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County of Los Angeles

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

JANE DOE 74, an individual; JANE DOE 75, an individual; JANE DOE 76, an individual; JANE DOE 77, an individual; JANE DOE 78, an individual; JANE DOE 79, an individual; JANE DOE 80, an individual; JANE DOE 81, an individual; JANE DOE 82, an individual; JANE DOE 83, an individual; JANE DOE 84, an individual; JANE DOE 85, an individual; JANE DOE 86, an individual; JANE DOE 87, an individual; JANE DOE 88, an individual; JANE DOE 89, an individual; JANE DOE 90, an individual; JANE DOE 91, an individual; JANE DOE 92, an individual; JANE DOE 93, an individual; JANE DOE 94, an individual; JANE DOE 95, an individual; JANE DOE 96, an individual; JANE DOE 97, an individual; JANE DOE 98, an individual; JANE DOE 99, an individual; JANE DOE 100, an individual; JANE DOE 101, an individual; JANE DOE 102, an individual; JANE DOE 103, an individual; and JANE DOE 104, an individual;

Plaintiffs,

v.

DR. GEORGE TYNDALL, an individual;
UNIVERSITY OF SOUTHERN

Case No.: **BC 71 7310**
Judge: _____
Department: _____

COMPLAINT FOR DAMAGES FOR:

- 1) VIOLATION OF UNRUH ACT (CIVIL CODE § 51)
- 2) VIOLATION OF BANE ACT (CIVIL CODE § 52.1)
- 3) SEXUAL ABUSE AND HARASSMENT IN THE EDUCATIONAL SETTING (EDUCATION CODE § 220)
- 4) GENDER VIOLENCE (CIVIL CODE § 52.4);
- 5) SEXUAL HARASSMENT (CIVIL CODE § 51.9);
- 6) SEXUAL ASSAULT;
- 7) SEXUAL BATTERY (CIVIL CODE § 1708.5);
- 8) UNFAIR BUSINESS PRACTICES (BUSINESS & PROFESSIONS CODE § 17200);
- 9) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS;
- 10) CONSTRUCTIVE FRAUD (CIVIL CODE § 1573);
- 11) NEGLIGENCE;
- 12) NEGLIGENT SUPERVISION;

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CIT/CASE: BC717310
LEA/DEF#:

AN220
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08/15/2018

1 CALIFORNIA, a California Corporation;
2 and DOES 1 through 500.

3 Defendants.

13) NEGLIGENT HIRING/
RETENTION;
14) NEGLIGENT FAILURE TO
WARN, TRAIN OR EDUCATE.

DEMAND FOR JURY TRIAL.

5 COME NOW, Plaintiffs JANE DOE 74, JANE DOE 75, JANE DOE 76, JANE DOE 77,
6 JANE DOE 78, JANE DOE 79, JANE DOE 80, JANE DOE 81, JANE DOE 82, JANE DOE 83,
7 JANE DOE 84, JANE DOE 85, JANE DOE 86, JANE DOE 87, JANE DOE 88, JANE DOE 89,
8 JANE DOE 90, JANE DOE 91, JANE DOE 92, JANE DOE 93, JANE DOE 94, JANE DOE 95,
9 JANE DOE 96, JANE DOE 97, JANE DOE 98, JANE DOE 99, JANE DOE 100, JANE DOE
10 101, JANE DOE 102, JANE DOE 103, and JANE DOE 104, who complain and allege as follows:

11 **GENERAL ALLEGATIONS AS TO THE PARTIES**

12 1. This action seeks to vindicate the rights of thirty women who were sexually abused,
13 harassed and molested at the hands of serial sexual predator, Defendant DR. GEORGE TYNDALL
14 (hereinafter referred to as, "TYNDALL" or "THE PERPETRATOR"), while they were young
15 students attending Defendant UNIVERSITY OF SOUTHERN CALIFORNIA (hereinafter
16 referred to as "USC") and seeking gynecological treatment from Defendant USC's Student Health
17 Center. While attending Defendant USC, Plaintiffs were each forced to seek medical treatment
18 from TYNDALL, due to the fact that he was the only full-time gynecologist with regular
19 availability on staff at Defendant USC's Student Health Clinic. TYNDALL used this position of
20 trust and authority to sexually abuse Plaintiffs on multiple occasions, by engaging in acts that
21 include but are not limited to: forcing Plaintiffs to strip naked; groping Plaintiffs' breasts; digitally
22 penetrating Plaintiffs' vaginas, sometimes without gloves and with unwashed hands;
23 photographing Plaintiffs' genitals and naked bodies; exposing his own naked body to Plaintiffs;
24 and making racist, derogatory and misogynistic comments to shame and silence Plaintiffs, for no
25 legitimate medical purpose and for no other reason than to satisfy his own prurient sexual desires.
26 Despite the fact that USC has publicly admitted that it received numerous complaints of
27 TYNDALL's sexually abusive behavior, dating back to at least 1988, Defendant USC actively and
28

1 deliberately concealed TYNDALL's sexual abuse for years, continuing to grant TYNDALL
2 unfettered sexual access to the young students in his care, all to protect Defendant USC's
3 reputation and financial coffers.

4 **PLAINTIFF JANE DOE 74**

5 2. Plaintiff JANE DOE 74 is a female who was born in 1992 and currently resides in
6 Orange County, California.

7 3. In or around 2013, Plaintiff JANE DOE 74, who at the time was in her sophomore
8 year as an undergraduate student attending Defendant USC, made an appointment at Defendant
9 USC's Student Health Center in order to obtain a routine well-woman examination. TYNDALL,
10 as the only full-time gynecologist with regular availability at the Student Health Center, was
11 assigned to be Plaintiff JANE DOE 74's treating physician. In this way, TYNDALL gained access
12 to Plaintiff JANE DOE 74 and sexually abused her by forcing his fingers into her vagina, and
13 repeatedly moved his fingers in and out of her, while making wholly inappropriate comments about
14 her genitals, including but limited to telling JANE DOE 74, "Your hymen is still intact," for no
15 legitimate medical purpose and solely to satisfy his own prurient desires.

16 4. At the time, Plaintiff JANE DOE 74, in reasonable reliance upon Defendant USC's
17 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and upon
18 Defendant USC's representations that TYNDALL was a trustworthy medical professional, was
19 blamelessly ignorant of the fact that TYNDALL's actions were not medically legitimate, but rather
20 were sexually abusive. It was not until May of 2018 that Plaintiff JANE DOE 74 realized, for the
21 first time, that TYNDALL's conduct was motivated purely by his own sexual desires and was, in
22 fact, a sexual assault.

23 **PLAINTIFF JANE DOE 75**

24 5. Plaintiff JANE DOE 75 is a female who was born in 1959 and currently resides in
25 Los Angeles County, California.

26 6. In or around 2001, Plaintiff JANE DOE 75, who at the time was a forty-two-year-
27 old undergraduate student attending Defendant USC, made an appointment at Defendant USC's
28 Student Health Center in order to obtain a routine well-woman examination. TYNDALL, as the

1 only full-time gynecologist with regular availability at the Student Health Center, was assigned to
2 be Plaintiff JANE DOE 75's treating physician. In this way, TYNDALL gained access to Plaintiff
3 JANE DOE 75 and sexually abused her by forcing his fingers into her vagina, and repeatedly
4 moved his fingers in and out of her, and telling JANE DOE 75 a crude, disgusting and sexually-
5 harassing story about "a famous rock star who wanted to have sex with a groupie who was on her
6 period, so he yanked out her tampon and fucked her anyway," for no legitimate medical purpose
7 and solely to satisfy his own desire to sexually harass and inflict shame, embarrassment and
8 emotional distress upon JANE DOE 75. JANE DOE 75 lodged a formal complaint with Defendant
9 USC against TYNDALL approximately one week after her appointment, but to JANE DOE 75's
10 knowledge, Defendant USC took no action to investigate, discipline or report TYNDALL.

11 7. Because Defendant USC actively concealed its knowledge of TYNDALL's
12 dangerous propensity to sexually abuse his patients, represented that TYNDALL was a legitimate
13 and trustworthy medical professional, and took no action in response to JANE DOE 75's complaint
14 against TYNDALL, Plaintiff JANE DOE 75 reasonably believed that TYNDALL's actions
15 constituted legitimate medical treatment. However, Plaintiff JANE DOE 75 learned in May of
16 2018, when TYNDALL's sexually abusive nature received national media attention, that
17 TYNDALL's actions were not medically legitimate, but rather were acts of sexual assault and
18 harassment committed solely for his own sexual gratification.

19 **PLAINTIFF JANE DOE 76**

20 8. Plaintiff JANE DOE 76 is a female who was born in 1994 and currently resides in
21 Manhattan County, New York.

22 9. In or around 2014, Plaintiff JANE DOE 76, who at the time was a nineteen-year-old
23 undergraduate in her sophomore year at Defendant USC, made an appointment at Defendant
24 USC's Student Health Center to obtain an STD screening test. TYNDALL, as the only full-time
25 gynecologist with regular availability employed by Defendant USC's Student Health Center, was
26 assigned to be JANE DOE 76's treating physician. TYNDALL used his position of trust and
27 authority over JANE DOE 76 to sexually abuse JANE DOE 76 by, among other things: penetrating
28 JANE DOE 76's vagina with his fingers and moving his fingers around inside of her, feeling the

1 inside of her vagina for an extended period of time; making extremely inappropriate sexual
2 comments, such as "Your muscles are very toned, are you an athlete?" while he was digitally
3 penetrating JANE DOE 76's vagina; and telling JANE DOE 76, "Your gag reflex is impressive."

4 10. At the time she sought medical treatment from Defendant USC's Student Health
5 Center, in reasonable reliance upon Defendant USC's active concealment of its knowledge that
6 TYNDALL was a serial sexual abuser and its representations that TYNDALL was a legitimate
7 medical professional, Plaintiff JANE DOE 76 reasonably believed that TYNDALL's conduct was
8 medically legitimate. However, in May of 2018, when TYNDALL's sexually abusive nature was
9 finally made publicly known, Plaintiff JANE DOE 76 realized, for the first time, that TYNDALL's
10 actions were purely motivated by his own prurient desires, and were in fact sexual assaults,
11 committed solely for TYNDALL's sexual gratification.

12 **PLAINTIFF JANE DOE 77**

13 11. Plaintiff JANE DOE 77 is a female who was born in 1973 and currently resides in
14 Alameda County, California.

15 12. In or around 1992, JANE DOE 77, who at the time was an undergraduate student
16 attending Defendant USC, sought urgent medical treatment from Defendant USC's Student Health
17 Center for excessive vaginal discharge. TYNDALL, as the Student Health Center's only full-time
18 gynecologist with regular availability, was assigned to be JANE DOE 77's treating physician. In
19 this way, TYNDALL gained access to Plaintiff JANE DOE 77 and sexually abused her by forcing
20 his fingers into her vagina and moving his fingers in, out and around the inside of JANE DOE 77's
21 vagina for approximately twenty minutes, causing JANE DOE 77 extreme physical pain. As
22 TYNDALL sexually abused JANE DOE 77 in this way, a USC-employed nurse was present in the
23 examination room, observing TYNDALL's abuse yet doing nothing to stop the abuse. Eventually,
24 the USC-employed nurse told JANE DOE 77, "Honey, don't come back here, go somewhere else."

25 13. Because Defendant USC actively concealed its knowledge of TYNDALL's
26 dangerous propensity to sexually abuse his young patients and actively held TYNDALL out to be
27 a trustworthy and legitimate medical professional, and because a USC-employed nurse observed
28 TYNDALL's conduct and did not intervene, at the time, Plaintiff JANE DOE 77 reasonably

1 believed that TYNDALL's actions were medically legitimate. However, Plaintiff JANE DOE 77
2 subsequently learned in May of 2018, when TYNDALL's sexually abusive nature received
3 national media attention, that TYNDALL's conduct was not done for any legitimate medical
4 purpose, but was, in fact, a sexual assault.

5 **PLAINTIFF JANE DOE 78**

6 14. Plaintiff JANE DOE 78 is a female who was born in 1980 and currently resides in
7 Los Angeles County, California.

8 15. In or around 2011, while she was a graduate student attending Defendant USC,
9 JANE DOE 78 made an appointment at Defendant USC's Student Health Center for a routine well-
10 woman examination. TYNDALL, as the only full-time gynecologist with regular availability
11 employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 78's
12 treating physician. TYNDALL used his position of trust and authority over JANE DOE 78 sexually
13 harass and traumatize JANE DOE 78 by falsely and baselessly telling her that she "probably will
14 never be able to get pregnant," then saying, "but that shouldn't stop you from having a good sex
15 life with your husband." JANE DOE 78 left the Student Health Center in tears, then shortly
16 thereafter reported TYNDALL to a USC-employed therapist at Defendant USC's mental Health
17 Center. The USC-employed therapist gave JANE DOE 78 a business card with the contact
18 information of Cindy Gilbert, a supervising nurse at Defendant USC's Student Health Center.
19 Within a week, JANE DOE 78 emailed Ms. Gilbert, and Ms. Gilbert asked JANE DOE 78 to meet
20 in person at USC. During this in-person meeting, JANE DOE 78 described TYNDALL's
21 misconduct, and Ms. Gilbert took notes. Ms. Gilbert told JANE DOE 78 that she was not the only
22 one who had complained about TYNDALL, and that "they were working on it." However, to
23 JANE DOE 78's knowledge, Defendant USC did not report, investigate or discipline TYNDALL,
24 but instead allowed him to continue abusing and harassing an untold number of USC students for
25 at least another five years.

26 16. Because Defendant USC actively concealed its knowledge of TYNDALL's
27 dangerous propensity to sexually abuse young female students and publicly represented
28 TYNDALL to be a trustworthy and legitimate medical professional, and the fact that Defendant

1 USC did not report, investigate or discipline TYNDALL in response to her complaints against
2 him, Plaintiff JANE DOE 78 reasonably believed that TYNDALL's statements were medically
3 legitimate. However, Plaintiff JANE DOE 78 subsequently learned in May of 2018, when
4 TYNDALL's sexual abuse was finally disclosed by the national media, that TYNDALL's conduct
5 did, in fact, constitute sexual abuse and harassment.

6 **PLAINTIFF JANE DOE 79**

7 17. Plaintiff JANE DOE 79 is a female who was born in 1977 and currently resides in
8 Santa Clara County, California.

9 18. In or around 1997, Plaintiff JANE DOE 79, who at the time was a twenty-year-old
10 undergraduate student attending Defendant USC, made an appointment with Defendant USC's
11 Student Health Center to seek treatment for excessive vaginal bleeding. TYNDALL, as the only
12 full-time gynecologist with regular availability employed by Defendant USC's Student Health
13 Center, was assigned to be JANE DOE 79's treating physician. TYNDALL used this position of
14 trust and authority of JANE DOE 79 to sexually abuse her by penetrating Plaintiff's vagina and
15 anus with his fingers, while making wholly inappropriate and sexually-harassing comments about
16 JANE DOE 79's virginity. While TYNDALL was sexually abusing JANE DOE 79 in this way, a
17 USC-employed chaperone was present, observing TYNDALL's abuse yet remaining silent.
18 TYNDALL then falsely told JANE DOE 79 that it was medically necessary for her to return to the
19 USC Student Health Center for additional purported "pelvic examinations" once a week for the
20 next three weeks. In this way, TYNDALL gained access to JANE DOE 79 and sexually abused
21 her, under the guise of conducting a "pelvic examination," four times within a one-month period.

22 19. At the time, Plaintiff JANE DOE 79, in reasonable reliance upon Defendant USC's
23 active concealment of its knowledge that TYNDALL was a serial sexual abuser and its
24 representations that TYNDALL was a legitimate and trustworthy medical professional, and the
25 fact that a USC-employed chaperone observed TYNDALL's conduct yet did nothing to intervene,
26 believed that TYNDALL's conduct was medically legitimate. However, in May of 2018, Plaintiff
27 JANE DOE 79 realized, for the first time, that TYNDALL's actions were purely motivated by his
28

own prurient desires, and were in fact sexual assaults, committed solely for TYNDALL's own sexual gratification.

PLAINTIFF JANE DOE 80

20. Plaintiff JANE DOE 80 is a female who was born in 1991 and currently resides in Los Angeles County, California.

21. In or around 2012, JANE DOE 80, who at the time was an undergraduate student attending Defendant USC, made an appointment with Defendant USC's Student Health Center in order to obtain treatment for excessive menstrual bleeding. JANE DOE 80 specifically requested a female health practitioner but was told by Defendant USC's Student Health Center that it was not possible because "we only have one" gynecologist. In this way, TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 80's treating physician. TYNDALL used his position of trust and authority over JANE DOE 80 to sexually abuse her by, among other things: forcing JANE DOE 80 extremely inappropriate questions about her private sexual history, including but not limited to asking JANE DOE 80, "Do you have a boyfriend?" while he was digitally penetrating her vagina.

22. At the time, Plaintiff JANE DOE 80, in reasonable reliance upon Defendant USC's active concealment of its knowledge that TYNDALL was a serial sexual abuser and its representations that TYNDALL was a legitimate and trustworthy medical professional, believed that TYNDALL's conduct was medically legitimate. However, in May of 2018, Plaintiff JANE DOE 80 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient desires, and were in fact sexual assaults, committed solely for TYNDALL's own sexual gratification.

PLAINTIFF JANE DOE 81

23. Plaintiff JANE DOE 81 is a female who was born in 1977 and currently resides in Williamson County, Texas.

24. In or around 1995, JANE DOE 81, who at the time was an eighteen-year-old freshman attending Defendant USC, made her first-ever gynecological appointment with Defendant USC's Student Health Center to obtain a prescription for birth control. TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 81's treating physician. TYNDALL used this position of trust and authority to sexually abuse JANE DOE 81 by, among other things: groping her breasts while telling her how "large" they were; and forcing his fingers inside of JANE DOE 81's anus for over five minutes, causing JANE DOE 81 extreme physical pain and bleeding that lasted for over one week. TYNDALL then forced JANE DOE 81 to submit to a purported "pelvic examination" every six months by withholding refills of her birth control prescription unless and until she allowed him to perform a "pelvic examination." In this way, TYNDALL gained access to JANE DOE 81 to sexually abuse her on three additional occasions, each time groping JANE DOE 81's breasts and penetrating her anus with his fingers.

25. At the time, Plaintiff JANE DOE 81, in reasonable reliance upon Defendant USC's active concealment of its knowledge that TYNDALL was a serial sexual abuser and its representations that TYNDALL was a legitimate and trustworthy medical professional, reasonably believed that TYNDALL's treatment of her was medically legitimate. However, when TYNDALL's sexually abusive nature was finally publicly revealed in May of 2018, Plaintiff JANE DOE 81 realized, for the first time, that TYNDALL had, in fact, sexually assaulted her.

PLAINTIFF JANE DOE 82

26. Plaintiff JANE DOE 82 is a female who was born in 1971 and currently resides in Los Angeles County, California.

27. In or around 1991, JANE DOE 82, who at the time was a twenty-year-old undergraduate student attending Defendant USC, made her first-ever gynecological appointment with Defendant USC's Student Health Center for a routine well-woman examination. TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 82's treating physician. TYNDALL used this position of trust and authority to sexually abuse JANE DOE 82 by falsely telling JANE DOE 82

1 that she had "abnormal tissue" inside of her vagina, and then photographing JANE DOE 82's
2 naked genitalia, under the guise of providing a legitimate and necessary medical treatment.

3 28. At the time, Plaintiff JANE DOE 82, in reasonable reliance upon Defendant USC's
4 active concealment of its knowledge that TYNDALL was a serial sexual abuser and its
5 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
6 that TYNDALL's conduct was medically legitimate. However, in May of 2018, Plaintiff JANE
7 DOE 82 realized, for the first time, that TYNDALL's act of photographing her genitalia was purely
8 motivated by his own prurient desires, and was in fact a sexual assault, committed solely for
9 TYNDALL's own sexual gratification.

10 **PLAINTIFF JANE DOE 83**

11 29. Plaintiff JANE DOE 83 is a female who was born in 1986 and currently resides in
12 Los Angeles County, California.

13 30. In or around 2006, JANE DOE 83, who at the time was a nineteen-year-old
14 undergraduate student attending Defendant USC, made an appointment with Defendant USC's
15 Student Health Center in order to obtain treatment for vaginal pain. TYNDALL, as the only full-
16 time gynecologist with regular availability employed by Defendant USC's Student Health Center,
17 was assigned to be JANE DOE 83's treating physician. TYNDALL used his position of trust and
18 authority over JANE DOE 83 to sexually abuse her by forcing his fingers into JANE DOE 83's
19 vagina and falsely and baselessly told JANE DOE 83 that she had herpes, in order to inflict
20 psychological pain and emotional distress upon JANE DOE 83 in furtherance of his own sadistic
21 sexual desires.

22 31. At the time, Plaintiff JANE DOE 83, in reasonable reliance upon Defendant USC's
23 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
24 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
25 that TYNDALL's conduct was medically legitimate. However, in May of 2018, Plaintiff JANE
26 DOE 83 realized, for the first time, that TYNDALL's actions were purely motivated by his own
27 prurient desires, and were in fact sexual assaults, committed solely for TYNDALL's own sexual
28 gratification.

PLAINTIFF JANE DOE 84

32. Plaintiff JANE DOE 84 is a female who was born in 1990 and currently resides in Taiwan.

33. From in or around 2014 to 2015, while JANE DOE 84 was a graduate student attending Defendant USC, JANE DOE 84 was forced to submit to TYNDALL's sexual abuse on at least three separate occasions when she was seeking necessary gynecological treatment from Defendant USC's Student Health Center. TYNDALL, as the only full-time gynecologist with regular availability at the Student Health Center, as assigned to be JANE DOE 84's treating physician. TYNDALL used his position of trust and authority over JANE DOE 84 to sexually abuse her by, among other things: forcing JANE DOE 84 to strip complete naked; leering at JANE DOE 84's naked body, under the guise of conducting a "skin examination," forcing his ungloved fingers inside of JANE DOE 84's vagina; groping JANE DOE 84's breasts, under the guise of conducting a "breast examination;" and making racist and sexually harassing comments, including telling JANE DOE 84 that "Taiwan's ob-gyn doctors always have a lot of fun with girls."

34. At the time, Plaintiff JANE DOE 84, in reasonable reliance upon Defendant USC's active concealment of its knowledge that TYNDALL was a serial sexual abuser and its representations that TYNDALL was a legitimate and trustworthy medical professional, believed that TYNDALL's conduct was medically legitimate. However, in May of 2018, Plaintiff JANE DOE 84 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient desires, and were in fact sexual assaults, committed solely for TYNDALL's own sexual gratification.

PLAINTIFF JANE DOE 85

35. Plaintiff JANE DOE 85 is a female who was born in 1994 and currently resides in Los Angeles County, California.

36. From in or around 2014 to in or around 2016, during her junior and senior years as an undergraduate at Defendant USC, JANE DOE 85 was forced to submit to TYNDALL's sexual abuse on at least six separate occasions when she was seeking necessary gynecological treatment from Defendant USC's Student Health Center. TYNDALL, as the only full-time gynecologist with

1 regular availability employed by Defendant USC's Student Health Center, was assigned to be
2 JANE DOE 85's treating physician. JANE DOE 85 had never before been to a gynecologist before
3 she sought treatment from Defendant USC's Student Health Center. TYNDALL used his position
4 of trust and authority over JANE DOE 85 to sexually abuse her by, among other things: forcing
5 JANE DOE 85 to strip completely naked; forcing his fingers inside of JANE DOE 85's vagina and
6 repeatedly moving them in and out of JANE DOE 85, under the guise of "seeing whether the
7 speculum would fit;" and making incredibly inappropriate comments about JANE DOE 85's body,
8 including telling JANE DOE 85 how "tight" her vagina was. The entire time that TYNDALL
9 sexually abused JANE DOE 85 in this way, a USC-employed chaperone was present in the
10 examination room, watching TYNDALL sexually abuse JANE DOE 85 yet remaining silent.

