

MALAK AFANEH (*pro hac vice forthcoming*)

JENIN YOUNES (*pro hac vice forthcoming*)

AMERICAN-ARAB ANTI-DISCRIMINATION COMMITTEE
910 17th Street Northwest, Suite 400
Washington, DC 20006
Telephone: (202) 244-2990

THOMAS B. HARVEY (SBN 287198)
LAW OFFICES OF THOMAS B. HARVEY
365 E. Avenida De Los Arboles, # 226
Thousand Oaks, CA 91360

BEN GHARAGOZLI
LAW OFFICES OF BEN GHARAGOZLI
7655 Winnetka Avenue, #2010
Winnetka, CA 91306

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

DYLAN KUPSH

Plaintiff and Petitioner,

v.

**REGENTS OF THE UNIVERSITY
OF CALIFORNIA; BENITO NIEVES,**
Interim Director of Student Conduct, in his
individual capacity; **BRYAN MUROTAKE**
in his individual capacity; **JEFF**
CHOBANIAN, Captain of the University of
California Police Department, in his
individual capacity; **and DOES 1-10,**
sued in their individual capacity.

Defendants and Respondents.)

Case No. 26STCP03255

**VERIFIED PETITION
FOR WRIT OF MANDATE
AND COMPLAINT**

[Code Civ. Proc. §§ 1094.5, 1085;
Cal. Civ. Code 52.1 Tom Bane Act;
California Constitution Art. I, § 13, Article
7 § 1; First and Fourteenth Amendments to
the United States Constitution]

DEMAND FOR JURY TRIAL

INTRODUCTION

1. Plaintiff-Petitioner Dylan Kupsh (“Petitioner”) brings this action to challenge Respondents’ unconstitutional, arbitrary, and retaliatory use of the student disciplinary process to punish constitutionally protected political activity.

2. Petitioner is a Ph.D. student in Computer Science at the University of California, Los Angeles, seven years into a doctoral program he was on track to complete within two academic quarters. He brings this action to set aside a two-quarter suspension that Respondents imposed and affirmed on appeal for constitutionally protected political speech, and that now threatens to end his doctorate before it can be completed.

3. Over the past two years, Respondents brought fourteen separate disciplinary charges against Petitioner arising from five incidents connected to his pro-Palestinian campus advocacy.

4. Before a hearing on any of these charges, Respondents imposed an interim suspension on Petitioner without prior notice or opportunity to be heard, resulting in a total campus ban. The interim suspension was imposed without any individualized showing that would justify a departure from bedrock due process protections. Although the terms of the suspension were modified, the interim suspension lasted from June 6, 2025, until March 24, 2026, and remains on Petitioner’s transcript at the time of filing.

5. Prior to the Bruin Walk disciplinary proceeding described below, nearly all of those charges were dismissed for lack of sufficient evidence; the only prior finding of responsibility concerned Petitioner's failure to present a physical BruinCard upon request, a violation that finds no basis in University policy.

1 6. The abovementioned interim suspension alone was more than sufficient
2 punishment for Petitioner.

3 7. The suspension challenged in this Petition rests on the fourteenth charge, a finding
4 that Petitioner violated an obligation similarly appearing nowhere in the text of any University
5 policy: an affirmative duty to reposition himself or his sign whenever an approaching pedestrian
6 wished to pass.
7

8 8. On June 15, 2026, Dean Rush approved a two-quarter suspension recommended by
9 Associate Dean Nieves. Petitioner timely appealed. On July 31, 2026, that appeal was denied. The
10 suspension term (June 22–December 11, 2026) predates the appeal denial and is now effective.
11

12 9. The suspension terminates Petitioner's guaranteed Teaching Assistant appointment
13 for Summer and Fall Quarter 2026, along with the salary, health insurance, and tuition remission
14 that accompany it.

15 10. Petitioner's Teaching Assistant compensation is approximately \$4,828.67 per
16 month. Summer Quarter employment alone is valued at approximately \$10,536. Petitioner will
17 additionally lose healthcare benefits valued at approximately \$2,294 per quarter and tuition
18 benefits valued at approximately \$4,968.02 per quarter.
19

20 11. The suspension also disrupts the two remaining quarters of research Petitioner
21 needs to complete his dissertation, jeopardizes continued funding from his faculty advisor, and
22 places his readmission, which is not guaranteed, in grave doubt. Respondents also continue to
23 withhold the master's degree Petitioner completed and submitted for conferral in December 2024,
24 now more than 550 days ago. Absent judicial intervention, Petitioner faces the imminent and
25 irreparable loss of employment, healthcare, degree conferral, and the doctoral program itself.
26
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1 12. The suspension rests on a single sustained finding from a disciplinary process that
2 otherwise vindicated Petitioner, though it nevertheless caused him cognizable harm, including
3 prolonged interim suspension, exclusion from campus, delay of his master's degree conferral,
4 reputational injury, emotional distress, and the burden of repeatedly defending himself against
5 meritless disciplinary charges.

6
7 13. The single protest-related exception is the finding underlying the suspension
8 challenged here. At a hearing concerning a November 19, 2024 demonstration on Bruin Walk, the
9 Student Conduct Committee panel rejected several of the University's allegations: it found
10 insufficient evidence that Petitioner organized the demonstration or failed to comply with any
11 directive from University officials or police. The panel nevertheless found Petitioner responsible
12 for interfering with the free flow of campus traffic and impeding foot traffic based on its
13 interpretation of video footage depicting Petitioner's individual movements.

14
15 14. Having rejected those charges, the panel nonetheless found Petitioner responsible
16 on a theory that he had an affirmative duty to reposition himself or the sign he was holding
17 whenever an individual approached the demonstration line. This theory of liability was not
18 disclosed to Petitioner in advance of the hearing, depriving him of the opportunity to prepare for
19 his defense; nor does this theory appear elsewhere in the text of any University policy.

20
21 15. The individual for whom Petitioner was found to have an affirmative duty to
22 reposition himself can be seen shoving and body-checking demonstrators, prompting UCPD
23 officers to intervene and order him to leave.

24
25 16. On a theory of liability that exists nowhere in UCLA's code of student conduct and
26 in response to the demands of a student who had contemporaneously assaulted students,
27 Respondents imposed a two-quarter suspension on Petitioner.

1 17. Upon information and belief, UCLA imposed no discipline on the student wrapped
2 in the US flag assaulting Petitioner's friends and fellow students, or the other students engaging in
3 similar conduct.

4 18. Respondents' pursuit of Petitioner did not occur in isolation. It followed the
5 University's crackdown and arrest of pro-Palestine protesters in April and May 2024, the
6 suspension of student protest leaders and organizations, disciplinary process initiated against
7 faculty supporting pro-Palestine protest, an internal UCLA Task Force finding that the
8 administration's response to pro-Palestinian protest activity reflected "militarization of our
9 campus" and "punitive measures" against protected expression, and a pattern in which nearly every
10 charge Respondents brought against Petitioner specifically was ultimately unsupported by the
11 evidence.
12

13
14 19. Respondent's actions mark an unprecedented shift from how both interim
15 suspensions and protest activity have been handled in the past. Respondent's actions constitute a
16 clear violation of its own rules and the minimum standards of due process applicable to public
17 institutions.
18

19 20. Petitioner brings five causes of action. He seeks (1) a writ of administrative
20 mandamus under Code of Civil Procedure § 1094.5 setting aside the November 19, 2024
21 disciplinary finding as unsupported by substantial evidence and based on an interpretation of
22 University policy unmoored from its text; (2) a writ of traditional mandate and/or prohibition under
23 Code of Civil Procedure §§ 1085 and compelling Respondents to follow their own disciplinary
24 procedures and cease disclosing his protected records in violation of FERPA; (3) a claim under
25 Article I, Section 2 of the California Constitution and the First Amendment to the United States
26 Constitution that Respondents targeted Petitioner's pro-Palestinian viewpoint for disciplinary
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1 treatment they did not apply to other speech; (4) a claim under Article I, Section 7 of the California
2 Constitution and the Fourteenth Amendment to the United States Constitutions that Respondents
3 denied Petitioner fair process, before depriving him of his enrollment, employment, and degree;
4 and (5) a claim under the Bane Civil Rights Act, Civil Code § 52.1.

5 21. Petitioner has exhausted his administrative remedies and has no plain, speedy, or
6 adequate remedy at law. He seeks a writ setting aside the suspension, declaratory and injunctive
7 relief, and damages.
8

9 **JURISDICTION AND VENUE**

10 22. This Court has jurisdiction over this action pursuant to Code of Civil Procedure
11 sections 1085 and 1094.5, which authorize this Court to issue writs of mandate and administrative
12 mandamus to review and correct unlawful actions by public entities.
13

14 23. Respondent, the Regents of the University of California, is a public entity organized
15 under the laws of the State of California and is subject to judicial review in this Court.
16

17 24. The acts and omissions complained of herein constitute final administrative actions,
18 including disciplinary determinations and related proceedings, which are subject to review under
19 Code of Civil Procedure § 1094.5.

20 25. This Court also has jurisdiction over Petitioner's claims arising under the California
21 Constitution, including Article I, sections 2 and 7, and under Civil Code section 52.1 (the Bane
22 Act), which provide independent bases for declaratory, injunctive, and monetary relief.
23

24 26. This Court also has jurisdiction over claims arising under the United States
25 Constitution as a court of concurrent jurisdiction.
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27. Venue is proper in this Court pursuant to Code of Civil Procedure § 393 and related provisions because the acts and omissions giving rise to this action occurred in Los Angeles County, including at the University of California, Los Angeles campus.

28. Venue is further proper because Respondents maintain offices and conduct substantial business in Los Angeles County.

PARTIES

29. Petitioner is a 27-year-old graduate student in the Department of Computer Science at the University of California, Los Angeles (“UCLA”). As a Ph.D. student, Petitioner has been engaged in academic research, teaching, and campus life, while also participating in student organizing and advocacy on matters of public concern. Prior to the disciplinary actions and sanctions challenged herein, Petitioner had no previous disciplinary actions filed against him and was actively pursuing his graduate studies and teaching responsibilities.

30. Defendant-Respondent the Regents of the University of California (“Regents”) is a public entity organized under Article IX, section 9 of the California Constitution. The Regents is responsible for the governance, operation, and administration of the University of California system, including UCLA.

31. Defendant-Respondent Benito Nieves (“Nieves”) is, and at all relevant times was, the Interim Director of the UCLA Office of Student Conduct. In addition to overseeing the Office of Student Conduct, Nieves served as the adjudicating Dean in one disciplinary matter involving Petitioner and participated in communications and decisions concerning the disciplinary proceedings described herein. Nieves is sued in his individual capacity.

32. Defendant-Respondent Bryan Murotake (“Murotake”) was at all relevant times employed by the Regents, often as Assistant Dean of Students. Murotake served as the adjudicating

1 Dean in one disciplinary matter involving Petitioner and participated in communications and
2 decisions concerning the disciplinary proceedings described herein. Murotake is sued in his
3 individual capacity.

4 33. Defendant-Respondent Jeff Chobanian (“Chobanian”) is, and at all relevant times
5 was, Captain of the University of California Police Department at UCLA. Chobanian participated
6 in the investigation and reporting of incidents involving Petitioner and, on information and belief,
7 advocated for disciplinary action against Petitioner. Chobanian described Petitioner as a “central
8 figure” and communicated with University officials regarding disciplinary measures. Chobanian
9 is sued in his individual capacity.

10
11 34. Petitioner is unaware of the true names and capacities of Defendants sued herein as
12 DOES 1 through 10, inclusive, and therefore sues these Defendants by such fictitious names.
13 Petitioner will amend this pleading to allege their true names and capacities when ascertained.
14 Petitioner is informed and believes, and based thereon alleges, that each of the fictitiously named
15 Defendants/Respondents is in some manner legally responsible for the occurrences herein alleged
16 and for Petitioner’s damages.

17
18 35. Plaintiff is unaware of the true names of Defendants DOES 1 through 10. Plaintiff
19 sues said defendants by said fictitious names, and will amend this complaint when the true names
20 and capacities are ascertained or when such facts pertaining to liability are ascertained, or as
21 permitted by law or by the Court. Plaintiff is informed and believes that each of the fictitiously
22 named Defendants is in some manner responsible for the events and allegations set forth in this
23 complaint.

24 36. Plaintiff is informed and believes, and based thereon alleges, that each Defendant,
25 including but not limited to Doe Defendants, were the employee, agent, servant, partner,
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beneficiary, trustee, executor, fictitious business name, administrator, member, subsidiary, parent company, holding company, and/or joint venturer of each of the remaining Defendants and were acting within the scope of said employment, agency, trust relationship, beneficiary status, service, partnership, membership, fictitious business name, and/or joint venture. Plaintiff is further informed and believes that each act on the part of each Defendant was substantially ratified by each of the remaining Defendants.

FACTUAL ALLEGATIONS

I. STANDARDS GOVERNING STUDENT SUSPENSIONS AND DISCIPLINARY PROCEEDINGS

37. In *Goss v. Lopez* (1975) 419 U.S. 565, the U.S. Supreme Court held that students facing suspension from a public educational institution are entitled to basic procedural protections before being deprived of their educational interests. Specifically, the Court held that due process requires “oral or written notice of the charges,” “an explanation of the evidence the authorities have,” and “an opportunity to present [the student’s] side of the story.” *Id.* at 581. The Court further explained that “as a general rule notice and hearing should precede removal of the student from school.” *Id.* at 582.

38. Although the Court recognized a limited exception for emergency circumstances, it confined that exception to situations where a student’s presence poses “a continuing danger to persons or property or an ongoing threat of disrupting the academic process.” *Id.* In such circumstances, the required notice and hearing must follow “as soon as practicable.” *Id.*

39. Both the California Constitution and United States Constitution afford robust protection to political speech, expressive activity, and protest at public universities. The U.S. Supreme Court has recognized that “[t]he college classroom with its surrounding environs is

1 peculiarly the 'marketplace of ideas,'" and that state colleges and universities are not "enclaves
2 immune from the sweep of the First Amendment." *Healy v. James* (1972) 408 U.S. 169, 180. The
3 Court has further held that "the mere dissemination of ideas—no matter how offensive to good
4 taste—on a state university campus may not be shut off in the name alone of 'conventions of
5 decency.'" *Papish v. Board of Curators* (1973) 410 U.S. 667, 670. *See also Prigmore v. City of*
6 *Redding* (2012) 211 Cal. App. 4th 1322, 1336 (California's liberty of speech clause "is broader
7 and more protective than the free speech clause of the First Amendment") (quoting *Los Angeles*
8 *Alliance for Survival v. City of Los Angeles* (2000) 22 Cal. 4th 352, 366-367).

10 40. Student protest activity, political advocacy, and association concerning matters of
11 public concern therefore occupy the core of constitutional free-speech protections. *Tinker v. Des*
12 *Moines Independent Community School Dist.* (1969) 393 U.S. 503, 508–509 ("Undifferentiated
13 fear or apprehension of disturbance is not enough to overcome the right to freedom of
14 expression."). Any word spoken, in class, in the lunchroom, or on the campus, that deviates from
15 the views of another person may start an argument or cause a disturbance. But our Constitution
16 says we must take this risk."); *Braxton v. Municipal Court* (1973) 10 Cal.3d 138, 151 ("[T]he
17 statute does not restrict speech upon the ground that such expression might disturb the tranquility
18 of the campus or offend the tastes of school administrators or the public.").

21 41. Moreover, both federal and state due process protections govern Petitioner's
22 claims. In fact, the safeguards afforded by the California Constitution extend beyond federal
23 requirements and include consideration of the individual's "dignitary interest" in being informed
24 of the "nature, grounds and consequences of the action" and afforded an opportunity to present
25 their side of the story before a responsible governmental official. *People v. Ramirez* (1979) 25 Cal.
26 3d 260, 269; *Gray v. Superior Court* (2005) 125 Cal. App. 4th 629, 638.

1 42. California courts have applied these due process principles in the higher-education
2 context. *Doe v. Regents of Univ. of Cal.* (2021) 70 Cal. App. 5th 521, 533. Further, "a university
3 is bound by its own policies and procedures." *Id.*

4 43. The 2021 UCLA Individual Student Conduct Code, which governed Petitioner's
5 disciplinary proceedings, provides that upon imposition of an Interim Suspension, the University
6 must notify the student of "the charges," "the length and conditions of the Interim Suspension,"
7 and "the opportunity for a Hearing ... to challenge the Interim Suspension."¹

8
9 44. UC Policies Applying to Campus Activities, Organizations, and Students
10 ("PACAOS") §107.00 provides that an interim suspension may be imposed, excluding a student
11 from "classes, or other specified areas of campus," before final determination of a student conduct
12 violation, where "there is reasonable cause to believe that the student's participation in University
13 activities or presence at specified areas of the campus" will result in "physical abuse, threats of
14 violence, or conduct that threatens the health or safety of any person on University property or at
15 official University functions, or other disruptive activity *incompatible* with the orderly operation
16 of the campus."² Proceedings concerning an Interim Suspension are separate from the underlying
17 disciplinary proceedings arising from the conduct that gave rise to the Interim Suspension.³
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20 45. The 2021 Individual Student Conduct Code provides that, in the case of an interim
21 suspension, students must be provided with notice of the charges, the duration of the suspension,
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24 ¹ 2021 UCLA Individual Student Conduct Code, § IV.A.2 (Interim
25 Suspension), [https://studentconduct.ucla.edu/2021-individual-student-
26 code#iv_interim_suspension](https://studentconduct.ucla.edu/2021-individual-student-code#iv_interim_suspension).

