

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
JOHN DOE,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO. 3:16-CV-30184-MGM
v.	)	
	)	
WILLIAMS COLLEGE,	)	
	)	
Defendant.	)	
_____	)	

**REPLY TO DEFENDANT’S OBJECTION TO PLAINTIFF’S  
MOTION FOR LEAVE TO FILE SUPPLEMENTAL AUTHORITIES**

Contrary to the argument of Defendant Williams College, the two decisions offered by Plaintiff in its Motion for Leave to File Supplemental Authorities (Dkt. 163) are of consequence and authoritative relative to the issues of this case. As a clarifying matter, Plaintiff did not specify the claims about which the decisions in *Montague v. Yale Univ.*, C.A. No. 3:16-cv-00995 (AVC) or the *Doe v. Rhodes Coll.*, C.A. No. 2:19-cv-02336-JTF relate.

Every case is “fact-specific” as a matter of course. Unlike what Defendant argues, the facts of the *Yale* case do not involve facts “entirely different from those at issue in this case.” Dkt. 164 at 1.

Regarding the jurisdictions of the cases, under Defendant’s theory, then the following cases cited throughout its Memorandum in Support of Defendant’s Motion for Summary Judgment (Dkt 126) would likewise be of “no consequence, much less ‘authoritative,’ relative to the issues this case”:

- *Baldwin v. New York State, State Univ. of New York, Coll. at Buffalo*, 690 F. App’x 694 (2d Cir. 2017)
- *Burton v. Bd. of Regents of Univ. of Wisconsin Sys.*, 851 F.3d 690 (7th Cir. 2017)
- *Dempsey v. Bucknell Univ.*, 76 F. Supp. 3d 565 (M.D. Pa. 2015)
- *Doe v. Case W. Reserve Univ.*, No. 1:14CV2044, 2015 WL 5522001 (N.D. Ohio Sept. 16, 2015)

- *Doe v. Columbia Coll. Chicago*, 299 F. Supp. 3d 939 (N.D. Ill. 2017)
- *Doe v. Cummins*, 662 F. App'x 437 (6th Cir. 2016)
- *Doe v. Mercy Catholic Med. Ctr.*, 850 F.3d 545 (3d Cir. 2017)
- *Doe v. Univ. of Cincinnati*, 173 F. Supp. 3d 586 (S.D. Ohio 2016)
- *Doe v. Univ. of Colo.*, 255 F. Supp. 3d 1064 (2017)
- *Doe v. Univ. of the South*, 687 F. Supp. 2d. 744,755 (E.D. Tenn. 2009)
- *Ellis v. Shelby Cnty. Land Bank Dept.*, 548 F. App'x 320 (6th Cir. 2013)
- *Falat v. County of Hunterdon*, 2014 WL 6611493 (D. N.J. Nov. 21, 2014)
- *Fox v. Pittsburg State Univ.*, 257 F. Supp. 3d 1112 (D. Kan. 2017)
- *Hall v. Raley's*, No. 3:08-CV-00632-RCJVPC, 2010 WL 55332 (D. Nev. Jan. 6, 2010)
- *Jernigan v. Alderwoods Grp., Inc.*, 489 F. Supp. 2d 1180 (D. Or. 2007)
- *Mallory v. Ohio Univ.*, 76 F. App'x 634 (6th Cir. 2003)
- *Moore v. Regents of the Univ. of California*, No. 15-CV-05779-RS, 2016 WL 2961984 (N.D. Cal. May 23, 2016)
- *Pierre v. Univ. of Dayton*, No. 3:15-CV-362, 2017 WL 1134510 (S.D. Ohio Mar. 27, 2017)
- *Russell v. Ohio Dept. of Admin. Servs.*, 302 F. App'x 386 (6th Cir. 2008)
- *Sahm v. Miami Univ.*, 110 F. Supp. 3d 774 (S.D. Ohio 2015)
- *Yu v. Vassar Coll.*, 97 F. Supp. 3d 448 (S.D.N.Y. 2015)
- *Bruchas v. Preventive Care, Inc.*, 553 N.W.2d 440 (Minn. Ct. App. 1996)

See “Table of Authorities” at iii – iv in Docket 126. As said persuasive extra-jurisdictional cases are authoritative in the past instance, the newly propounded extra-jurisdictional persuasive cases are authoritative now.

Local Rule 7.1(b)(3) gives the court general authority to consider additional filings, such as the filing of a supplemental memorandum, without any restriction as to the term “authority.” The cases attached to the Motion are appropriate for submission to this Court and, thus, the Motion should be allowed.

Date: June 19, 2019

Respectfully submitted,

**JOHN DOE, PLAINTIFF**

By:           /s/ Stacey Elin Rossi            
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