11 37. At the time, Plaintiff JANE DOE 48, in reasonable reliance upon Defendant USC's
12 active concealment of its knowledge that TYNDALL was a serial sexual abuser, its representations
13 that TYNDALL was a legitimate and trustworthy medical professional, and the fact that a USC-
14 employed chaperone was present in the examination room yet did nothing to intervene, believed
15 that TYNDALL's conduct was medically legitimate. However, in May of 2018, Plaintiff JANE
16 DOE 48 realized, for the first time, that TYNDALL's actions were purely motivated by his own
17 prurient desires, and were in fact sexual assaults, committed solely for TYNDALL's own sexual
18 gratification.

19 **PLAINTIFF JANE DOE 86**

20 38. Plaintiff JANE DOE 86 is a female who was born in 1995 and currently resides in
21 Orange County, ~~California~~.

22 39. In or around 2015, JANE DOE 86, who at the time was an international student
23 from Lebanon attending Defendant USC, made an appointment with Defendant USC's Student
24 Health Center in order to obtain a prescription for birth control. TYNDALL, as the only full-time
25 gynecologist with regular availability employed by Defendant USC's Student Health Center, was
26 assigned to be JANE DOE 86's treating physician. TYNDALL used his position of trust and
27 authority over JANE DOE 86 to sexually abuse her by forcing his fingers into JANE DOE 86's
28 vagina, while making wholly inappropriate comments about how "tight" JANE DOE 86's vagina

1 was. TYNDALL also made extremely racist comments about JANE DOE 86's Lebanese heritage,
2 including but not limited to offering to give JANE DOE 86 "a bag of blood that she could pop on
3 her wedding night, so her husband would think she was a virgin." JANE DOE 86 made a complaint
4 against TYNDALL to a nurse at the health center, who told JANE DOE 86 that this was "not the
5 first time someone had made a complaint against him," and that other international students at
6 Defendant USC had reported inappropriate conduct by TYNDALL. JANE DOE 86 also lodged a
7 complaint against TYNDALL with Defendant USC's Office of Compliance in or around 2016;
8 after this initial phone call, JANE DOE 86 never again heard anything from Defendant USC
9 regarding her complaints against TYNDALL.

10 40. At the time, Plaintiff JANE DOE 86, in reasonable reliance upon Defendant USC's
11 active concealment of its knowledge that TYNDALL was a serial sexual abuser, its representations
12 that TYNDALL was a legitimate and trustworthy medical professional, and the fact that a USC-
13 employed chaperone was present in the examination room yet remained silent, believed that
14 TYNDALL's conduct was medically legitimate. However, in May of 2018, Plaintiff JANE DOE
15 86 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
16 desires, and were in fact sexual assaults, committed solely for TYNDALL's own sexual
17 gratification.

18 PLAINTIFF JANE DOE 87

19 41. Plaintiff JANE DOE 87 is a female who was born in 1970 and currently resides in
20 San Diego County, California.

21 42. In or around 1990, JANE DOE 87, who at the time was an undergraduate student
22 attending Defendant USC, made an appointment for her first-ever pelvic examination with
23 Defendant USC's Student Health Center. TYNDALL, as the only full-time gynecologist with
24 regular availability employed by Defendant USC's Student Health Center, was assigned to be
25 JANE DOE 87's treating physician. TYNDALL used his position of trust and authority over JANE
26 DOE 87 to sexually abuse her by forcing his fingers into JANE DOE 87's vagina and moving his
27 fingers around inside of her, under the guise of "seeing whether the speculum will fit;" asking
28 JANE DOE 87 numerous prurient questions about her virginity; and showing JANE DOE 87 -

1 who is herself an Asian-American woman – a “mail order bride” catalog of Asian women,
2 explaining that he had “ordered” his own wife from such a catalog, and asking JANE DOE 87 if
3 she “would consider meeting a friend of his” who was also interested in a “mail order bride.”
4 TYNDALL’s flagrantly racist and misogynistic comments were intended to, and did, inflict
5 extreme emotional distress and psychological pain upon JANE DOE 87, in furtherance of
6 TYNDALL’s own sadistic sexual pleasure.

7 43. At the time, Plaintiff JANE DOE 87, in reasonable reliance upon Defendant USC’s
8 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
9 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
10 that TYNDALL’s conduct was medically legitimate. It was not until May of 2018, when
11 TYNDALL’s sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 87
12 realized, for the first time, that TYNDALL’s actions were purely motivated by his own prurient
13 desires, and were in fact sexual assaults.

14 **PLAINTIFF JANE DOE 88**

15 44. Plaintiff JANE DOE 88 is a female who was born in 1993 and currently resides in
16 Los Angeles County, California.

17 45. In or around 2016, JANE DOE 88, who at the time was a ~~graduate student~~ attending
18 Defendant USC, made an appointment with Defendant USC’s Student ~~Health Center~~ in order to
19 ask a question regarding her birth control prescription. TYNDALL, as the only full-time
20 gynecologist with regular availability employed by Defendant USC’s ~~Student Health~~ Center, was
21 assigned to be JANE DOE 88’s treating physician. TYNDALL used ~~his position~~ of trust and
22 authority over JANE DOE 88 to sexually abuse her by forcing his finger ~~into~~ JANE DOE 88’s
23 vagina and moving his finger around the inside of her vagina for at least ~~two minutes~~, all the while
24 making extremely inappropriate comments about how “tight” JANE DOE 88’s vagina was. As
25 TYNDALL was sexually abusing JANE DOE 88 in this manner, a USC-employed chaperone was
26 present in the examination room, observing TYNDALL’s abuse yet remaining silent.

27 46. At the time, Plaintiff JANE DOE 88, in reasonable reliance upon Defendant USC’s
28 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its

1 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
2 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
3 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 88
4 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
5 desires and were in fact sexual assaults.

6 **PLAINTIFF JANE DOE 89**

7 47. Plaintiff JANE DOE 89 is a female who was born in 1968 and currently resides in
8 Orange County, California.

9 48. In or around 1989, JANE DOE 89, who at the time was an undergraduate student
10 attending Defendant USC, was forced to submit to TYNDALL's sexual abuse on at least three
11 separate occasions, while she was seeking treatment for a serious, chronic gynecological condition.
12 TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant
13 USC's Student Health Center, was assigned to be JANE DOE 89's treating physician. TYNDALL
14 used his position of trust and authority over JANE DOE 89 to sexually abuse her by forcing his
15 fingers into JANE DOE 89's vagina, and by taking multiple photographs of JANE DOE 89's naked
16 genitalia, for no legitimate medical purpose and solely to satisfy his own prurient desires.

17 49. At the time, Plaintiff JANE DOE 89, in reasonable reliance upon Defendant USC's
18 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
19 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
20 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
21 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 89
22 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
23 desires, and were in fact sexual assaults.

24 **PLAINTIFF JANE DOE 90**

25 50. Plaintiff JANE DOE 90 is a female who was born in 1980 and currently resides in
26 Los Angeles County, California.

27 51. In or around 1998, JANE DOE 90, who at the time was an eighteen-year-old
28 undergraduate student attending Defendant USC, made an appointment with Defendant USC's

1 Student Health Center in order to obtain a birth control prescription. TYNDALL, as the only full-
2 time gynecologist with regular availability employed by Defendant USC's Student Health Center,
3 was assigned to be JANE DOE 90's treating physician. TYNDALL used his position of trust and
4 authority over JANE DOE 90 to sexually abuse her by forcing his fingers into JANE DOE 90's
5 vagina for several minutes and telling JANE DOE 90 that she would "need a man with a big penis
6 to satisfy her" as he was digitally penetrating her, causing JANE DOE 90 extreme psychological
7 pain and emotional distress.

8 52. At the time, Plaintiff JANE DOE 90, in reasonable reliance upon Defendant USC's
9 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
10 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
11 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
12 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 90
13 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
14 desires, and were in fact sexual assaults.

15 **PLAINTIFF JANE DOE 91**

16 53. Plaintiff JANE DOE 91 is a female who was born in 1981 and currently resides in
17 Los Angeles County, California.

18 54. In or around 2001, JANE DOE 91, who at the time was an undergraduate student
19 attending Defendant USC, made an appointment with Defendant USC's Student Health Center in
20 order to obtain a prescription for birth control. TYNDALL, as the only full-time gynecologist with
21 regular availability employed by Defendant USC's Student Health Center, was assigned to be
22 JANE DOE 91's treating physician. TYNDALL used his position of trust and authority over JANE
23 DOE 91 to sexually abuse her by forcing his fingers into JANE DOE 91's vagina and digitally
24 penetrating JANE DOE 91 for several minutes, causing JANE DOE 91 extreme physical pain;
25 telling JANE DOE 91 to "tighten" her vaginal muscles while his fingers were inside of her; and
26 telling JANE DOE 91 that her vaginal walls were "weak" and that "she should do Kegels."

27 55. At the time, Plaintiff JANE DOE 91, in reasonable reliance upon Defendant USC's
28 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its

1 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
2 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
3 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 91
4 realized, for the first time, that she had been sexually abused by TYNDALL.

5 **PLAINTIFF JANE DOE 92**

6 56. Plaintiff JANE DOE 92 is a female who was born in 1989 and currently resides in
7 Los Angeles County, California.

8 57. In or around 2015, JANE DOE 92, who at the time was a graduate student attending
9 Defendant USC, made an appointment with Defendant USC's Student Health Center for a routine
10 well-woman examination. TYNDALL, as the only full-time gynecologist with regular availability
11 employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 92's
12 treating physician. TYNDALL used his position of trust and authority over JANE DOE 92 to
13 sexually abuse her by penetrating her vagina with his fingers and pressing on her vaginal walls,
14 while making wholly inappropriate comments about her genitalia, including, "Are you a runner?
15 Your muscles are very strong." While TYNDALL was sexually abusing JANE DOE 92 in this
16 way, a USC-employed chaperone was present in the examination room, observing TYNDALL's
17 sexual abuse of JANE DOE 92 yet remaining silent.

18 58. At the time, Plaintiff JANE DOE 92, in reasonable reliance upon Defendant USC's
19 active concealment of its knowledge that TYNDALL was a serial sexual abuser, its representations
20 that TYNDALL was a legitimate and trustworthy medical professional, and the fact that a USC-
21 employed chaperone witnessed the abuse and said nothing, believed that TYNDALL's conduct
22 was medically legitimate. It was not until May of 2018, when TYNDALL's sexually abusive
23 nature finally was publicly revealed, that Plaintiff JANE DOE 92 realized, for the first time, that
24 TYNDALL's actions were purely motivated by his own prurient desires and were in fact sexual
25 assaults.

26 **PLAINTIFF JANE DOE 93**

27 59. Plaintiff JANE DOE 93 is a female who was born in 1989 and currently resides in
28 Harris County, Texas.

1 60. In or around 2012, JANE DOE 93, who at the time was an undergraduate student
2 attending Defendant USC, made an appointment with Defendant USC's Student Health Center in
3 order to obtain treatment for a rash on her labia. TYNDALL, as the only full-time gynecologist
4 with regular availability employed by Defendant USC's Student Health Center, was the only
5 available doctor and therefore was assigned to be JANE DOE 93's treating physician. TYNDALL
6 used his position of trust and authority over JANE DOE 93 to sexually abuse her by forcing his
7 ungloved fingers into JANE DOE 93's vagina and stroking the exterior of JANE DOE 93's
8 genitalia, for no legitimate medical purpose and purely to satisfy his own sexual desires. While
9 TYNDALL was sexually abusing JANE DOE 93 in this way, a USC-employed chaperone was
10 present, observing the abuse yet saying nothing.

11 61. At the time, Plaintiff JANE DOE 93, in reasonable reliance upon Defendant USC's
12 active concealment of its knowledge that TYNDALL was a serial sexual abuser, its representations
13 that TYNDALL was a legitimate and trustworthy medical professional, and the fact that a USC-
14 employed chaperone witnessed TYNDALL's conduct yet remained silent, believed that
15 TYNDALL's conduct was medically legitimate. It was not until May of 2018, when TYNDALL's
16 sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 93 realized, for
17 the first time, that TYNDALL's actions were purely motivated by his own prurient desires and
18 were in fact sexual assaults.

19 **PLAINTIFF JANE DOE 94**

20 62. Plaintiff JANE DOE 94 is a female who was born in 1996 and currently resides in
21 Los Angeles County, California.

22 63. In or around 2016, JANE DOE 94, who at the time was a nineteen-year-old
23 undergraduate student attending Defendant USC, made an appointment with Defendant USC's
24 Student Health Center in order to obtain treatment for recurring yeast infections. TYNDALL, as
25 the only full-time gynecologist with regular availability employed by Defendant USC's Student
26 Health Center, was assigned to be JANE DOE 94's treating physician. Prior to seeking treatment
27 from TYNDALL, JANE DOE 94 had never before undergone a pelvic examination. TYNDALL
28 used his position of trust and authority over JANE DOE 94 to sexually abuse her by forcing his

1 fingers into JANE DOE 94's vagina while asking her, "Have you ever been fingered before?", for
2 no legitimate medical purpose and purely to satisfy his own sexual desires. JANE DOE 94 was
3 forced to return to the Student Health Center for another appointment less than a month later,
4 where TYNDALL again sexually abused her by digitally penetrating her and sexually harassed
5 her by telling her, "You're so beautiful" and "You should be a model."

6 64. At the time, Plaintiff JANE DOE 94, in reasonable reliance upon Defendant USC's
7 active concealment of its knowledge that TYNDALL was a serial sexual abuser and its
8 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
9 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
10 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 94
11 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
12 desires, and were in fact sexual assaults.

13 PLAINTIFF JANE DOE 95

14 65. Plaintiff JANE DOE 95 is a female who was born in 1969 and currently resides in
15 Los Angeles County, California.

16 66. In or around 1990, JANE DOE 95, who at the time was an undergraduate student
17 attending Defendant USC, made an appointment with Defendant USC's Student Health Center for
18 a routine well-woman examination. TYNDALL, the only full-time gynecologist with regular
19 availability at the Student Health Center, was assigned to be her treating physician. TYNDALL
20 used his position of trust and authority over JANE DOE 95 to sexually abuse her by cutting off a
21 portion of her cervix, without her permission or consent, for no legitimate medical purpose and
22 solely to inflict physical pain and emotional distress upon JANE DOE 95, in furtherance of his
23 own sadistic sexual desires.

24 67. At the time, Plaintiff JANE DOE 95, in reasonable reliance upon Defendant USC's
25 active concealment of its knowledge that TYNDALL was a serial sexual abuser and its
26 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
27 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
28 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 95

1 realized, for the first time, that TYNDALL's conduct were purely motivated by his own sadistic
2 sexual desires and was in fact a sexual assault.

3 **PLAINTIFF JANE DOE 96**

4 68. Plaintiff JANE DOE 96 is a female who was born in 1966 and currently resides in
5 Orange County, California.

6 69. In or around 1989, JANE DOE 96, who at the time was an undergraduate student
7 attending Defendant USC, made an appointment with Defendant USC's Student Health Center in
8 order to obtain a prescription for birth control. TYNDALL, the only full-time gynecologist with
9 regular availability at the Student Health Center, was assigned to be her treating physician.
10 TYNDALL used his position of trust and authority over JANE DOE 96 to sexually abuse her by,
11 among other things: forcing JANE DOE 96 to strip completely naked and spend the entire
12 appointment completely exposed, with no medical gown or drape; groping her breasts and
13 squeezing her nipples; digitally penetrating her vagina, without wearing gloves; and forcing his
14 fingers into her anus, without warning or explanation, causing JANE DOE 96 extreme physical
15 pain and bleeding for over a week.

16 70. At the time, Plaintiff JANE DOE 96, in reasonable reliance upon Defendant USC's
17 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
18 representations that TYNDALL was a legitimate and trustworthy medical professional,
19 TYNDALL's conduct was medically legitimate. It was not until May of 2018, when TYNDALL's
20 sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 96 realized, for
21 the first time, that TYNDALL's actions were purely motivated by his own sexual desires and were,
22 in fact, sexual assaults.

23 **PLAINTIFF JANE DOE 97**

24 71. Plaintiff JANE DOE 97 is a female who was born in 1988 and currently resides in
25 Los Angeles County, California.

26 72. In or around 2009, JANE DOE 97, who at the time was an undergraduate student
27 attending Defendant USC, made her first-ever gynecological appointment with Defendant USC's
28 Student Health Center in order to obtain a prescription for birth control. Even though JANE DOE

1 97 specifically requested a female health practitioner, she was told by Defendant USC that
2 TYNDALL "is the only one who can write you a prescription." In this way, TYNDALL, as the
3 only full-time gynecologist with regular availability employed by Defendant USC's Student
4 Health Center, was assigned to be JANE DOE 97's treating physician. TYNDALL used his
5 position of trust and authority over JANE DOE 97 to sexually abuse her by penetrating her vagina
6 with his ungloved fingers, and while moving his fingers in and out of JANE DOE 97's vagina,
7 saying, "I can tell you're a virgin, you're so tight."

8 73. At the time, Plaintiff JANE DOE 97, in reasonable reliance upon Defendant USC's
9 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
10 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
11 that TYNDALL's conduct was medically legitimate. JANE DOE 97 also had no prior experience
12 with gynecologists whatsoever by which to gauge whether TYNDALL's conduct was, in fact,
13 medically proper. It was not until May of 2018, when TYNDALL's sexually abusive nature finally
14 was publicly revealed, that Plaintiff JANE DOE 97 realized, for the first time, that TYNDALL's
15 actions were purely motivated by his own prurient desires and was in fact a sexual assault.

16 **PLAINTIFF JANE DOE 98**

17 74. Plaintiff JANE DOE 98 is a female who was born in 1991 and ~~currently~~ resides in
18 Orange County, California.

19 75. In or around 2012, JANE DOE 98, who at the time was a twenty-year-old
20 undergraduate student attending Defendant USC, made her first-ever gynecological appointment
21 with Defendant USC's Student Health Center in order to obtain treatment for a yeast infection.
22 TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant
23 USC's Student Health Center, was assigned to be JANE DOE 98's treating physician. TYNDALL
24 used his position of trust and authority over JANE DOE 98 to sexually abuse her by forcing her to
25 strip completely naked, squeezing and rubbing her breasts under the guise of conducting a "breast
26 examination," and penetrating JANE DOE 98's vagina with his fingers and moving his fingers
27 around inside of her for several minutes while telling her, "You have good childbearing hips." As
28 TYNDALL sexually abused JANE DOE 98 in this way, a USC-employed nurse was present in the

1 examination room, observing TYNDALL's abuse yet saying nothing. JANE DOE 98 then
2 approached that same nurse to complain about TYNDALL's conduct, but was silenced and
3 dismissed by that nurse, who said, "Oh, you were just nervous."

4 76. At the time, Plaintiff JANE DOE 98, in reasonable reliance upon Defendant USC's
5 active concealment of its knowledge that TYNDALL was a serial sexual abuser, its representations
6 that TYNDALL was a legitimate and trustworthy medical professional, and the fact that a USC-
7 employed nurse remained silent throughout the appointment and then dismissed JANE DOE 98's
8 complaints, believed that TYNDALL's conduct was medically legitimate. It was not until May of
9 2018, when TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff
10 JANE DOE 98 realized, for the first time, that TYNDALL's actions were purely motivated by his
11 own prurient desires and were, in fact, sexual assaults.

12 **PLAINTIFF JANE DOE 99**

13 77. Plaintiff JANE DOE 99 is a female who was born in 1986 and currently resides in
14 Los Angeles County, California.

15 78. From in or around 2014 to 2015, JANE DOE 99, who at the time was a graduate
16 student attending Defendant USC, was forced to seek gynecological treatment from Defendant
17 USC's Student Health Center on at least three separate occasions to obtain treatment for acute
18 vaginal pain. TYNDALL, as the only full-time gynecologist with regular availability employed by
19 Defendant USC's Student Health Center, was assigned to be JANE DOE 99's treating physician.
20 TYNDALL used his position of trust and authority over JANE DOE 99 to sexually abuse her by
21 penetrating JANE DOE 99's vagina with his fingers each time that she came to the Student Health
22 Center for medical treatment.

23 79. At the time, Plaintiff JANE DOE 99, in reasonable reliance upon Defendant USC's
24 active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
25 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
26 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
27 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 99
28

1 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
2 desires and were in fact sexual assaults.

3 **PLAINTIFF JANE DOE 100**

4 80. Plaintiff JANE DOE 100 is a female who was born in 1990 and currently resides in
5 Alameda County, California.

6 81. In or around 2015, JANE DOE 100, who at the time was a graduate student
7 attending Defendant USC, made an appointment with Defendant USC's Student Health Center for
8 a routine well-woman examination. TYNDALL, as the only full-time gynecologist with regular
9 availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE
10 100's treating physician. TYNDALL used his position of trust and authority over JANE DOE 100
11 to sexually abuse her by forcing his ungloved fingers inside of her vagina and moving his fingers
12 inside of her, under the guise of "seeing whether the speculum will fit," and groping JANE DOE
13 100's breasts, under the guise of performing a "breast examination."

14 82. At the time, Plaintiff JANE DOE 100, in reasonable reliance upon Defendant
15 USC's active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
16 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
17 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
18 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 100
19 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
20 desires and were, in fact, sexual assaults.

21 **PLAINTIFF JANE DOE 101**

22 83. Plaintiff JANE DOE 101 is a female who was born in 1973 and currently resides in
23 Manhattan County, New York.

24 84. In or around 1992, JANE DOE 101, who at the time was a nineteen-year-old
25 undergraduate student in her freshman year at Defendant USC, made her first-ever gynecological
26 appointment with Defendant USC's Student Health Center in order to obtain treatment for a
27 urinary tract infection. TYNDALL, as the only full-time gynecologist with regular availability
28 employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 101's

1 treating physician. TYNDALL used his position of trust and authority over JANE DOE 101 to
2 sexually abuse her by, among other things: forcing JANE DOE 101 to strip completely naked;
3 forcing his fingers inside of JANE DOE 101's vagina and repeatedly moving his fingers in an out
4 of her vagina; digitally penetrating JANE DOE 101's anus; and making incredibly inappropriate
5 comments about JANE DOE 101's vagina, such as, "You are very wet, you're lucky," and "You
6 have a gorgeous and tight vagina."

7 85. At the time, Plaintiff JANE DOE 101, in reasonable reliance upon Defendant
8 USC's active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
9 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
10 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
11 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 101
12 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
13 desires and were, in fact, sexual assaults.

14 PLAINTIFF JANE DOE 102

15 86. Plaintiff JANE DOE 102 is a female who was born in 1967 and currently resides in
16 Los Angeles County, California.

17 87. In or around 2003, JANE DOE 102, who at the time was a graduate student
18 attending Defendant USC, made an appointment with Defendant USC's Student Health Center in
19 order to obtain a refill of her birth control prescription. TYNDALL, as the only full-time
20 gynecologist with regular availability employed by Defendant USC's Student Health Center, was
21 assigned to be JANE DOE 102's treating physician. TYNDALL used his position of trust and
22 authority over JANE DOE 102 to sexually abuse her by forcing his fingers inside of her vagina
23 and roughly moving his fingers around inside of her in a deliberate attempt to cause her physical
24 pain. As TYNDALL was sexually abusing JANE DOE 102 in this way, a USC-employed
25 chaperone was present in the examination room, observing the abuse yet remaining silent.

