. As a condition of the contract, Stanford agreed to adhere to all NCAA, Pac-12 and  
24 Stanford rules governing intercollegiate athletics.

25 387. Katie indicated her acceptance of the contracts, and fully performed under the  
26 contract, by participating in Stanford's academics and Women's Soccer Program in accordance  
27

1 with Stanford's rules and regulations, and went above and beyond her obligations with her  
2 contributions to Stanford.

3 388. Steve and Gina Meyer accepted the contracts and also fully complied with their  
4 payment obligations and went above and beyond their obligations with their contributions to  
5 Stanford.

6 389. Stanford breached their express and implied contractual duties by failing to ensure  
7 that Katie was provided with a safe environment in which to participate in Women's Soccer and  
8 related activities, and by concealing and/or failing to warn her of the distress related to the OCS  
9 disciplinary processes and/or failing to disclose that Stanford did not adhere to all NCAA, Pac-12  
10 and Stanford rules governing intercollegiate athletics.

12 390. Stanford breached its duty to provide Katie with due process rights through the OCS  
13 process.

14 391. Stanford breached its implied contract to follow OCS policies and procedures, as  
15 Stanford failed to provide Katie with any restorative justice option to amicably resolve the dispute  
16 directly with the Football Player.

18 392. Stanford breached its implied contract to follow OCS policies and procedures, as  
19 Stanford failed to gather exonerating evidence on behalf of Katie in the OCS process.

20 393. Stanford breached its implied contract to follow OCS policies and procedures, as  
21 Stanford charged Katie with a violation of fundamental standards without sufficient evidence.

22 394. Stanford violated its implied contract to follow OCS policies and procedures, when  
23 it presumed that Katie was guilty and not innocent upon charging.

24 395. Stanford's breach caused Katie to suffer an acute stress reaction and uncontrollable  
25 impulse to commit suicide resulting in her tragic and untimely death.

396. As a result of this breach of implied contract, Katie suffered severe emotional distress, pain and suffering, and impulsive suicide, resulting in significant emotional and economic loss.

**COUNT IV**

## BREACH OF CONTRACT – STANFORD VIOLATED ITS OWN POLICIES AND PROCEDURES

**(Plaintiff Steven Meyer and Plaintiff Gina Meyer,  
On Behalf Of Themselves And As Successors In Interest To Decedent Katie Meyer,  
against All Defendants)**

397. Plaintiffs re-allege and incorporate by reference each and every allegation and statement set forth above as if fully set forth herein.

398. When a student attends a college, the colleges publish policies and procedures and representations form a binding contract between the student and the school.

399. Steve and Gina entered into various contracts with Stanford and agreed to be bound by their rules and regulations.

400. Katie, by attending Stanford, entered into various contracts with the University.

401. Katie fully performed under the terms of her contract in that she paid her tuition and abided by Stanford's policies and procedures.

402. Steve and Gina Meyer accepted the contracts and also fully complied with their payment obligations and went above and beyond their obligations with their contributions to Stanford.

403. Stanford breached its contract to follow OCS policies and procedures, as Stanford failed to provide Katie with any restorative justice option to amicably resolve the dispute directly with the Football Player.

404. In spite of this fact, the Office of Campus Standards informed Katie on February 28, 2022 that they would place a hold on her degree, affecting her ability to attend law school in the

1 fall and threatening the remainder of Katie's academic and athletic career at Stanford just 3 months  
2 before graduation.

3 405. This was done despite the fact that the investigation into the incident had not  
4 concluded, no interviews of Katie's witnesses had been conducted, and the witnesses for the  
5 Football Player did not support his version of events.

6 406. Stanford breached its duty to set forth in its OCS policies and procedures to provide  
7 Katie with due process rights through the OCS process.

8 407. Stanford breached its contract to follow OCS policies and procedures, as Stanford  
9 failed to gather exonerating evidence on behalf of Katie in the OCS process.

10 408. Stanford breached its contract to follow OCS policies and procedures, as Stanford  
11 charged Katie with a violation of fundamental standards without sufficient evidence.