27 ² PACAOS § 107.00 (emphasis added), <https://policy.ucop.edu/doc/2710530/PACAOS-100>

28 ³ 2021 UCLA Individual Student Conduct Code, §§ IV.A.1, IV.A.3 (Interim
Suspension), [https://studentconduct.ucla.edu/2021-individual-student-
code#iv_interim_suspension](https://studentconduct.ucla.edu/2021-individual-student-code#iv_interim_suspension).

1 and an opportunity for a prompt hearing.⁴ In these hearings, students are permitted to have an
2 “advisor” with them, who may be an attorney, but is not permitted to speak on the student’s behalf.⁵

3 46. Moreover, when an interim suspension is found to have been “unjustifiably”
4 imposed, UC policy states that the University is committed to making “reasonable efforts...to assist
5 an individual who has been disadvantaged with respect to employment or academic status.”⁶

6 47. UCLA's 2021 Individual Student Conduct Code defines “Suspension” as a
7 disciplinary sanction that terminates a student's status for a specified academic term or terms. The
8 Code further provides that suspension is among the sanctions that may be imposed following a
9 Student Conduct Hearing held in accordance with the procedures set forth in the Code, and that
10 students may seek review of adverse disciplinary determinations by submitting a written appeal to
11 the Vice Chancellor for Student Affairs.⁷

12 48. The 2021 Individual Student Conduct Code recognizes that suspension carries
13 significant consequences. During a suspension, a student is not considered to be in good standing,
14 may be prohibited from entering specified areas of the campus, may be prevented from registering
15 or enrolling in courses, and, in the case of graduate students, must apply for readmission before
16 resuming studies.⁸

17 49. The 2021 Individual Student Conduct Code further provides a process for internal
18 appeal of disciplinary determinations. The Code permits appeals based on procedural error, newly
19 discovered information, or the disproportionality of the sanction imposed. Where a student appeals

20 ⁴ *Id.* §§ IV.A.2–3.

21 ⁵ 2021 UCLA Student Conduct Code, § I(A) (Advisor), [https://studentconduct.ucla.edu/2021-](https://studentconduct.ucla.edu/2021-individual-student-code#a_advisor)
22 [individual-student-code#a_advisor](https://studentconduct.ucla.edu/2021-individual-student-code#a_advisor)

23 ⁶ PACAOS §107.00, *supra* n. 2.

24 ⁷ 2021 UCLA Student Conduct Code, §§ III.G.5, III.K.14,
25 III.L, <https://studentconduct.ucla.edu/2021-individual-student-code>.

26 ⁸ *Id.* § III.G.5.

1 a sanction of suspension or dismissal as authorized by the Code, implementation of that sanction
2 is deferred pending resolution of the appeal. ⁹

3 4 **II. BACKGROUND AND PROTEST AT UCLA**

5 50. Students, faculty, and members of the UCLA community have long engaged in
6 organizing and advocacy for Palestinian rights and liberation and in opposition to United States
7 and University of California involvement in and support for Israel's decades-long occupation of
8 Palestinian territory. As Israel's military campaign in Gaza intensified after October 7, 2023,
9 killing at least tens of thousands of Palestinians, injuring many more, and destroying large portions
10 of Gaza, organizing and advocacy at UCLA expanded in scope and took on new urgency.¹⁰

11
12 51. Many students (along with international law experts) viewed Israel's military
13 campaign, including large-scale airstrikes, destruction of civilian infrastructure, and severe
14 restrictions on access to water, food, and electricity, as grave violations of international law
15 constituting genocide and other types of war crimes, particularly given that Gaza had been under
16 siege since 2005 and occupation prior to that. Leading international experts have asserted that
17 Israel's activities in the Gaza Strip amount to genocide against the Palestinian people. *See, e.g.,*
18 U.N. Human Rights Council, *Anatomy of a Genocide*, U.N. Doc. A/HRC/55/73 (Mar. 25,
19 2024); *see also Application of the Convention on the Prevention and Punishment of the Crime of*
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25 ⁹ *Id.* §§ III.J, III.K.14.

26 ¹⁰ According to some estimates, hundreds of thousands of Palestinians were likely killed either as
27 a direct or indirect result of Israel's military action. *See* Francesca Albanese on Gaza, *The*
28 *Shame of Our Time*, UNITED NATIONS: THE QUESTION OF PALESTINE (Sept. 15, 2025),
<https://www.un.org/unispal/document/press-briefing-francesca-albanese-16sep25/> (last visited
Aug. 4, 2026).

1 *Genocide in the Gaza Strip (South Africa v. Israel)*, Provisional Measures, Order of Jan. 26, 2024,
2 I.C.J., ¶¶ 54, 74, 86.

3 52. These events galvanized significant political expression on campus, including
4 demonstrations, teach-ins, and calls for divestment from companies connected to Israeli military
5 operations.

6
7 53. On April 25, 2024, students established an encampment at UCLA akin to those
8 formed at universities around the country for political expression, educational programming, and
9 discussions concerning Gaza and the University's investment practices.¹¹

10 54. Among other objectives, participants called upon the University of California to
11 divest from companies complicit in Israel's military campaign in Gaza. At the time, the University
12 of California's Chief Investment Officer publicly acknowledged that approximately \$32 billion of
13 the University's approximately \$175 billion investment portfolio fell within categories identified
14 by student protesters as the subject of their divestment demands, including investments in weapons
15 manufacturers, Blackstone, BlackRock-managed funds, U.S. Treasury securities, and other
16 companies.¹²
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23 ¹¹ Dylan Winward & Catherine Hamilton, *UCLA Community Organizes Encampment in*
24 *Response to National Call for Escalation*, Daily Bruin (Apr. 25, 2024), [https://www-
old.dailybruin.com/2024/04/25/ucla-community-organizes-encampment-in-response-to-national-
call-for-escalation/](https://www-old.dailybruin.com/2024/04/25/ucla-community-organizes-encampment-in-response-to-national-call-for-escalation/).

25 ¹² Dylan Winward & Sam Mulick, *UC Regents disclose investments in weapons manufacturers*
26 *amid calls to divest*, Daily Bruin (May 14, 2024), [https://dailybruin.com/2024/05/14/uc-regents-
disclose-investments-in-weapons-manufacturers-amid-calls-to-divest](https://dailybruin.com/2024/05/14/uc-regents-disclose-investments-in-weapons-manufacturers-amid-calls-to-divest); Sophie Austin, *University*
27 *of California official says system has \$32 billion in holdings targeted by protesters*, Associated
28 Press (May 15, 2024), [https://apnews.com/article/california-regents-university-divestment-israel-
a10e121cfa68badab77efc65d8ea1925](https://apnews.com/article/california-regents-university-divestment-israel-a10e121cfa68badab77efc65d8ea1925).

1 55. The encampment brought together a diverse cross-section of the UCLA
2 community, including Jewish, Muslim, and other students, and hosted activities such as a Passover
3 Seder, prayers, teach-ins, and other educational programming.

4 56. Students coordinated with university officials within the encampment, emphasizing
5 de-escalation and nonviolence, while much of the broader UCLA community supported them
6 through participation and donations of food and supplies. Chancellor Gene Block acknowledged
7 that “many of the protesters at the encampment remained peaceful,” even as the campus
8 demonstrations continued.¹³

9
10 57. Students participating in the encampment were subjected to escalating harassment
11 by counter-protesters. Some counter-protesters displayed the flag of the Jewish Defense League
12 (“JDL”), an organization associated with a history of violence against Palestinians and Palestinian
13 Americans. Counter-protesters also erected a large jumbotron adjacent to the encampment that
14 remained in place for days, broadcasting graphic and provocative audiovisual content through
15 powerful speakers, including sounds of gunshots and screaming babies, descriptions of sexual
16 violence, and loud music.¹⁴

17
18 58. Tensions continued to escalate over the next several days. On the evening of April
19 30, 2024, and continuing into the early morning hours of May 1, 2024, a large group of counter-
20 protesters launched a coordinated attack on the encampment using physical force and a variety of
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23 ¹³ Chancellor Gene D. Block, *Our Community is in Deep Pain* (May 2, 2024),
24 <https://chancellor.ucla.edu/messages/our-community-is-in-deep-pain>

25 ¹⁴ UCLA Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism, *Second Report of*
26 *the UCLA Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism: The*
27 *Militarization of Campus* 14 (June 28, 2024), [https://uclaracismtaskforce.com/the-militarization-](https://uclaracismtaskforce.com/the-militarization-of-campus/)
28 [of-campus/](https://uclaracismtaskforce.com/the-militarization-of-campus/); Editorial Board, *Editorial: UCLA Is Complicit in Violence Inflicted Upon*
Protesters, Failed to Protect Students, Daily Bruin (May 1,
2024), [https://dailybruin.com/2024/05/01/editorial-ucla-is-complicit-in-violence-inflicted-upon-](https://dailybruin.com/2024/05/01/editorial-ucla-is-complicit-in-violence-inflicted-upon-protesters-failed-to-protect-students)
[protesters-failed-to-protect-students](https://dailybruin.com/2024/05/01/editorial-ucla-is-complicit-in-violence-inflicted-upon-protesters-failed-to-protect-students).

objects, including fireworks, chemical irritants, poles, and other projectiles, against students and others inside the encampment.¹⁵ They repeatedly attempted to breach the encampment's barricades, assaulted participants, and damaged property while many encampment participants attempted to defend themselves and others for several hours.¹⁶

59. Numerous students, faculty members, journalists, and bystanders documented the attack, and videos of the violence were widely disseminated.¹⁷ Despite repeated requests for assistance, UCLA and law enforcement did not promptly intervene to stop the violence.¹⁸ Many participants sustained physical injuries, and the attack generated widespread concern regarding the University's response to the safety of students participating in the encampment.¹⁹ In the aftermath, members of the UCLA community publicly criticized the University's failure to protect students from the prolonged assault.²⁰

¹⁵ UCLA Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism, *Report of Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism* 10–11 (May 13, 2024), <https://uclaracismtaskforce.com/report-1/>.

¹⁶ *Id.*

¹⁷ *Id.*; Maya Vibhakar, *UCLA academic departments release statements condemning handling of encampment*, Daily Bruin (May 4, 2024), <https://dailybruin.com/2024/05/04/ucla-academic-departments-release-statements-condemning-handling-of-encampment/>.

¹⁸ UCLA Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism, *Report of Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism* 11 (May 13, 2024), <https://uclaracismtaskforce.com/report-1/>; Sharla Steinman, *Local and State Officials Condemn Late Response from Law Enforcement at Encampment*, Daily Bruin (May 1, 2024), <https://dailybruin.com/2024/05/01/local-and-state-officials-condemn-late-response-from-law-enforcement-at-encampment> (reporting that violence began around 10:50 p.m. and law enforcement did not intervene until shortly after 2:40 a.m.).

¹⁹ UCLA Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism, *Report of Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism* 10–11 (May 13, 2024), <https://uclaracismtaskforce.com/report-1/>; Maya Vibhakar, *UCLA Academic Departments Release Statements Condemning Handling of Encampment*, Daily Bruin (May 4, 2024), <https://dailybruin.com/2024/05/04/ucla-academic-departments-release-statements-condemning-handling-of-encampment/>.

²⁰ Maya Vibhakar, *UCLA Academic Departments Release Statements Condemning Handling of Encampment*, Daily Bruin (May 4, 2024), <https://dailybruin.com/2024/05/04/ucla-academic-departments-release-statements-condemning-handling-of-encampment/>.

60. On or about May 2, 2024, law enforcement raided the UCLA encampment and arrested more than 200 anti-genocide protesters. None of the mob attackers from April 30, 2024 were arrested.

61. Students continued to organize protests, including on May 6, May 23, and June 10, 2024.²¹ These efforts were consistently met with law enforcement.²²

62. Despite their role in attempting to mitigate harm, faculty members who were merely present during these incidents were later subjected to disciplinary action by the University for expressing a point of view contrary to that apparently held by much of the Administration.

63. Independent findings later corroborated widespread concerns regarding the University's response to these events. In December 2023, Executive Vice Chancellor and Provost Darnell Hunt created the UCLA Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism, comprising the nation's leading scholars on this subject.

64. On June 28, 2024, the Task Force issued its Second Report, which described the University's response as involving the "militarization of our campus," "persistent attacks on students, faculty, and staff for supporting ceasefire, divestment and disclosure," and "punitive measures" against individuals expressing pro-Palestinian views, which the Task Force concluded

²¹ See, e.g., Dylan Winward, *43 Individuals Arrested in Parking Structure 2 Before Pro-Palestine Sit-In, Rally*, Daily Bruin (May 6, 2024), <https://dailybruin.com/2024/05/06/pro-palestine-protesters-detained-by-police-after-calls-for-moore-hall-sit-in>; Dylan Winward & Sharla Steinman, *Pro-Palestine Protesters Set Up Encampment on Kerckhoff Patio*, Daily Bruin (May 23, 2024), <https://dailybruin.com/2024/05/23/pro-palestine-protesters-set-up-encampment-on-kerckhoff-patio>; Dylan Winward, *Pro-Palestine Protesters Set Up 3rd Solidarity Encampment in Dickson Plaza*, Daily Bruin (June 10, 2024), <https://dailybruin.com/2024/06/10/pro-palestine-protesters-set-up-3rd-solidarity-encampment-in-dickson-plaza/>.

²² *Id.*

1 had “made UCLA less safe than ever for Palestinian, Arab, Muslim students and faculty, and for
2 those in solidarity with Palestinians.”²³

3 65. On June 10, 2024, during a peaceful campus demonstration that culminated in the
4 unlawful arrest of Petitioner and other demonstrators near Dodd Hall, demonstrators were
5 confronted by multiple law enforcement agencies, including UCPD and the California Highway
6 Patrol.²⁴ According to the Task Force report, officers “corralled the students and faculty allies”
7 into a confined area, issued a dispersal order that was “impossible to comply with,” and then
8 advanced on the crowd. The report further describes officers “kettl[ing] the students,” using batons
9 against individuals attempting to leave, and deploying rubber bullets, resulting in injuries to
10 multiple students. The report additionally notes that law enforcement “blocked all entrances to
11 Dodd Hall,” preventing access to classrooms and offices, and detained more than twenty students
12 and at least one faculty member inside the building for several hours. Faculty and staff present at
13 the scene were unable to identify a commanding officer during the operation.²⁵

16 66. The Task Force additionally raised due process concerns regarding the University’s
17 disciplinary processes, reporting that the University relied heavily on law-enforcement accounts
18 when pursuing disciplinary and criminal charges and that students were often required to defend
19 themselves without access to complete evidentiary records or other information necessary to
20 prepare an adequate defense.²⁶

23
24 ²³ UCLA Task Force on Anti-Palestinian, Anti-Muslim, and Anti-Arab Racism, *Second Report*
25 *of the UCLA Task Force on Anti-Palestinian, Anti-Muslim and Anti-Arab Racism: The*
26 *Militarization of Campus* 1 (June 28, 2024), [https://uclaracismtaskforce.com/the-militarization-](https://uclaracismtaskforce.com/the-militarization-of-campus/)
27 [of-campus/](https://uclaracismtaskforce.com/the-militarization-of-campus/).

28 ²⁴ *Id.* at 11.

²⁵ *Id.* at 11-12.

²⁶ *Id.* at 13. (questioning “the legitimacy and accuracy of the police reports, which we learned are the sole basis for criminal and disciplinary proceedings” and noting that “students are asked to

1 **III. BRUIN WALK DISCIPLINARY MATTER: 20 MONTHS, THREE CHARGING ATTEMPTS,**
2 **AND CURRENT SUSPENSION**

3 *A. The Protest*

4 67. On November 19, 2024, Petitioner participated in a peaceful demonstration on
5 Bruin Walk on the UCLA campus to call for universities to divest from companies connected to
6 the Israeli military and the war in Gaza.

7 68. Bruin Walk is a central pedestrian corridor on the UCLA campus that is frequently
8 used by students and organizations for expressive activity. Participants engaged in peaceful protest
9 activity, including holding signs, speaking with other students, and gathering along the walkway.

10 69. Petitioner was present as a police liaison. He relayed messages from police to
11 peaceful protesters and from protesters to police and administrators. He neither controlled nor
12 directed the actions of any peaceful demonstrator.

13 70. Petitioner was not an organizer of the demonstration and did not interfere with
14 pedestrian traffic, block any buildings, or otherwise disrupt the flow of traffic.

15 *B. The Video Footage*

16 71. Video from November 19, 2024 shows Petitioner approximately fifteen feet away
17 from the demonstration. Even though Petitioner was not close to the protest, officers falsely
18 asserted that he was personally blocking Bruin Walk. Petitioner possesses a true and correct copy
19 of the video recording and will lodge or otherwise submit it to the Court and Respondents in
20 accordance with the applicable procedures for digital evidence. It will be marked **Exhibit A**.

21
22
23
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25
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27 _____
28 respond only to these charges without having access to eyewitness accounts and other reports
that could provide more context").