26 88. At the time, Plaintiff JANE DOE 102, in reasonable reliance upon Defendant
27 USC's active concealment of its knowledge that TYNDALL was a serial sexual abuser, its
28 representations that TYNDALL was a legitimate and trustworthy medical professional, and the

1 fact that a USC-employed chaperone observed TYNDALL's conduct yet said nothing, believed
2 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
3 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 102
4 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
5 desires and was in fact a sexual assault.

6 **PLAINTIFF JANE DOE 103**

7 89. Plaintiff JANE DOE 103 is a female who was born in 1968 and currently resides in
8 Los Angeles County, California.

9 90. In or around 1990, JANE DOE 103, who at the time was an undergraduate student
10 attending Defendant USC, made an appointment with Defendant USC's Student Health Center in
11 order to obtain treatment for a vaginal wart. TYNDALL, as the only full-time gynecologist with
12 regular availability employed by Defendant USC's Student Health Center, was the only doctor
13 available and therefore was assigned to be JANE DOE 103's treating physician. TYNDALL used
14 his position of trust and authority over JANE DOE 103 to sexually abuse her by taking a
15 photograph of JANE DOE 103's naked vagina, for no legitimate medical purpose and solely to
16 satisfy his own prurient desires.

17 91. At the time, Plaintiff JANE DOE 103, in reasonable reliance upon Defendant
18 USC's active concealment of its knowledge that TYNDALL was a serial sexual abuser, and its
19 representations that TYNDALL was a legitimate and trustworthy medical professional, believed
20 ~~that~~ TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
21 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 103
22 realized, for the first time, that TYNDALL's actions were purely motivated by his own prurient
23 desires and did, in fact, constitute sexual abuse and harassment.

24 **PLAINTIFF JANE DOE 104**

25 92. Plaintiff JANE DOE 104 is a female who was born in 1994 and currently resides in
26 Shelby County, Tennessee.

27 93. From in or around 2014 through 2016, JANE DOE 104, who at the time was an
28 undergraduate student attending Defendant USC, was forced to submit to TYNDALL's sexual

1 abuse on at least four separate occasions while seeking gynecological treatment from Defendant
2 USC's Student Health Center. TYNDALL, as the only full-time gynecologist with regular
3 availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE
4 104's treating physician. TYNDALL used his position of trust and authority over JANE DOE 104
5 to sexually abuse her by, among other things, forcing his fingers inside of her vagina, without
6 wearing a glove, and moving his fingers around inside of her, all the while making such extremely
7 inappropriate and sexually harassing comments as, "You're so wet," "You're so tight, you must
8 be an athlete," and "Is your boyfriend pleasing you correctly?" TYNDALL forced JANE DOE
9 104 to undergo a purported "pelvic examination" every six months in order to receive a refill of
10 her birth control prescription, for no legitimate medical purpose and solely because he wanted to
11 gain access to JANE DOE 104 to sexually abuse her. Whenever TYNDALL sexually abused JANE
12 DOE 104 in this way, a USC-employed chaperone was present, observing the abuse yet remaining
13 silent.

14 94. At the time, Plaintiff JANE DOE 104, in reasonable reliance upon Defendant
15 USC's active concealment of its knowledge that TYNDALL was a serial sexual abuser, its
16 representations that TYNDALL was a legitimate and trustworthy medical professional, and the
17 fact that a USC-employed ~~chaperone~~ observed TYNDALL's conduct yet said nothing, believed
18 that TYNDALL's conduct was medically legitimate. It was not until May of 2018, when
19 TYNDALL's sexually abusive nature finally was publicly revealed, that Plaintiff JANE DOE 104
20 realized, for the first time, that TYNDALL's actions were solely motivated by his own prurient
21 desires and was in fact a ~~sexual assault~~.

22 **DEFENDANT, DR. GEORGE TYNDALL – THE PERPETRATOR**

23 95. Defendant TYNDALL, at all times mentioned herein was and is an adult male
24 individual, who Plaintiffs are informed and believe lived in the State of California during the period
25 of time during which the sexual abuse, harassment, and molestation alleged herein took place and
26 is currently a citizen of the State of California. Plaintiffs are informed and believe, and on this
27 basis allege, that TYNDALL received his medical degree from the Medical College of
28 Pennsylvania in 1985 and completed his medical residency in Obstetrics and Gynecology at Kaiser

1 Foundation Hospital in Los Angeles, California, in 1989. Upon completion of his residency,
2 TYNDALL was hired by USC as a full-time gynecologist at USC's student health clinic, and was
3 employed in that capacity until June 30, 2017, when Defendant USC allowed TYNDALL quietly
4 resign, with a financial settlement paid by Defendant USC, in a deliberate attempt to continue to
5 conceal TYNDALL's sexual abuse from Plaintiffs; the Trojan family of students, alumni, donors,
6 and supporters of Defendant USC in the community; law enforcement; the California Medical
7 Board; and the public at large. During his nearly thirty years at Defendant USC, Plaintiffs are
8 informed and believe, and on this basis allege, that TYNDALL sexually abused and molested
9 dozens of young female students, including Plaintiffs, through use of his position, authority and
10 trust as the only full-time gynecologist with regular availability employed by USC student health
11 services. It was only in 2017, when Defendant USC paid TYNDALL a substantial financial
12 settlement so that he would quietly resign, so that Defendant USC could continue to actively
13 conceal the myriad complaints they had received of TYNDALL's sexually abusive behavior, that
14 TYNDALL's systematic sexual abuse and molestation of USC's young female students was
15 finally halted. At all times herein alleged, TYNDALL was an employee, agent, and/or servant of
16 Defendant USC and DOES 1 through 500, and/or was under their complete control and/or direct
17 supervision.

18 96. Plaintiffs are informed and believe, and on this basis allege, that TYNDALL was
19 retained by USC as a research assistant, and then as a Gynecological Physician and to provide
20 medical care and treatment to the young women ~~attending~~ USC as undergraduate and graduate
21 students, most of whom were very young adults and many of whom had never received any
22 gynecological treatment before, while in his care. It ~~was~~ through this position of trust and
23 confidence, that TYNDALL exploited Plaintiffs, in ~~perpetrating~~ his sexual abuse, molestation and
24 harassment upon Plaintiffs. All of the sexually abusive and harassing conduct alleged herein was
25 done for TYNDALL's sexual gratification and was based upon the gender of Plaintiffs.

26 97. In the event that TYNDALL is prosecuted and convicted of a felony for the
27 conducted alleged herein, Plaintiffs requests leave to amend the instant Complaint, such that a
28

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request for attorneys' fees can be made against TYNDALL pursuant to *Code of Civil Procedure* § 1021.4.

DEFENDANT, USC

98. Defendant USC at all times mentioned herein was and is a California Corporation, having its principal place of business in the State of California, County of Los Angeles. Plaintiffs are informed and believe USC is a private research university, established in 1880, located in Los Angeles, California. Defendant USC proclaims itself to be "one of the world's leading private research universities. An anchor institution in Los Angeles, a global center for arts, technology and international business, USC's diverse curricular offerings provide extensive opportunities for interdisciplinary study and collaboration with leading researchers in highly advanced learning environments." Defendant USC's Code of Ethics states: "we aspire to create an environment in which racism, sexism, ageism, xenophobia and homophobia do not go unchallenged." Moreover, Defendant USC claims that its University Policies "have been established to create a safe and productive academic and work environment. All university employees and students are expected to be familiar with these policies and to follow them." Further, Defendant USC purports to have a \$5.1 billion endowment as of June 30, 2017, a \$4.9 billion budget for the 2017-2018 fiscal year, and \$764 million in sponsored research for the 2017-2018 fiscal year. While charging its undergraduate students one of the highest tuition costs in the United States – \$74.825 in tuition and fees, per year – Defendant USC holds itself out to be one of the world's most elite, prestigious and reputable higher learning institutions. Defendant USC deliberately crafted this public image in order to actively conceal the fact that it employed TYNDALL, a serial sexual predator, and allowed TYNDALL unfettered sexual access to its young female patients and students for nearly thirty years.

99. Furthermore, Defendant USC's marketed and promoted its Engemann Student Health Center ("Student Health Center"), and its predecessor institution, as a safe, affordable and convenient healthcare provider where its students could obtain necessary medical treatment. The Student Health Center is an especially critical resource to young female students, many of whom are living away from home for the first time and require safe, direct, and private access to crucial

1 gynecological and reproductive health treatment. Defendant USC's Student Health Center's own
2 website proclaims: "Structured for students currently registered for classes, our focus is to help
3 students maintain an optimum level of physical and mental health and to guide them in maintaining
4 a healthy lifestyle." Defendant USC's Student Health Center "serves those students who are
5 registered for classes and who have paid the Student Health Fee;" thus, Defendant USC requires
6 its students to pay a premium above and beyond the \$74,825 that they pay in tuition and fees, in
7 order to receive medical treatment at the Student Health Center. Defendant USC does not waive
8 or reduce their "Student Health Fee" even for those students who qualify as low-income, making
9 clear that Defendant USC prioritizes its own financial gain over the health and safety of its students
10 at every juncture. The Mission Statement of Defendant USC's Student Health Center states: "Our
11 mission at Engemann Student Health Center is to provide high quality, cost-effective and client-
12 oriented services and resources in health promotion and disease prevention, primary care and
13 counseling to the University Park Campus student community. We strive to facilitate the
14 completion of your academic career at USC by promoting healthy lifestyles and caring for your
15 physical and psychological illnesses and concerns." Defendant USC's Student Health Center also
16 provided medical treatment to students of other colleges, including but not limited to Mount Saint
17 Mary's College, in order to generate even more revenue. In doing so, Defendant USC actively and
18 fraudulently represented itself to be a safe, secure environment where other colleges could send
19 their students for medical treatment without fear of being subjected to sexual abuse, assault or
20 harassment.

21 100. At all times during his employment with the Medical Center and Student Health
22 Center, Defendant USC held Defendant TYNDALL out to be a trustworthy and legitimate
23 gynecological physician; indeed, by making TYNDALL the only full-time gynecologist with
24 regular availability on staff at Defendant USC's Student Health Center, Defendant USC forced its
25 young female students to place their trust and confidence in TYNDALL in order to receive
26 necessary medical care. In making this false representation, Defendant USC concealed numerous
27 complaints lodged by female students about TYNDALL's sexual abuse, which date back to at least
28 1988, before Defendant USC had even hired TYNDALL as a gynecologist in its Student Health

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Center. Plaintiffs are informed and believe, and on this basis allege, that Defendant USC received myriad complaints of TYNDALL's sexually abusive nature, and therefore knew of TYNDALL's dangerous propensity to sexually abuse his young female patients, as early as 1988. Despite this knowledge, Plaintiffs are informed and believe, and on this basis allege, that Defendant USC never once reported TYNDALL to law enforcement, or to the Medical Board of California, during TYNDALL's nearly thirty-year tenure at Defendant USC. Defendant USC's failure to report TYNDALL is particularly egregious, in light of the fact that its President, C.L. Max Nikias, has publicly admitted that Tyndall "should have been removed and referred to authorities years ago."

101. Plaintiffs are informed and believe, and on this basis allege, that Defendant USC benefitted financially from retaining TYNDALL as a gynecologist with its Student Health Center by offering his health care to USC's female students and patients, at those students' and patients' expense. Plaintiffs are further informed and believe, and on this basis allege, that Defendant USC benefitted financially from actively concealing myriad complaints of sexual abuse made by its female students against TYNDALL by protecting its own reputation and financial coffers. Defendant USC's deliberate and fraudulent concealment included, but was not limited to, paying TYNDALL a financial settlement so that he would quietly resign, after Defendant USC's 2016 investigation revealed that TYNDALL routinely made sexually and racially inappropriate remarks to patients, kept a secret box full of photographs of his patients' genitals, and had documented complaints against him lodged to Defendant USC dating back to at least the year 1988. Defendant USC paid TYNDALL this financial settlement in a deliberate attempt to conceal from Plaintiffs, and the public at large, that TYNDALL was a serial sexual predator, in order to avoid criminal consequences, civil liability and irreparable damage to its reputation.

DOE DEFENDANTS 1 THROUGH 500

102. Defendants DOES 1 through 500, inclusive, and each of them, are sued herein under said fictitious names. Plaintiffs are ignorant as to the true names and capacities of DOES 1 through 500, whether individual, corporate, associate, or otherwise, and therefore sue said Defendants by such fictitious names. When their true names and capacities are ascertained,

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1 Plaintiffs will request leave of Court to amend this Complaint to state their true names and
2 capacities herein.

3 103. TYNDALL, USC and DOES 1 through 500, inclusive, are sometimes collectively
4 referred to herein as "Defendants" and/or as "All Defendants"; such collective reference refers to
5 all specifically named Defendants as well as those fictitiously named herein.

6 104. Plaintiffs are informed and believe, and on that basis allege that at all times
7 mentioned herein, each Defendant was responsible in some manner or capacity for the occurrences
8 herein alleged, and that Plaintiffs' damages, as herein alleged, were proximately caused by all said
9 Defendants.

10 105. At all times mentioned herein, each and every Defendant was an employee, agent,
11 and/or servant of Defendant USC and DOES 1 through 500, inclusive, and/or was under their
12 complete control and/or active supervision. Defendants and each of them are individuals,
13 corporations, partnerships and/or other entities that engaged in, joined in, and conspired with other
14 Defendants and wrongdoers in carrying out the tortuous and unlawful activities described in this
15 Complaint.

16 106. Plaintiffs are informed and believe, and on that basis allege that at all times
17 mentioned herein, there existed a unity of interest and ownership among Defendants and each of
18 them such that any individuality and separateness between Defendants, and each of them, ceased
19 to exist. Defendants and each of them were the successors-in-interest and/or alter egos of the other
20 Defendants, and each of them, in that they purchased, controlled, dominated and operated each
21 other without any separate identity, observation of formalities, or other manner of division. To
22 continue maintaining the facade of a separate and individual existence between and among
23 Defendants, and each of them, would serve to perpetrate a fraud and injustice.

24 107. Plaintiffs are informed and believe, and on that basis allege that at all times
25 mentioned herein, Defendant TYNDALL, Defendant USC and DOES 1 through 500 were the
26 agents, representatives and/or employees of each and every other Defendant. In doing the things
27 hereinafter alleged, Defendants and each of them were acting within the course and scope of said
28

1 alternative personality, capacity, identity, agency, representation and/or employment and were
2 within the scope of their authority, whether actual or apparent.

3 108. Plaintiffs are informed and believe, and on that basis allege that at all times
4 mentioned herein, TYNDALL, Defendant USC, and DOES 1 through 500 were the trustees,
5 partners, servants, joint venturers, shareholders, contractors, and/or employees of each and every
6 other Defendant, and the acts and omissions herein alleged were done by them, acting individually,
7 through such capacity and within the scope of their authority, and with the permission and consent
8 of each and every other Defendant and that said conduct was thereafter ratified by each and every
9 other Defendant, and that each of them is jointly and severally liable to Plaintiffs.

10 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 74**

11 109. At all times material hereto, Plaintiff JANE DOE 74 was an undergraduate student
12 and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
13 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
14 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
15 Plaintiff JANE DOE 74.

16 110. Plaintiff is informed and believes, and on this basis alleges, that at all times material
17 hereto, TYNDALL was under the direct supervision, management, agency and control of
18 Defendants USC and DOES 1 through 500, inclusive. Plaintiff is informed and believes, and on
19 this basis alleges, that TYNDALL was hired, employed, supervised, and retained by Defendant
20 USC, and DOES 1 through 500. In this capacity, TYNDALL's employment duties included
21 providing gynecological care to the young female students of Defendant USC. The purported care
22 offered by TYNDALL included, but was not limited to, conducting gynecological examinations
23 to the female patients of Defendants USC and DOES 1 through 500, which included Plaintiff JANE
24 DOE 74. Plaintiff JANE DOE 74 was an undergraduate student of Defendant USC and was a
25 patient of Defendant USC's Medical Center and DOES 1 through 500, and it is under these
26 circumstances that Plaintiff JANE DOE 74 came to be under the direction and control of
27 TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff
28 JANE DOE 74.

111. As a patient of Defendants USC and DOES 1 through 500, Plaintiff JANE DOE 74 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 74 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was in contact with and providing medical care to female patients, Defendants USC and DOES 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE DOE 74, owing Plaintiff JANE DOE 74 a duty of care.

112. By employing TYNDALL and assigning him as the sole full-time gynecologist with regular availability at Defendant USC's Student Health Center, Defendants USC and DOES 1 through 500 represented to its students, and the community, that TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that patients need not worry about having TYNDALL interact with, and provide care to, those patients. Defendants did so in order to preserve their own public image and reputation, so they could retain past students and recruit new patients, thus allowing donations and other financial support to continue flowing into their coffers for financial gain.

113. Plaintiff JANE DOE 74 is informed and believes, and on that basis alleges, that Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a duty to disclose these facts to Plaintiff JANE DOE 74 and others, but negligently and/or intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this information arose by the special, trusting, confidential, fiduciary relationship between Defendants and Plaintiff JANE DOE 74. Specifically, the Defendant USC knew that TYNDALL was groping, digitally penetrating, and otherwise sexually harassing patients and young students in isolation with those patients and students, based on the following:

- a. In or around 2013, Plaintiff JANE DOE 74 made an appointment at Defendant USC's Student Health Center to obtain a routine well-woman gynecological examination. TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 74's treating physician.

- 1 b. During JANE DOE 74's appointment, TYNDALL forced JANE DOE 74 to
2 strip completely naked and change into a medical gown. TYNDALL then
3 proceeded to sexually abuse JANE DOE 74 by forcing his fingers into her
4 vagina and moving his fingers around the inside of her vagina, without a
5 speculum. TYNDALL's digital penetration of JANE DOE 74 caused her
6 intense physical pain, but when she asked TYNDALL to stop, he refused
7 and told her, "It shouldn't hurt that much."
8
9 c. As TYNDALL were moving inside of her vagina, TYNDALL made
10 extremely inappropriate comments about JANE DOE 74's genitalia, telling
11 JANE DOE 74, among other things, that her "hymen was still intact."
12 Plaintiff JANE DOE 74 is informed and believes, and on this basis alleges,
13 that TYNDALL's wholly inappropriate comments about her vagina were
14 designed to shame, coerce, humiliate and control Plaintiff JANE DOE 74
15 so that she would be silenced.
16
17 d. Additionally, throughout the appointment TYNDALL continually asked
18 JANE DOE 74 harassing questions about her Egyptian heritage, including
19 but not limited to asking JANE DOE 74, "Why are you going to school here
20 instead of Egypt?" Plaintiff JANE DOE 74 is informed and believes, and
21 on this basis alleges, that TYNDALL's racially-charged questions were
22 designed to shame, coerce, humiliate and control Plaintiff JANE DOE 74
23 so that she would be silenced.
24
25 e. In the two years following this appointment, TYNDALL continued to
26 traumatize JANE DOE 74 by sending her numerous messages through
27 Defendant USC's messaging system, demanding that she return to the USC
28 Student Health Center to see him again. Even though JANE DOE 74 never
responded to any of these messages, nor sought another appointment with
TYNDALL, he continued to harass her, in hopes of again gaining access to
her in order to sexually abuse her a second time.
f. In reasonable reliance upon Defendant USC's representations that
TYNDALL was a trustworthy physician, and Defendant USC's active
concealment of its knowledge that TYNDALL was a serial sexual predator,
Plaintiff JANE DOE 74 reasonably believed that TYNDALL's treatment of
her must have been medically legitimate. Plaintiff JANE DOE 74 also had
no medical training or experience with which to gauge whether
TYNDALL's conduct was, in fact, sexual abuse, such that she was
blamelessly ignorant of the fact that she had been sexually abused by
TYNDALL. It was only in May of 2018, when TYNDALL's rampant
sexual abuse of the young female student-patients of Defendant USC was
nationally publicized by the media, that JANE DOE 74 came to learn that
TYNDALL's treatment of her was never legitimate medical treatment, but
rather was sexual assault, committed for his own sexual gratification.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 75

114. At all times material hereto, Plaintiff JANE DOE 75 was an undergraduate student
and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
Plaintiff JANE DOE 75.

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1 115. At all times material hereto, TYNDALL was under the direct supervision,
2 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
3 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
4 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendants,
5 TYNDALL's employment duties included providing medical care to the female undergraduate
6 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
7 was not limited to, conducting gynecological examinations and providing reproductive health
8 treatments to the female students of Defendants USC and DOES 1 through 500, which included
9 Plaintiff JANE DOE 75. Plaintiff JANE DOE 75 was an undergraduate student of Defendant USC
10 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 75 came to
11 be under the direction and control of TYNDALL who used his position of authority and trust to
12 molest and sexually abuse Plaintiff JANE DOE 75.

13 116. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
14 a gynecological physician, Plaintiff JANE DOE 75 was under TYNDALL's direct supervision,
15 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
16 JANE DOE 75 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
17 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
18 in contact with and providing medical care to young female students, Defendants USC and DOES
19 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
20 DOE 75, owing Plaintiff JANE DOE 75 a duty of care.

21 117. By assigning and employing TYNDALL as the sole full-time gynecologist with
22 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
23 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
24 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
25 patients need not worry about having TYNDALL interact with, and provide care to, those students.
26 Defendants did so in order to preserve their own public image and reputation, so they could retain
27 past students and recruit new students, thus allowing donations and other financial support to
28 continue flowing into their coffers for financial gain.

118. Plaintiff JANE DOE 75 is informed and believes, and on that basis alleges, that Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a duty to disclose these facts to Plaintiff JANE DOE 75 and others, but negligently and/or intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this information arose by the special, trusting, confidential, fiduciary relationship between Defendants and Plaintiff JANE DOE 75. Specifically, the Defendant USC knew that TYNDALL was groping, digitally penetrating, and otherwise sexually harassing young female students in isolation with those students, based on the following:

- a. In or around 2001, Plaintiff JANE DOE 75, who at the time was a forty-two-year-old undergraduate student attending Defendant USC, made an appointment at Defendant USC's Student Health Center in order to obtain a routine well-woman examination. TYNDALL, as the only full-time gynecologist with regular availability at the Student Health Center, was assigned to be Plaintiff JANE DOE 75's treating physician.
- b. When JANE DOE 75 arrived for her appointment, TYNDALL began asking JANE DOE 75 personal questions about herself. When JANE DOE 75 mentioned that she played the guitar, TYNDALL told JANE DOE 75 a story about "a famous rock star who wanted to have sex with a groupie who was on her period, so he yanked out her tampon and fucked her anyway." Plaintiff JANE DOE 75 is informed and believes, and on this basis alleges, that TYNDALL's crude, disgusting, misogynistic and sexually-harassing comments were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 75 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- c. Then, under the guise of conducting a "pelvic examination," TYNDALL forced his fingers inside of JANE DOE 75's vagina and moved his fingers around the inside of her vagina for at least several minutes, without using a speculum, for no legitimate medical purpose and solely to satisfy his own prurient desires.
- d. Approximately one week later, JANE DOE 75 lodged a formal complaint with Defendant USC regarding TYNDALL's wholly inappropriate comments during the purported "pelvic examination." To JANE DOE 75's knowledge, Defendant USC did not investigate, report or discipline TYNDALL, and took no action whatsoever in response to JANE DOE 75's complaint.
- e. As a direct result of Defendant USC's representations that TYNDALL was a reputable and trustworthy gynecologist, and its deliberate concealment of their knowledge that TYNDALL was a serial sexual predator, Plaintiff JANE DOE 75 reasonably believed that TYNDALL's treatment of her was a legitimate medical procedure, rather than sexual abuse. Additionally, JANE DOE 75 had no medical training or experience with which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was

blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until in or around May of 2018, when TYNDALL's systematic sexual abuse of the young women of Defendant USC was nationally publicized, that JANE DOE 75 learned for the first time that TYNDALL's treatment of her did, in fact, constitute sexual assault and harassment.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 76

119. At all times material hereto, Plaintiff JANE DOE 76 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 76.

120. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 76. Plaintiff JANE DOE 76 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 76 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 76.

121. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 76 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 76 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was in contact with and providing medical care to young female students, Defendants USC and DOES

1 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
2 DOE 76, owing Plaintiff JANE DOE 76 a duty of care.

3 122. By assigning and employing TYNDALL as the sole full-time gynecologist with
4 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
5 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
6 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
7 patients need not worry about having TYNDALL interact with, and provide care to, those students.
8 Defendants did so in order to preserve their own public image and reputation, so they could retain
9 past students and recruit new students, thus allowing donations and other financial support to
10 continue flowing into their coffers for financial gain.

11 123. Plaintiff JANE DOE 76 is informed and believes, and on that basis alleges, that
12 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
13 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
14 duty to disclose these facts to Plaintiff JANE DOE 76 and others, but negligently and/or
15 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
16 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
17 and Plaintiff JANE DOE 76. Specifically, the Defendant USC knew that TYNDALL was groping,
18 digitally penetrating, and otherwise sexually harassing patients and young female students in
19 isolation with those patients and students, based on the following:

- 20 a. In or around 2014, Plaintiff JANE DOE 76, who at the time was a nineteen-
21 year-old undergraduate in her sophomore year at Defendant USC, made an
22 appointment at Defendant USC's Student Health Center to obtain an STD
23 screening test. TYNDALL, as the only full-time gynecologist with regular
24 availability employed by Defendant USC's Student Health Center, was
25 assigned to be JANE DOE 76's treating physician.
- 26 b. When she arrived for her appointment, JANE DOE 76 was escorted to
27 TYNDALL's office, where he immediately began asking JANE DOE 76
28 numerous inappropriate and invasive questions about her sexual history,
including but not limited to asking how many sexual partners JANE DOE
76 had and "what kind of sex" she was having. Then, when TYNDALL
placed a swab in JANE DOE 76's mouth in order to obtain a throat culture,
TYNDALL made the wholly inappropriate, sexual comment of, "Your gag
reaction is impressive." Plaintiff JANE DOE 76 is informed and believes,

and on this basis alleges, that TYNDALL's inappropriate, embarrassing and sexually-harassing comments were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 76 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.

- c. Next, TYNDALL forced JANE DOE 76 to strip completely naked and change into a medical gown. TYNDALL then proceeded to sexually abuse JANE DOE 76 by forcing his fingers into her vagina and moving his fingers around the inside of her vagina for an extended period of time, for no legitimate medical purpose and solely to satisfy his own prurient desires. JANE DOE 76 is informed and believes, and on this basis alleges, that it was not medically necessary or proper for JANE DOE 76 to undergo a pelvic examination in order to obtain an STD screening test, because a simple throat culture or urine test would effectively detect any STDs. JANE DOE 76 is further informed and believes, and on this basis alleges, that TYNDALL insisted on performing a pelvic exam solely because he wished to gain access to JANE DOE 76 to sexually abuse her.
- d. As TYNDALL was digitally penetrating JANE DOE 76's vagina, TYNDALL made extremely inappropriate comments about JANE DOE 76's genitals and body, including but limited to, "Your muscles are very toned, are you an athlete?" TYNDALL also humiliated JANE DOE 76 by teasing her about her urine sample in front of a nurse, causing JANE DOE 76 extreme embarrassment. Plaintiff JANE DOE 76 is informed and believes, and on this basis alleges, that TYNDALL's inappropriate, embarrassing and sexually-harassing comments were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 76 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- e. Several years later, during her senior year at Defendant USC, JANE DOE 76 returned to the Student Health Center in order to obtain a prescription for birth control. When she arrived, TYNDALL insisted that she submit to a ~~pap~~ smear examination, but JANE DOE 76 refused. JANE DOE 76 is ~~informed~~ and believes, and on this basis alleges, that there was no legitimate ~~medical~~ reason for TYNDALL to perform a pap smear examination when ~~she~~ was seeking a prescription for birth control, but that TYNDALL fraudulently told her that a pap smear examination was required in order to ~~gain~~ access to her to sexually abuse her a second time.
- f. As a direct result of Defendant USC's representations that TYNDALL was a reputable and trustworthy gynecologist, and its deliberate concealment of their knowledge that TYNDALL was a serial sexual predator, Plaintiff JANE DOE 76 reasonably believed that TYNDALL's treatment of her was a legitimate medical procedure, rather than sexual abuse. Additionally, JANE DOE 76 had no medical training or experience with which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until in or around May of 2018, when TYNDALL's

1 systematic sexual abuse of the young women of Defendant USC was
2 nationally publicized, that JANE DOE 76 learned for the first time that
3 TYNDALL's treatment of her did, in fact, constitute sexual assault and
4 harassment.

5 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 77**

6 124. At all times material hereto, Plaintiff JANE DOE 77 was an undergraduate student
7 and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
8 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
9 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
10 Plaintiff JANE DOE 77.

11 125. At all times material hereto, TYNDALL was under the direct supervision,
12 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
13 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
14 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendants,
15 TYNDALL's employment duties included providing medical care to the female undergraduate
16 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
17 was not limited to, conducting gynecological examinations and providing reproductive health
18 treatments to the female students of Defendants USC and DOES 1 through 500, which included
19 Plaintiff JANE DOE 77. Plaintiff JANE DOE 77 was an undergraduate student of Defendant USC
20 and DOES 1 through 500 and it is ~~under these~~ circumstances that Plaintiff JANE DOE 77 came to
21 be under the direction and control of TYNDALL who used his position of authority and trust to
22 molest and sexually abuse Plaintiff JANE DOE 77.

23 126. As a student of ~~Defendants~~ USC and DOES 1 through 500 while TYNDALL was
24 a gynecological physician, Plaintiff JANE DOE 77 was under TYNDALL's direct supervision,
25 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
26 JANE DOE 77 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
27 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
28 in contact with and providing medical care to young female students, Defendants USC and DOES
1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
DOE 77, owing Plaintiff JANE DOE 77 a duty of care.

127. By assigning and employing TYNDALL as the sole full-time gynecologist with regular availability at Defendant USC and DOES 1 through 500's Student Health Center, Defendants USC and DOES 1 through 500 represented to its students, and the community, that TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and patients need not worry about having TYNDALL interact with, and provide care to, those students. Defendants did so in order to preserve their own public image and reputation, so they could retain past students and recruit new students, thus allowing donations and other financial support to continue flowing into their coffers for financial gain.

128. Plaintiff JANE DOE 77 is informed and believes, and on that basis alleges, that Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a duty to disclose these facts to Plaintiff JANE DOE 77 and others, but negligently and/or intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this information arose by the special, trusting, confidential, fiduciary relationship between Defendants and Plaintiff JANE DOE 77. Specifically, the Defendant USC knew that TYNDALL was groping, digitally penetrating, and otherwise sexually harassing young female students in isolation with those students, based on the following:

- a. In or around 1992, JANE DOE 77, who at the time was an undergraduate student attending Defendant USC, sought urgent medical treatment from Defendant USC's Student Health Center for excessive vaginal discharge. TYNDALL, as the Student Health Center's only full-time gynecologist with regular availability, was assigned to be JANE DOE 77's treating physician.
- b. When JANE DOE 77 arrived for her appointment, TYNDALL expressed his excitement about performing a pelvic examination on JANE DOE 77. Under the guise of conducting a "pelvic examination," TYNDALL forced his fingers inside of JANE DOE 77's vagina and proceeded to move his fingers all around the inside of her vagina, for approximately twenty minutes, causing JANE DOE 77 intense physical pain. As he did so, TYNDALL made extremely inappropriate comments about JANE DOE 77's genitalia, including but not limited to, "I've never seen anything like this before." Plaintiff JANE DOE 77 is informed and believes, and on this basis alleges, that TYNDALL's inappropriate comments were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 77 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- c. While TYNDALL sexually abused JANE DOE 77 in this way, a USC-employed nurse was present in the examination room, observing

1 TYNDALL's conduct yet doing nothing to intervene. At one point, the
2 USC-employed nurse told JANE DOE 77, "Honey, don't come back here,
3 go somewhere else."

- 4 d. At no point during JANE DOE 77's appointment did TYDNALL provide
5 JANE DOE 77 with any medical test results, diagnose JANE DOE 77, or
6 prescribe any medication for JANE DOE 77's medical condition. Instead,
7 after digitally penetrating JANE DOE 77's vagina for over twenty minutes,
8 TYDNALL simply told JANE DOE 77 that he "could not figure out" what
9 was wrong with her, at which point JANE DOE 77 left the appointment in
10 extreme physical pain. Later that night, JANE DOE 77 sought treatment
11 from the emergency room at a county hospital, where she was immediately
12 diagnosed with and treated for pelvic inflammatory disease, without an
13 invasive pelvic examination. JANE DOE 77 is informed and believes, and
14 on this basis alleges, that TYNDALL's digital penetration of her vagina
15 served no legitimate medical purpose, but was merely a pretense gain access
16 to JANE DOE 77 so that he could sexually abuse her.
- 17 e. In reasonable reliance upon Defendant USC's deliberate concealment of
18 myriad complaints about TYNDALL's dangerous propensity to sexually
19 abuse young female students, the fact that Defendant USC held TYNDALL
20 out to be a trustworthy and legitimate medical professional, and the fact that
21 a USC-employed chaperone observed TYNDALL's conduct yet failed to
22 intervene, JANE DOE 77 reasonably believed that TYNDALL's treatment
23 of her was a legitimate medical procedure, rather than sexual abuse.
24 Additionally, JANE DOE 77 had no medical training or experience with
25 which to gauge whether TYNDALL's conduct was, in fact, sexual abuse,
26 such that she was blamelessly ignorant of the fact that she had been sexually
27 abused by TYNDALL. It was not until in or around May of 2018, when
28 TYNDALL's systematic sexual abuse of the young women of Defendant
USC was nationally publicized, that JANE DOE 77 learned for the first time
that TYNDALL had, in fact, sexually assaulted her.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 78

129. At all times material hereto, Plaintiff JANE DOE 78 was a graduate student and
was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control
dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
Plaintiff JANE DOE 78.

130. At all times material hereto, TYNDALL was under the direct supervision,
management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
TYNDALL was a gynecological physician hired, employed, supervised, and retained by
Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendants,
TYNDALL's employment duties included providing medical care to the female undergraduate
and graduate students of Defendant USC. The purported care offered by TYNDALL included, but

1 was not limited to, conducting gynecological examinations and providing reproductive health
2 treatments to the female students of Defendants USC and DOES 1 through 500, which included
3 Plaintiff JANE DOE 78. Plaintiff JANE DOE 78 was a graduate student of Defendant USC and
4 DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 78 came to be
5 under the direction and control of TYNDALL who used his position of authority and trust to
6 sexually harass Plaintiff JANE DOE 78.

7 131. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
8 a gynecological physician, Plaintiff JANE DOE 78 was under TYNDALL's direct supervision,
9 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
10 JANE DOE 78 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
11 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
12 in contact with and providing medical care to young female students, Defendants USC and DOES
13 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
14 DOE 78, owing Plaintiff JANE DOE 78 a duty of care.

15 132. By assigning and employing TYNDALL as the sole full-time gynecologist with
16 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
17 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
18 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
19 patients need not worry about having TYNDALL interact with, and provide care to, those students.
20 Defendants did so in order to preserve their own public image and reputation, so they could retain
21 past students and recruit new students, thus allowing donations and other financial support to
22 continue flowing into their coffers for financial gain.

23 133. Plaintiff JANE DOE 78 is informed and believes, and on that basis alleges, that
24 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
25 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
26 duty to disclose these facts to Plaintiff JANE DOE 78 and others, but negligently and/or
27 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
28 information arose by the special, trusting, confidential, fiduciary relationship between Defendants

1 and Plaintiff JANE DOE 78. Specifically, the Defendant USC knew that TYNDALL was groping,
2 digitally penetrating, and otherwise sexually harassing young female students in isolation with
3 those students, based on the following:

- 4 a. In or around 2011, while she was a thirty-year-old graduate student
5 attending Defendant USC, JANE DOE 78 made an appointment at
6 Defendant USC's Student Health Center for a routine well-woman
7 examination. TYNDALL, as the only full-time gynecologist with regular
8 availability employed by Defendant USC's Student Health Center, was
9 assigned to be JANE DOE 78's treating physician.
- 10 b. At the outset of her appointment, JANE DOE 78 immediately noticed how
11 unprofessional TYNDALL and his office appeared; the examination chair
12 was placed immediately beside TYNDALL's messy office desk and was
13 not covered by a protective sheet, TYNDALL was disheveled and dirty and
14 was not wearing a lab coat or gloves, and his fingernails were long and
15 yellow-colored.
- 16 c. JANE DOE 78 then mentioned to TYNDALL that she and her husband
17 were seriously considering having their first child together. TYNDALL
18 then falsely and baselessly told JANE DOE 78 that, due to her "age" and
19 "irregular periods," she would "probably not be able to get pregnant," "but
20 that shouldn't stop you from having a good sex life with your husband."
21 TYNDALL then instructed JANE DOE 78 to undress for the pap smear
22 examination, but rather than leaving the room so that JANE DOE 78 could
23 undress in private, TYNDALL remained in the examination room staring at
24 JANE DOE 78; however, JANE DOE 78 was so disturbed over
25 TYNDALL's dirty and unprofessional appearance, and by his sexually-
26 harassing comments, that she abruptly left the appointment, in a panic,
27 without having received the medical care that she needed from Defendant
28 USC's Student Health Center. JANE DOE 78 - who has since had two
children - is informed and believes, and on this basis alleges, that
TYNDALL falsely told her that she was infertile solely to inflict
psychological pain and emotional distress upon JANE DOE 78, in
furtherance of his own sadistic and prurient desires. JANE DOE 78 is
further informed and believes, and on this basis alleges, that TYNDALL's
wholly inappropriate and sexually-harassing comment about JANE DOE
78's "sex life" was designed to shame, coerce, humiliate and control
Plaintiff JANE DOE 78 so that she would be silenced, and so that she would
suffer psychological pain and emotional distress. JANE DOE did, in fact,
suffer psychological pain and emotional distress as a result of TYNDALL's
statements; she left the appointment in tears, humiliated by TYNDALL's
comment about her "sex life" and distraught by the diagnosis that she would
never be able to have children.
- d. Shortly after her appointment with TYNDALL, JANE DOE 78 reported
TYNDALL's inappropriate conduct to a USC-employed therapist at
Defendant USC's mental Health Center. The USC-employed therapist gave
JANE DOE 78 a business card with the contact information of Cindy
Gilbert, a supervising nurse at Defendant USC's Student Health Center.
Within a week, JANE DOE 78 emailed Ms. Gilbert, and Ms. Gilbert asked
JANE DOE 78 to meet in person at USC. Although JANE DOE 78 expected
a formal, private meeting in Ms. Gilbert's office, Ms. Gilbert met JANE
DOE 78 in public, outside of the school library, as people walked past.
During this in-person meeting, JANE DOE 78 described TYNDALL's

misconduct, and Ms. Gilbert took notes. Ms. Gilbert told JANE DOE 78 that she was not the only one who had complained about TYNDALL, and that "they were working on it." However, to JANE DOE 78's knowledge, Defendant USC did not report, investigate or discipline TYNDALL, but instead allowed him to continue abusing and harassing an untold number of USC students for at least another five years.

- e. In reasonable reliance upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, and the fact that Defendant USC held TYNDALL out to be a trustworthy and legitimate medical professional, Plaintiff JANE DOE 78 reasonably believed that TYNDALL had provided her with legitimate medical treatment. Additionally, JANE DOE 78 had no medical training or experience with which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually harassed by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 78 learned that TYNDALL had, in fact, sexually harassed her, for no other reason than to satisfy his own sexual desires.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 79

134. At all times material hereto, Plaintiff JANE DOE 79 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 79.

135. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendants, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 79. Plaintiff JANE DOE 79 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 79 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 79.

1 136. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
2 a gynecological physician, Plaintiff JANE DOE 79 was under TYNDALL's direct supervision,
3 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
4 JANE DOE 79 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
5 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
6 in contact with and providing medical care to young female students, Defendants USC and DOES
7 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
8 DOE 79, owing Plaintiff JANE DOE 79 a duty of care.

9 137. By assigning and employing TYNDALL as the sole full-time gynecologist with
10 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
11 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
12 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
13 patients need not worry about having TYNDALL interact with, and provide care to, those students.
14 Defendants did so in order to preserve their own public image and reputation, so they could retain
15 past students and recruit new students, thus allowing donations and other financial support to
16 continue flowing into their coffers for financial gain.

17 138. Plaintiff JANE DOE 79 is informed and believes, and on that basis alleges, that
18 Defendants ~~knew~~ or ~~should~~ have known that TYNDALL had engaged in unlawful sexually-
19 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
20 duty to ~~disclose these facts~~ to Plaintiff JANE DOE 79 and others, but negligently and/or
21 intentionally ~~suppressed~~, concealed or failed to disclose this information. The duty to disclose this
22 information ~~arose by the~~ special, trusting, confidential, fiduciary relationship between Defendants
23 and Plaintiff JANE DOE 79. Specifically, the Defendant USC knew that TYNDALL was groping,
24 digitally penetrating, and otherwise sexually harassing young female students in isolation with
25 those students, based on the following:

- 26 a. In or around 1997, Plaintiff JANE DOE 79, who at the time was a twenty-
27 year-old undergraduate student attending Defendant USC, made an
28 appointment with Defendant USC's Student Health Center to seek
treatment for excessive vaginal bleeding. TYNDALL, as the only full-time
gynecologist with regular availability employed by Defendant USC's

Student Health Center, was assigned to be JANE DOE 79's treating physician.

- b. During this first appointment, TYNDALL forced his fingers inside of JANE DOE 79's vagina and moved his fingers around inside of JANE DOE 79 for several minutes. TYNDALL then digitally penetrated JANE DOE 79's anus and kept his fingers inside of her anus for several minutes. These acts of digital penetration were not done for any legitimate medical purpose, but instead were done solely to satisfy TYNDALL's own sexual desires.
- c. As he digitally penetrated JANE DOE 79, TYNDALL made numerous inappropriate and sexually-harassing comments about JANE DOE 79's private sexual history, including but not limited to making comments about JANE DOE 79's virginity, such as "congratulating" JANE DOE 79 for still being a virgin at the age of twenty. Plaintiff JANE DOE 79 is informed and believes, and on this basis alleges, that TYNDALL's inappropriate comments were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 79 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- d. As TYNDALL sexually abused and harassed JANE DOE 79 in the manner described above, a USC-employed chaperone was present in the examination room, observing TYNDALL's conduct yet remaining silent.
- e. At the conclusion of this first appointment, TYNDALL insisted that JANE DOE 79 return to see him the following week; when she did so, TYNDALL sexually abused her again in the same way described above, under the pretext of performing a "pelvic examination." TYNDALL then told JANE DOE 79 to return for another appointment the following week, and yet another appointment the week after that. In this way, TYNDALL gained access to JANE DOE 79 and sexually abused her by digitally penetrating her vagina and anus, on four separate occasions over a month-long period. JANE DOE 79 is informed and believes, and on this basis alleges, that TYNDALL's insistence that she return for three subsequent pelvic examinations after her first appointment served no legitimate medical purpose, but instead was done solely to allow TYNDALL the opportunity to continue to sexually abuse JANE DOE 79.
- f. In reasonable reliance upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, the fact that Defendant USC held TYNDALL out to be a trustworthy and legitimate medical professional, and the fact that a USC-employed chaperone was present during her appointment with TYNDALL yet did not intervene, Plaintiff JANE DOE 79 reasonably believed that TYNDALL had provided her with legitimate medical treatment. Additionally, JANE DOE 79 had no medical training or experience with which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually assaulted by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 79 learned, for the first time, that TYNDALL had, in fact, sexually assaulted her, for no other reason than to satisfy his own sexual desires.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 80

139. At all times material hereto, Plaintiff JANE DOE 80 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,

1 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
2 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
3 Plaintiff JANE DOE 80.

4 140. At all times material hereto, TYNDALL was under the direct supervision,
5 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
6 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
7 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendants,
8 TYNDALL's employment duties included providing medical care to the female undergraduate
9 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
10 was not limited to, conducting gynecological examinations and providing reproductive health
11 treatments to the female students of Defendants USC and DOES 1 through 500, which included
12 Plaintiff JANE DOE 80. Plaintiff JANE DOE 43 was an undergraduate student of Defendant USC
13 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 80 came to
14 be under the direction and control of TYNDALL who used his position of authority and trust to
15 molest and sexually abuse Plaintiff JANE DOE 80.

16 141. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
17 a gynecological physician, Plaintiff JANE DOE 80 was under TYNDALL's direct supervision,
18 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
19 JANE DOE 80 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
20 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
21 in contact with and providing medical care to young female students, Defendants USC and DOES
22 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
23 DOE 80, owing Plaintiff JANE DOE 80 a duty of care.

24 142. By assigning and employing TYNDALL as the sole full-time gynecologist with
25 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
26 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
27 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
28 patients need not worry about having TYNDALL interact with, and provide care to, those students.

1 Defendants did so in order to preserve their own public image and reputation, so they could retain
2 past students and recruit new students, thus allowing donations and other financial support to
3 continue flowing into their coffers for financial gain.

4 143. Plaintiff JANE DOE 80 is informed and believes, and on that basis alleges, that
5 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
6 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
7 duty to disclose these facts to Plaintiff JANE DOE 80 and others, but negligently and/or
8 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
9 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
10 and Plaintiff JANE DOE 80. Specifically, the Defendant USC knew that TYNDALL was groping,
11 digitally penetrating, and otherwise sexually harassing young female students in isolation with
12 those students, based on the following:

- 13 a. In or around 2012, JANE DOE 80, who at the time was an undergraduate
14 student attending Defendant USC, made an appointment with Defendant
15 USC's Student Health Center in order to obtain treatment for excessive
16 menstrual bleeding. JANE DOE 80 specifically requested a female health
17 practitioner but was told by Defendant USC's Student Health Center that it
18 was not possible because "we only have one" gynecologist. In this way,
19 TYNDALL, as the only full-time gynecologist with regular availability
20 employed by Defendant USC's Student Health Center, was assigned to be
21 JANE DOE 80's treating physician. Because she was apprehensive about
22 being treated by a male gynecologist, JANE DOE 80 brought one of her
23 friends with her to the appointment for moral support.
- 24 b. When she arrived at Defendant USC's Student Health Center, TYNDALL
25 insisted on performing a purported "pelvic examination," telling JANE
26 DOE 80, "we need to do an exam." Then, with JANE DOE 80's friend and
27 a USC-employed nurse present in the examination room, TYNDALL forced
28 his fingers into JANE DOE 80's vagina and proceeded to move his fingers
around the inside of JANE DOE 80's vagina for several minutes, under the
guise of "seeing if the speculum would fit." TYNDALL was not wearing
gloves. While TYNDALL was digitally penetrating JANE DOE 80's vagina
with one ungloved hand, his other ungloved hand was pressing down on
JANE DOE 80's pelvis and stomach. TYNDALL told JANE DOE 80 to
squeeze her vaginal muscles while his fingers were inside of her and made
extremely inappropriate, sexually-harassing comments about her "very
strong vagina." As TYNDALL sexually abused JANE DOE 80 in this way,
the USC-employed nurse who was present said and did nothing to intervene.
- c. As he was digitally penetrating JANE DOE 80, TYNDALL made numerous
inappropriate comments about JANE DOE 80's private sexual history,
including but not limited to asking Plaintiff, "Do you have a boyfriend?" as
he moved his fingers around her vagina. Plaintiff JANE DOE 80 is informed
and believes, and on this basis alleges, that TYNDALL's wholly

inappropriate comments were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 80 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.