12 409. Stanford violated its contract to follow OCS policies and procedures, when it  
13 presumed that Katie was guilty and not innocent upon charging.

14 410. As a result of this breach of contract, Katie suffered an acute stress reaction and  
15 uncontrollable impulse to commit suicide resulting in her tragic and untimely death.

16 411. As a result, the Plaintiffs have suffered extensive emotional and economic loss.

17  
18 **COUNT V**  
19 **VIOLATION OF THE CALIFORNIA EDUCATION CODE SEC. 66270**

20  
21 **(Plaintiff Steven Meyer and Plaintiff Gina Meyer,**  
22 **On Behalf Of Themselves And As Successors In Interest To Decedent Katie Meyer,**  
23 **against All Defendants)**

24 412. Plaintiffs incorporate by reference all paragraphs above as if incorporated fully  
25 herein.

26 413. California Education Code Section 66270 prohibits discrimination on the basis of  
27 gender, gender identity, gender expression, sexual orientation, among others, in any program or  
28

1 activity conducted by any postsecondary educational institution that receives, or benefits from, state  
2 financial assistance or enrolls students who receive state student financial aid.

3 414. California Education Code Section 66292.4 allows Plaintiffs to enforce California  
4 Education Code Section 66270 through a civil action.

5 415. Stanford is a postsecondary educational institution that receives, or benefits from,  
6 state financial assistance and enrolls students who receive state student financial aid.

7 416. Defendants and/or its agents/employees harassed, bullied, and abused Katie, which  
8 was pervasive and/or severe.

9 417. Katie was subjected to discrimination on the basis of gender while attending  
10 Stanford as set forth in the preceding paragraphs, related, in part, to Stanford's discriminatory  
11 applicant of its disciplinary process.

12 418. Plaintiffs claim that Katie was harmed by being subjected to harassment at school  
13 because of her gender when supporting a minor teammate who was allegedly assaulted by a male  
14 Football Player, and Stanford wrongfully pursued Katie and not the Football Player, and Stanford  
15 is responsible for that harm.

16 419. As described more fully above, Katie suffered harassment that was so severe,  
17 pervasive, and offensive that it effectively deprived Katie of the right of equal access to educational  
18 benefits and opportunities, as she was charged over allegations of spilling coffee on a student and  
19 the male Football Player was not charged for alleged sexual assault of a minor Stanford athlete.

20 420. Lisa Caldera, Tiffany Gabrielson, Alyce Haley, Marc Tessier-Lavigne, Susie  
21 Brubaker-Cole, Debra Zumwalt and Stanford (collectively, the "Defendants") had actual  
22 knowledge of the harassment and discrimination and decision to pursue discipline against Katie and  
23 not the Football Player.

421. Defendants acted with deliberate indifference in the face of the knowledge wrongfully disciplined when there was insufficient evidence and denied her education when distressed by the OCS process, which ultimately led to her impulsive death and ceasing of her education altogether.

422. Defendants acted with deliberate indifference as Defendants' response to the harassment was clearly unreasonable in light of all the known circumstances.

423. For these reasons, Stanford's actions and inaction as alleged herein violated the Equity in Higher Education Act, Cal Ed. Code Sec. 66270, which is enforceable through a civil action pursuant to Cal. Ed. Code Sec. 66292.4.

424. The gender discrimination Katie faced at Stanford, when she was denied equal rights and opportunities and subject to emotional harm throughout the OCS process, was a substantial contributing factor causing an acute stress reaction and uncontrollable impulse to commit suicide, resulting in her tragic and untimely death.

425. The foregoing conduct of Defendants individually, or by and through their managing agents, was despicable conduct carried on by the Defendants with a conscious disregard of the rights of Katie or subjected her to cruel and unjust hardship in conscious disregard of Katie's right to be free from bullying, harassment, intimidation, such as to constitute malice or oppression under California Civil Code Section 3294, thereby entitling Plaintiffs to punitive damages in an amount appropriate to punish or make an example of Defendants.