1 72. Petitioner immediately challenged that assertion, explaining that he was not
2 obstructing the walkway and repeatedly requesting clarification regarding the specific law or
3 policy he was allegedly violating.

4 73. During the exchange, one officer stated that the group, not Petitioner, was
5 "violating policy" and later referenced "California Code of Regulations 1503," but did not provide
6 a complete citation or otherwise explain the legal basis for the directive.²⁷ (See Ex. A.)

7 74. Throughout the interaction, Petitioner remained cooperative and reiterated that he
8 could relay information to demonstrators but did not control or direct their conduct. (See Ex. A.)
9

10
11 *C. The University's Investigation and Charging Decisions*

12 75. UCPD submitted its account of what they allege occurred that day. Sergeant
13 Anderson states that UCPD representatives spoke with Petitioner during the peaceful protest.
14 Sergeant Anderson reports that Petitioner said he did not organize the protest. Anderson's report
15 makes no allegations of Petitioner misconduct. The UCPD's submission transmitting the Incident
16 Summary to UCLA identified Petitioner as a "known individual with whom we made contact but
17 not necessarily involved in the incident." A true and correct copy of the Incident Summary is
18 attached as **Exhibit C**.
19

20 76. Thirteen months later in a December 19, 2025 supplemental report, a UCPD
21 contractor falsely alleged Petitioner organized the protest. The contractor, William Hodgman,
22
23

24
25 ²⁷ The regulation referenced by the officer does not appear to govern campus demonstrations or
26 pedestrian access. Rather, California Code of Regulations, title 18, section 1503 concerns the
27 sales and use tax treatment of hospitals and medical facilities. *See* Cal. Code Regs. tit. 18, § 1503
28 (governing sales and use taxes applicable to hospitals and other institutions); Cal. Dep't of Tax &
<https://cdtfa.ca.gov/lawguides/vol1/sutr/1503.html> (last visited Aug. 8, 2025).

1 based that characterization on observations that Petitioner spoke with other demonstrators,
2 including individuals wearing safety vests, and communicated with UCPD officers. The
3 supplement did not identify conduct by Petitioner directing or controlling other demonstrators. The
4 video the contractor reviewed was not made available to Petitioner. A true and correct copy of the
5 December 19, 2025 Supplement to Incident Summary is attached hereto as **Exhibit B**.

6
7 77. Although approximately 150 people participated in the November 19, 2024
8 demonstration, UCLA pursued disciplinary charges against Petitioner arising from the
9 demonstration.

10 78. In addition, UCLA relied on a November 20, 2024 complaint submitted by a non-
11 affiliated individual later identified during the disciplinary hearing as "Nicole Lakey." This
12 complaint echoed publicly available media and social media content, including a *Daily*
13 *Bruin* article and Instagram video, and alleged that demonstrators had formed a "picket-line" or
14 "human blockade." A true and correct copy of the Complaint is attached hereto as **Exhibit D**.

15
16 79. During the disciplinary hearing, Assistant Dean Benito Nieves identified the non-
17 affiliated complainant as Nicole Lakey. Nieves further admitted that he did not know whether Ms.
18 Lakey was, in fact, a real person. A true and correct copy of the Student Conduct Committee
19 Hearing Report is attached hereto as **Exhibit E**.

20
21 80. On February 6, 2025, Assistant Dean Bryan Murotake issued a Notice of Alleged
22 Violation charging Petitioner based in part on the November 19, 2024 demonstration. The same
23 Notice also included allegations made by another UCLA student, Nina Gilshteyn, concerning a
24 separate incident involving different alleged conduct on a different day.

25
26 81. By combining allegations arising from distinct incidents and complainants in a
27 single notice, the Notice failed to clearly identify which factual allegations supported each charge
28

1 against Petitioner. Petitioner repeatedly sought clarification regarding the allegations and their
2 respective bases, and the University subsequently reissued the Notice. Because the Notice
3 combined allegations concerning both complainants, Petitioner repeatedly sought clarification
4 regarding the charges against him. A true and correct copy of the February 6, 2025 Notice of
5 Alleged Violation is attached hereto as **Exhibit F**.

6
7 82. During the student conduct process, Petitioner informed Murotake that one of the
8 University's principal charges relied on a policy that did not exist at the time of the alleged June
9 10, 2024 conduct. Murotake acknowledged the issue during the meeting and later confirmed by
10 email that the policy cited was not in effect at the time of the incident. Instead of dismissing the
11 charges, the University committed to issuing an updated Notice Letter citing a different policy. A
12 true and correct copy of the meeting notes and follow-up email are attached hereto as **Exhibit G**.

13
14 83. On April 28, 2025, Murotake issued an Amended Notice of Alleged
15 Violation revising the charges against Petitioner to reflect a different University policy. The
16 Amended Notice alleged that Petitioner violated Section 102.07 of the UCLA Student Conduct
17 Code. A true and correct copy of the Amended Notice of Alleged Violation is attached hereto as
18 **Exhibit H**.

19
20 84. Following the issuance of the amended Notice of Alleged Violation, Petitioner
21 continued to meet and correspond with Murotake regarding the allegations. Throughout May and
22 June 2025, Petitioner repeatedly sought to ensure that the investigative record accurately reflected
23 their meetings, requested corrections to meeting notes that contained material additions and
24 omissions, and objected to the University's reliance on inaccurate or incomplete documentation.
25 Despite agreeing that Petitioner could review and revise the meeting notes for accuracy, Murotake
26 repeatedly delayed finalizing the notes while continuing to advance the disciplinary process.
27
28

1 85. During this period, Murotake also cancelled a scheduled meeting with Petitioner on
2 short notice and later informed Petitioner that he intended to continue reviewing the matter and
3 could refer it to the Student Conduct Committee without first rescheduling the cancelled meeting.
4 Petitioner questioned the University's authority to refer the case before affording him the
5 opportunity to complete the meeting and fully respond to the allegations, and repeatedly requested
6 that the meeting be rescheduled.
7

8 86. On June 20, 2025, the Office of Student Conduct notified Petitioner that his case
9 had been referred to the Student Conduct Committee for a hearing pursuant to Section III.E.3 of
10 the 2021 UCLA Student Conduct Code. A true and correct copy of the June 20, 2025 Notice
11 referring Petitioner's case to the Student Conduct Committee is attached hereto as **Exhibit I**.
12

13 87. The referral process was accompanied by administrative errors. In one email
14 transmitting the referral information, Murotake mistakenly addressed Petitioner as another student
15 ("Hello Hannah") before acknowledging that the error resulted from drafting Petitioner's email
16 over another student's draft correspondence. Petitioner thereafter expressed concern regarding the
17 confidentiality of the student conduct process and objected that the hearing packet Murotake
18 prepared contained altered emails and meeting notes that did not accurately reflect the parties'
19 discussions. A true and correct copy of the June 20, 2025 correspondence is attached hereto
20 as **Exhibit J**.
21

22 88. Throughout the disciplinary proceedings, Petitioner repeatedly objected that the
23 allegations against him relied on generalized descriptions of group activity rather than
24 individualized evidence of his own misconduct. Specifically, the UCPD report and the complaint
25 submitted by the non-affiliate relied on Petitioner's presence at the demonstration and his
26
27
28

perceived association with other participants without identifying specific conduct by Petitioner that constituted a policy violation.

89. On or about March 26, 2026, Murotake left UCLA. Associate Dean Benito Nieves assumed responsibility for Petitioner's student conduct matter and undertook preparation of the University's case for hearing. On April 6, 2026, Nieves amended the Notice of Charges to add new allegations and additional prohibited-behavior provisions based on the same November 19, 2024 incident and underlying conduct previously charged. A true and correct copy of the Amended Notice Letter, together with Nieves' March 26, 2026 email reflecting that he had assumed responsibility for Petitioner's case after Murotake's departure, is attached hereto as **Exhibit K**.

90. On April 6, 2026, Hodgman prepared a Second Supplement to Incident Summary concerning the November 19, 2024 demonstration. The supplemental report asserted, among other things, that Petitioner pointed toward nearby bushes after speaking with two individuals seeking passage and later moved a sign "in front of two female individuals" who had approached the protest line. These later interpretations further expanded Hodgman's characterization of Petitioner's conduct and stood in marked contrast to the original UCPD submission, which identified Petitioner only as a "known individual with whom we made contact but not necessarily involved in the incident." A true and correct copy of the Second Supplement to Incident Summary is attached hereto as **Exhibit L**.

91. On April 20, 2026, the Office of Student Conduct required Petitioner to attend a meeting to review a five-minute video excerpt after informing him that it could not be provided electronically. During that meeting, Associate Dean Nieves disclosed that the video had been provided by UCPD Captain Scott Scheffler, marking the first time Petitioner learned that the

University intended to rely on previously undisclosed UCPD video evidence at the hearing. (See Ex. E.)

92. Although UCLA intended to rely on the recording at the hearing, Petitioner was not provided a copy so that he could adequately prepare his defense. He was permitted to view it only in Nieves' presence. When Petitioner requested the recording or the university policy prohibiting its disclosure, Nieves refused, citing only vague concerns about FERPA.

The Hearing

93. On April 23, May 5, and May 20, 2026, UCLA convened a three-member Student Conduct Committee Hearing Panel regarding the allegations arising from the November 19, 2024 demonstration on Bruin Walk. Nieves presented the University's case, and the panel heard testimony from Hodgman, multiple UCLA faculty members, undergraduate and graduate student witnesses, UCLA alumna, and Petitioner. (See Ex. E.)

94. UCLA alleged without evidence that Petitioner participated in a "human blockade," blocked pedestrian traffic, physically obstructed individuals attempting to pass through the area, failed to comply with directions from University officials, and acted as an organizer of the demonstration. (See Ex. E.)

95. The University presented the untested statements of Miller that Petitioner was "blocking others from getting by" and that Petitioner "mirrored" or repositioned himself in response to an individual's attempt to move through a line of demonstrators. (See Ex. E.)

96. During his presentation, Nieves showed edited video footage submitted by a non-affiliate purporting to show Petitioner violating Interim Policy 850 and 852.

97. Petitioner was provided only an edited version of the video before the hearing, and the creator of said video was not presented for questioning during the hearing itself. (See Ex. E.)

1 98. The panel additionally reviewed video footage provided by UCPD depicting
2 Petitioner holding or standing near a sign structure during the demonstration. (See Ex. E.)

3 99. During the hearing, Dean Nieves himself repeatedly acknowledged that the
4 University's allegation was based on his own interpretation of ambiguous footage, from which he
5 concluded Petitioner was "mirroring" another individual's movements, rather than the text of the
6 code of conduct. (See Ex. E.)

7
8 100. At no point prior to the May 20, 2026 hearing session did Respondents' charging
9 documents, including the April 28, 2025 Amended Notice of Alleged Violation (Ex. H) and the
10 April 6, 2026 Amended Notice of Charges (Ex. K), reference any theory that Petitioner had an
11 affirmative duty to reposition himself or his sign in response to an approaching individual.
12

13 101. Petitioner first learned of this theory when Nieves presented and characterized the
14 video evidence during his case-in-chief at the hearing. Had this theory been disclosed to Petitioner
15 in the charging documents, Petitioner would have specifically prepared and presented evidence
16 and argument addressed to it, including: (a) evidence and testimony establishing that the individual
17 whose movements the panel relied upon was not a pedestrian seeking passage but an individual
18 who can be seen on Petitioner's own video shoving and body-checking demonstrators, prompting
19 UCPD intervention; (b) argument, made directly to the panel in the first instance, that no provision
20 of Policy 850 or Policy 852 imposes a duty to reposition oneself or one's expressive materials; and
21 (c) evidence and argument directly challenging Nieves' characterization of the footage as depicting
22 Petitioner "mirroring" another individual's movements, rather than merely holding a stationary,
23 lawful position on a public walkway.
24
25

26 102. The evidence Petitioner presented sharply contradicted the University's
27 characterization of Petitioner's conduct. Multiple witnesses attested that Petitioner was not an
28

organizer of the November 19, 2024, demonstration, did not exercise authority over demonstrators, did not direct participants where to stand or move, did not control the actions of protesters, and was not responsible for compliance decisions made by others attending the event. (See Ex. E.)

103. At the hearing, current and former faculty, UCLA undergraduate students, graduate students, and other witnesses testified that the November 19 demonstration consisted of reading the names of Palestinians killed in Gaza and a picket line on Bruin Walk. (See Ex. E.)

104. A Professor testified that Petitioner served solely as a liaison between demonstrators and University officials and police, conveying information between the parties. That Professor testified that she remained near Petitioner throughout the demonstration and never observed him block anyone's path, impede any University official, link arms, represent himself as an organizer, or violate the Student Conduct Code. She further testified that demonstrators left space for pedestrians to walk around the picket line, including through Ackerman Union or around the line on Bruin Walk, and that many pedestrians successfully used those alternative routes. (See Ex. E.)

105. Another faculty member testified that he observed Petitioner for nearly the entire demonstration and never saw him obstruct anyone, direct others to obstruct pedestrian traffic, participate in the picket line, or serve as a protest organizer. Instead, Petitioner acted as a liaison between student demonstrators and University officials, relaying messages between the parties. The professor further testified that pedestrians retained access through Ackerman Union and around Bruin Walk, that Student Affairs personnel themselves directed pedestrians around the picket line, and that Petitioner neither blocked nor directed pedestrians attempting to use those alternative routes. He also testified that UCPD issued no dispersal order and that Petitioner

1 complied with University officials while carrying messages between administrators and
2 demonstrators. (See Ex. E.)

3 106. A former UCLA Assistant Adjunct Professor testified that he observed Petitioner
4 throughout the demonstration acting as a liaison with police, communicating messages to
5 demonstrators. The Professor testified that he never observed Petitioner block access to any
6 individual, direct demonstrators, participate in linking arms, create a human blockade, disobey
7 University officials, or act as an organizer. (See Ex. E.)
8

9 107. UCLA undergraduate student witnesses testified that Petitioner spent the
10 demonstration relaying messages between University officials and demonstrators rather than
11 participating in the picket line. They testified that Petitioner did not link arms, block pedestrian
12 access, create a human blockade, or direct demonstrators. Instead, they observed Petitioner
13 explaining alternative routes around the demonstration, helping pedestrians reach their
14 destinations, communicating University messages to demonstrators, and attempting to de-escalate
15 interactions with counter-protesters. (See Ex. E.)
16
17

18 108. In all, the witnesses consistently testified that Petitioner was not part of the line of
19 demonstrators and instead remained off to the side serving as a liaison between protesters,
20 University officials, and law enforcement. They further testified that alternative routes remained
21 available for pedestrians, that individuals approaching the line were informed of the purpose of the
22 demonstration and could proceed around it, and that demonstrators linked arms only after counter-
23 protesters repeatedly pushed into and harassed participants. The witnesses likewise testified that
24 Petitioner consistently sought to de-escalate tensions, was repeatedly subjected to harassment and
25 threats from counter-protesters, and did not obstruct pedestrian traffic or direct the picket line. (See
26 Ex. E.)
27
28

1 109. Actual event organizers testified regarding their own roles and disputed assertions
2 that Petitioner exercised organizational authority over the demonstration. (See Ex. E.)

3 110. Petitioner also presented the testimony of witnesses who testified that Student
4 Affairs personnel and UCPD officers routinely communicated through Petitioner and requested
5 that he relay messages to demonstrators throughout the course of the event. UCLA nevertheless
6 continued to characterize Petitioner as an organizer based principally on statements by Director
7 Hodgman describing Petitioner as an "apparent organizer" or "organizer." (See Ex. E.)

8
9 111. In the hearing, Petitioner was unable to cross-examine University witnesses,
10 including the non-affiliate and Student Affairs Mitigator Chett Miller, who did not appear at the
11 hearing. (See Ex. E.)

12
13 112. As a result, Petitioner was denied any meaningful opportunity to confront or cross-
14 examine those witnesses despite the University's reliance on their allegations in finding him
15 responsible. (See Ex. E.)

16 113. The panel heard testimony concerning allegations that Petitioner had failed to
17 comply with directives from University officials. (See Ex. E.)
18

19 *D. The Findings*
20

21 114. After considering the testimony and documentary evidence, the panel concluded
22 that there was insufficient evidence to establish a violation of UCLA Student Conduct Code
23 Section 102.16 (Failure to Comply) and rejected the University's contention that Petitioner was an
24 organizer of the November 19, 2024 demonstration. (See Ex. E.)
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1 115. The panel further found insufficient evidence that Petitioner violated provisions of
2 UCLA Interim Policy 860 applicable to event organizers—since he was not an organizer. (See Ex.
3 E.)

4 116. The panel additionally found insufficient evidence to support allegations that
5 Petitioner lingered on University property for the purpose of committing a crime, noting that
6 UCPD neither arrested Petitioner nor issued a citation based upon the conduct underlying the
7 allegation which seemed unlikely if they genuinely believed he was committing a criminal offense.
8 (See Ex. E.)

9
10 117. The panel did not find that Petitioner physically blocked all available paths of
11 travel, prevented any individual from walking around the demonstration, or failed to comply with
12 instructions from University officials or law enforcement. (See Ex. E.)

13
14 118. The panel found no evidentiary support for the allegation Petitioner was responsible
15 for the conduct of the peaceful demonstrators. (See Ex. E.)