- d. At the end of the examination, TYNDALL diagnosed JANE DOE 80 with endometriosis, then falsely and baselessly told JANE DOE 80, "You can never have kids," with no additional explanation. JANE DOE 80 is informed and believes, and on this basis alleges, that TYNDALL had no medical basis for telling JANE DOE 80 that she "can never have kids," but instead only said this to inflict psychological pain and emotional distress upon JANE DOE 80, to satisfy his own sadistic sexual desires.
- e. In reasonable reliance upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, Defendant USC's representations that TYNDALL was a trustworthy and legitimate medical professional, and the fact that a USC-employed nurse observed TYNDALL's conduct yet remained silent, Plaintiff JANE DOE 80 trusted that TYNDALL had provided her with legitimate medical treatment. Moreover, JANE DOE 80 had no prior medical training or experience by which to compare TYNDALL's conduct and therefore could not have known that TYNDALL's conduct was not legitimate medical treatment. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 80 learned, for the first time, that TYNDALL had sexually assaulted her.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 81

144. At all times material hereto, Plaintiff JANE DOE 81 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 81.

145. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendants, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 81. Plaintiff JANE DOE 81 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 81 came to

1 be under the direction and control of TYNDALL who used his position of authority and trust to
2 molest and sexually abuse Plaintiff JANE DOE 81.

3 146. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
4 a gynecological physician, Plaintiff JANE DOE 81 was under TYNDALL's direct supervision,
5 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
6 JANE DOE 81 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
7 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
8 in contact with and providing medical care to young female students, Defendants USC and DOES
9 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
10 DOE 81, owing Plaintiff JANE DOE 81 a duty of care.

11 147. By assigning and employing TYNDALL as the sole full-time gynecologist with
12 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
13 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
14 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
15 patients need not worry about having TYNDALL interact with, and provide care to, those students.
16 Defendants did so in order to preserve their own public image and reputation, so they could retain
17 past students and recruit new students, thus allowing donations and other financial support to
18 continue flowing into their coffers for financial gain.

19 148. Plaintiff JANE DOE 81 is informed and believes, and on that basis alleges, that
20 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
21 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
22 duty to disclose these facts to Plaintiff JANE DOE 81 and others, but negligently and/or
23 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
24 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
25 and Plaintiff JANE DOE 81. Specifically, the Defendant USC knew that TYNDALL was groping,
26 digitally penetrating, and otherwise sexually harassing young female students in isolation with
27 those students, based on the following:
28

- a. In or around 1995, JANE DOE 81, who at the time was an eighteen-year-old freshman attending Defendant USC, made her first-ever gynecological appointment with Defendant USC's Student Health Center to obtain a prescription for birth control. TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 81's treating physician.
- b. When JANE DOE 81 arrived for her appointment, TYNDALL told JANE DOE 81 that, in order to obtain a birth control prescription, it was necessary for her to first submit to another full medical examination, including a breast examination and pelvic examination. JANE DOE 81 is informed and believes, and on this basis alleges, that it was not, in fact, medically necessary for her to submit to yet another full medical examination before obtaining a birth control prescription, and that TYNDALL falsely told her this in order to gain access to her to sexually abuse her.
- c. TYNDALL first sexually abused JANE DOE 81 by groping her naked breasts, under the guise of conducting a "breast examination." TYNDALL grabbed and fondled JANE DOE 81's breasts for a much longer period of time than necessary, which, according to TYNDALL, was necessary because "your breasts are so large." Plaintiff JANE DOE 81 is informed and believes, and on this basis alleges, that TYNDALL's wholly inappropriate comments about JANE DOE 81's breasts were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 81 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- d. TYNDALL then forced his fingers into JANE DOE 81's vagina, under the guise of conducting a "pelvic examination." TYNDALL told JANE DOE 81 that he "couldn't feel her ovaries," so he "had to go into her anus." TYNDALL then forced his fingers into JANE DOE 81's anus and aggressively moved his fingers around inside of her for five minutes, causing JANE DOE 81 excruciating physical pain. JANE DOE 81 left the appointment in tears, and she bled from her anus for over a week as a result of TYNDALL's assault.
- e. Every six months thereafter, JANE DOE 81 would require a refill of her birth control prescription; each time she needed her prescription refilled, TYNDALL would require her to submit to another "medical examination," for no legitimate purpose and solely to gain access to JANE DOE 81 to sexually abuse her. On three additional occasions, from in or around 1995 to in or around 1997, TYNDALL sexually abused JANE DOE 81 in the same manner described above, each time leaving her bleeding for at least one week.
- f. After JANE DOE 81's fourth appointment with TYNDALL, she finally learned that a female health practitioner was available to see patients for gynecological appointments. JANE DOE 81 first saw the USC-employed female health practitioner in 1997. During this appointment, she was not forced to submit to anal penetration, as the health practitioner said that she could "feel her ovaries just fine." Upon hearing this, JANE DOE 81 told the USC-employed female health practitioner about TYNDALL digitally penetrating her anus on four separate occasions. To JANE DOE 81's knowledge, the female health practitioner never reported TYNDALL or took any other action in response to JANE DOE 81's complaint.
- g. In reasonable reliance upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, Defendant USC's representations that

1 TYNDALL was a trustworthy and legitimate medical professional, and the
2 fact that she complained about TYNDALL's conduct to Defendant USC yet
3 was ignored, Plaintiff JANE DOE 81 reasonably believed that TYNDALL's
4 treatment of her was medically legitimate. Moreover, JANE DOE 81 had
5 no prior medical training, or any experience with gynecologists whatsoever,
6 by which to compare TYNDALL's conduct and therefore could not have
7 known that TYNDALL's conduct was not legitimate medical treatment. It
8 was not until May of 2018, when TYNDALL's sexual abuse was nationally
9 publicized, that Plaintiff JANE DOE 81 learned, for the first time, that
10 TYNDALL had sexually assaulted her.

11 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 82**

12 149. At all times material hereto, Plaintiff JANE DOE 82 was an undergraduate student
13 and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
14 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
15 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
16 Plaintiff JANE DOE 82.

17 150. At all times material hereto, TYNDALL was under the direct supervision,
18 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
19 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
20 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
21 TYNDALL's employment duties included providing medical care to the female undergraduate
22 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
23 was not limited to, ~~conducting~~ gynecological examinations and providing reproductive health
24 treatments to the ~~female students~~ of Defendants USC and DOES 1 through 500, which included
25 Plaintiff JANE DOE ~~82~~. Plaintiff JANE DOE 82 was an undergraduate student of Defendant USC
26 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 82 came to
27 be under the direction and control of TYNDALL who used his position of authority and trust to
28 molest and sexually abuse Plaintiff JANE DOE 82.

29 151. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
30 a gynecological physician, Plaintiff JANE DOE 82 was under TYNDALL's direct supervision,
31 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
32 JANE DOE 82 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
33 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was

1 in contact with and providing medical care to young female students, Defendants USC and DOES
2 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
3 DOE 82, owing Plaintiff JANE DOE 82 a duty of care.

4 152. By assigning and employing TYNDALL as the sole full-time gynecologist with
5 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
6 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
7 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
8 patients need not worry about having TYNDALL interact with, and provide care to, those students.
9 Defendants did so in order to preserve their own public image and reputation, so they could retain
10 past students and recruit new students, thus allowing donations and other financial support to
11 continue flowing into their coffers for financial gain.

12 153. Plaintiff JANE DOE 82 is informed and believes, and on that basis alleges, that
13 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
14 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
15 duty to disclose these facts to Plaintiff JANE DOE 82 and others, but negligently and/or
16 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
17 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
18 and Plaintiff JANE DOE 82. Specifically, the Defendant USC knew that TYNDALL was groping,
19 digitally penetrating, and otherwise sexually harassing patients and young female students in
20 isolation with those patients and students, based on the following:

- 21 a. In or around 1991, JANE DOE 82, who at the time was a twenty-year-old
22 undergraduate student attending Defendant USC, made her first-ever
23 gynecological appointment with Defendant USC's Student Health Center
24 for a routine well-woman examination. TYNDALL, as the only full-time
25 gynecologist with regular availability employed by Defendant USC's
26 Student Health Center, was assigned to be JANE DOE 82's treating
27 physician.
28 b. During her first appointment with TYNDALL, TYNDALL told JANE DOE
82 that she had "abnormal tissue" on the inside of her vagina, and that she
would need to come back to the Student Health center for another
appointment so that TYNDALL could photograph the abnormal tissue up
close. JANE DOE 82 is informed and believes, and on this basis alleges,

1 that TYNDALL falsely and baselessly told JANE DOE 82 that she had
2 abnormal tissue solely so that he could gain access to her to sexually abuse
her.

- 3 c. On TYNDALL's orders, JANE DOE 82 returned to the Student Health
4 Center for a second appointment. At this time, TYNDALL used an ordinary
5 camera – as opposed to a medical camera – to photograph the exterior of
6 JANE DOE 82's naked vagina, even though the alleged "abnormal tissue"
7 was inside of JANE DOE 82's vagina. This photograph was not taken for
8 any legitimate medical purpose, but rather to satisfy TYNDALL's own
9 prurient desires.
- 10 d. JANE DOE 82 later received the results of TYNDALL's purported medical
11 test from the Student Health Center. JANE DOE 82 was informed that
12 everything was fine, and that she did not, in fact, have any abnormal tissue.
- 13 e. At the time she was being treated by TYNDALL, in reasonable reliance
14 upon the fact that TYNDALL was a USC-employed doctor, and upon
15 Defendant USC's deliberate concealment of myriad complaints about
16 TYNDALL's dangerous propensity to sexually abuse young female
17 students, Plaintiff JANE DOE 82 reasonably believed and trusted that
TYNDALL had provided her with legitimate medical treatment. Plaintiff
JANE DOE 82 also had no medical training or experience with which to
gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that
she was blamelessly ignorant of the fact that she had been sexually abused
by TYNDALL. It was not until May of 2018, when TYNDALL's sexual
abuse was nationally publicized, that Plaintiff JANE DOE 82 learned that
TYNDALL had, in fact, sexually abused her when he photographed her
naked genitalia.

18 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 83**

19 154. At all times material hereto, Plaintiff JANE DOE 83 was an ~~undergraduate~~ student
20 and was under Defendants USC, TYNDALL's, and DOES 1 through 500's ~~complete~~ control,
21 dominion, and supervision. TYNDALL worked for, was employed by, and/or ~~an agent~~ servant of
22 the Defendants USC and/or DOES 1 through 500, when TYNDALL came ~~into~~ contact with the
23 Plaintiff JANE DOE 83.

24 155. At all times material hereto, TYNDALL was under the direct supervision,
25 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
26 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
27 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
28 TYNDALL's employment duties included providing medical care to the female undergraduate

1 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
2 was not limited to, conducting gynecological examinations and providing reproductive health
3 treatments to the female students of Defendants USC and DOES 1 through 500, which included
4 Plaintiff JANE DOE 83. Plaintiff JANE DOE 83 was an undergraduate student of Defendant USC
5 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 83 came to
6 be under the direction and control of TYNDALL who used his position of authority and trust to
7 molest and sexually abuse Plaintiff JANE DOE 83.

8 156. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
9 a gynecological physician, Plaintiff JANE DOE 83 was under TYNDALL's direct supervision,
10 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
11 JANE DOE 83 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
12 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
13 in contact with and providing medical care to young female students, Defendants USC and DOES
14 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
15 DOE 83, owing Plaintiff JANE DOE 83 a duty of care.

16 157. By assigning and employing TYNDALL as the sole full-time gynecologist with
17 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
18 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
19 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
20 patients need not worry about having TYNDALL interact with, and provide care to, those students.
21 Defendants did so in order to preserve their own public image and reputation, so they could retain
22 past students and recruit new students, thus allowing donations and other financial support to
23 continue flowing into their coffers for financial gain.

24 158. Plaintiff JANE DOE 83 is informed and believes, and on that basis alleges, that
25 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
26 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
27 duty to disclose these facts to Plaintiff JANE DOE 83 and others, but negligently and/or
28 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this

1 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
2 and Plaintiff JANE DOE 83. Specifically, the Defendant USC knew that TYNDALL was groping,
3 digitally penetrating, and otherwise sexually harassing patients and young female students in
4 isolation with those patients and students, based on the following:

- 5 a. In or around 2005, JANE DOE 83, who at the time was a nineteen-year-old
6 undergraduate student attending Defendant USC, made an appointment
7 with Defendant USC's Student Health Center in order to obtain treatment
8 for vaginal pain. TYNDALL, as the only full-time gynecologist with regular
availability employed by Defendant USC's Student Health Center, was
assigned to be JANE DOE 83's treating physician.
- 9 b. When JANE DOE 83 arrived for her appointment, the entire top half of
10 TYNDALL's shirt was unbuttoned, such that JANE DOE 83 was forced to
11 look at TYNDALL's exposed chest and chest hair.
- 12 c. TYNDALL then proceeded to sexually abuse JANE DOE 83 by forcing his
13 fingers inside of her vagina and moving them around inside of her for
14 several minutes, for no legitimate medical purposes and solely to satisfy his
15 own sexual desires, causing JANE DOE 83 extreme physical pain.
16 TYNDALL continued to digitally penetrate JANE DOE 83 even after she
17 told him that he was hurting her.
- 18 d. Then, without having conducted any diagnostic tests, TYNDALL falsely
19 and baselessly told JANE DOE 83 that she had herpes, and that her
20 boyfriend of one-and-a-half years "must be cheating on her." Shocked and
21 dismayed, JANE DOE 83 asked if she could submit to an STD test to see
22 whether she did, in fact, have herpes. TYNDALL initially refused to
23 administer the STD screening test, and only agreed to do so after JANE
24 DOE 83 repeatedly insisted that he do so.
- 25 e. While she was waiting for the results of her STD screening test, JANE DOE
26 83 confronted her then-boyfriend about TYNDALL's diagnosis. Her then-
27 boyfriend denied being unfaithful, but JANE DOE 83's trust in TYNDALL
28 was so strong that she believed TYNDALL, causing her to end her
relationship with her then-boyfriend.
- f. A few weeks later, JANE DOE 83 received the results of the STD screening
test, which confirmed that she did not have herpes, or any other sexually
transmitted disease. JANE DOE 83 is informed and believes, and on this
basis alleges, that TYNDALL had no legitimate basis for telling JANE DOE
83 that she had herpes, but instead falsely said this solely to inflict
psychological pain, emotional distress, shame and humiliation upon JANE
DOE 83, to satisfy his own sadistic sexual desires.

g. At the time, in reasonable reliance upon the fact that TYNDALL was a USC-employed doctor, and upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, Plaintiff JANE DOE 83 reasonably believed and trusted that TYNDALL had provided her with legitimate medical treatment. Plaintiff JANE DOE 83 also had no medical training or experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 83 learned, for the first time, that TYNDALL had, in fact, sexually assaulted and abused her.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 84

159. At all times material hereto, Plaintiff JANE DOE 84 was a graduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 84.

160. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 84. Plaintiff JANE DOE 84 was a graduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 84 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 84.

161. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 84 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff

1 JANE DOE 84 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
2 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
3 in contact with and providing medical care to young female students, Defendants USC and DOES
4 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
5 DOE 84, owing Plaintiff JANE DOE 84 a duty of care.

6 162. By assigning and employing TYNDALL as the sole full-time gynecologist with
7 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
8 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
9 TYNDALL was safe, trustworthy, and of high moral and ethical reput, such that students and
10 patients need not worry about having TYNDALL interact with, and provide care to, those students.
11 Defendants did so in order to preserve their own public image and reputation, so they could retain
12 past students and recruit new students, thus allowing donations and other financial support to
13 continue flowing into their coffers for financial gain.

14 163. Plaintiff JANE DOE 84 is informed and believes, and on that basis alleges, that
15 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
16 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
17 duty to disclose these facts to Plaintiff JANE DOE 84 and others, but negligently and/or
18 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
19 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
20 and Plaintiff JANE DOE 84. Specifically, the Defendant USC knew that TYNDALL was groping,
21 digitally penetrating, and otherwise sexually harassing patients and young female students in
22 isolation with those patients and students, based on the following:

- 23 a. From in or around 2014 through in or around 2015, while JANE DOE 84
24 was a graduate student attending Defendant USC, JANE DOE 84 was
25 forced to submit to TYNDALL's sexual abuse on at least three separate
26 occasions while she was seeking necessary gynecological treatment from
27 Defendant USC's Student Health Center. TYNDALL was the only full-time
28 gynecologist with regular availability at the Student Health Center and
therefore was assigned to be JANE DOE 84's treating physician.
- b. JANE DOE 84's first appointment with TYNDALL took place in or around
2014, when JANE DOE 84 went to Defendant USC's Student Health Center
for a pap smear examination. TYNDALL forced JANE DOE 84 to strip

1 completely naked, giving her only a paper drape – without a medical gown
2 – with which to cover herself. TYNDALL then removed the paper drape
3 from JANE DOE 84's naked body and leered at her, under the guise of
4 conducting a "skin examination." TYNDALL continued to sexually abuse
5 JANE DOE 84 by groping her breasts, under the guise of conducting a
6 "breast examination." TYNDALL then forced his fingers into JANE DOE
7 84's vagina, without wearing a glove, and moving his fingers around the
8 inside of JANE DOE 84's vagina for a prolonged period of time.

- 9
- 10 c. Throughout the appointment, TYNDALL asked JANE DOE 84
11 inappropriate and invasive questions about her private sexual history,
12 including but not limited to, "How often do you have sex?" Plaintiff JANE
13 DOE 84 is informed and believes, and on this basis alleges, that
14 TYNDALL's wholly inappropriate comments about JANE DOE 84's
15 sexual history were designed to shame, coerce, humiliate and control
16 Plaintiff JANE DOE 84 so that she would be silenced, and so that she would
17 suffer psychological pain and emotional distress.
- 18 d. As TYNDALL sexually abused JANE DOE 84 in the manner described
19 above, a USC-employed nurse was present in the examination room,
20 observing TYNDALL's sexual abuse of JANE DOE 84 yet doing nothing
21 to intervene.
- 22 e. Approximately one year after JANE DOE 84's first gynecological
23 appointment with TYNDALL, in or around 2015, TYNDALL contacted
24 JANE DOE 84 and insisted that she return to the Student Health Center for
25 another well-woman examination. JANE DOE 84 did so, and again
26 TYNDALL sexually abused JANE DOE 84 by forcing her to strip
27 completely naked, leering at her naked body, groping her breasts and
28 digitally penetrating her vagina, just as he did during the first appointment.
- f. Shortly after her second appointment with TYNDALL, JANE DOE 84
returned to Defendant USC's Student Health Center to undergo a
colposcopy, at which time TYNDALL again sexually abused her in the
same way described above. When JANE DOE 84 informed TYNDALL that
she would be scheduling her follow-up appointment in Taiwan, TYNDALL
told her that "Taiwan's ob-gyn doctors always have a lot of fun with girls."
Plaintiff JANE DOE 84 is informed and believes, and on this basis alleges,
that TYNDALL's racist and inappropriate comment about Taiwanese
doctors was designed to shame, coerce, humiliate and control Plaintiff
JANE DOE 84 so that she would be silenced, and so that she would suffer
psychological pain and emotional distress.
- g. At the time, in reasonable reliance upon the fact that TYNDALL was a
USC-employed doctor, upon Defendant USC's deliberate concealment of
myriad complaints about TYNDALL's dangerous propensity to sexually
abuse young female students, and upon the fact that a USC-employed
chaperone observed TYNDALL's conduct and remained silent, Plaintiff
JANE DOE 84 reasonably believed and trusted that TYNDALL had
provided her with legitimate medical treatment. Plaintiff JANE DOE 84
also had no medical training or experience by which to gauge whether
TYNDALL's conduct was, in fact, sexual abuse, such that she was
blamelessly ignorant of the fact that she had been sexually abused by
TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse
was nationally publicized, that Plaintiff JANE DOE 84 learned, for the first
time, that TYNDALL had, in fact, sexually assaulted and abused her.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 85

164. At all times material hereto, Plaintiff JANE DOE 85 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 85.

165. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 85. Plaintiff JANE DOE 85 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 85 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 85.

166. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 85 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 85 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was in contact with and providing medical care to young female students, Defendants USC and DOES 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE DOE 85, owing Plaintiff JANE DOE 85 a duty of care.

167. By assigning and employing TYNDALL as the sole full-time gynecologist with regular availability at Defendant USC and DOES 1 through 500's Student Health Center,

1 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
2 TYNDALL was safe, trustworthy, and of high moral and ethical reputation, such that students and
3 patients need not worry about having TYNDALL interact with, and provide care to, those students.
4 Defendants did so in order to preserve their own public image and reputation, so they could retain
5 past students and recruit new students, thus allowing donations and other financial support to
6 continue flowing into their coffers for financial gain.

7 168. Plaintiff JANE DOE 85 is informed and believes, and on that basis alleges, that
8 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
9 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
10 duty to disclose these facts to Plaintiff JANE DOE 85 and others, but negligently and/or
11 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
12 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
13 and Plaintiff JANE DOE 85. Specifically, the Defendant USC knew that TYNDALL was groping,
14 digitally penetrating, and otherwise sexually harassing patients and young female students in
15 isolation with those patients and students, based on the following:

- 16 a. From in or around 2014 to in or around 2016, during her junior and senior
17 years as an undergraduate at Defendant USC, JANE DOE 85 was forced to
18 submit to TYNDALL's sexual abuse on at least six separate occasions when
19 she was seeking necessary gynecological treatment from Defendant USC's
20 Student Health Center. TYNDALL, as the only full-time gynecologist with
21 regular availability employed by Defendant USC's Student Health Center,
22 was assigned to be JANE DOE 85's treating physician. JANE DOE 85 had
23 never before been to a gynecologist before she sought treatment from
24 Defendant USC's Student Health Center.
- 25 b. On at least one occasion, TYNDALL forced JANE DOE 85 to strip
26 completely naked and stand next to the treatment table. TYNDALL then
27 sexually abused JANE DOE 85 by groping and cupping her naked breasts,
28 while making extremely inappropriate comments about JANE DOE 85's
"oversized breasts." Plaintiff JANE DOE 85 is informed and believes, and
on this basis alleges, that TYNDALL's inappropriate and lecherous
comments about JANE DOE 85's breasts were designed to shame, coerce,
humiliate and control Plaintiff JANE DOE 85 so that she would be silenced,
and so that she would suffer psychological pain and emotional distress.
- c. Additionally, on at least six different occasions, TYNDALL sexually
abused JANE DOE 85 by forcing two of his fingers inside of JANE DOE
85's vagina and repeatedly moving his fingers in and out of her vagina,
under the pretext of "seeing whether the speculum will fit." As he digitally
penetrated her, TYNDALL would tell JANE DOE 85 how "tight" she was.

1 Plaintiff JANE DOE 85 is informed and believes, and on this basis alleges,
2 that TYNDALL's extremely inappropriate comments about JANE DOE
3 85's genitalia were designed to shame, coerce, humiliate and control
4 Plaintiff JANE DOE 85 so that she would be silenced, and so that she would
5 suffer psychological pain and emotional distress.

- 6 d. Throughout the time that TYNDALL was sexually abusing JANE DOE 85
7 in this way, a USC-employed nurse was present in the examination room,
8 observing TYNDALL's conduct yet saying nothing.
- 9 e. At the time, in reasonable reliance upon the fact that TYNDALL was a
10 USC-employed doctor, upon Defendant USC's deliberate concealment of
11 myriad complaints about TYNDALL's dangerous propensity to sexually
12 abuse young female students, and upon the fact that a USC-employed
13 chaperone observed TYNDALL's conduct yet did nothing to intervene,
14 Plaintiff JANE DOE 85 reasonably believed and trusted that TYNDALL
15 had provided her with legitimate medical treatment. Plaintiff JANE DOE
16 85 also had no medical training, or previous experience with gynecologists
17 whatsoever, by which to gauge whether TYNDALL's conduct was, in fact,
18 sexual abuse, such that she was blamelessly ignorant of the fact that she had
19 been sexually abused by TYNDALL. It was not until May of 2018, when
20 TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE
21 DOE 85 learned, for the first time, that TYNDALL had, in fact, sexually
22 assaulted and abused her.