## COUNT VI LOSS OF CONSORTIUM

**(On behalf of Plaintiff Steven Meyer and Plaintiff Gina Meyer, Individually,  
against All Defendants)**

426. Plaintiffs reincorporate and reallege the allegations set forth above as if stated fully herein.



427. As a result of Defendant's actions and inactions, Plaintiffs Steve Meyer and Gina Meyer were harmed by the untimely and premature death of their daughter, Katie Meyer.

428. As a result of Defendant's actions and inactions, Plaintiffs Steve and Gina Meyer have suffered and will experience future suffering of the loss of their daughter Katie Meyer's love, companionship, comfort, care, assistance, protection, affection, society, and moral support.

429. As a result of the loss of consortium alleged herein Plaintiffs Steve Meyer and Gina Meyer seek damages in an amount to be proved at the time of trial.

## COUNT VII

## NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

**(On behalf of Plaintiff Steven Meyer and Plaintiff Gina Meyer, Individually,  
against All Defendants)**

430. Plaintiffs incorporate and re-allege all allegations set forth above as if stated fully herein.

431. Defendants had a duty to promptly return all of Katie's property to Steve and Gina Meyer as executors of her estate.

432. Defendant acted recklessly by failing to provide Steve and Gina Meyer with Katie's student records.

433. Defendant further acted recklessly in sending threatening emails to Steve and Gina Meyer pertaining to their viewing of Katie's documents on her computer despite the fact that the documents became the property of Steve and Gina Meyer following Katie's death, as her successors in interest.

434. Stanford was aware that Stanford's agents and/or employees had returned Katie's property to Steve and Gina Meyer and that, as successors and heirs of Katie's estate, they were the rightful owners of her property at the time that Stanford sent their threatening emails.

435. As a direct result of Defendant's actions and/or failures to act, Steve and Gina Meyer suffered extreme emotional distress, including, but not limited to, pain, anxiety, anger, mental anguish, frustration, and fear.

436. As a direct result of Defendant's actions and the resulting suffering of Steve and Gina Meyer, Plaintiffs have sustained damages in an amount to be proved at trial.

**COUNT VIII**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

**(Plaintiff Steven Meyer and Plaintiff Gina Meyer, As Successors In Interest To Decedent Katie Meyer, against All Defendants)**

437. Plaintiffs incorporate and reallege all of the allegations set forth above as if set forth fully herein.

438. Stanford breached their duty to Katie for the reasons stated herein.

439. Defendants' conduct set out herein intentionally caused, and/or with reckless disregard of the probability of causing distress, caused harm to Katie Meyer.

440. Stanford and its agents and/or employees abused their position of authority towards Katie and engaged in conduct intended to convey a message to Katie that she was powerless to defend her rights in the OCS disciplinary process and powerless to do anything to obtain her diploma in a timely manner.

441. As a result of these actions by Stanford, Katie Meyer did in fact suffer severe emotional distress, which ultimately resulted in her impulsive suicide.

## PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request judgment against Defendants as follows:

(A) ordering injunctive relief, restitution, disgorgement, and/or other appropriate relief;

(B) awarding compensatory, punitive, exemplary, and other recoverable damages;

(C) for loss of society, affection, and companionship, funeral expenses and other losses

1 as allowed under the code for wrongful death;

2 (D) pain and suffering damages for Katie Meyer and punitive damages under the code  
3 for the survivor action;

4 (E) for damages to which the decedent would have been entitled if she had survived;

5 (F) awarding reasonable attorney's fees and expenses;

6 (G) awarding pre-judgment and post-judgment interest; and

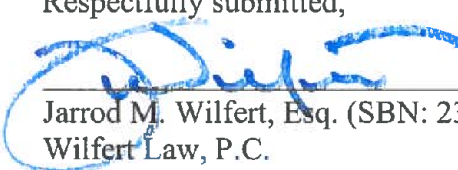
7 (H) awarding such other and further relief as this Court may deem just and proper.  
8  
9

10 **JURY DEMAND**  
11

12 Plaintiffs demand a trial by jury of all issues so triable.  
13

14 Dated: November 23, 2022

Respectfully submitted,

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16   
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13 **ATTORNEYS FOR PLAINTIFFS**

14 *\* To Seek Admission Pro Hac Vice*