16 119. Although the panel rejected significant portions of the University's case, it
17 ultimately concluded that Petitioner violated § 102.07 of the 2021 UCLA Student Conduct Code
18 by violating UCLA Interim Policy 850, which prohibits individuals from "block[ing] entrances to
19 or otherwise interfer[ing] with the free flow of campus traffic (pedestrian or vehicular) into and
20 out of campus facilities, or along walkways or roadways," and UCLA Interim Policy 852, which
21 prohibits individuals from "imped[ing] or disrupt[ing] foot and vehicular traffic," respectively.²⁸
22 (See Ex. E.)
23
24

25
26 ²⁸ See 2021 UCLA Student Conduct Code § 102.07 (Violations of University
27 Policy), <https://studentconduct.ucla.edu/2021-individual-student-code>; UCLA Interim Policy
28 850: General Use of UCLA Property § IV.A.1 (Sept. 4,
2024), <https://www.adminpolicies.ucla.edu/APP/Number/850.0>; UCLA Interim Policy 852:

1 120. This conclusion was based in significant part on Nieves’s extratextual interpretation
2 of Policies 850 and 852 claiming Petitioner failed to meet his affirmative obligation to reposition
3 himself or the sign he was holding to accommodate an approaching pedestrian. Rooted in Nieves’
4 “mirroring” theory, the panel found Petitioner in violation of a nonexistent UCLA policy requiring
5 students engaged in expressive activity to alter their position whenever an approaching individual
6 wished to move through a particular location. (See Ex. E.)
7

8 121. The panel did not identify, nor could it identify, any written University policy
9 imposing such an affirmative obligation because such a policy does not exist. (See Ex. E.)
10

11 122. Rather, both clauses of Section 850 are framed in terms of effects on traffic flow
12 generally, not an individual's failure to accommodate a specific approaching person. The seeming
13 catchall "otherwise interfere with the free flow" must be read as consistent with "block entrances"
14 i.e., conduct that actually impedes movement, not a static position that inconveniences one
15 pedestrian. Policy 850 nowhere imposes an affirmative duty to reposition oneself or one's
16 expressive materials.
17

18 123. Similarly, Policy 852 prohibits "imped[ing] or disrupt[ing] foot and vehicular
19 traffic," and separately prohibits "obstructing, disrupting, or otherwise interfering with the
20 instructional, research, or administrative operations of the University, or any other person having
21 lawful business with the University." Policy 852 also provides that "unrestricted access to and exit
22 from classrooms, laboratories, parking structures, offices, and buildings must be provided at all
23 times."
24

25
26
27
28 Public Expression Activities § IV.A.3.a (Sept. 4,
2024), <https://www.adminpolicies.ucla.edu/APP/Number/852.0>.

1 124. The panel made no finding that Petitioner obstructed access to or exit from any
2 building, classroom, or other enumerated facility; its finding concerned only Petitioner's
3 positioning relative to an individual walking along an outdoor path. Policy 852's sole affirmative-
4 duty clause is therefore inapplicable on the panel's own findings, and the remaining prohibitions
5 in both Policy 850 and Policy 852 are framed exclusively in terms of prohibited effects on traffic
6 flow and University operations, not an individual's failure to yield to an approaching person.
7

8 125. Nieves recommended that Petitioner be suspended for two academic quarters, from
9 June 22, 2026, through December 11, 2026, encompassing both Summer Quarter 2026 and Fall
10 Quarter 2026. (See Ex. E.)
11

12 126. On June 15, 2026, Dean of Students Jasmine Rush issued a final disciplinary
13 decision adopting the Student Conduct Committee Hearing Panel's findings and recommended
14 sanction and imposing a two-quarter suspension, from June 22, 2026, through December 11,
15 2026. A true and correct copy of Dean Rush's June 15, 2026, Final Decision is attached hereto as
16 **Exhibit M.**
17

18 127. At the time the recommended suspension was approved, Petitioner had already
19 been excluded from campus for approximately 291 days pursuant to the interim suspension.
20

21 128. Similarly, 550 days had passed during which Petitioner was unable to obtain
22 conferral of his master's degree because of the pending disciplinary proceedings.
23

24 129. On July 10, 2026, Petitioner timely appealed the disciplinary findings and
25 recommended suspension to Gorden pursuant to the UCLA Individual Student Conduct Code. In
26 his appeal, Petitioner identified numerous procedural, evidentiary, and constitutional errors in the
27 disciplinary proceedings and requested that the disciplinary findings and recommended suspension
28

1 be reversed. A true and correct copy of Petitioner's Administrative Appeal is attached hereto as
2 **Exhibit N.**

3 130. Petitioner's appeal was denied on July 31, 2026, resulting in a two-quarter
4 suspension that deprives him of employment, funding, healthcare benefits, academic progress,
5 degree conferral, and continued enrollment at UCLA. A true and correct copy of Gorden's July
6 31, 2026, appeal decision is attached hereto as **Exhibit O.**

8 131. The 2021 UCLA Student Conduct Code provides that, in determining an
9 appropriate sanction, the Dean should consider the "context and seriousness of the violation." The
10 Code, however, does not prescribe standards for determining the length of a suspension beyond
11 those general considerations. Upon information and belief, however, UCLA maintained no
12 additional guidelines governing how those factors should be applied in determining the length of
13 a suspension.²⁹

15 132. Following implementation of the suspension, Respondents began terminating
16 Petitioner's University employment and access notwithstanding his existing Teaching Assistant
17 appointment for Summer Quarter 2026. On or about August 15, 2026, Petitioner
18 contacted UCPath, the University of California system that administers employee payroll and
19 employment records, and was informed that his employment status reflected that he had been
20 "separated" from the University effective August 15, 2026. Shortly thereafter, Petitioner lost
21 access to UCLA's Slack system.
22
23
24
25

26 ²⁹ See 2021 UCLA Student Conduct Code § III.G (Sanctions and Additional University
27 Actions), [https://studentconduct.ucla.edu/2021-individual-student-](https://studentconduct.ucla.edu/2021-individual-student-code#g_sanctions_and_additional_university_actions)
28 [code#g_sanctions_and_additional_university_actions](https://studentconduct.ucla.edu/2021-individual-student-code#g_sanctions_and_additional_university_actions) (providing that the Dean "will consider the
context and seriousness of the violation" in determining the appropriate sanction, but not
prescribing specific standards for determining the length of a suspension).

1 133. At the time University records reflected his separation, however, Petitioner's
2 Summer Quarter Teaching Assistant appointment had not yet expired, and Petitioner continued to
3 have assigned employment duties through approximately August 21, 2026. No one in Petitioner's
4 department had informed him that his appointment had been terminated, instructed him to cease
5 performing his duties, or otherwise explained his employment status.
6

7 134. Petitioner received a lump-sum payment on or about August 5, 2026 associated
8 with his Summer Quarter Teaching Assistant appointment. As of the filing of this Petition,
9 Respondents have not informed Petitioner whether his separation will affect that payment or any
10 remaining compensation and benefits associated with his Summer Quarter appointment.
11

12 135. Petitioner also has a guaranteed Teaching Assistant appointment for Fall Quarter
13 2026. Under the 2021 UCLA Student Conduct Code, implementation of the recommended
14 suspension automatically terminates Petitioner's Teaching Assistant appointment.³⁰
15

16 136. The loss of employment deprives Petitioner of substantial compensation and
17 benefits, including salary, healthcare coverage, tuition remission, and other benefits associated
18 with graduate student employment.

19 137. Petitioner's Teaching Assistant compensation is approximately \$4,828.67 per
20 month. Summer Quarter employment alone is valued at approximately \$10,536. Petitioner has lost
21 healthcare benefits valued at approximately \$2,294 per quarter and tuition benefits valued at
22 approximately \$4,968.02 per quarter.
23
24

25 ³⁰ 2021 UCLA Student Conduct Code § III.G.5 (2021), [https://studentconduct.ucla.edu/2021-](https://studentconduct.ucla.edu/2021-individual-student-code#g_sanctions_and_additional_university_actions)
26 [individual-student-code#g_sanctions_and_additional_university_actions](https://studentconduct.ucla.edu/2021-individual-student-code#g_sanctions_and_additional_university_actions); UCLA Division of
27 Graduate Education, *Working at UCLA*, [https://grad.ucla.edu/funding/working-at-](https://grad.ucla.edu/funding/working-at-ucla/)
28 [ucla/](https://grad.ucla.edu/funding/working-at-ucla/) (providing that Academic Apprentice Personnel, including Teaching Assistants, must be
registered and enrolled in at least 12 units continuously during the term of appointment).

1 138. The suspension also threatens Petitioner’s ability to complete his doctoral degree.
2 Petitioner anticipated requiring approximately two additional academic quarters to complete the
3 research and writing necessary to obtain his Ph.D. and had planned to graduate during Fall 2026,
4 or Winter 2027 at the latest.

5 139. Petitioner’s doctoral studies depend heavily upon continued funding. For the
6 previous two academic years, Petitioner relied primarily on departmental Teaching Assistant
7 appointments to finance his graduate studies. Recent departmental funding changes have made
8 continued financial support increasingly dependent upon faculty advisor funding decisions.

9 140. Petitioner has submitted and successfully passed his oral qualifying examinations
10 and developed a timeline for completion of the dissertation work necessary to complete his
11 doctoral program. The recommended suspension has already substantially disrupted that timeline
12 and continues to jeopardize Petitioner’s ability to graduate as planned.

13 141. Following imposition of the suspension, UCLA placed additional holds on
14 Petitioner’s student account that prevent him from enrolling, receiving grades or a diploma,
15 obtaining transcripts, and accessing campus services. The holds also restrict fee assessment and
16 financial aid. As a result, Petitioner is presently unable to obtain an official transcript reflecting
17 coursework and grades he completed before the suspension.

18 142. Because of the loss of employment and funding, Petitioner reasonably believes that
19 he may be forced to withdraw from the University entirely, forfeiting years of doctoral study after
20 successfully completing his oral qualifying examinations, advancing to the dissertation stage, and
21 investing substantial time, money, and effort toward completing a Ph.D. that he expected to finish
22 within approximately two academic quarters.

1 143. The suspension will also further delay conferral of Petitioner's master's degree, the
2 requirements of which he fulfilled in December of 2024. Nevertheless, because of the pending
3 Student Conduct matters, Petitioner has been unable to obtain conferral of the degree, harming his
4 professional and employment prospects.

5 144. Petitioner is further informed and believes that any degree ultimately conferred may
6 reflect the existence of the disciplinary suspension on associated academic records, which will
7 jeopardize his future prospects.
8

9 145. Under UCLA graduate education policies, following the lifting of a suspension, a
10 graduate student who wishes to resume graduate study at UCLA must apply for readmission
11 through the Division of Graduate Education's online application.³¹
12

13 146. Readmission following suspension is not guaranteed. UCLA requires returning
14 graduate students to file an Application for Graduate Admission, and UCLA's graduate admission
15 policies provide that meeting minimum requirements does not ensure admission, which is limited
16 by the number of available places and student support and is based on applicants' scholastic
17 qualifications and preparation for their graduate field of study.³²
18
19
20

21 ³¹ UCLA Division of Graduate Education, *Standards and Procedures for Graduate Study at*
22 *UCLA* (2025), "Readmission," p. 43 ("Following the lifting of suspension, if students wish to
23 resume their graduate study at UCLA, students must apply for readmission through the Graduate
24 Division's online application.")

25 ³² UCLA General Catalog, *Graduate Admission—Admission*
26 *Policies*, [https://catalog.registrar.ucla.edu/Graduate-Study/Graduate-Admission/Admission-](https://catalog.registrar.ucla.edu/Graduate-Study/Graduate-Admission/Admission-Policies)
27 [Policies](https://catalog.registrar.ucla.edu/Graduate-Study/Graduate-Admission/Admission-Policies) (providing that graduate students returning after an absence, except a formal leave of
28 absence, must file an Application for Graduate Admission); UCLA General Catalog, *Graduate*
Admission, <https://catalog.registrar.ucla.edu/Graduate-Study/Graduate-Admission> (providing that
meeting minimum requirements does not ensure graduate admission, which is limited by the
number of places and amount of student support available, and that applicants are evaluated on
scholastic qualifications and preparation for the graduate field of study).

1 147. Petitioner has been informed by department personnel that the off-cycle admissions
2 are generally not feasible and that any readmission application may require waiting until a
3 subsequent admissions cycle. In addition, Petitioner has been informed that his faculty advisor
4 cannot financially support his doctoral research beyond the current academic year. Because
5 readmission is contingent upon available funding and is not guaranteed, Petitioner faces a
6 substantial risk that the recommended suspension will effectively terminate, rather than merely
7 interrupt, his doctoral studies at UCLA.
8

9 148. Petitioner faces immediate and irreparable harm absent judicial intervention as a
10 result of Respondent's actions.
11

12 **IV. UCLA'S HISTORY OF ATTACKS ON PETITIONER**

13

14 *A. Respondents Suspend Petitioner With No Notice, No Opportunity to be Heard, and* 15 *Impose Sweeping Campus Ban*

16 149. On June 6, 2025, the Office of Student Conduct imposed an interim suspension and
17 exclusion order barring Petitioner from campus pending resolution of the disciplinary matters
18 described below.
19

20 150. The sweeping suspension prohibited Petitioner from attending classes, entering
21 University property, and participating in University activities. A true and correct copy of the June
22 6, 2025, Notice of Student Conduct Matter & Interim Suspension and Exclusion is attached hereto
23 as **Exhibit U**.
24

25 151. Respondent imposed the June 6, 2025 interim suspension and total campus ban
26 without providing Petitioner advance notice of the specific evidence relied upon or any opportunity
27
28

1 to respond before the suspension took effect. Petitioner received no communication indicating that
2 an interim suspension was under consideration prior to receiving the June 6, 2025 Notice itself.

3 152. The Notice took effect immediately upon issuance, barring Petitioner from campus,
4 University facilities, and University activities before he had any opportunity to review the evidence
5 against him or to be heard.
6

7 153. The June 6, 2025 Notice did not identify any specific act of violence, threat, or
8 safety risk attributable to Petitioner.

9 154. As detailed below, none of these hearings, at any point before or after the interim
10 suspension issued, resulted in a finding that Petitioner engaged in violence, physical altercation,
11 or conduct threatening the health or safety of any person, as required to support an interim
12 suspension under PACAOS § 107.00. No such allegation was even made.
13

14 155. Instead, Respondents singled out Petitioner, targeting him for suspension. Internal
15 communications obtained through record requests reveal that Murotake discussed imposing an
16 interim suspension on Petitioner in connection with the February 18, 2025, demonstration, but
17 senior administrators ultimately decided not to pursue such measures at that time.
18

19 156. On May 16, 2025, Chobanian, Lurie, and Murotake all requested that Petitioner be
20 suspended within hours of one another. A true and correct copy of internal University email
21 communications dated May 16 through May 23, 2025, reflecting discussions among University
22 administrators regarding disciplinary proceedings and Petitioner's interim suspension, is attached
23 hereto as **Exhibit T**.
24

25 157. Lurie emailed Rush and Gorden suggesting that a narrative from UCPD could help
26 imposing an interim suspension on Petitioner. In response, University officials acknowledged that
27
28

1 they were already discussing Petitioner with the Office of Student Conduct and began considering
2 interim suspension measures. (See Ex. T.)