23 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 86**

24 169. At all times material hereto, Plaintiff JANE DOE 86 was an undergraduate student
25 and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
26 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
27 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
28 Plaintiff JANE DOE 86.

19 170. At all times material hereto, TYNDALL was under the direct supervision,
20 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
21 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
22 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
23 TYNDALL's employment duties included providing medical care to the female undergraduate
24 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
25 was not limited to, conducting gynecological examinations and providing reproductive health
26 treatments to the female students of Defendants USC and DOES 1 through 500, which included
27 Plaintiff JANE DOE 86. Plaintiff JANE DOE 86 was an undergraduate student of Defendant USC
28 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 86 came to

1 be under the direction and control of TYNDALL who used his position of authority and trust to
2 molest and sexually abuse Plaintiff JANE DOE 86.

3 171. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
4 a gynecological physician, Plaintiff JANE DOE 86 was under TYNDALL's direct supervision,
5 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
6 JANE DOE 86 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
7 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
8 in contact with and providing medical care to young female students, Defendants USC and DOES
9 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
10 DOE 86, owing Plaintiff JANE DOE 86 a duty of care.

11 72. By assigning and employing TYNDALL as the sole full-time gynecologist with
12 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
13 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
14 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
15 patients need not worry about having TYNDALL interact with, and provide care to, those students.
16 Defendants did so in order to preserve their own public image and reputation, so they could retain
17 past students and recruit new students, thus allowing donations and other financial support to
18 continue flowing into their coffers for financial gain.

19 173. Plaintiff JANE DOE 86 is informed and believes, and on that basis alleges, that
20 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
21 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
22 duty to disclose these facts to Plaintiff JANE DOE 86 and others, but negligently and/or
23 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
24 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
25 and Plaintiff JANE DOE 86. Specifically, the Defendant USC knew that TYNDALL was groping,
26 digitally penetrating, and otherwise sexually harassing patients and young female students in
27 isolation with those patients and students, based on the following:
28

- a. In or around 2015, JANE DOE 86, who at the time was an international student from Lebanon attending Defendant USC, made an appointment with Defendant USC's Student Health Center in order to obtain treatment for menstrual pain. TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 86's treating physician. TYNDALL was the first gynecologist in California that JANE DOE 86 had ever seen.
- b. When JANE DOE 86 arrived at her appointment, TYNDALL immediately fixated on JANE DOE 86's race and country of origin. TYNDALL began the appointment by asking JANE DOE 86 where she was from. When JANE DOE 86 replied that she was an international student who was raised in Lebanon, TYNDALL began asking extremely racist and inappropriate questions, such as whether her parents were "strict" or if they were "okay with her having sex before marriage." JANE DOE 86, who was disturbed by these questions, told TYNDALL that she was a virgin, but not because of religious reasons. To JANE DOE 86's dismay, TYNDALL then asked, "What would your family do, if you had sex?" and offered to give JANE DOE 86 "a bag of blood to pop on your wedding night, so your husband will think you were a virgin." TYNDALL then proceeded to show JANE DOE 86 a picture of his wife and told her that his wife wanted to wait until marriage to have sex because she came from a "very conservative" family, but TYNDALL told her "he was not going to wait and did not wait," so TYNDALL had sex with his wife before marriage. Plaintiff JANE DOE 86 is informed and believes, and on this basis alleges, that TYNDALL's numerous inappropriate and racist comments were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 86 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- c. During JANE DOE 86's initial appointment, TYNDALL wrote her a prescription for birth control without performing a physical examination. However, approximately six months after her first appointment with TYNDALL, in or around 2016, JANE DOE 86 returned to the Student Health Center to obtain a refill of her birth control prescription. At this second appointment, TYNDALL insisted on performing a full physical examination before refilling JANE DOE 86's birth control prescription. JANE DOE 86 is informed and believes, and on this basis alleges, that it was not medically necessary for TYNDALL to perform a full physical examination, but that TYNDALL only insisted on performing such an examination so that he could gain access to JANE DOE 86 to sexually abuse her.
- d. During JANE DOE 86's second appointment with TYNDALL, in or around 2016, TYNDALL sexually abused JANE DOE 86 by forcing his fingers inside of her vagina and moving his fingers around, while making extremely inappropriate comments about how "right" JANE DOE 86's vagina was. As TYNDALL was sexually abusing JANE DOE 86 in this way, a USC-employed chaperone was present in the examination room, observing the abuse yet remaining silent.
- e. Following this purported "pelvic examination," TYNDALL escorted JANE DOE 86 to his office and told JANE DOE 86 that he was "concerned about her weight," and that he would not refill her birth control prescription until she saw a nutritionist. JANE DOE 86 began to cry and told TYNDALL that she was sexually active and therefore needed her birth control prescription

refilled. TYNDALL then began to ask numerous prurient questions about JANE DOE 86's first sexual experience, including but not limited to, who she had sex with, how it happened, and whether it was painful because of how "tight" she was. Plaintiff JANE DOE 86 is informed and believes, and on this basis alleges, that TYNDALL's numerous prurient questions were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 86 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.

- f. On TYNDALL's orders, JANE DOE 86 went to see a dietician, then returned to the Student Health Center to have her birth control prescription refilled. There, JANE DOE 86 complained to a USC-employed nurse that she felt TYNDALL was making her "jump through unnecessary hoops" to get her birth control refilled. The nurse replied that she would "see what could be done." The following day, JANE DOE 86 received a call from another USC-employed nurse, who asked her to explain her complaints against TYNDALL in detail. JANE DOE 86 described TYNDALL's conduct, including his fixation with her race and virginity. This USC-employed nurse told JANE DOE 86 that this was "not the first time someone has made a complaint" against TYNDALL, and that other international students had made similar complaints. The nurse asked JANE DOE 86 if she could provide her name to the board responsible for investigating these complaints, and JANE DOE 86 agreed. Approximately one week later, JANE DOE 86 was contacted by Defendant USC's Office of Compliance. JANE DOE 86 reiterated her complaints against TYNDALL on this phone call, but never received any other communication from anyone at Defendant USC regarding her complaint.
- g. At the time, in reasonable reliance upon the fact that TYNDALL was a USC-employed doctor, upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, and upon the fact that a USC-employed chaperone observed TYNDALL's conduct yet said nothing, Plaintiff JANE DOE 86 reasonably believed and trusted that TYNDALL had provided her with legitimate medical treatment. Plaintiff JANE DOE 86 also had no medical training or experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 86 learned, for the first time, that TYNDALL had, in fact, sexually assaulted her.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 87

174. At all times material hereto, Plaintiff JANE DOE 87 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 87.

1 175. At all times material hereto, TYNDALL was under the direct supervision,
2 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
3 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
4 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
5 TYNDALL's employment duties included providing medical care to the female undergraduate
6 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
7 was not limited to, conducting gynecological examinations and providing reproductive health
8 treatments to the female students of Defendants USC and DOES 1 through 500, which included
9 Plaintiff JANE DOE 87. Plaintiff JANE DOE 87 was an undergraduate student of Defendant USC
10 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 87 came to
11 be under the direction and control of TYNDALL who used his position of authority and trust to
12 molest and sexually abuse Plaintiff JANE DOE 87.

13 176. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
14 a gynecological physician, Plaintiff JANE DOE 87 was under TYNDALL's direct supervision,
15 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
16 JANE DOE 87 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
17 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
18 in contact with and providing medical care to young female students, Defendants USC and DOES
19 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
20 DOE 87, owing Plaintiff JANE DOE 87 a duty of care.

21 177. By assigning and employing TYNDALL as the sole full-time gynecologist with
22 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
23 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
24 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
25 patients need not worry about having TYNDALL interact with, and provide care to, those students.
26 Defendants did so in order to preserve their own public image and reputation, so they could retain
27 past students and recruit new students, thus allowing donations and other financial support to
28 continue flowing into their coffers for financial gain.

1 178. Plaintiff JANE DOE 87 is informed and believes, and on that basis alleges, that
2 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
3 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
4 duty to disclose these facts to Plaintiff JANE DOE 87 and others, but negligently and/or
5 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
6 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
7 and Plaintiff JANE DOE 87. Specifically, the Defendant USC knew that TYNDALL was groping,
8 digitally penetrating, and otherwise sexually harassing patients and young female students in
9 isolation with those patients and students, based on the following:

- 10 a. In or around 1990, JANE DOE 87, who at the time was an undergraduate
11 student attending Defendant USC, made an appointment for her first-ever
12 pelvic examination with Defendant USC's Student Health Center.
13 TYNDALL, as the only full-time gynecologist with regular availability
14 employed by Defendant USC's Student Health Center, was assigned to be
15 JANE DOE 87's treating physician.
- 16 b. When JANE DOE 87, who is of Filipino descent, arrived at her
17 appointment, TYNDALL immediately fixated on JANE DOE 87's Asian
18 heritage, telling JANE DOE 87 that his wife is from the Philippines and
19 attempting to speak Tagalog to JANE DOE 87. TYNDALL also took an
20 extreme and prurient interest in JANE DOE 87's virginity; he responded
21 incredulously when he learned that JANE DOE 87 was a virgin, and he
22 asked her about her virginity over and over again throughout her
23 appointment. Indeed, TYNDALL was so obsessed with JANE DOE 87's
24 virginity that, when she later returned to the Student Health Center for a
25 subsequent appointment, TYNDALL said, "Of course I remember you,
26 you're the virgin."
- 27 c. TYNDALL then proceeded to sexually abuse JANE DOE 87 by forcing his
28 fingers inside of her vagina and moving them around inside of her, under
the guise of "seeing whether the speculum would fit." Then, to JANE DOE
87's horror, while she was still on the examination table, TYNDALL told
JANE DOE 87 that his wife was a "mail order bride" that he had found in a
catalog called Cherry Blossom. TYNDALL then pulled out a copy of this
Cherry Blossom catalog and showed JANE DOE 87 all of the women from
different Asian countries who were "available." TYNDALL told JANE
DOE 87 that the reason he had the Cherry Blossom catalog on hand was
because he was going to give it to a friend of his, who was also a doctor,
who was looking for a mail order girlfriend. Then, to JANE DOE 87's
dismay, TYNDALL asked JANE DOE 87 if she would consider meeting
his friend, in lieu of TYNDALL providing the Cherry Blossom catalog to
him. Plaintiff JANE DOE 87 is informed and believes, and on this basis
alleges, that TYNDALL's extremely racist and misogynistic comments
were designed to shame, coerce, humiliate and control Plaintiff JANE DOE
87 so that she would be silenced, and so that she would suffer psychological
pain and emotional distress. To make matters worse, after JANE DOE 87

1 left the Student Health Center at the end of her appointment, TYNDALL
2 called her on her personal telephone to ask her, again, if she would be
3 willing to meet his friend who was looking for an Asian "mail order
4 girlfriend," causing JANE DOE 87 even more psychological pain and
5 emotional distress.

- 6 d. At the time, in reasonable reliance upon the fact that TYNDALL was a
7 USC-employed doctor, and upon Defendant USC's deliberate concealment
8 of myriad complaints about TYNDALL's dangerous propensity to sexually
9 abuse young female students, Plaintiff JANE DOE 87 reasonably believed
10 and trusted that TYNDALL had provided her with legitimate medical
11 treatment. Plaintiff JANE DOE 87 also had no medical training, or
12 experience with pelvic examinations whatsoever, by which to gauge
13 whether TYNDALL's conduct was, in fact, sexual abuse, such that she was
14 blamelessly ignorant of the fact that she had been sexually abused by
15 TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse
16 was nationally publicized, that Plaintiff JANE DOE 87 learned, for the first
17 time, that TYNDALL had, in fact, sexually assaulted her.

18 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 88**

19 179. At all times material hereto, Plaintiff JANE DOE 88 was a graduate student and
20 was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
21 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
22 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
23 Plaintiff JANE DOE 88.

24 180. At all times material hereto, TYNDALL was under the direct supervision,
25 management, agency and control of Defendants USC and DOES 1 through 500, ~~inclusive~~.
26 TYNDALL was a gynecological physician hired, employed, supervised, and ~~retained by~~
27 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
28 TYNDALL's employment duties included providing medical care to the female ~~undergraduate~~
and graduate students of Defendant USC. The purported care offered by TYNDALL ~~included, but~~
was not limited to, conducting gynecological examinations and providing reproductive health
treatments to the female students of Defendants USC and DOES 1 through 500, which included
Plaintiff JANE DOE 88. Plaintiff JANE DOE 88 was a graduate student of Defendant USC and
DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 88 came to be
under the direction and control of TYNDALL who used his position of authority and trust to molest
and sexually abuse Plaintiff JANE DOE 88.

1 181. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
2 a gynecological physician, Plaintiff JANE DOE 88 was under TYNDALL's direct supervision,
3 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
4 JANE DOE 88 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
5 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
6 in contact with and providing medical care to young female students, Defendants USC and DOES
7 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
8 DOE 88, owing Plaintiff JANE DOE 88 a duty of care.

9 182. By assigning and employing TYNDALL as the sole full-time gynecologist with
10 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
11 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
12 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
13 patients need not worry about having TYNDALL interact with, and provide care to, those students.
14 Defendants did so in order to preserve their own public image and reputation, so they could retain
15 past students and recruit new students, thus allowing donations and other financial support to
16 continue flowing into their coffers for financial gain.

17 183. Plaintiff JANE DOE 88 is informed and believes, and on that basis alleges, that
18 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
19 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
20 duty to disclose these facts to Plaintiff JANE DOE 88 and others, but negligently and/or
21 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
22 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
23 and Plaintiff JANE DOE 88. Specifically, the Defendant USC knew that TYNDALL was groping,
24 digitally penetrating, and otherwise sexually harassing patients and young female students in
25 isolation with those patients and students, based on the following:

- 26 a. In or around 2014, JANE DOE 88, who at the time was a graduate student
27 attending Defendant USC, made an appointment with Defendant USC's
28 Student Health Center in order to obtain a prescription for birth control.
TYNDALL, as the only full-time gynecologist with regular availability
employed by Defendant USC's Student Health Center, was assigned to be

JANE DOE 88's treating physician. During this initial appointment, TYNDALL performed a pelvic examination and wrote a prescription for JANE DOE 88 for birth control.

- b. Approximately four months later, in or around 2015, JANE DOE 88 returned to the Student Health Center to discuss switching her birth control medication. At this subsequent appointment, TYNDALL discussed birth control options with JANE DOE 88 and did not perform a physical examination.
- c. Approximately one year later, in or around 2016, JANE DOE 88 returned to the Student Health Center to ask a question related to her birth control prescription. At this appointment, TYNDALL insisted that JANE DOE 88 undergo a full pelvic examination, even though he admitted that her medical records showed that she had recently undergone a pelvic examination and was not yet due for another examination. JANE DOE 88 is informed and believes, and on this basis alleges, that there was no medical reason that she needed to submit to a pelvic examination at this time, but that TYNDALL insisted upon performing a pelvic examination solely because he wanted to gain access to JANE DOE 88 to sexually abuse her.
- d. Then, under the guise of conducting a "pelvic examination," TYNDALL sexually abused JANE DOE 88 by forcing his finger into JANE DOE 88's vagina. As he digitally penetrated JANE DOE 88, TYNDALL repeatedly made inappropriate and lecherous comments about JANE DOE 88's vagina, including but not limited to, "Oh whoa, you're so tight, are you a runner?" and "You're so tight, I'm not even going to try to get two fingers inside of you." TYNDALL's finger was moving around the inside of JANE DOE 88's vagina for at least two minutes. As TYNDALL sexually abused JANE DOE 88 in this way, a USC-employed chaperone was present in the examination room, observing the abuse yet saying nothing.
- e. At the time, in reasonable reliance upon the fact that TYNDALL was a USC-employed doctor, upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, and upon the fact that a USC-employed chaperone was present in the examination room yet did nothing to intervene, Plaintiff JANE DOE 88 reasonably believed and trusted that TYNDALL had provided her with legitimate medical treatment. Plaintiff JANE DOE 88 also had no medical training or experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 88 learned, for the first time, that TYNDALL's behavior did, in fact, constitute sexual abuse, assault and harassment.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 89

184. At all times material hereto, Plaintiff JANE DOE 89 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of

1 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
2 Plaintiff JANE DOE 89.

3 185. At all times material hereto, TYNDALL was under the direct supervision,
4 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
5 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
6 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
7 TYNDALL's employment duties included providing medical care to the female undergraduate
8 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
9 was not limited to, conducting gynecological examinations and providing reproductive health
10 treatments to the female students of Defendants USC and DOES 1 through 500, which included
11 Plaintiff JANE DOE 89. Plaintiff JANE DOE 89 was an undergraduate student of Defendant USC
12 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 89 came to
13 be under the direction and control of TYNDALL who used his position of authority and trust to
14 molest and sexually abuse Plaintiff JANE DOE 89.

15 186. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
16 a gynecological physician, Plaintiff JANE DOE 89 was under TYNDALL's direct supervision,
17 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
18 JANE DOE 89 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
19 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
20 in contact with and providing medical care to young female students, Defendants USC and DOES
21 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
22 DOE 89, owing Plaintiff JANE DOE 89 a duty of care.

23 187. By assigning and employing TYNDALL as the sole full-time gynecologist with
24 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
25 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
26 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
27 patients need not worry about having TYNDALL interact with, and provide care to, those students.
28 Defendants did so in order to preserve their own public image and reputation, so they could retain

1 past students and recruit new students, thus allowing donations and other financial support to
2 continue flowing into their coffers for financial gain.

3 188. Plaintiff JANE DOE 89 is informed and believes, and on that basis alleges, that
4 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
5 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
6 duty to disclose these facts to Plaintiff JANE DOE 89 and others, but negligently and/or
7 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
8 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
9 and Plaintiff JANE DOE 89. Specifically, the Defendant USC knew that TYNDALL was groping,
10 digitally penetrating, and otherwise sexually harassing patients and young female students in
11 isolation with those patients and students, based on the following:

- 12 a. In or around 1989, JANE DOE 89, who at the time was an undergraduate
13 student attending Defendant USC, was forced to submit to TYNDALL's
14 sexual abuse on at least three separate occasions, while she was seeking
15 treatment for a serious, chronic gynecological condition. TYNDALL, as the
16 only full-time gynecologist with regular availability employed by
17 Defendant USC's Student Health Center, was assigned to be JANE DOE
18 89's treating physician.
- 19 b. On each occasion that she sought treatment from TYNDALL at Defendant
20 USC's Student Health Center, TYNDALL would sexually abuse JANE
21 DOE 89 by forcing his fingers inside of her vagina and probing around her
22 vagina for several minutes. As he would digitally penetrate her, TYNDALL
23 would make inappropriate comments about JANE DOE 89's genitalia,
24 including but not limited to, "Let me feel around in there...oh, this is
25 unusual." Plaintiff JANE DOE 89 is informed and believes, and on this
26 basis alleges, that TYNDALL's inappropriate comments were designed to
27 shame, coerce, humiliate and control Plaintiff JANE DOE 89 so that she
28 would be silenced, and so that she would suffer psychological pain and
emotional distress.
- c. TYNDALL also took numerous photographs of JANE DOE 89's naked
genitalia during each of her appointments, under the pretext that he needed
these photographs for "research." When he took these photographs,
TYNDALL used an ordinary camera, rather than any sort of medical camera
or instrument. TYNDALL told JANE DOE 89, "I take pictures of everyone,
so I can show my students, so they can learn."
- d. At the time, in reasonable reliance upon the fact that TYNDALL was a
USC-employed doctor, and upon Defendant USC's deliberate concealment
of myriad complaints about TYNDALL's dangerous propensity to sexually
abuse young female students, Plaintiff JANE DOE 89 reasonably believed
and trusted that TYNDALL had provided her with legitimate medical
treatment. Plaintiff JANE DOE 89 also had no medical training or

experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 89 learned, for the first time, that TYNDALL's behavior did, in fact, constitute sexual abuse and harassment.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 90

189. At all times material hereto, Plaintiff JANE DOE 90 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 90.

190. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 90. Plaintiff JANE DOE 90 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 90 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 90.

191. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 90 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 90 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was in contact with and providing medical care to young female students, Defendants USC and DOES

1 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
2 DOE 90, owing Plaintiff JANE DOE 90 a duty of care.

3 192. By assigning and employing TYNDALL as the sole full-time gynecologist with
4 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
5 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
6 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
7 patients need not worry about having TYNDALL interact with, and provide care to, those students.
8 Defendants did so in order to preserve their own public image and reputation, so they could retain
9 past students and recruit new students, thus allowing donations and other financial support to
10 continue flowing into their coffers for financial gain.

11 193. Plaintiff JANE DOE 90 is informed and believes, and on that basis alleges, that
12 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
13 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
14 duty to disclose these facts to Plaintiff JANE DOE 90 and others, but negligently and/or
15 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
16 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
17 and Plaintiff JANE DOE 90. Specifically, the Defendant USC ~~knew that~~ TYNDALL was groping,
18 digitally penetrating, and otherwise sexually harassing patients and young female students in
19 isolation with those patients and students, based on the following:

- 20 a. In or around 1998, JANE DOE 90, who at the ~~time was an~~ eighteen-year-
21 old undergraduate student attending Defendant USC, ~~made~~ her first-ever
22 gynecological appointment with Defendant USC's ~~Student~~ Health Center
23 in order to obtain a birth control prescription. TYNDALL, as the only full-
24 time gynecologist with regular availability employed by Defendant USC's
25 Student Health Center, was assigned to be JANE DOE 90's treating
26 physician.
27 b. When she arrived for her appointment, JANE DOE 90 was informed that
28 she was required to undergo a pelvic examination before she could obtain a
prescription for birth control. JANE DOE 90 is informed and believes, and
on this basis alleges, that it was not, in fact, medically necessary for her to
submit to a pelvic examination in order to receive a prescription for birth
control, and that TYNDALL forced her to submit to a pelvic examination
solely so that he could gain access to her to sexually abuse her.

- 1 c. TYNDALL then proceeded to sexually assault and abuse JANE DOE 90 by
2 forcing his fingers inside of JANE DOE 90's vagina and moved his fingers
3 around inside of her for several minutes, under the guise of conducting a
4 "pelvic examination." As TYNDALL was digitally penetrating her,
5 TYNDALL made wholly inappropriate comments about JANE DOE 90's
6 genitalia, including but not limited to telling JANE DOE 90 that she had
7 "an extremely long vaginal canal" and that she would "need a man with a
8 big penis to satisfy her," which made JANE DOE 90 feel ashamed and
9 mortified. Plaintiff JANE DOE 90 is informed and believes, and on this
10 basis alleges, that TYNDALL's inappropriate comments were designed to
11 shame, coerce, humiliate and control Plaintiff JANE DOE 90 so that she
12 would be silenced, and so that she would suffer psychological pain and
13 emotional distress. A USC-employed chaperone did not enter the
14 examination room until TYNDALL had already completed his purported
15 "pelvic examination" of JANE DOE 90.
- 16 d. At the time, in reasonable reliance upon the fact that TYNDALL was a
17 USC-employed doctor, and upon Defendant USC's deliberate concealment
18 of myriad complaints about TYNDALL's dangerous propensity to sexually
19 abuse young female students, Plaintiff JANE DOE 90 reasonably believed
20 and trusted that TYNDALL had provided her with legitimate medical
21 treatment. Plaintiff JANE DOE 90 also had no medical training, or any
22 previous experience with gynecologists whatsoever, by which to gauge
23 whether TYNDALL's conduct was, in fact, sexual abuse, such that she was
24 blamelessly ignorant of the fact that she had been sexually abused by
25 TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse
26 was nationally publicized, that Plaintiff JANE DOE 90 learned, for the first
27 time, that TYNDALL's behavior did, in fact, constitute sexual abuse and
28 harassment.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 91

194. At all times material hereto, Plaintiff JANE DOE 91 was an undergraduate student
and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
Plaintiff JANE DOE 91.

195. At all times material hereto, TYNDALL was under the direct supervision
management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
TYNDALL was a gynecological physician hired, employed, supervised, and retained by
Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
TYNDALL's employment duties included providing medical care to the female undergraduate
and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
was not limited to, conducting gynecological examinations and providing reproductive health

1 treatments to the female students of Defendants USC and DOES 1 through 500, which included
2 Plaintiff JANE DOE 91. Plaintiff JANE DOE 91 was an undergraduate student of Defendant USC
3 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 91 came to
4 be under the direction and control of TYNDALL who used his position of authority and trust to
5 molest and sexually abuse Plaintiff JANE DOE 91.

6 196. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
7 a gynecological physician, Plaintiff JANE DOE 91 was under TYNDALL's direct supervision,
8 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
9 JANE DOE 91 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
10 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
11 in contact with and providing medical care to young female students, Defendants USC and DOES
12 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
13 DOE 91, owing Plaintiff JANE DOE 91 a duty of care.

14 197. By assigning and employing TYNDALL as the sole full-time gynecologist with
15 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
16 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
17 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
18 patients need not worry about having TYNDALL interact with, and provide care to, those students.
19 Defendants did so in order to preserve their own public image and reputation, so they could retain
20 past students and recruit new students, thus allowing donations and other financial support to
21 continue flowing into their coffers for financial gain.

22 198. Plaintiff JANE DOE 91 is informed and believes, and on that basis alleges, that
23 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
24 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
25 duty to disclose these facts to Plaintiff JANE DOE 91 and others, but negligently and/or
26 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
27 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
28 and Plaintiff JANE DOE 91. Specifically, the Defendant USC knew that TYNDALL was groping,

1 digitally penetrating, and otherwise sexually harassing patients and young female students in
2 isolation with those patients and students, based on the following:

- 3 a. In or around 2001, JANE DOE 91, who at the time was an undergraduate
4 student attending Defendant USC, made an appointment with Defendant
5 USC's Student Health Center in order to obtain a prescription for birth
6 control. TYNDALL, as the only full-time gynecologist with regular
7 availability employed by Defendant USC's Student Health Center, was
8 assigned to be JANE DOE 91's treating physician.
- 9 b. When she arrived for her appointment, JANE DOE 91 was informed by
10 TYNDALL that, in order to obtain a birth control prescription, it was
11 necessary for her to first submit to a pelvic examination. JANE DOE 91 is
12 informed and believes, and on this basis alleges, that it was not, in fact,
13 medically necessary for her to submit to a full pelvic examination before
14 obtaining a birth control prescription, and that TYNDALL falsely told her
15 this in order to gain access to her to sexually abuse her.
- 16 c. Under the guise of conducting a "pelvic examination," TYNDALL sexually
17 abused JANE DOE 91 by forcing his fingers inside of her vagina. As he
18 digitally penetrated JANE DOE 91, TYNDALL made numerous
19 inappropriate and sexually-harassing comments about JANE DOE 91's
20 genitalia. First, TYNDALL told her that she was "anatomically wrong" and
21 that her "cervix was tilted," although he provided no medical explanation
22 as to what he meant by this comment. Then TYNDALL inserted a speculum
23 into JANE DOE 91's vagina and told JANE DOE 91 to "tighten her
24 muscles" around the speculum. TYNDALL said that JANE DOE 91's
25 "vaginal walls were weak" and that she "should do Kegels." When JANE
26 DOE 91 asked what he meant, TYNDALL replied, "What? You never heard
27 guys talking about a girl's muscle control during sex?" Plaintiff JANE DOE
28 91 is informed and believes, and on this basis alleges, that TYNDALL's
inappropriate and sexually-harassing comments about her genitalia were
designed to shame, coerce, humiliate and control Plaintiff JANE DOE 91
so that she would be silenced, and so that she would suffer psychological
pain and emotional distress.
- d. At the time, in reasonable reliance upon the fact that TYNDALL was a
USC-employed doctor, and upon Defendant USC's deliberate concealment
of myriad complaints about TYNDALL's dangerous propensity to sexually
abuse young female students, Plaintiff JANE DOE 91 reasonably believed
and trusted that TYNDALL had provided her with legitimate medical
treatment. Plaintiff JANE DOE 91 also had no medical training or
experience by which to gauge whether TYNDALL's conduct was, in fact,
sexual abuse, such that she was blamelessly ignorant of the fact that she had
been sexually abused by TYNDALL. It was not until May of 2018, when
TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE
DOE 91 learned, for the first time, that TYNDALL's behavior did, in fact,
constitute sexual abuse and harassment.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 92

199. At all times material hereto, Plaintiff JANE DOE 92 was a graduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 92.

200. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 92. Plaintiff JANE DOE 92 was a graduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 92 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 92.

201. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 92 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 92 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was in contact with and providing medical care to young female students, Defendants USC and DOES 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE DOE 92, owing Plaintiff JANE DOE 92 a duty of care.

202. By assigning and employing TYNDALL as the sole full-time gynecologist with regular availability at Defendant USC and DOES 1 through 500's Student Health Center, Defendants USC and DOES 1 through 500 represented to its students, and the community, that TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and patients need not worry about having TYNDALL interact with, and provide care to, those students. Defendants did so in order to preserve their own public image and reputation, so they could retain past students and recruit new students, thus allowing donations and other financial support to continue flowing into their coffers for financial gain.

203. Plaintiff JANE DOE 92 is informed and believes, and on that basis alleges, that Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a duty to disclose these facts to Plaintiff JANE DOE 92 and others, but negligently and/or intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this information arose by the special, trusting, confidential, fiduciary relationship between Defendants and Plaintiff JANE DOE 92. Specifically, the Defendant USC knew that TYNDALL was groping, digitally penetrating, and otherwise sexually harassing patients and young female students in isolation with those patients and students, based on the following:

- a. In or around 2015, JANE DOE 92, who at the time was a graduate student attending Defendant USC, made an appointment with Defendant USC's Student Health Center for a routine well-woman examination. TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 92's treating physician.
- b. Under the guise of conducting a "pelvic examination," TYNDALL sexually abused JANE DOE 92 by forcing his fingers inside of her vagina and moving his fingers around inside of her, pressing against her vaginal walls. As he digitally penetrated her, TYNDALL made extremely inappropriate comments about JANE DOE 92's genitalia, including but not limited to asking JANE DOE 92, "Are you a runner?" When JANE DOE 92 replied that she was not, TYNDALL said, "Are you sure? This muscle is very strong," as he pressed his fingers harder against her vaginal wall. Plaintiff JANE DOE 92 is informed and believes, and on this basis alleges, that TYNDALL made these inappropriate comments about JANE DOE 92's genitalia in order to shame, coerce, humiliate and control Plaintiff JANE DOE 92 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.

- 1 c. Throughout this examination, a USC-employed chaperone was present in
2 the examination room and observed TYNDALL's digital penetration of
3 JANE DOE 92. Despite witnessing TYNDALL's abuse, the chaperone
4 remained silent.
- 5 d. TYNDALL then instructed JANE DOE 92 to dress and come with him to
6 his office. While in his office, TYNDALL asked JANE DOE 92 about her
7 intrauterine device, and asked if she "checked the strings." TYNDALL then
8 suddenly said, "We should check the strings." In this way, TYNDALL
9 forced JANE DOE 92 to return to the examination room and disrobe for a
10 second time, so that he could digitally penetrate her again. TYNDALL
11 forced his fingers inside of JANE DOE 92 for a second time, saying, "The
12 strings are there." TYNDALL then forced JANE DOE 92 to press a red
13 "easy" button before finally allowing her to leave the appointment.
- 14 e. At the time, in reasonable reliance upon the fact that TYNDALL was a
15 USC-employed doctor, upon Defendant USC's deliberate concealment of
16 myriad complaints about TYNDALL's dangerous propensity to sexually
17 abuse young female students, and upon the fact that a USC-employed
18 chaperone observed TYNDALL's conduct yet said nothing, Plaintiff JANE
19 DOE 92 reasonably believed and trusted that TYNDALL had provided her
20 with legitimate medical treatment. Plaintiff JANE DOE 92 also had no
21 medical training or experience by which to gauge whether TYNDALL's
22 conduct was, in fact, sexual abuse, such that she was blamelessly ignorant
23 of the fact that she had been sexually abused by TYNDALL. It was not until
24 May of 2018, when TYNDALL's sexual abuse was nationally publicized,
25 that Plaintiff JANE DOE 92 learned, for the first time, that TYNDALL's
26 behavior did, in fact, constitute sexual abuse and harassment.

16 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 93**

17 204. At all times material hereto, Plaintiff JANE DOE 93 was an undergraduate student
18 and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
19 dominion, and supervision. TYNDALL ~~worked for.~~ was employed by, and/or an agent/servant of
20 the Defendants USC and/or DOES 1 ~~through~~ 500. when TYNDALL came into contact with the
21 Plaintiff JANE DOE 93.

22 205. At all times material ~~hereto~~. TYNDALL was under the direct supervision,
23 management, agency and control of ~~Defendants~~ USC and DOES 1 through 500, inclusive.
24 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
25 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
26 TYNDALL's employment duties included providing medical care to the female undergraduate
27 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
28 was not limited to, conducting gynecological examinations and providing reproductive health

1 treatments to the female students of Defendants USC and DOES 1 through 500, which included
2 Plaintiff JANE DOE 93. Plaintiff JANE DOE 93 was a graduate student of Defendant USC and
3 DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 93 came to be
4 under the direction and control of TYNDALL who used his position of authority and trust to molest
5 and sexually abuse Plaintiff JANE DOE 93.

6 206. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
7 a gynecological physician, Plaintiff JANE DOE 93 was under TYNDALL's direct supervision,
8 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
9 JANE DOE 93 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
10 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
11 in contact with and providing medical care to young female students, Defendants USC and DOES
12 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
13 DOE 93, owing Plaintiff JANE DOE 93 a duty of care.

14 207. By assigning and employing TYNDALL as the sole full-time gynecologist with
15 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
16 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
17 TYNDALL was safe, trustworthy, and of high moral and ethical ~~repute~~. ~~such that~~ students and
18 patients need not worry about having TYNDALL interact with, and ~~provide care to~~, those students.
19 Defendants did so in order to preserve their own public image and ~~reputation~~, so they could retain
20 past students and recruit new students, thus allowing donations ~~and other financial~~ support to
21 continue flowing into their coffers for financial gain.

22 208. Plaintiff JANE DOE 93 is informed and believes, ~~and on that~~ basis alleges, that
23 Defendants knew or should have known that TYNDALL had ~~engaged in~~ unlawful sexually-
24 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
25 duty to disclose these facts to Plaintiff JANE DOE 93 and others, but negligently and/or
26 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
27 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
28 and Plaintiff JANE DOE 93. Specifically, the Defendant USC knew that TYNDALL was groping,

1 digitally penetrating, and otherwise sexually harassing patients and young female students in
2 isolation with those patients and students, based on the following:

- 3 a. In or around 2012, JANE DOE 93, who at the time was an undergraduate
4 student attending Defendant USC, made an appointment with Defendant
5 USC's Student Health Center in order to obtain treatment for a rash on her
6 labia. TYNDALL, as the only full-time gynecologist with regular
7 availability employed by Defendant USC's Student Health Center, was the
8 only available doctor and therefore was assigned to be JANE DOE 93's
9 treating physician.
- 10 b. When she arrived for her appointment, JANE DOE 93 was escorted to
11 TYNDALL's office, where she explained that she had been suffering from
12 a recurrent rash. TYNDALL asked JANE DOE 93 if she was sexually
13 active. When JANE DOE 93 replied that she had not been sexually active
14 for the previous several months, TYNDALL asked, "Why not?"
15 TYNDALL then asked JANE DOE 93 about her sexual orientation; when
16 she disclosed that she is bisexual, TYNDALL asked numerous prurient
17 questions about her sexual experiences with female partners, for no
18 legitimate medical purpose and solely to satisfy his own sexual desires.
- 19 c. TYNDALL then told JANE DOE 93 to undress and lie on the examination
20 table. TYNDALL looked at JANE DOE 93's rash, then told JANE DOE 93
21 that it would be necessary to take swabs of the inside of her vagina. JANE
22 DOE 93 is informed and believes, and on this basis alleges, that it was not
23 medically necessary for TYNDALL to obtain any internal swabs or provide
24 any penetrative examination to provide JANE DOE 93 treatment for her
25 rash, but that TYNDALL told her such swabs were necessary solely to gain
26 access to JANE DOE 93 to sexually abuse her.
- 27 d. Then, without warning, TYNDALL forced his ungloved fingers into JANE
28 DOE 93's vagina, say that he was "worried the speculum isn't going to fit."
TYNDALL vigorously moved his fingers around the inside of JANE DOE
93's vagina for at least ten seconds before telling JANE DOE 93 that "she
should be fine" with a speculum.
- e. TYNDALL then removed his fingers from the inside of JANE DOE 93's
vagina and began stroking the outside of JANE DOE 93's labia, tracing the
outline of the rash with his fingers for a prolonged period of time, repeatedly
telling her that the rash "follows a very distinct pattern" and a "distinct path
that follows your panty line." TYNDALL's caressing of JANE DOE 93's
labia was done for no legitimate medical purpose, but solely to satisfy
TYNDALL's own sexual desires.
- f. As TYNDALL sexually abused JANE DOE 93 in this way, a USC-
employed chaperone was present in the examination room and observed
TYNDALL's conduct yet remained silent.
- g. At the time, in reasonable reliance upon the fact that TYNDALL was a
USC-employed doctor, upon Defendant USC's deliberate concealment of
myriad complaints about TYNDALL's dangerous propensity to sexually
abuse young female students, and upon the fact that a USC-employed
chaperone observed TYNDALL's conduct yet said nothing, Plaintiff JANE
DOE 93 reasonably believed and trusted that TYNDALL had provided her

1 with legitimate medical treatment. Plaintiff JANE DOE 93 also had no
2 medical training or experience by which to gauge whether TYNDALL's
3 conduct was, in fact, sexual abuse, such that she was blamelessly ignorant
4 of the fact that she had been sexually abused by TYNDALL. It was not until
5 May of 2018, when TYNDALL's sexual abuse was nationally publicized,
6 that Plaintiff JANE DOE 93 learned, for the first time, that TYNDALL's
7 behavior did, in fact, constitute sexual abuse and harassment.

8 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 94**

9 209. At all times material hereto, Plaintiff JANE DOE 94 was an undergraduate student
10 and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
11 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
12 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
13 Plaintiff JANE DOE 94.

14 210. At all times material hereto, TYNDALL was under the direct supervision,
15 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
16 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
17 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
18 TYNDALL's employment duties included providing medical care to the female undergraduate
19 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
20 was not limited to, conducting gynecological examinations and providing reproductive health
21 treatments to the female students of Defendants USC and DOES 1 through 500, which included
22 Plaintiff JANE DOE 94. Plaintiff JANE DOE 94 was a graduate student of Defendant USC and
23 DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 94 came to be
24 under the direction and control of TYNDALL who used his position of authority and trust to molest
25 and sexually abuse Plaintiff JANE DOE 94.

26 211. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
27 a gynecological physician, Plaintiff JANE DOE 94 was under TYNDALL's direct supervision,
28 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
JANE DOE 94 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
in contact with and providing medical care to young female students, Defendants USC and DOES

1 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
2 DOE 94, owing Plaintiff JANE DOE 94 a duty of care.

3 212. By assigning and employing TYNDALL as the sole full-time gynecologist with
4 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
5 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
6 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
7 patients need not worry about having TYNDALL interact with, and provide care to, those students.
8 Defendants did so in order to preserve their own public image and reputation, so they could retain
9 past students and recruit new students, thus allowing donations and other financial support to
10 continue flowing into their coffers for financial gain.

11 213. Plaintiff JANE DOE 94 is informed and believes, and on that basis alleges, that
12 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
13 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
14 duty to disclose these facts to Plaintiff JANE DOE 94 and others, but negligently and/or
15 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
16 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
17 and Plaintiff JANE DOE 94. Specifically, the Defendant USC knew that TYNDALL was groping,
18 digitally penetrating, and otherwise sexually harassing patients and young female students in
19 isolation with those patients and students, based on the following:

- 20 a. In or around 2016, JANE DOE 94, who at the time was a nineteen-year-old
21 undergraduate student in the first month of her freshman year at Defendant
22 USC, made an appointment with Defendant USC's Student Health Center
23 in order to obtain treatment for recurring yeast infections. TYNDALL, as
24 the only full-time gynecologist with regular availability employed by
25 Defendant USC's Student Health Center, was assigned to be JANE DOE
26 94's treating physician. Prior to seeking treatment from TYNDALL, JANE
27 DOE 94 had never before undergone a pelvic examination; in fact, she
28 specifically waited until she went to Defendant USC to seek gynecological
treatment because she did not want her family to find out that she was
sexually active.
- b. When she arrived for her appointment, TYNDALL instructed JANE DOE
94 to strip completely naked, change into a medical gown, and lie on the
examination table. TYNDALL returned to the examination room abruptly,
without knocking, and folded JANE DOE 94's medical gown up around her
waist, so that the entire lower half of her body was completely exposed.

1 TYNDALL sat between JANE DOE 94's legs and told JANE DOE 94 to
2 move the lower half of her body so close to him that the entire lower half of
3 her body was off of the examination table. TYNDALL then asked JANE
4 DOE 94: "Have you been fingered before? How many fingers can you take?
5 Have you ever taken two fingers at a time?" When JANE DOE 94 asked
6 why he was asking these questions, TYNDALL replied, "For the pelvic
7 exam, of course." TYNDALL then roughly jammed three to four fingers
8 inside of JANE DOE 94's vagina and moved them around, for at least five
9 minutes, causing JANE DOE 94 extreme physical pain and lasting soreness.
10 As he roughly digitally penetrated JANE DOE 94, TYNDALL also touched
11 the JANE DOE 94's stomach and the exterior of JANE DOE 94's genitalia.
12 TYNDALL also repeatedly asked JANE DOE 94 if he was hurting her, in
13 furtherance of his own sadistic sexual pleasure.

- 14 c. TYNDALL then falsely and baselessly told JANE DOE 94 that she had
15 "genital warts," and that she likely "either has HIV or is diabetic," and told
16 JANE DOE 94 to get tested. When JANE DOE 94 asked to undergo a
17 medical test to confirm TYNDALL's "genital warts" diagnosis, TYNDALL
18 refused, saying, "You don't need a test, I can see that you have them." JANE
19 DOE 94 was so distraught by this that she left the appointment sobbing.
20 JANE DOE 94 is informed and believes, and on this basis alleges, that
21 TYNDALL falsely told JANE DOE 94 that she "had genital warts" and
22 likely "either has HIV or is diabetic" solely because he wished to inflict
23 psychological pain and emotional distress upon JANE DOE 94, in
24 furtherance of his own sadistic sexual desires.
- 25 d. Because TYNDALL did not provide JANE DOE 94 with proper medical
26 treatment for her yeast infection at her initial appointment, and because she
27 believed TYNDALL's representation that she had genital warts, JANE
28 DOE 94 was forced to return to Defendant USC's Student Health Center for
another appointment with TYNDALL, approximately three weeks later. At
this second appointment, TYNDALL again sexually abused JANE DOE 94
by digitally penetrating her. TYNDALL then kept JANE DOE 94 in his
office for at least thirty minutes after her appointment, and sexually
harassed JANE DOE 94 by telling her, "You're so beautiful," and "You
should be a model." Plaintiff JANE DOE 94 is informed and believes, and
on this basis alleges, that TYNDALL made these inappropriate comments
about JANE DOE 94's appearance in order to shame, coerce, humiliate and
control Plaintiff JANE DOE 94 so that she would be silenced, and so that
she would suffer psychological pain and emotional distress.
- e. At this second appointment, and without any explanation, TYNDALL told
JANE DOE 94 that her "genital warts" had "cleared up," but in an attempt
to gain access to her to sexually abuse her again, TYNDALL attempted to
convince JANE DOE 94 to return to the Student Health Center for a third
appointment, to "make sure they were gone." TYNDALL also insisted that
JANE DOE 94 "keep coming to see him" once she was in graduate school,
saying "All my patients love me" and "I'll keep taking good care of you."
- f. Subsequently, JANE DOE 94 went back to the USC Student Health Center
to make an appointment for treatment for a yeast infection. When she
attempted to make this appointment, a USC-employed health practitioner
wrote her a prescription for yeast infection medication, without conducting
any tests, "so you don't have to see him [TYNDALL] again."
- g. At the time, in reasonable reliance upon the fact that TYNDALL was a
USC-employed doctor, and upon Defendant USC's deliberate concealment
of myriad complaints about TYNDALL's dangerous propensity to sexually

1 abuse young female students, Plaintiff JANE DOE 94 reasonably believed
2 and trusted that TYNDALL had provided her with legitimate medical
3 treatment. Plaintiff JANE DOE 94 also had no medical training, or
4 experience with pelvic examinations whatsoever, by which to gauge
5 whether TYNDALL's conduct was, in fact, sexual abuse, such that she was
6 blamelessly ignorant of the fact that she had been sexually abused by
7 TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse
8 was nationally publicized, that Plaintiff JANE DOE 94 learned, for the first
9 time, that TYNDALL's behavior did, in fact, constitute sexual abuse and
10 harassment.

11 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 95**

12 214. At all times material hereto, Plaintiff JANE DOE 95 was an undergraduate student
13 and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
14 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
15 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
16 Plaintiff JANE DOE 95.

17 215. At all times material hereto, TYNDALL was under the direct supervision,
18 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
19 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
20 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
21 TYNDALL's employment duties included providing medical care to the female undergraduate
22 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
23 was not limited to, conducting gynecological examinations and providing reproductive health
24 treatments to the female students of Defendants USC and DOES 1 through 500, which included
25 Plaintiff JANE DOE 95. Plaintiff JANE DOE 95 was an undergraduate student of Defendant USC
26 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 95 came to
27 be under the direction and control of TYNDALL who used his position of authority and trust to
28 molest and sexually abuse Plaintiff JANE DOE 95.

29 216. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
30 a gynecological physician, Plaintiff JANE DOE 95 was under TYNDALL's direct supervision,
31 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
32 JANE DOE 95 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
33 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was

1 in contact with and providing medical care to young female students, Defendants USC and DOES
2 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
3 DOE 95, owing Plaintiff JANE DOE 95 a duty of care.

4 217. By assigning and employing TYNDALL as the sole full-time gynecologist with
5 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
6 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
7 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
8 patients need not worry about having TYNDALL interact with, and provide care to, those students.
9 Defendants did so in order to preserve their own public image and reputation, so they could retain
10 past students and recruit new students, thus allowing donations and other financial support to
11 continue flowing into their coffers for financial gain.