3 158. UCPD officer Chobanian subsequently urged the Office of Student Conduct to
4 initiate disciplinary proceedings against Petitioner, falsely characterizing him as "a known
5 organizer and public face of" Students for Justice in Palestine (SJP), claiming without evidence
6 that he "regularly organizes unauthorized events and demonstrations" and attributing to Petitioner
7 the impact Chobanian alleges peaceful protest had on the campus as a whole. (Ex. T)
8

9 159. Chobanian further characterized Petitioner as having engaged in "repeated
10 violations of university policy" that "disrupt the campus community and create environments of
11 disruption, intimidation, and disorder." At the time Chobanian made these statements, none of the
12 disciplinary matters then pending against Petitioner had yet been adjudicated, and each was later
13 resolved with a finding of no responsibility besides the failure to present ID and the Bruin Walk
14 novel theory.
15

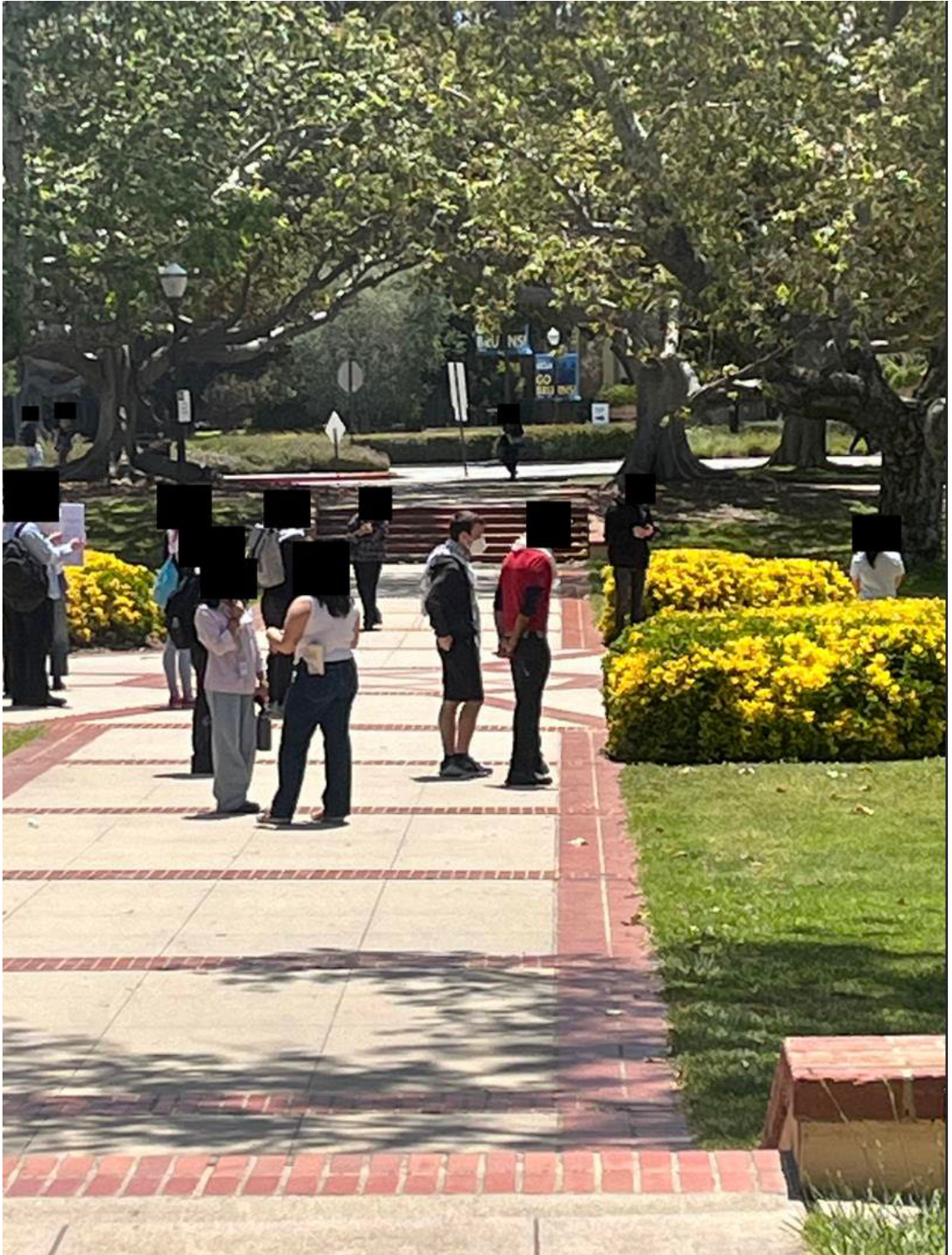
16 160. No disciplinary finding, before or after Chobanian's statement, ever established that
17 Petitioner engaged in intimidating conduct or created disorder. Chobanian's statement identified
18 no specific incident of violence, threat, or safety risk attributable to Petitioner, as required to
19 support an interim suspension under PACAOS § 107.00.
20

21 161. But Chobanian's primary concern was Petitioner's "disregard for university
22 authority," "long standing pattern of defiance," and challenges to university rules that
23 "undermines institutional authority." Chobanian urged "firm and immediate action" and
24 recommended disciplinary intervention. (See Ex. T.)
25
26
27
28

1 162. Murotake informed University administrators that he was considering interim
2 disciplinary action against Petitioner and would consult with UCPD and University counsel. (See
3 Ex. T.)

4 163. Murotake reported that UCPD and University counsel had approved interim
5 suspension measures and that he would prepare the necessary memorandum for approval. On May
6 23, 2025, University officials circulated draft suspension materials supported primarily by a
7 Student Affairs report and three photographs reproduced below.

8 164. The photographs depict Petitioner, identifiable as the individual wearing a black
9 jacket, black shorts, and a black-and-white keffiyeh, standing at the edge of the demonstration and
10 apart from the main crowd. He is not shown using amplified sound, carrying banners, erecting
11 structures, directing participants, obstructing movement, or otherwise engaging in the conduct later
12 attributed to him. (See Ex. T.).
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1 165. On May 30, 2025, UC Regent Jay Sures lost his lawsuit against Petitioner and was
2 statutorily required to pay Petitioner's attorney fees.

3 166. On or about June 5th, 2025 while observing a protest on campus, Petitioner was
4 called over by name by a campus security employee of the Respondents. This employee showed
5 Petitioner their phone lockscreen, which the employee had changed to a childhood picture of
6 Petitioner. Petitioner recognized the photo as a zoomed in picture of him with his family. The
7 employee's actions were part of a broader pattern of targeted harassment by UCPD, campus
8 security, and the University, including regularly heckling Petitioner in an effort to intimidate him.
9

10 167. On June 6, 2025, just one day after police threatened and intimidated and just one
11 week after one of the UC Regents lost a lawsuit against him, Respondents imposed an interim
12 suspension and accompanying total campus ban on Petitioner without notice, without presenting
13 evidence, and without hearing from Petitioner.
14

15 168. Petitioner promptly appealed. The June 10, 2025 appeal meeting with Dean Rush
16 confirmed that Petitioner had not been afforded a meaningful opportunity to respond to the
17 suspension before it was imposed. University officials proceeded with the meeting despite
18 Petitioner not having received the case file or evidentiary materials underlying the suspension.
19 Only after Petitioner raised this deficiency, and Rush acknowledged she had been unaware of it,
20 did the University pause the meeting to allow Petitioner to obtain the materials necessary to
21 understand and respond to the allegations against him.
22

23 169. On June 13, 2025, Petitioner filed a grievance through UAW 4811 challenging the
24 suspension as lacking just cause and interfering with his duties as a Teaching Assistant because it
25 prevented him from performing employment-related responsibilities and caused substantial
26 academic and professional harm.
27
28

1 170. On June 16, 2025, Rush informed Petitioner that she was “unable to issue a partial
2 decision” on his appeal due to limited time and ongoing review. This response came after Petitioner
3 had specifically requested an interim or partial determination so that he could attend a required
4 ASUCLA Board of Directors retreat scheduled for June 16–17, 2025.

5 171. On June 18, 2025, Rush upheld the interim suspension on appeal, permitting only
6 limited access to campus for restricted research activities while otherwise maintaining the
7 exclusion order. In doing so, Rush did not address the merits of the underlying allegations or
8 explain whether the available evidence supported the charges against Petitioner. Rush never
9 addressed whether the suspension, in its scope or duration, was narrowly tailored to any specific
10 risk Petitioner was alleged to pose.
11

12 172. A true and correct copy of Rush's June 18, 2025, decision partially modifying but
13 otherwise upholding the interim suspension and exclusion is attached hereto as **Exhibit V**.
14

15 173. Over the following months, Petitioner repeatedly sought reconsideration of the
16 suspension, explaining that the continued suspension was causing severe academic, professional,
17 and financial harm, including interference with his research, teaching responsibilities, funding, and
18 degree progress. By that point, multiple Student Conduct Committee proceedings had resulted in
19 findings that there was insufficient evidence to support allegations of disruption, obstruction, and
20 disorderly conduct.
21

22 174. Despite Petitioner’s requests, the University declined to lift the suspension, also
23 denying his reconsideration request in which he argued that the exclusion order imposed severe
24 burdens on his ability to engage in protected expressive, academic, and advocacy activities on
25 campus.
26
27
28

1 175. On March 24, 2026, after several Student Conduct Committee determinations
2 found insufficient evidence supporting the University's allegations, Nieves lifted Petitioner's
3 interim suspension and exclusion measures and removed the associated restrictions that had been
4 in place since June 6, 2025. The Interim Suspension is still reflected on Petitioner's transcript, as
5 of the date of filing.

6
7 176. The interim suspension and campus exclusion order remained in effect for
8 approximately 291 days, from June 6, 2025 through March 24, 2026, without any fixed end date,
9 periodic review requirement, or mechanism by which Petitioner could obtain reconsideration of
10 its continued necessity. Respondents informed Petitioner only that the suspension would remain
11 in place pending resolution of the underlying disciplinary matters, without specifying when that
12 resolution would occur or providing any standard by which the suspension's continuation would
13 be evaluated in the interim.

14
15 177. At no point between June 6, 2025 and March 24, 2026 did Respondents provide
16 Petitioner a hearing at which the necessity of continuing the interim suspension was determined
17 based on evidence specific to Petitioner, tested through cross-examination, or subject to a defined
18 evidentiary standard.

19
20 178. During this period, Respondents resolved three of the five underlying disciplinary
21 matters in Petitioner's favor (the Young Hall matter on March 23, 2026, the June 10, 2024
22 encampment matter on August 15, 2025, and the February 18, 2025 GSJP matter on February 5,
23 2026) without lifting or narrowing the interim suspension in response to any of those
24 determinations.

25
26 179. On information and belief, Respondents' decision to impose the June 6, 2025
27 interim suspension was not based on an individualized assessment of any emergency or safety risk
28

specific to Petitioner. Rather, it reflected a cumulative response to Petitioner's protected speech when he participated in pro-Palestinian protest activity, including the protest over which UC Regent Jay Sures sued Petitioner and lost.

180. These retaliatory steps against Petitioner were pervasive, including his mischaracterization by Chobanian, Lurie, and Murotake as a "known organizer," "central figure," and "special, stand out type of conduct violation" whose political protest challenged "institutional authority."

181. Respondents produced no evidence that Petitioner posed a risk of any specific act of violence, threat, or safety concern attributable to Petitioner that would have supported an interim suspension under PACAOS § 107.00's "reasonable cause" standard.

B. First Disciplinary Matter: June 10, 2024, Young Hall Gathering

1. The Young Hall Gathering

182. On June 10, 2024, Petitioner attended a gathering near Young Hall. During the gathering, student Nina Gilshteyn recorded Petitioner and other participants over their objections. Petitioner did not block access to Young Hall and did not prevent Gilshteyn from accessing the building or leaving the area. Video evidence showed approximately fifteen feet of open space between the gathering and Young Hall.

2. The Disciplinary Charges

183. On or about August 19, 2024, Gilshteyn submitted a sprawling and unclear incident report alleging that Petitioner and other students had restricted her access to Young Plaza, participated in a union meeting, and passes "antisemitic resolutions" in the Graduate Student Association. Gilshteyn further asserted that Petitioner "should be expelled from UCLA." UCLA

1 later initiated disciplinary proceedings against Petitioner, transforming a rant by a student about
2 which the university made no efforts to determine credibility, into the grounds for student
3 discipline. A true and correct copy of the Student Conduct Committee Hearing Report concerning
4 the Young Hall matter is attached hereto as **Exhibit P**.

5 3. The Disciplinary Proceedings

6
7 184. On February 6, 2025, UCLA initiated disciplinary proceedings against Petitioner
8 arising from the June 10, 2024, Young Hall gathering and charged him with violating Section
9 102.07 of the Student Conduct Code based on allegations that he interfered with pedestrian traffic
10 by blocking a student's access to a space on or around Young Hall. UCLA initially identified
11 Interim UCLA Policy 850 as the basis for the charge. But that policy did not take effect until
12 September 4, 2024, nearly three months after the alleged conduct. After Petitioner raised that issue,
13 UCLA acknowledged that Policy 850 was not in effect on June 10, 2024.
14

15 185. Instead of dismissing the baseless charges filed under a policy that did not exist at
16 the time of the alleged incident, Respondents found a different policy under which they charged
17 Petitioner while still relying on the language of the first policy to issue charges.
18

19 186. The evidentiary basis for the charge was similarly deficient. During a June 10,
20 2025, meeting, Murotake repeatedly acknowledged that the video evidence did not depict
21 Petitioner blocking access to Young Hall or any nearby building. UCLA nevertheless continued
22 to pursue disciplinary proceedings against Petitioner.
23

24 187. During a March 5, 2025 meeting, Petitioner informed Murotake that he had been
25 subjected to doxxing, harassment, and threats arising from his pro-Palestinian advocacy on
26 campus. Petitioner described incidents in which individuals followed him on campus, referenced
27 his home address, and stated that he "would not be safe at home."
28

1 188. Petitioner also described a voicemail received by his parents stating, among other
2 things, “We know where you live” and “You’re going down.”

3 189. Petitioner further informed Murotake that he believed the University had failed to
4 adequately address the harassment and threats directed toward him. Petitioner explained that Ms.
5 Gilshteyn had previously followed him and other pro-Palestinian organizers during meetings,
6 demonstrations, and campus activities and had repeatedly submitted complaints against students
7 involved in Palestine solidarity organizing.
8

9 190. Respondents took no proactive steps to ensure Petitioner’s safety.

10 191. Instead, Respondents continued to pursue discipline against Petitioner based on a
11 video that showed no violation of university policy and a complaint made by a stalker.
12

13 4. The Hearing

14 192. A hearing was held on February 27, 2026, and continued on March 9, 2026. During
15 the hearing, Murotake acknowledged that the original notice cited the wrong policy and was unable
16 to identify any entrance Petitioner allegedly blocked or any portion of the videos showing
17 Petitioner preventing access to a campus building. (See Ex. P.)
18

19 193. Respondents presented no other evidence supporting their claims.

20 194. Petitioner presented multiple witnesses who disputed the allegations against him.
21 They testified that the gathering did not block access to any campus building or impede pedestrian
22 traffic, that Gilshteyn repeatedly circled the gathering to record participants rather than attempting
23 to enter Young Hall, and that Petitioner never prevented her from accessing the building.
24

25 195. During the hearing, Petitioner again raised concerns regarding his safety in light of
26 the ongoing doxxing, harassment, and threats arising from his political advocacy. Petitioner
27
28

requested protective measures, including anonymity for participants in the hearing process. The request was denied, and the hearing proceeded despite Petitioner's safety concerns.

5. The Committee's Findings

196. Following the hearing, the Student Conduct Committee found insufficient evidence to conclude that Petitioner violated University policy. The Committee determined that the evidence did not establish that Petitioner blocked access to Young Hall, interfered with access to any campus building, or otherwise impeded pedestrian traffic. (See Ex. P.)

197. The Committee further found that Gilshteyn's account and Respondent's charges were inconsistent with the video evidence and credited testimony establishing that the entrances remained unobstructed and individuals were able to move freely through the area. (See Ex. P.)

198. On March 25, 2026, Petitioner wrote to Dean of Students Rush requesting supervisory review of the Office of Student Conduct's compliance with University procedures in its handling of the Young Hall disciplinary matter. Petitioner specifically raised Murotake's acknowledgements concerning the absence of evidence that Petitioner blocked access to Young Hall, questioned why the matter had nevertheless proceeded to a hearing under the Student Conduct Code, and requested identification of the policy violation and evidence upon which the referral had been based. Petitioner further informed Rush that Associate Dean Benito Nieves had declined his prior request to review Murotake's handling of the matter. Rush subsequently advised Petitioner that her role in the matter had concluded.

C. Second Disciplinary Matter: June 10, 2024, Encampment Demonstration

1. The Encampment Demonstration

199. On June 10, 2024, Petitioner participated in a peaceful demonstration on UCLA's campus. UCPD issued dispersal orders at Royce Quad and Kerckhoff Patio, both of which

1 Petitioner complied with by leaving the area. At Royce Quad, a UCPD officer thanked Petitioner
2 for his “co-operation” as he departed.

3 200. Later, near Dodd Hall, Petitioner again attempted to leave but encountered
4 conflicting instructions and exit routes blocked by law enforcement. Video footage depicts
5 Petitioner stating, “I’m trying to get out,” shortly before officers arrested him. No criminal charges
6 were filed against Petitioner arising from the arrest. **Exhibit Q.**
7

8 2. The Disciplinary Charges

9 201. UCLA nonetheless initiated disciplinary proceedings against Petitioner, alleging
10 that he participated in an unauthorized encampment, disrupted final examinations, obstructed
11 pedestrian movement, and failed to comply with dispersal directives. On August 29, 2024, UCLA
12 charged Petitioner with obstruction or disruption, disorderly behavior, disturbing the peace, and
13 failure to comply. A true and correct copy of the Student Conduct Committee Hearing Report
14 concerning this disciplinary matter is attached hereto as **Exhibit Q.**
15

16 202. The University’s allegations relied substantially on reports describing the conduct
17 of demonstrators collectively, including allegations that the group erected encampments, disrupted
18 examinations, and obstructed access. Although University officials also attributed certain conduct
19 individually to Petitioner, the evidence presented at the hearing repeatedly contradicted those
20 allegations. Multiple witnesses testified that Petitioner did not direct demonstrators, obstruct
21 pathways, disrupt examinations, or engage in prohibited conduct. (See Ex. Q.)
22
23

24 3. The Hearing

25 203. The Student Conduct Committee held a hearing on June 13, 2025, which continued
26 on July 2, 2025. During the hearing, multiple witnesses testified that Petitioner did not direct
27
28

demonstrators, obstruct pathways, disrupt examinations, or engage in prohibited conduct. (See Ex. Q.)

204. Petitioner asked the University to identify any evidence that he personally violated the Student Conduct Code. Assistant Dean Passer acknowledged that the University's evidence consisted principally of police reports describing the demonstration generally and did not identify any specific conduct attributable to Petitioner.

205. Even after the Office of Student Conduct sought additional information from UCPD, the supplemental materials likewise relied on generalized descriptions of demonstrators as a group and, at most, identified Petitioner only as being present in photographs or body-worn camera footage rather than engaging in any prohibited conduct. When Petitioner requested that the charges be addressed on an individualized basis, Passer declined to do so. (See Ex. Q.)

4. The Committee's Findings

206. Following the hearing, the Student Conduct Committee rejected each of the four charges. The Committee found insufficient evidence that Petitioner obstructed or disrupted University activities, engaged in disorderly behavior, disturbed the peace, or failed to comply with University directives. (See Ex. Q.) The Committee further determined, more likely than not, that Petitioner complied with the dispersal orders issued at Royce Quad and Kerckhoff Patio and that no dispersal order was given at Dodd Hall. (See Ex. Q.)

207. The Committee also rejected the characterization of Petitioner as controlling the demonstrators. Instead, the evidence established that Petitioner served as a liaison between demonstrators and University officials, attempted to deescalate tensions, and facilitated communication. The Committee found that Petitioner served as a police liaison rather than a group

1 leader and credited evidence that he did not control or direct the actions of other demonstrators.
2 (See Ex. Q.)

3 *D. Third Disciplinary Matter: February 18, 2025, Demonstration and Respondents’*
4 *Improper Attribution of GSJP Activity*

5 1. The February 18 Demonstration

6 208. On February 18, 2025, approximately 100 to 150 students, faculty, and community
7 members participated in a peaceful campus demonstration protesting UCLA’s suspension of pro-
8 Palestinian student organizations. The demonstration was publicized through social media and
9 included speeches, signs, chants, and other expressive activity. UCLA later alleged that Graduate
10 Students for Justice in Palestine (“GSJP”) had promoted and participated in the demonstration
11 despite having been placed on interim suspension. (See Ex. R.)
12

13 2. The Disciplinary Charges
14

15 209. On June 12, 2025, UCLA subsequently initiated disciplinary proceedings against
16 Petitioner based on his status as a GSJP signatory, alleging that GSJP had promoted and
17 participated in the February 18 demonstration. UCLA asserted that, as a signatory, Petitioner could
18 bear individual responsibility for the organization’s activities and charged him with Failure to
19 Comply under Section 102.16 of the Student Conduct Code. A true and correct copy of the Student
20 Conduct Committee Hearing Report concerning this disciplinary matter is attached hereto as
21 **Exhibit R.**
22

23 210. The charge was not supported by individualized evidence connecting Petitioner to
24 the demonstration. Petitioner maintained that he neither organized nor participated in the protest
25 and that GSJP did not sponsor it. Multiple witnesses likewise testified that Petitioner was not
26
27
28

present and that neither GSJP nor its signatories organized, promoted, or controlled the event. (See Ex. R.)

3. The Hearing

211. At the January 20, 2026, hearing, Murotake acknowledged that he had no information establishing that Petitioner was present at the demonstration, no information connecting the @grad_sjpatucla social media account to the Registered Student Organization GSJP, and no information connecting Petitioner to that social media account. Murotake further acknowledged that the *Daily Bruin* article relied upon by UCLA identified neither Petitioner nor GSJP as an organizer of the demonstration. (See Ex. R.)

4. The Committee's Findings

212. Following the hearing, the Student Conduct Committee found insufficient evidence to establish that Petitioner violated University policy. The Committee specifically found no evidence that Petitioner was present at the February 18 demonstration, no evidence that he participated in the event, and no evidence that GSJP organized or planned the protest. It further found insufficient evidence connecting Petitioner to the GSJP Instagram account. Accordingly, the Committee determined that UCLA had failed to establish a violation of Section 102.16.

E. Fourth Disciplinary Matter: May 15, 2025, Nakba Day Protest

1. The Nakba Day Protest

213. On May 15, 2025, pro-Palestinian student organizations and other campus-affiliated groups held a demonstration at UCLA commemorating Nakba Day. Participants peacefully gathered at several locations on campus, delivered speeches, displayed signs and banners, chanted, and marched between locations.

1 2. The Disciplinary Charges

2 214. On June 6, 2025, UCLA initiated disciplinary proceedings against Petitioner arising
3 from the demonstration. UCLA ultimately charged Petitioner with violations of Sections 102.07,
4 102.13, 102.14, and 102.16 of the Student Conduct Code based on allegations concerning
5 obstruction or disruption, disorderly conduct, disturbing the peace, and failure to comply. A true
6 and correct copy of the Student Conduct Committee Hearing Report concerning this disciplinary
7 matter is attached hereto as **Exhibit S**.
8

9 3. The Hearing

10 215. The Student Conduct Committee held a hearing on October 22, 2025, which
11 continued on November 5, 2025.
12

13 216. The evidence presented against Petitioner, however, did not establish his
14 participation in much of the conduct attributed to demonstrators generally. During the hearing,
15 Murotake acknowledged that Petitioner did not appear in the photographic evidence submitted,
16 that he had no information indicating Petitioner used amplified sound or erected any structure, and
17 that only one Student Affairs Mitigator identified Petitioner. (See Ex. S.)
18

19 217. Multiple witnesses, including a UCLA professor, likewise testified that Petitioner
20 stood at the edge of the demonstration and acted as an observer and liaison between demonstrators
21 and University personnel. Witnesses testified that Petitioner did not use amplified sound, direct
22 demonstrators, erect structures, block movement, obstruct University officials, or otherwise
23 engage in disruptive conduct. (See Ex. S.)
24

25 4. The Committee's Findings

26 218. On November 20, 2025, the Student Conduct Committee found insufficient
27 evidence to establish that Petitioner violated Sections 102.07, 102.13, or 102.14. The Committee
28

1 nevertheless found Petitioner responsible under Section 102.16 based solely on his failure to
2 present a physical BruinCard upon request. (See Ex. S.)

3 219. That finding rested on conduct that Murotake acknowledged was not expressly
4 required by the Student Conduct Code: Murotake testified that the Student Conduct Code contains
5 no policy requiring students to carry identification and that Section 102.16 does not specifically
6 state that an individual must furnish an ID. On November 24, 2025, Rush upheld the finding and
7 imposed a formal warning. (See Ex. S.)
8

9 220. Viewed collectively, these disciplinary matters reveal a recurring pattern. In each
10 proceeding, Respondents initiated formal disciplinary charges despite significant evidentiary
11 deficiencies, including the absence of individualized evidence that Petitioner personally violated
12 University policy, reliance upon generalized allegations associated with demonstrations, or legal
13 theories that were ultimately rejected by the Student Conduct Committee. Rather than terminating
14 unsupported investigations when those deficiencies became apparent, Respondents repeatedly
15 initiated new disciplinary proceedings arising from Petitioner's participation in pro-Palestinian
16 demonstrations, progressively seeking more severe sanctions despite repeatedly failing to establish
17 substantive protest-related misconduct.
18
19

20 **FIRST CAUSE OF ACTION**

21 *PETITION FOR WRIT OF ADMINISTRATIVE MANDAMUS* 22 *(Code Civ. Proc. § 1094.5)* 23 *(Petitioner Against Regents)*

24 221. Petitioner realleges and incorporates by reference each and every allegation
25 contained in the preceding paragraphs as though fully set forth herein.

26 222. California Code of Civil Procedure §1094.5 authorizes judicial review of "any final
27 administrative order or decision made as the result of a proceeding in which by law a hearing is
28

1 required to be given, evidence is required to be taken, and discretion in the determination of facts
2 is vested in the inferior tribunal, corporation, board, or officer." Cal. Civ. Proc. Code § 1094.5(a).

3 223. Respondents' final administrative decision suspending Petitioner, imposing
4 disciplinary sanctions, and withholding Petitioner's degree constitutes a final administrative
5 decision subject to judicial review under §1094.5.
6

7 224. Judicial review is available to assess "whether the respondent has proceeded
8 without, or in excess of, jurisdiction; whether there was a fair trial; and whether there was any
9 prejudicial abuse of discretion." *Id.*

10 225. Through a series of disciplinary investigations, hearings, and administrative
11 determinations, Respondents imposed disciplinary findings and sanctions that affected Petitioner's
12 fundamental vested rights, including his continued enrollment, receipt of his graduate degree,
13 access to University facilities, academic standing, and ability to complete his doctoral program.
14

15 226. Regents' policies and procedures carry the force and effect of statute. *See*
16 *Balakrishnan v. Regents of Univ. of Cal.* (2024) 99 Cal.App. 5th 513, 525. Those policies require
17 Respondents to prove alleged violations of the Student Conduct Code by a preponderance of the
18 evidence before imposing disciplinary sanctions.
19

20 227. In violation of applicable policies and regulations, Respondents imposed sanctions
21 without proving each of the charges by a preponderance of the evidence for the hearing concerning
22 Petitioner's alleged participation in the November 19, 2024, Bruin Walk demonstration, including
23 allegations that he obstructed pedestrian movement and failed to comply with University
24 directives.
25

26 228. Although the panel rejected significant portions of the University's case, it
27 nevertheless found Petitioner responsible under § 102.07 based principally on video footage
28

1 depicting Petitioner's interactions with pedestrians and the panel's conclusion that Petitioner
2 "mirrored" the movements of approaching individuals rather than moving himself or the sign he
3 was holding.

4 229. The panel did not find that Petitioner physically blocked pedestrian traffic,
5 prevented any individual from passing, disobeyed any instruction from University officials or law
6 enforcement, or otherwise engaged in conduct prohibited by UCLA Interim Policies 850 or 852.

7
8 230. Instead, the panel interpreted those policies to require Petitioner affirmatively to
9 reposition himself or his sign whenever another individual approached. Nothing in the text of either
10 policy imposes such a duty. Because courts "give the regulatory language its plain, commonsense
11 meaning," *Akella v. Regents of Univ. of Cal.* (2021) 61 Cal.App.5th 801, 816, Respondents could
12 not expand the scope of the written policies through a disciplinary interpretation unsupported by
13 their text.
14

15 231. The gap between the panel's theory and the governing text is apparent on the face
16 of the policies themselves:

- 17
18 a. Policy Text (Interim Policy 850): "[block] entrances to or otherwise interfere with
19 the free flow of campus traffic (pedestrian or vehicular) into and out of campus
20 facilities, or along walkways or roadways."
21
22 b. Policy Text (Interim Policy 852): "imped[e] or disrupt[ing] foot and vehicular
23 traffic."
24
25 c. Respondents' Theory: that Petitioner was obligated to affirmatively reposition
26 himself or the sign he was holding whenever an approaching individual wished to
27 pass, notwithstanding that other routes remained available and that Petitioner did
28 not himself block, obstruct, or impede anyone's path.

1 232. No language in either policy imposes an affirmative duty to reposition oneself or
2 one's expressive materials in response to an approaching pedestrian. The panel's theory is therefore
3 not an application of the text but an extension of it.

4 233. Nor did the evidence establish that Petitioner actually “interfered with” or
5 “impeded” pedestrian traffic within the meaning of those policies. California courts require
6 restrictions on expressive conduct framed in terms of disruption or interference to be tied to the
7 actual effect of the charged conduct. In *In re Kay* (1970) 1 Cal.3d 930, the California Supreme
8 Court held that whether conduct substantially impairs a protected activity “depends upon the actual
9 impact of that misconduct,” and cannot be determined merely from whether others perceived
10 themselves as “disturbed.” (*Id.* at pp. 944–945.) Here, the panel did not find that Petitioner
11 prevented any individual from passing, physically blocked available paths of travel, or otherwise
12 actually impeded pedestrian movement. Instead, it imposed liability because Petitioner failed
13 affirmatively to reposition himself or his sign when another individual approached—conduct the
14 written policies do not prohibit.
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18 234. Moreover, the evidence presented did not establish, by a preponderance of the
19 evidence, that Petitioner committed the charged policy violations. *Braxton, supra*, 10 Cal.3d at p.
20 154 fn.16; *Wong v. Hayakawa* (9th Cir. 1972) 464 F.2d 1282, 1283-1284.

21 235. By imposing discipline without satisfying their burden of proof and by interpreting
22 the applicable policies beyond their plain language, Respondents proceeded in excess of their
23 jurisdiction and committed a prejudicial abuse of discretion.
24

25 236. Respondents also abused their discretion by finding Petitioner responsible under
26 §102.16 based solely on his failure to produce a physical BruinCard.
27
28

1 237. The evidence established that University officials already knew Petitioner's
2 identity. Nothing in the text of § 102.16 expressly requires a student to produce a physical
3 BruinCard and Respondents failed to establish, by a preponderance of the evidence, that Petitioner
4 violated that provision under the circumstances presented.

5 238. By imposing disciplinary sanctions notwithstanding the absence of evidence
6 establishing a violation of the applicable policy, Respondents' findings were unsupported by the
7 evidence and constituted a prejudicial abuse of discretion.

8 239. Among other errors, Respondents failed to provide Petitioner a fair hearing, relied
9 upon unsupported factual findings, selectively credited evidence unfavorable to Petitioner while
10 disregarding exculpatory evidence, presented second-hand testimony rather than producing
11 witnesses for cross-examination, applied University policies in an arbitrary manner, and imposed
12 discipline based upon interpretations of University policies unsupported by their text.

13 240. On July 10, 2026, Petitioner timely appealed the June 15, 2026, disciplinary
14 decision to the Vice Chancellor of Student Affairs pursuant to the University's Student Conduct
15 Code.
16

17 241. The appeal was denied on July 31, 2026. Petitioner files this Petition to preserve
18 his right to judicial review and to challenge the ongoing deprivation of his rights, including the
19 continued suspension, withholding of his degree, and related restrictions.
20

21 242. As a direct and proximate result of Respondents' unlawful actions, Petitioner
22 continues to suffer immediate and ongoing irreparable harm.
23

24 243. Respondents have:
25

- 26 a. suspended Petitioner for the Summer and Fall 2026 academic quarters
27 b. withheld Petitioner's earned master's degree;
28

1 c. maintained disciplinary findings and sanctions in his academic record, and;

2 d. continued to impose restrictions affecting his academic status and educational
3 opportunities.

4 244. As a consequence of the suspension, Petitioner has already experienced disruption
5 to his graduate student employment, including a University employment record reflecting his
6 separation effective August 15, 2026, and faces the threatened loss of his Fall Quarter Teaching
7 Assistant appointment and the salary, tuition remission, health insurance, and other educational
8 benefits associated with that employment.
9

10 245. At the time Respondents imposed the suspension, Petitioner was approximately two
11 academic quarters away from completing his Ph.D. The suspension threatens to prevent him from
12 completing his doctoral degree by disrupting the funding necessary to finish the requisite research,
13 delaying his anticipated graduation, requiring him to seek readmission following the suspension,
14 and placing his continued enrollment in the Ph.D. program at substantial risk because readmission
15 is not guaranteed.
16

17 246. Respondents' continued withholding of Petitioner's master's degree further
18 prevents Petitioner from representing earned credentials in employment applications, professional
19 opportunities, and other academic pursuits.
20

21 247. Unless the Court grants relief, Petitioner will continue to suffer substantial
22 educational, professional, financial, and reputational harm, for which there is no plain, speedy, or
23 adequate remedy in the ordinary course of law.
24

25 248. Accordingly, Petitioner asks for a writ of administrative mandamus ordering
26 Respondents to set aside their disciplinary findings and sanctions and expunge their disciplinary
27 records, consistent with *Wong v. Hayakawa*, *supra*, 464 F.2d at pp. 1283-1284.
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249. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as though fully set forth herein.

251. Respondents have a clear and present ministerial duty to follow UCLA's governing policies and procedures. (*Doe v. Regents of University of California* (2016) 5 Cal.App.5th 1055, 1078.)

252. These policies and procedures permit disciplinary sanctions only on proof of individual responsibility by a preponderance of the evidence. Respondents also have a clear and present ministerial duty to administer disciplinary procedures in accordance with due process of law. (*Doe v. Regents, supra*, 5 Cal.App.5th at p. 1078; *Goss, supra*, 419 U.S. at pp. 573–574.)

253. As a matter of law, disciplinary findings must be supported by substantial evidence demonstrating that the charged student personally engaged in conduct prohibited by the applicable University policies.

254. Here, the hearing panel did not find that Petitioner physically blocked pedestrian traffic, prevented any individual from passing, disobeyed any directive from University officials or law enforcement, or otherwise engaged in conduct prohibited by UCLA Interim Policies 850 or 852. Instead, it found a policy violation based on Petitioner's failure to reposition himself or his sign as pedestrians approached.

1 255. Such findings do not establish, by a preponderance of the evidence, that Petitioner
2 committed the charged policy violations. *Braxton, supra*, 10 Cal.3d at p. 154, fn. 16; *Wong, supra*,
3 464 F.2d at pp. 1283-1284.

4 256. Respondents likewise failed to establish a violation of §102.16 by substantial
5 evidence. The Student Conduct Committee expressly rejected the allegations that Petitioner
6 violated Sections 102.07, 102.13, and 102.14, yet found Petitioner responsible solely for failing to
7 produce a physical BruinCard.

8 257. The evidence established that University officials already knew Petitioner's
9 identity, acknowledged that the Student Conduct Code does not require students to carry a physical
10 BruinCard, and further acknowledged that § 102.16 does not expressly require production of a
11 physical identification card.

12 258. Nevertheless, Respondents imposed disciplinary findings and sanctions by
13 expanding the governing policies beyond their plain language, drawing unsupported conclusions
14 from ambiguous evidence, and failing to satisfy the University's burden of proving the charged
15 violations by a preponderance of the evidence. Viewed together with Respondents' repeated
16 pursuit of unsupported disciplinary allegations arising from Petitioner's pro-Palestinian advocacy,
17 these actions reflect an apparent effort to punish Petitioner for his protected political speech and
18 association.

19 259. Respondents' repeated initiation and continuation of disciplinary proceedings
20 against Petitioner, despite the recurring absence of individualized evidence and the ultimate
21 dismissal of nearly every protest-related charge, demonstrate a pattern of selective, result-oriented
22 enforcement. Rather than neutrally applying the Student Conduct Code to identified misconduct,
23 Respondents repeatedly sought new theories, expanded allegations, and pursued successive
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proceedings based on substantially the same underlying conduct, reflecting an effort to impose discipline on Petitioner because of his association with pro-Palestinian advocacy.

260. Although several of the disciplinary matters did not ultimately result in sustained findings of protest-related misconduct, those proceedings nevertheless imposed substantial deprivations and burdens on Petitioner. They required him to defend against repeated investigations and hearings, caused prolonged uncertainty concerning his academic and employment status, contributed to his interim suspension and exclusion from campus, delayed conferral of his earned master's degree, interfered with his research, teaching, and degree progress, and chilled his participation in protected political expression and association. The dismissal of the underlying charges did not remedy those harms.

261. At all times, Respondents had, and continue to have, the legal authority and duty to administer student disciplinary proceedings in accordance with the California Constitution, applicable law, and the University's own governing policies and procedures.

262. Throughout the disciplinary proceedings, Petitioner consistently and reasonably objected to the evidentiary and procedural deficiencies in Respondents' case. Among other things, Petitioner challenged the composition of the Hearing Committee, objected to the University's reliance on disputed and inaccurate materials, argued that the evidence failed to establish the charged violations by a preponderance of the evidence, and disputed Respondents' interpretation of the governing University policies.

263. Despite having notice of these evidentiary and procedural deficiencies and the continuing authority to correct them, Respondents continue to enforce disciplinary findings and sanctions unsupported by substantial evidence, maintain Petitioner's suspension, withhold his earned master's degree, and impose continuing restrictions on his academic status and educational

1 opportunities. Respondents have further refused to remedy the continuing consequences of the
2 unsupported disciplinary proceedings described above, including the academic, professional,
3 financial, and constitutional injuries they caused.

4 264. Petitioner has no plain, speedy, or adequate remedy in the ordinary course of law
5 except by way of a writ of mandate pursuant to Code of Civil Procedure § 1085.
6

7 265. Unless relief is granted, Respondents will continue to enforce the challenged
8 disciplinary determinations, maintain Petitioner's suspension, withhold Petitioner's earned master's
9 degree, jeopardize Petitioner's ability to complete his doctoral degree, and continue to inflict
10 substantial educational, professional, financial, and constitutional harm.

11 266. Accordingly, Petitioner seeks a writ of mandate and/or prohibition compelling
12 Respondents to comply with the California Constitution, applicable law, and the University's own
13 governing policies and procedures governing student discipline.
14

15 267. Specifically, Petitioner seeks an order directing Respondents to vacate the
16 disciplinary findings and sanctions challenged herein because they were imposed without proof
17 sufficient to establish Petitioner's responsibility by a preponderance of the evidence, based upon
18 interpretations of University policies unsupported by their plain language, and in violation of
19 Petitioner's rights to due process.
20

21 268. Petitioner further seeks a writ of mandate compelling Respondents to comply with
22 student privacy rights under state and federal law, including article I, section 1 of the California
23 Constitution and the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. section
24 1232g. During Petitioner's disciplinary hearing, the panel chair disclosed the specific disciplinary
25 allegation pending against Petitioner to a third-party witness without Petitioner's authorization.
26 That same day, Petitioner's advisor submitted a written grievance to Vice Chancellor Gorden, Dean
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1 Rush, and Dean Oh asserting that the disclosure constituted an unauthorized disclosure of
2 confidential student-conduct information in violation of Petitioner's privacy rights under FERPA
3 and requesting remedial action. Petitioner therefore seeks an order prohibiting Respondents from
4 further disclosing or maintaining Petitioner's protected disciplinary information in violation of
5 applicable privacy requirements and requiring Respondents to remedy the consequences of the
6 unlawful disclosure.
7

8 **THIRD CAUSE OF ACTION**

9 *ARTICLE I, § 2 OF THE CALIFORNIA CONSTITUTION (LIBERTY OF SPEECH) AND* 10 *AMENDMENT I OF THE UNITED STATES CONSTITUTION (Petitioner Against All* 11 *Regents)*

12 269. Petitioner realleges and incorporates by reference the allegations contained in the
13 preceding paragraphs as though fully set forth herein.

14 270. Article I, Section 2 of the California Constitution provides that "every person may
15 freely speak, write and publish his or her sentiments on all subjects, being responsible for the abuse
16 of this right." Cal. Const. art. I, § 2.

17 271. Amendment I of the United States Constitution, incorporated against the States
18 through the Fourteenth Amendment, prohibits government from abridging the freedom of speech.

19 272. The First Amendment forbids the government from singling out one side of a debate
20 for disfavored treatment. Viewpoint discrimination is "an egregious form of content
21 discrimination" and is therefore "presumptively unconstitutional." *Rosenberger v. Rector &*
22 *Visitors of Univ. of Va.* (1995) 515 U.S. 819, 829–30. As the Supreme Court recently reiterated,
23 "[a]t the heart of the First Amendment's Free Speech Clause is the recognition that viewpoint
24 discrimination is uniquely harmful to a free and democratic society." *Nat'l Rifle Ass'n of Am.v.*
25 *Vullo* (2024) 602 U.S. 175, 187. The California Supreme Court has likewise recognized that
26 content discrimination raises the danger that the government may "effectively drive certain ideas
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1 or viewpoints from the marketplace" and reaffirmed that, even within otherwise regulable
2 categories of speech, the government generally may not discriminate on the basis of content. *Los*
3 *Angeles Police Protective League v. City of Los Angeles* (2024) 18 Cal.5th 970, 991–94
4 (quoting *R.A.V. v. City of St. Paul* (1992) 505 U.S. 377).

5
6 273. The First Amendment likewise prohibits state actors from taking adverse action
7 against an individual in retaliation for protected speech or expressive association. As the Supreme
8 Court has explained, “[a]s a general matter the First Amendment prohibits government officials
9 from subjecting an individual to retaliatory actions” for engaging in protected speech. *Hartman v.*
10 *Moore* (2006) 547 U.S. 250, 256. When a state actor takes adverse action against an individual
11 because of protected speech, the injured individual may seek relief for First Amendment
12 retaliation. *Nieves v. Bartlett* (2019) 587 U.S. 391, 398.

13
14 274. Article I, Section 2 of the California Constitution provides broader protection for
15 expressive activity than the First Amendment. As the California Court of Appeal has recognized,
16 the California liberty of speech clause "is broader and more protective than the free-speech clause
17 of the First Amendment." (*Prigmore, supra*, 211 Cal.App.4th at p. 1336, quoting *Los Angeles*
18 *Alliance, supra*, 22 Cal.4th at pp. 366–367.) Accordingly, Respondents' actions violated not only
19 Petitioner's rights under the First Amendment but also the independent and broader protections
20 guaranteed by article I, section 2 of the California Constitution.

21
22
23 *A. Viewpoint Discrimination*

24 275. Under California law, "[t]he principal inquiry in determining content neutrality . . .
25 is whether the government has adopted a regulation of speech because of disagreement with the
26 message it conveys." *Fashion Valley Mall, LLC v. National Labor Relations Bd.* (2007) 42 Cal.4th
27 850, 866. As alleged herein, Respondents' selective enforcement and application of facially neutral
28

University policies against Petitioner's pro-Palestinian speech and expressive association were motivated by disagreement with the content and viewpoint of that protected expression.

276. Petitioner engaged in protected expressive activity when he participated in demonstrations concerning Palestine, including the November 19, 2024, Bruin Walk Protest and others, advocated for Palestinian rights, communicated with University officials concerning those demonstrations, associated with students, faculty, staff, and community members sharing those views, and otherwise engaged in speech on matters of public concern.

277. Respondents repeatedly subjected Petitioner to investigation and disciplinary proceedings arising from his participation in and association with pro-Palestinian expressive activity. As alleged above, several of those proceedings ultimately resulted in findings of insufficient evidence, yet Respondents continued to investigate and charge Petitioner in connection with subsequent pro-Palestinian demonstrations. Respondents ultimately imposed an interim suspension and campus exclusion and, following the November 19, 2024 Bruin Walk matter, a two-quarter suspension.

278. Respondents' selective enforcement is illustrated by their substantially harsher treatment of Petitioner than other UCLA students and student organizations disciplined for more serious conduct unrelated to pro-Palestinian advocacy. As reflected in **Exhibit N**, UCLA imposed probation and educational measures, not suspension, on student organizations found responsible for conduct involving hazing, threats of harm, physical punishment, and dangerous alcohol consumption. By contrast, Respondents imposed a two-quarter suspension on Petitioner arising from the Bruin Walk protest, even though the Hearing Committee found that Petitioner complied with instructions from UCPD and University personnel, did not interfere with an educational program, was not an organizer, and engaged in no physical violence or contact. (See Ex. N.) This

1 disparity supports an inference that Respondents' substantially harsher treatment of Petitioner was
2 attributable to the content and viewpoint of his protected expression rather than a legitimate,
3 content-neutral distinction.

4 279. The record further supports the inference of viewpoint discrimination.
5 Respondents' internal communications characterized Petitioner as a "known organizer," a "central
6 figure," and a "special, stand out type of conduct violation," urged "firm and immediate action,"
7 and coordinated efforts to pursue an interim suspension notwithstanding repeated findings that
8 prior protest-related charges were unsupported by sufficient evidence. Consistent with those
9 communications, Respondents selectively enforced and expansively interpreted University
10 policies against Petitioner and repeatedly pursued disciplinary proceedings unsupported by
11 substantial evidence.
12

13
14 280. Respondents also violated Petitioner's rights under Article I, section 2 of the
15 California Constitution and the First Amendment by interpreting and applying facially neutral
16 University policies governing demonstrations and pedestrian movement to punish Petitioner's
17 peaceful political expression, expressive association, and participation in campus demonstrations,
18 notwithstanding the disciplinary record's failure to establish that Petitioner personally obstructed
19 pedestrian movement, disobeyed lawful directives, or otherwise engaged in conduct sufficient to
20 justify restricting protected expression. Such an application of University policies impermissibly
21 burdened protected speech in violation of the California and United States Constitutions. *Braxton*,
22 *supra*, 10 Cal.3d at pp. 146, 151; *Healy*, *supra*, 408 U.S. at pp. 180–181; *Tinker*, *supra*, 393 U.S.
23 at p. 509.
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25

26 281. Taken together, Respondents' disparate treatment of Petitioner, repeated pursuit of
27 unsupported charges, and internal communications support an inference that Respondents engaged
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1 in viewpoint discrimination based on Petitioner’s protected speech, expressive association, and
2 perceived role in pro-Palestinian advocacy.

3 *B. Retaliation for Protected Speech and Association*

4 282. The First Amendment prohibits state actors from taking adverse action against an
5 individual in retaliation for protected speech or expressive association. As the Supreme Court has
6 explained, “[a]s a general matter the First Amendment prohibits government officials from
7 subjecting an individual to retaliatory actions” for engaging in protected speech. *Hartman v.*
8 *Moore* (2006) 547 U.S. 250, 256. When a state actor takes adverse action against an individual
9 because of protected speech, the injured individual may seek relief for First Amendment
10 retaliation. *Nieves v. Bartlett* (2019) 587 U.S. 391, 398.
11

12 283. Petitioner engaged in protected speech and expressive association through his
13 advocacy concerning Palestine, participation in campus demonstrations, association with pro-
14 Palestinian students and organizations, and communications with University officials concerning
15 those activities.
16

17 284. Respondents subjected Petitioner to repeated investigations and disciplinary
18 proceedings, interim suspension, campus exclusion, and ultimately a two-quarter suspension.
19 These actions would chill a person of ordinary firmness from engaging in protected speech and
20 expressive association.
21

22 285. Respondents’ adverse actions were motivated by Petitioner’s protected expression
23 and association. As alleged above, Respondents repeatedly pursued Petitioner in connection with
24 pro-Palestinian demonstrations despite findings of insufficient evidence in prior proceedings;
25 internally identified him based on his perceived role as a pro-Palestinian organizer; urged “firm
26 and immediate action” against him; and ultimately escalated their response to interim suspension,
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1 campus exclusion, and a two-quarter suspension. The pattern of enforcement, disparate treatment,
2 and Respondents' internal communications support an inference that Petitioner's protected speech
3 and association were substantial or motivating factors in Respondents' adverse actions.

4 286. As a direct and proximate result of Respondents' actions, Petitioner has suffered
5 and continues to suffer irreparable injury, including the deprivation of his constitutional rights,
6 suspension from the University, the continued withholding of his earned master's degree,
7 interference with his ability to complete the remaining academic requirements for his doctoral
8 degree, reputational harm, emotional distress, and other damages according to proof. Respondents'
9 actions have also chilled and deterred, and continue to chill and deter, Petitioner from the full
10 exercise of his constitutionally protected rights at UCLA for fear of further disciplinary action and
11 other adverse consequences.
12

13 14 **FOURTH CAUSE OF ACTION**

15 *ARTICLE I, § 7 OF THE CALIFORNIA CONSTITUTION AND FOURTEENTH* 16 *AMENDMENT OF THE UNITED STATES CONSTITUTION (DUE PROCESS)* 17 *(Petitioner Against Regents)*

18 287. Petitioner realleges and incorporates by reference each and every allegation
19 contained in the preceding paragraphs as though fully set forth herein.

20 288. The Fourteenth Amendment to the United States Constitution provides that no State
21 shall "deprive any person of life, liberty, or property, without due process of law." U.S. Const.
22 amend. XIV, § 1. Due process "is flexible and calls for such procedural protections as the particular
23 situation demands." *Mathews v. Eldridge* (1976) 424 U.S. 319, 334. In the public-school
24 disciplinary context, the Supreme Court has held that a student facing suspension must be afforded
25 "notice and an opportunity for hearing appropriate to the nature of the case." *Goss v. Lopez* (1975)
26 419 U.S. 565, 579.
27
28

1 289. The State corollary of the Fourteenth Amendment, Article I, Section 7 of the
2 California Constitution provides that "[a] person may not be deprived of life, liberty, or property
3 without due process of law." Cal. Const. art. I, § 7.

4 290. Petitioner possessed protected liberty and property interests in his continued
5 enrollment at UCLA, his academic standing, his earned master's degree, his ability to complete the
6 remaining requirements for his doctoral degree, his reputation, and his educational and
7 professional opportunities.

8 291. Respondents violated Petitioner's due process rights by imposing and maintaining
9 an interim suspension that excluded Petitioner from campus, deprived him of access to classes,
10 research, University facilities, and academic opportunities, and remained in effect for hundreds of
11 days before the completion of constitutionally adequate disciplinary proceedings.

12 292. Respondents further violated Petitioner's due process rights by imposing the June
13 6, 2025 interim suspension and campus exclusion without providing Petitioner prior notice of the
14 specific evidence supporting it or a meaningful opportunity to be heard before its imposition, in
15 the absence of any individualized emergency justifying that departure from ordinary process.

16 293. When Petitioner did receive a post-imposition appeal meeting on June 10, 2025,
17 University officials proceeded without having provided him the underlying case file or evidentiary
18 materials supporting the suspension, requiring the meeting to be paused so that Petitioner could
19 obtain the materials necessary to respond to the allegations against him, confirming that no
20 adequate opportunity to be heard had been afforded before the suspension took effect.

21 294. The suspension excluded Petitioner entirely from campus, University housing-
22 adjacent facilities, classes, research, and University activities, notwithstanding that no finding in
23 any of the five underlying disciplinary matters ever established that Petitioner engaged in violence,
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1 threats, or conduct posing a safety risk, which is the specific predicate PACAOS §107.00 requires
2 for an interim suspension. The suspension was neither individualized to an actual emergency nor
3 narrowly tailored to the minimum restriction necessary to address any risk Respondents identified.

4 295. Respondents further violated Petitioner's due process rights by:

- 5 a. initiating disciplinary proceedings under policies that were not in effect at the
6 time of the alleged conduct;
- 7 b. withholding exculpatory evidence, investigative materials, and other relevant
8 information material to his defense;
- 9 c. failing to provide Petitioner with a complete and accurate hearing record;
- 10 d. omitting relevant evidence from the hearing packet;
- 11 e. relying on disputed, inaccurate, and incomplete materials;
- 12 f. denying Petitioner's procedural objections, including his objections to the
13 composition of the Hearing Committee and the contents of the hearing
14 materials;
- 15 g. limiting Petitioner's ability to present witnesses and other evidence in his
16 defense;
- 17 h. denying Petitioner's request for protective measures despite documented threats
18 arising from his political advocacy;
- 19 i. disclosing Petitioner's confidential disciplinary information to a third-party
20 witness during the hearing without Petitioner's authorization, which Petitioner
21 challenged as violating his policy rights, including under the Family
22 Educational Rights and Privacy Act, 20 U.S.C. § 1232g;
- 23 j. interpreting University policies beyond their plain language;
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- 1 k. selectively applying vague and undefined policy language in a manner that
2 failed to provide fair notice and permitted arbitrary enforcement;
3 l. and imposing disciplinary findings and sanctions without proving the charged
4 violations by a preponderance of the evidence.

5 296. Respondents further denied Petitioner due process and fair notice by interpreting
6 the terms “interfere” and “impede” in UCLA Interim Policies 850 and 852 to impose an affirmative
7 obligation nowhere stated in either policy. Nothing in those policies provided reasonable notice
8 that a student who did not physically block or prevent pedestrian passage was nevertheless required
9 to reposition himself or his expressive materials whenever another individual approached.
10 Respondents’ expansive interpretation therefore failed to provide Petitioner fair notice of the
11 conduct subject to discipline and permitted arbitrary and discriminatory enforcement. *See People*
12 *v. Heitzman* (1994) 9 Cal.4th 189, 199–200.

15 297. On information and belief, Respondents continued to violate Petitioner's due
16 process rights by maintaining the challenged disciplinary findings and sanctions, continuing
17 Petitioner's suspension, withholding Petitioner's earned master's degree, and refusing to correct the
18 foregoing constitutional and procedural deficiencies despite Petitioner's repeated objections
19 throughout the disciplinary proceedings and his timely administrative appeal.

21 298. Respondents violated Petitioner’s due process rights by imposing an interim
22 suspension of indefinite duration, informing Petitioner only that the suspension would remain in
23 effect pending the completion of the University's disciplinary proceedings, without providing any
24 meaningful opportunity to obtain review of the continuing necessity of that suspension.

26 299. As a result, Petitioner remained suspended for approximately 291 days, was
27 excluded from campus and University facilities, was unable to obtain conferral of his earned
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1 master's degree, and was prevented from completing the remaining academic requirements for his
2 doctoral program, all before Respondents established the disciplinary charges against him through
3 constitutionally adequate procedures. Following imposition of the challenged suspension,
4 Respondents placed additional holds on Petitioner's student account that prevent him from
5 enrolling, receiving grades or a diploma, obtaining transcripts, and accessing University services,
6 further impairing his academic and professional opportunities.
7

8 300. Petitioner intends to complete his doctoral studies at UCLA and to continue
9 exercising his constitutional rights to speak, assemble, and engage in expressive activity on matters
10 of public concern. Unless enjoined by this Court, Respondents' continuing enforcement of the
11 challenged disciplinary findings and sanctions, withholding of Petitioner's earned master's degree,
12 and maintenance of his suspension will continue to impair Petitioner's education, chill his protected
13 expression, and cause irreparable harm.
14

15 301. Petitioner has no plain, speedy, or adequate remedy at law to redress the continuing
16 deprivation of his constitutional rights, the ongoing withholding of his earned master's degree, the
17 continuing impairment of his ability to complete his doctoral studies, and the continuing
18 enforcement of the challenged disciplinary findings and sanctions.
19

20 302. Petitioner therefore seeks a declaration, injunction, and other equitable relief from
21 this Court.
22

23 **FIFTH CAUSE OF ACTION**

24 *CAL. CIV. CODE § 52.1, TOM BANE CIVIL RIGHTS ACT*
25 *(Petitioner Against All Respondents)*

26 303. Petitioner realleges and incorporates by reference each and every allegation
27 contained in the preceding paragraphs as though fully set forth herein.
28

1 304. California Civil Code section 52.1 ("Tom Bane Civil Rights Act") prohibits any
2 "person or persons, whether or not acting under color of law," from interfering "by threat,
3 intimidation, or coercion" with the "exercise or enjoyment by any individual or individuals of
4 rights secured by the Constitution or laws of the United States, or of the rights secured by the
5 Constitution or laws of this state." Cal. Civ. Code § 52.1.

6
7 305. An interim suspension and campus exclusion order imposed without legal
8 justification can itself constitute "threat, intimidation, or coercion" within the meaning of Civil
9 Code section 52.1, because such an order restricts a student's physical presence on campus and
10 threatens his academic standing, housing, and future prospects, creating coercive pressure to
11 abandon constitutionally protected activity. Conduct of this kind is coercive if it "would chill a
12 person of ordinary firmness from further engagement in protected speech." *Leos v. City of El*
13 *Monte*, No. CV 23-2427-KK-JPRx, 2024 U.S. Dist. LEXIS 195659, at *12 (C.D. Cal. Oct. 28,
14 2024). No showing of violence or physical force is required. *Id.*

15
16 306. Nor does Petitioner's Bane Act claim require proof that any Respondent was
17 subjectively aware his conduct violated Petitioner's constitutional rights; specific intent under
18 section 52.1 requires only that the act was undertaken deliberately, not accidentally. *People v.*
19 *Lashley* (1991) 1 Cal.App.4th 938; *Cornell v. City & County of San Francisco* (2017) 17
20 Cal.App.5th 766, 803.

21
22 307. In addition to the disciplinary process itself, Respondents engaged in conduct
23 independently intended to threaten, intimidate, or coerce Petitioner into abandoning his protected
24 advocacy. Specifically, Respondents: (a) internally designated Petitioner a "known organizer"
25 and "central figure" and used that designation to justify accelerated and heightened disciplinary
26 measures not applied to similarly situated students; (b) Nieves personally advanced, and the
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1 panel adopted, a theory of liability appearing nowhere in the text of any University policy,
2 without prior disclosure to Petitioner; (c) Nieves personally withheld from Petitioner a copy of
3 video evidence Respondents intended to, and did, rely upon at the hearing, permitting Petitioner
4 to view it only in Nieves' presence; (d) Murotake personally issued charges premised on a policy
5 Murotake later acknowledged was not in effect at the time of the alleged conduct, and personally
6 delayed finalizing meeting notes Petitioner was entitled to review and correct, while continuing
7 to advance the disciplinary process against him; and (e) private security guard employees used
8 pictures of Petitioner as their home screen on their phones, called Petitioner over to tell him that
9 they knew who he and his family were, and laughed when Petitioner asked about it.
10

11 308. UC Regent Jay Sures sued Petitioner individually repeating the same language
12 above calling him a “ring leader” of an antisemitic mob. Mr. Sures lost his lawsuit and was
13 required to pay Petitioner’s attorney fees on May 30, 2025. One week later, Respondents placed
14 Petitioner on interim suspension.
15

16 309. These acts were independent of, and went beyond, the disciplinary proceedings
17 challenged in the First, Second, and Fourth Causes of Action, and were undertaken for the
18 purpose of deterring Petitioner from continuing his pro-Palestinian advocacy.
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20 310. Respondents interfered by threat, intimidation, and coercion with Petitioner's
21 exercise and enjoyment of his rights to speech, expression, assembly, association, and petition
22 guaranteed by the Constitution of the State of California by repeatedly initiating unsupported
23 disciplinary proceedings against him due to his anti-genocide, pro-Palestine protest; imposing and
24 maintaining an interim suspension and campus exclusion in violation of its own policies that barred
25 him from attending classes, entering University property, teaching, conducting research, and
26 participating in University life; withholding Petitioner's earned master's degree; threatening his
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1 continued enrollment, employment, funding, and academic progress; and using these punitive
2 measures to deter and punish Petitioner's participation in other protected pro-Palestinian advocacy.

3 311. These actions were undertaken after University officials internally identified
4 Petitioner as a "known organizer," a "central figure," and a "special, stand out type of conduct
5 violation," advocated "firm and immediate action," and discussed imposing an interim suspension
6 despite repeatedly failing to establish misconduct through prior disciplinary proceedings.

7
8 312. Respondent Chobanian, UCPD Captain, personally and independently engaged in
9 threatening, intimidating, and coercive conduct in violation of Civil Code section 52.1. Chobanian
10 stated that Petitioner should be banned from campus based on Petitioner's "disregard for university
11 authority," "longstanding pattern of defiance," and conduct that "undermine[s] institutional
12 authority," and further characterized Petitioner as having engaged in "repeated violations of
13 university policy" that "disrupt the campus community and create environments of disruption,
14 intimidation, and disorder." Chobanian made these statements in his capacity as the head of the
15 University's police force, and his recommendation was a direct and substantial contributing cause
16 of the June 6, 2025 interim suspension and total campus exclusion order imposed on Petitioner.
17

18
19 313. Chobanian's statement identified no specific incident of violence, threat, or safety
20 risk attributable to Petitioner, as required to support an interim suspension under PACAOS §
21 107.00. At the time Chobanian made these statements, none of the disciplinary matters then
22 pending against Petitioner had yet been adjudicated, and each was later resolved with a finding of
23 no responsibility except for the failure to present ID and the Bruin Walk novel affirmative duty
24 theory case.
25

26 314. No disciplinary finding, before or after Chobanian's statement, ever established that
27 Petitioner engaged in intimidating conduct or created disorder. Chobanian's invocation of his law
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1 enforcement authority to recommend a total campus ban based on Petitioner's ideological non-
2 compliance and defiance of institutional authority, rather than any safety-based justification,
3 constituted a threat, intimidation, and coercion within the meaning of Civil Code section 52.1,
4 undertaken with the intent to interfere with Petitioner's rights of free expression and association
5 under Article I, Sections 2 and 3 of the California Constitution.

6
7 315. Nieves, Murotake, and Chobanian are directly and personally liable under Civil
8 Code section 52.1 for the acts alleged in this Fifth Cause of Action, independent of any liability of
9 the Regents. Nieves, Murotake, and Chobanian acted within the course and scope of their
10 employment by the Regents at all times relevant to this Fifth Cause of Action; the Regents are
11 therefore also vicariously liable under Government Code section 815.2 for the compensatory
12 damages caused by those acts. Petitioner seeks compensatory and statutory damages against
13 Nieves, Murotake, Chobanian, and the Regents on these respective direct and vicarious theories.
14 Petitioner further seeks punitive damages against Nieves, Murotake, and Chobanian in their
15 individual capacities only; Petitioner does not seek, and acknowledges the Regents' immunity
16 from, punitive damages against the Regents under Government Code section 818.
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18

19 316. Respondents Nieves and Murotake are not entitled to discretionary act immunity
20 under Government Code section 820.2 for the acts alleged herein. Section 820.2 immunizes only
21 “basic policy decisions which have been expressly committed to coordinate branches of
22 government, and as to which judicial interference would thus be unseemly.” *Caldwell v. Montoya*
23 (1995) 10 Cal.4th 972, 981.
24

25 317. It does not immunize “lower-level, or ‘ministerial,’ decisions that merely
26 implement a basic policy already formulated.” *Id.* Nieves' and Murotake's specific acts alleged
27 above, disclosing confidential disciplinary material outside authorized channels, charging
28

1 Petitioner under a policy not yet in effect, withholding evidence Petitioner was procedurally
2 entitled to review, and advancing an undisclosed theory of liability with no basis in any written
3 policy, were failures to follow the University's own mandatory, non-discretionary procedures, not
4 the exercise of discretion vested in them. *See Regents of Univ. of Cal. v. Superior Court* (2018) 29
5 Cal.App.5th 890, 915–16 (distinguishing an institution's discretionary decision to create
6 disciplinary programs and protocols from the ministerial execution of those programs against an
7 individual student). Nieves and Murotake are therefore not immune from liability under section
8 820.2, and the Regents are vicariously liable for their acts under Government Code section 815.2.

10 318. Chobanian is not entitled to discretionary act immunity under Government Code
11 section 820.2 for the conduct alleged above. PACAOS § 105.08 vests authority to impose an
12 interim suspension in the Vice Chancellor for Student Affairs or designee, not in UCPD. Section
13 820.2 immunizes the exercise of discretion actually vested in a public employee by law; it does
14 not immunize a law enforcement officer's unilateral recommendation, based on a student's
15 ideological non-compliance, made outside the scope of any decision-making authority conferred
16 on him by University policy. Chobanian's conduct therefore falls outside the discretion section
17 820.2 protects, and the Regents are vicariously liable for his acts under Government Code section
18 815.2.

21 319. As a direct and proximate result of Respondents' actions, Petitioner has suffered
22 harm in the form of general and special damages in an amount according to proof, including but
23 not limited to the deprivation of constitutional rights, suspension from the University, continued
24 withholding of his earned master's degree, interference with his ability to complete his doctoral
25 studies, emotional distress, reputational harm, and other damages according to proof.

320. Absent declaratory and injunctive relief, Respondents' actions will continue to harm Petitioner by maintaining the challenged disciplinary findings and sanctions, withholding Petitioner's earned master's degree, preventing Petitioner from completing his doctoral studies, and burdening Petitioner's exercise of his constitutional rights.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court enter judgment in his favor and against Respondents on all causes of action, and:

a. Issue a writ of administrative mandamus pursuant to California Code of Civil Procedure section 1094.5 directing Respondents to vacate the challenged disciplinary findings and sanctions, set aside the disciplinary decisions, and rescind Petitioner's suspension;

b. Issue a writ of traditional mandate, pursuant to Code of Civil Procedure section 1085, requiring Respondents to administer student disciplinary proceedings in accordance with the California Constitution, applicable law, and UCLA's own policies and procedures; to refrain from imposing disciplinary sanctions absent proof of individual responsibility by a preponderance of the evidence; to interpret and apply University policies according to their plain language rather than through unsupported or expansive interpretations; to cease imposing discipline based upon protected speech, viewpoint, or association; to cease attributing the conduct of student organizations or other individuals to Petitioner absent individualized proof; to restore Petitioner's academic standing and eligibility for graduate student employment and enrollment; and to confer Petitioner's earned master's degree;

c. Issue a declaration that Respondents' policies and practices of imposing disciplinary sanctions without proof of individual responsibility by a preponderance of the evidence; expanding the scope of University policies beyond their plain language; attributing the

1 conduct of student organizations or other individuals to Petitioner without individualized proof;
2 and imposing discipline based upon a student's protected speech, viewpoint, or association are
3 unlawful.

4 d. Issue an injunction ordering Respondents to vacate and expunge the
5 challenged disciplinary findings and sanctions from Petitioner's disciplinary and academic records;
6 prohibiting Respondents from continuing to enforce the challenged suspension or withhold
7 Petitioner's earned master's degree based upon those findings; requiring Respondents to restore
8 Petitioner's academic standing, eligibility for enrollment, graduate student employment, and
9 eligibility to complete the remaining requirements for his doctoral degree without requiring
10 Petitioner to reapply for admission or otherwise suffer adverse academic consequences resulting
11 from the challenged disciplinary proceedings; prohibiting Respondents from imposing disciplinary
12 sanctions absent proof, by a preponderance of the evidence, of individual responsibility for the
13 charged conduct, from expanding the scope of University policies beyond their plain language,
14 and from imposing discipline based upon a student's protected speech, viewpoint, message, or
15 association; and requiring Respondents to conform their conduct to the law.

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19 e. Require Respondents to make reasonable efforts to assist Petitioner, who
20 has been disadvantaged with respect to employment and academic status as a result of the
21 unjustified disciplinary proceedings and suspension, in accordance with the University's
22 commitment under PACAOS 105.08, including restoring Petitioner's academic standing, graduate
23 student employment opportunities, eligibility to complete his doctoral degree, and conferring
24 Petitioner's earned master's degree.

25
26 f. Award Petitioner all damages authorized by law, including compensatory
27 damages, nominal damages where appropriate, statutory damages and civil penalties where
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1 authorized, and punitive damages against any individual Respondents to the extent permitted by
2 law;

3 g. Petitioner seeks compensatory and statutory damages against Nieves,
4 Murotake, Chobanian and the Regents on direct and vicarious liability theories under the Bane
5 Act.

6 h. Petitioner further seeks punitive damages against Nieves, Murotake, and
7 Chobanian in their individual capacities only under the Bane Act; Petitioner does not seek, and
8 acknowledges the Regents' immunity from, punitive damages against the Regents under
9 Government Code section 818.

10 i. Award Petitioner reasonable attorneys' fees and costs pursuant to California
11 Civil Code § 52.1, Code of Civil Procedure § 1021.5, and any other applicable provision of law;
12 and
13

14 j. Retain jurisdiction to this Court to oversee Defendants/Respondents'
15 compliance with the Court's orders; and
16

17 k. Grant such other and further relief the Court deems just and proper.
18

19 Dated: August 25, 2026
20

21 Respectfully submitted,

22 AMERICAN-ARAB
23 ANTI-DISCRIMINATION COMMITTEE (ADC)

24 By: /s/Malak Afaneh
25 Malak Afaneh (*pro hac vice forthcoming*)

26 By: /s/Jenin Younes
27 Jenin Younes (*pro hac vice forthcoming*)

28 LAW OFFICES OF THOMAS B. HARVEY

1 By: /s/Thomas B. Harvey
2 Thomas B. Harvey

3 LAW OFFICES OF BEN GHARAGOZLI

4 By: /s/Ben Gharagozli
5 Ben Gharagozli

6 *Attorneys for Plaintiff/Petitioner*

7 VERIFICATION OF DYLAN KUPSH

8 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

9 I have read the foregoing VERIFIED PETITION FOR WRIT OF MANDATE AND
10 COMPLAINT.
11

12 I am the petitioner/plaintiff in this action, Dylan Kupsh. I am informed and believe, and
13 on that basis, allege that the matters stated in the foregoing document are true.
14

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct.

17 Executed at Los Angeles, California, this 25th day of August, 2026.

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21 Dylan Kupsh
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