12 218. Plaintiff JANE DOE 95 is informed and believes, and on that basis alleges, that
13 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
14 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
15 duty to disclose these facts to Plaintiff JANE DOE 95 and others, but negligently and/or
16 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
17 information arose by the special, trusting, confidential fiduciary relationship between Defendants
18 and Plaintiff JANE DOE 95. Specifically, the Defendant USC knew that TYNDALL was groping,
19 digitally penetrating, and otherwise sexually harassing patients and young female students in
20 isolation with those patients and students, based on the following:

- 21 a. In or around 1990, JANE DOE 95, who at the time was an undergraduate
22 student attending Defendant USC, made an appointment with Defendant
23 USC's Student Health Center for a routine well-woman examination.
24 TYNDALL, the only full-time gynecologist with regular availability at the
25 Student Health Center, was assigned to be her treating physician.
- 26 b. During her appointment, without warning, permission, or any legitimate
27 medical justification whatsoever, TYNDALL cut off a portion of JANE
28 DOE 95's cervix, causing JANE DOE 95 extreme physical pain and lasting
harm. JANE DOE 95 is informed and believes, and on this basis alleges,
that TYNDALL did not have any medical reason to cut JANE DOE 95's
cervix, but rather did so solely to further his own sadistic sexual desire to
inflict physical pain and emotional distress upon his young female patients.

- c. At the time, in reasonable reliance upon the fact that TYNDALL was a USC-employed doctor, and upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, Plaintiff JANE DOE 95 reasonably believed and trusted that TYNDALL had provided her with legitimate medical treatment. Plaintiff JANE DOE 95 also had no medical training or experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 95 learned, for the first time, that TYNDALL's behavior did, in fact, constitute sexual abuse and assault.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 96

219. At all times material hereto, Plaintiff JANE DOE 96 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 96.

220. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 96. Plaintiff JANE DOE 96 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 96 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 96.

221. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 96 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff

JANE DOE 96 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was in contact with and providing medical care to young female students, Defendants USC and DOES 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE DOE 96, owing Plaintiff JANE DOE 96 a duty of care.

222. By assigning and employing TYNDALL as the sole full-time gynecologist with regular availability at Defendant USC and DOES 1 through 500's Student Health Center, Defendants USC and DOES 1 through 500 represented to its students, and the community, that TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and patients need not worry about having TYNDALL interact with, and provide care to, those students. Defendants did so in order to preserve their own public image and reputation, so they could retain past students and recruit new students, thus allowing donations and other financial support to continue flowing into their coffers for financial gain.

223. Plaintiff JANE DOE 96 is informed and believes, and on that basis alleges, that Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a duty to disclose these facts to Plaintiff JANE DOE 96 and others, but negligently and/or intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this information arose by the special, trusting, confidential, fiduciary relationship between Defendants and Plaintiff JANE DOE 96. Specifically, the Defendant USC knew that TYNDALL was groping, digitally penetrating, and otherwise sexually harassing patients and young female students in isolation with those patients and students, based on the following:

- a. In or around 1989, JANE DOE 96, who at the time was an undergraduate student attending Defendant USC, made an appointment with Defendant USC's Student Health Center in order to obtain a prescription for birth control. TYNDALL, the only full-time gynecologist with regular availability at the Student Health Center, was assigned to be her treating physician.
- b. TYNDALL forced JANE DOE 96 to strip completely naked and did not provide JANE DOE 96 a medical gown or drape to cover herself with during the appointment. In this way, TYNDALL forced JANE DOE 96 to be completely exposed throughout the appointment, so that he could leer at her

1 naked body for his own sexual pleasure. TYNDALL also left the blinds of
2 the examination room window partially open, so that JANE DOE 96
3 worried throughout the appointment that the numerous people who walked
4 past the examination room would be able to see her naked body through the
5 window.

- 6 c. TYNDALL ordered JANE DOE 96 to lie down on the examination table,
7 then proceeded to sexually abuse JANE DOE 96 by groping her breasts and
8 squeezing both of her nipples hard, at the same time, causing JANE DOE
9 96 intense physical pain.
- 10 d. Next, TYNDALL forced his fingers into JANE DOE 96's vagina, without
11 wearing gloves, and moved his fingers around inside of her for a prolonged
12 period of time, while asking JANE DOE 96 if it "hurt." TYNDALL then
13 inserted a speculum into JANE DOE 96's vagina, but the edges of the
14 speculum were so sharp that it scraped and scratched the inside of JANE
15 DOE 96's vagina, causing her to suffer from bleeding and cramping for
16 several days after the appointment.
- 17 e. Finally, TYNDALL instructed JANE DOE 96 to move down towards the
18 edge of the table and told her to keep moving closer until her knees were
19 nearly above her head. At that point, TYNDALL again digitally penetrated
20 JANE DOE 96's vagina. Then, without warning, and with his fingers still
21 inside of JANE DOE 96's vagina, TYNDALL rammed his fingers inside of
22 JANE DOE 96's anus, causing JANE DOE 96 such extreme physical pain
23 that she screamed and cried. In response, TYNDALL merely said, "We
24 have to do this once in a while," while smirking at JANE DOE 96 as though
25 he was trying not to laugh at her. As TYNDALL digitally penetrated JANE
26 DOE 96 anus, causing JANE DOE 96 to scream and cry, JANE DOE 96
27 turned to look at the USC-employed chaperone who was present in the
28 examination room, but the chaperone deliberately turned her head away and
remained silent.
- f. TYNDALL's "treatment" of JANE DOE 96 was so rough that JANE DOE
96 suffered from bleeding, cramping and severe physical pain for over a
week after her appointment.
- g. Following her appointment, JANE DOE 96 told her roommate about what
TYNDALL had done to her. JANE DOE 96's roommate told her that one
of her friends had also sought treatment from TYNDALL and had filed a
complaint against Defendant USC against him.
- h. At the time, in reasonable reliance upon the fact that TYNDALL was a
USC-employed doctor, upon Defendant USC's deliberate concealment of
myriad complaints about TYNDALL's dangerous propensity to sexually
abuse young female students, and upon the fact that Defendant USC had
received other reports of TYDNALL's conduct yet did not investigate or
remove TYDNALL, Plaintiff JANE DOE 96 reasonably believed and
trusted that TYNDALL had provided her with legitimate medical treatment.
Plaintiff JANE DOE 96 also had no medical training or experience by which
to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that
she was blamelessly ignorant of the fact that she had been sexually abused
by TYNDALL. It was not until May of 2018, when TYNDALL's sexual
abuse was nationally publicized, that Plaintiff JANE DOE 96 learned, for
the first time, that TYNDALL's conduct was not medically legitimate and
did, in fact, constitute sexual abuse and assault.

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FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 97

224. At all times material hereto, Plaintiff JANE DOE 97 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 97.

225. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 97. Plaintiff JANE DOE 97 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 97 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 97.

226. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 97 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 97 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was in contact with and providing medical care to young female students, Defendants USC and DOES 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE DOE 97, owing Plaintiff JANE DOE 97 a duty of care.

1 227. By assigning and employing TYNDALL as the sole full-time gynecologist with
2 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
3 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
4 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
5 patients need not worry about having TYNDALL interact with, and provide care to, those students.
6 Defendants did so in order to preserve their own public image and reputation, so they could retain
7 past students and recruit new students, thus allowing donations and other financial support to
8 continue flowing into their coffers for financial gain.

9 228. Plaintiff JANE DOE 97 is informed and believes, and on that basis alleges, that
10 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
11 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
12 duty to disclose these facts to Plaintiff JANE DOE 97 and others, but negligently and/or
13 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
14 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
15 and Plaintiff JANE DOE 97. Specifically, the Defendant USC knew that TYNDALL was groping,
16 digitally penetrating, and otherwise sexually harassing patients and young female students in
17 isolation with those patients and students, based on the following:

- 18 a. In or around 2009, JANE DOE 97, who at the time was an undergraduate
19 student attending Defendant USC, made her first-ever gynecological
20 appointment with Defendant USC's Student Health Center in order to
21 obtain a prescription for birth control. Even though JANE DOE 97
22 specifically requested a female health practitioner, she was told by
23 Defendant USC that TYNDALL "is the only one who can write you a
24 prescription." In this way, TYNDALL, as the only full-time gynecologist
25 with regular availability employed by Defendant USC's Student Health
26 Center, was assigned to be JANE DOE 97's treating physician.
- 27 b. When she arrived for her appointment, TYNDALL first questioned JANE
28 DOE 97 about her sexual history. When JANE DOE 97 disclosed that she
was not yet sexually active, TYNDALL said, "I'm surprised, you're so
beautiful" as he but his hand on her thigh. Plaintiff JANE DOE 97 is
informed and believes, and on this basis alleges, that TYNDALL made this
wholly inappropriate comment about JANE DOE 97's appearance in order
to shame, coerce, humiliate and control Plaintiff JANE DOE 97 so that she
would be silenced, and so that she would suffer psychological pain and
emotional distress.

- 1 c. TYNDALL then insisted that he perform a pelvic examination. JANE DOE
2 97 specifically asked TYNDALL if a pelvic examination was necessary,
3 and TYNDALL responded that he needed to perform an examination before
4 he could write her a prescription for birth control. JANE DOE 97 is
5 informed and believes, and on this basis alleges, that it was not, in fact,
6 medically necessary for her to submit to a full medical examination before
7 obtaining a birth control prescription, and that TYNDALL falsely told her
8 this in order to gain access to her to sexually abuse her.
- 9 d. TYNDALL told JANE DOE 97 to remove all of her clothes for the pelvic
10 examination, but JANE DOE 97 only undressed from the waist down. Even
11 though she did not follow his instruction to completely disrobe, TYNDALL
12 proceeded with the examination.
- 13 e. Then, under the guise of performing a "pelvic examination," TYNDALL
14 forced his fingers inside of JANE DOE 97's vagina, without wearing a
15 glove, and repeatedly moved his fingers in and out of JANE DOE 97's
16 vagina, causing JANE DOE 97 extreme physical pain. As he digitally
17 penetrated her, TYNDALL said, "I can tell you're a virgin, you're so tight."
18 Plaintiff JANE DOE 97 is informed and believes, and on this basis alleges,
19 that TYNDALL made this inappropriate and sexually-harassing comment
20 about JANE DOE 97's genitalia in order to shame, coerce, humiliate and
21 control Plaintiff JANE DOE 97 so that she would be silenced, and so that
22 she would suffer psychological pain and emotional distress. JANE DOE 97
23 was in such acute pain that she told TYNDALL to stop before he could
24 finish the purported "pelvic examination," but TYNDALL wrote her a
25 prescription for birth control anyway.
- 26 f. At the time, in reasonable reliance upon the fact that TYNDALL was a
27 USC-employed doctor, and upon Defendant USC's deliberate concealment
28 of myriad complaints about TYNDALL's dangerous propensity to sexually
abuse young female students, Plaintiff JANE DOE 97 reasonably believed
and trusted that TYNDALL had provided her with legitimate medical
treatment. Plaintiff JANE DOE 97 also had no medical training, or any
experience with gynecologists whatsoever, by which to gauge whether
TYNDALL's conduct was, in fact, sexual abuse, such that she was
blamelessly ignorant of the fact that she had been sexually abused by
TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse
was nationally publicized, that Plaintiff JANE DOE 97 learned, for the first
time, that TYNDALL's behavior did, in fact, constitute sexual abuse,
harassment and assault.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 98

229. At all times material hereto, Plaintiff JANE DOE 98 was an undergraduate student
and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
Plaintiff JANE DOE 98.

1 230. At all times material hereto, TYNDALL was under the direct supervision,
2 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
3 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
4 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
5 TYNDALL's employment duties included providing medical care to the female undergraduate
6 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
7 was not limited to, conducting gynecological examinations and providing reproductive health
8 treatments to the female students of Defendants USC and DOES 1 through 500, which included
9 Plaintiff JANE DOE 98. Plaintiff JANE DOE 98 was an undergraduate student of Defendant USC
10 and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 98 came to
11 be under the direction and control of TYNDALL who used his position of authority and trust to
12 molest and sexually abuse Plaintiff JANE DOE 98.

13 231. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
14 a gynecological physician, Plaintiff JANE DOE 98 was under TYNDALL's direct supervision,
15 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
16 JANE DOE 98 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
17 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
18 in contact with and providing medical care to young female students, Defendants USC and DOES
19 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
20 DOE 98, owing Plaintiff JANE DOE 98 a duty of care.

21 232. By assigning and employing TYNDALL as the sole full-time gynecologist with
22 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
23 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
24 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
25 patients need not worry about having TYNDALL interact with, and provide care to, those students.
26 Defendants did so in order to preserve their own public image and reputation, so they could retain
27 past students and recruit new students, thus allowing donations and other financial support to
28 continue flowing into their coffers for financial gain.

233. Plaintiff JANE DOE 98 is informed and believes, and on that basis alleges, that Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a duty to disclose these facts to Plaintiff JANE DOE 98 and others, but negligently and/or intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this information arose by the special, trusting, confidential, fiduciary relationship between Defendants and Plaintiff JANE DOE 98. Specifically, the Defendant USC knew that TYNDALL was groping, digitally penetrating, and otherwise sexually harassing patients and young female students in isolation with those patients and students, based on the following:

- a. In or around 2012, JANE DOE 98, who at the time was a twenty-year-old undergraduate student attending Defendant USC, made her first-ever gynecological appointment with Defendant USC's Student Health Center in order to obtain treatment for a yeast infection. TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 98's treating physician.
- b. When she arrived for her appointment, TYNDALL forced JANE DOE 98 to strip completely naked. JANE DOE 98 was provided only with an open-front medical gown to wear, such that her naked body was fully exposed to TYNDALL throughout the entire appointment.
- c. TYNDALL then proceeded to sexually abuse JANE DOE 98 by rubbing and squeezing her breasts for a prolonged period of time, under the guise of conducting a "breast examination." Then, TYNDALL forced his fingers inside of JANE DOE 98's vagina and felt around the inside of JANE DOE 98's vagina for at least four minutes, all the while telling JANE DOE 98, "You have good child-birthing hips." Plaintiff JANE DOE 98 is informed and believes, and on this basis alleges, that TYNDALL made this wholly inappropriate comment about JANE DOE 98's appearance in order to shame, coerce, humiliate and control Plaintiff JANE DOE 98 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- d. Throughout the entire time that TYNDALL was sexually abusing JANE DOE 98 in this manner, a USC-employed nurse was present in the examination room, witnessing TYNDALL's abuse yet saying nothing.
- e. Following her appointment, JANE DOE 98 was so distraught that she went straight home and did not leave her bed until the next day. Shortly after, JANE DOE 98 returned to the Student Health Center and tried to tell the nurse, who was present during her appointment, how uncomfortable TYNDALL made her feel. In response, the USC-employed nurse simply said, "Oh, you were just nervous." To JANE DOE 98's knowledge, Defendant USC never reported, investigated, or took any other action in response to her complaint against TYNDALL.

1 f. At the time, in reasonable reliance upon the fact that TYNDALL was a
2 USC-employed doctor, upon Defendant USC's deliberate concealment of
3 myriad complaints about TYNDALL's dangerous propensity to sexually
4 abuse young female students, and upon the fact that a USC-employed nurse
5 remained silent during the abuse and then dismissed her complaints against
6 TYNDALL, Plaintiff JANE DOE 98 reasonably believed and trusted that
7 TYNDALL had provided her with legitimate medical treatment. Plaintiff
8 JANE DOE 98 also had no medical training, or any experience with
9 gynecologists whatsoever, by which to gauge whether TYNDALL's
10 conduct was, in fact, sexual abuse, such that she was blamelessly ignorant
11 of the fact that she had been sexually abused by TYNDALL. It was not until
12 May of 2018, when TYNDALL's sexual abuse was nationally publicized,
13 that Plaintiff JANE DOE 98 learned, for the first time, that TYNDALL's
14 behavior did, in fact, constitute sexual abuse, harassment and assault.

15 **FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 99**

16 234. At all times material hereto, Plaintiff JANE DOE 99 was a graduate student and
17 was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
18 dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
19 the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
20 Plaintiff JANE DOE 99.

21 235. At all times material hereto, TYNDALL was under the direct supervision,
22 management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
23 TYNDALL was a gynecological physician hired, employed, supervised, and retained by
24 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
25 TYNDALL's employment duties included providing medical care to the female undergraduate
26 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
27 was not limited to, conducting gynecological examinations and providing reproductive health
28 treatments to the female students of Defendants USC and DOES 1 through 500, which included
Plaintiff JANE DOE 99. Plaintiff JANE DOE 99 was a graduate student of Defendant USC and
DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 99 came to be
under the direction and control of TYNDALL who used his position of authority and trust to molest
and sexually abuse Plaintiff JANE DOE 99.

236. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
a gynecological physician, Plaintiff JANE DOE 99 was under TYNDALL's direct supervision,

1 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
2 JANE DOE 99 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
3 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
4 in contact with and providing medical care to young female students, Defendants USC and DOES
5 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
6 DOE 99, owing Plaintiff JANE DOE 99 a duty of care.

7 237. By assigning and employing TYNDALL as the sole full-time gynecologist with
8 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
9 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
10 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
11 patients need not worry about having TYNDALL interact with, and provide care to, those students.
12 Defendants did so in order to preserve their own public image and reputation, so they could retain
13 past students and recruit new students, thus allowing donations and other financial support to
14 continue flowing into their coffers for financial gain.

15 238. Plaintiff JANE DOE 99 is informed and believes, and on that basis alleges, that
16 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
17 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
18 duty to disclose these facts to Plaintiff JANE DOE 99 and others, but negligently and/or
19 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
20 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
21 and Plaintiff JANE DOE 99. Specifically, the Defendant USC knew that TYNDALL was groping,
22 digitally penetrating, and otherwise sexually harassing patients and young female students in
23 isolation with those patients and students, based on the following:

- 24 a. From in or around 2014 to 2015, JANE DOE 99, who at the time was a
25 graduate student attending Defendant USC, was forced to seek
26 gynecological treatment from Defendant USC's Student Health Center on
27 at least three separate occasions to obtain treatment for acute vaginal pain.
28 TYNDALL, as the only full-time gynecologist with regular availability
employed by Defendant USC's Student Health Center, was assigned to be
JANE DOE 99's treating physician.

- b. On three separate occasions that she came to the Student Health Center for medical treatment, TYNDALL sexually abused JANE DOE 99 by forcing his fingers inside of her vagina and moving his fingers around inside of her, while making wholly inappropriate comments about the "tightness" of her pelvic floor. Plaintiff JANE DOE 99 is informed and believes, and on this basis alleges, that TYNDALL made this wholly inappropriate comment about JANE DOE 99's genitalia in order to shame, coerce, humiliate and control Plaintiff JANE DOE 99 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- c. TYNDALL also baselessly, and without medical justification, told JANE DOE 99 that she had "abnormal cells," would need reconstructive vaginal surgery and would not be able to have children. These prognoses, which inflicted extreme emotional distress and psychological pain upon JANE DOE 99, were clearly false; when TYNDALL finally referred JANE DOE 99 to a specialist, the specialist diagnosed JANE DOE 99 with a treatable autoimmune condition almost immediately. Plaintiff JANE DOE 99 is informed and believes, and on this basis alleges, that TYNDALL deliberately and falsely told JANE DOE 99 that she had "abnormal cells," would need reconstructive vaginal surgery and would not be able to have children solely to inflict psychological pain and emotional distress upon JANE DOE 99, in furtherance of his own sadistic sexual desires.
- d. At the time, in reasonable reliance upon the fact that TYNDALL was a USC-employed doctor, and upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, Plaintiff JANE DOE 99 reasonably believed and trusted that TYNDALL had provided her with legitimate medical treatment. Plaintiff JANE DOE 99 also had no medical training or experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 99 learned, for the first time, that TYNDALL's behavior did, in fact, constitute sexual abuse, harassment and assault.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 100

239. At all times material hereto, Plaintiff JANE DOE 100 was a graduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 100.

240. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,

1 TYNDALL's employment duties included providing medical care to the female undergraduate
2 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
3 was not limited to, conducting gynecological examinations and providing reproductive health
4 treatments to the female students of Defendants USC and DOES 1 through 500, which included
5 Plaintiff JANE DOE 100. Plaintiff JANE DOE 100 was a graduate student of Defendant USC and
6 DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 100 came to be
7 under the direction and control of TYNDALL who used his position of authority and trust to molest
8 and sexually abuse Plaintiff JANE DOE 100.

9 241. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
10 a gynecological physician, Plaintiff JANE DOE 100 was under TYNDALL's direct supervision,
11 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
12 JANE DOE 100 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
13 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
14 in contact with and providing medical care to young female students, Defendants USC and DOES
15 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
16 DOE 100, owing Plaintiff JANE DOE 100 a duty of care.

17 242. By assigning and employing TYNDALL as the sole full-time gynecologist with
18 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
19 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
20 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
21 patients need not worry about having TYNDALL interact with, and provide care to, those students.
22 Defendants did so in order to preserve their own public image and reputation, so they could retain
23 past students and recruit new students, thus allowing donations and other financial support to
24 continue flowing into their coffers for financial gain.

25 243. Plaintiff JANE DOE 100 is informed and believes, and on that basis alleges, that
26 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
27 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
28 duty to disclose these facts to Plaintiff JANE DOE 100 and others, but negligently and/or

intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this information arose by the special, trusting, confidential, fiduciary relationship between Defendants and Plaintiff JANE DOE 100. Specifically, the Defendant USC knew that TYNDALL was groping, digitally penetrating, and otherwise sexually harassing patients and young female students in isolation with those patients and students, based on the following:

- a. In or around 2016, JANE DOE 100, who at the time was a graduate student attending Defendant USC, made an appointment with Defendant USC's Student Health Center for an STD screening test. TYNDALL, as the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, was assigned to be JANE DOE 100's treating physician. When she arrived at the Student Health Center, the intake nurse told JANE DOE 100 that she could get a free well-woman examination along with the STD screening test. JANE DOE 100 stated that she had undergone a pap smear examination a year and a half prior and did not think another examination was necessary. However, TYNDALL insisted that he perform another purported "pap smear examination" in addition to the STD screening test.
- b. At this appointment, TYNDALL forced JANE DOE 100 to strip completely naked and change into a medical gown. TYNDALL then told JANE DOE 100 that he was going to perform a "finger test" to "see if the speculum would fit" inside of her. Then, without wearing gloves, TYNDALL forced one of his fingers inside of JANE DOE 100's vagina. TYNDALL said, "You're very tight, let's see if I can get two in," then put a second finger inside of JANE DOE 100's vagina and moved his fingers around inside of her for an extended period of time, while making grunting and signing noises as he digitally penetrated her. TYNDALL also repeatedly commented about how "tight" JANE DOE 100's cervix was. Plaintiff JANE DOE 100 is informed and believes, and on this basis alleges, that TYNDALL made this wholly inappropriate comment about the tightness of JANE DOE 100's genitalia in order to shame, coerce, humiliate and control Plaintiff JANE DOE 100 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- c. TYNDALL then continued to sexually abuse JANE DOE 100 by groping and fondling JANE DOE 100's breasts, under the guise of conducting a "breast examination." After the breast examination, TYNDALL told JANE DOE 100 to get dressed, then escorted her to his office, where he again told her how "tight" her cervix was and asked her numerous prurient questions about how many sexual partners she had.
- d. Approximately one year later, in or around 2017, JANE DOE 100 returned to the Student Health Center to obtain a prescription for birth control. The intake nurse asked JANE DOE 100 if she had previously seen a gynecologist at the Student Health Center. JANE DOE 100 replied that she had seen a male doctor who was "creepy and inappropriate," and the nurse replied, "Oh yeah, him."

- e. At the time, in reasonable reliance upon the fact that TYNDALL was a USC-employed doctor, and upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, Plaintiff JANE DOE 100 reasonably believed and trusted that TYNDALL had provided her with legitimate medical treatment. Plaintiff JANE DOE 100 also had no medical training or experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 100 learned, for the first time, that TYNDALL's behavior did, in fact, constitute sexual abuse, harassment and assault.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 101

244. At all times material hereto, Plaintiff JANE DOE 101 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 101.

245. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 101. Plaintiff JANE DOE 101 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 101 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 101.

246. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 101 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 101 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty

1 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
2 in contact with and providing medical care to young female students, Defendants USC and DOES
3 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
4 DOE 101, owing Plaintiff JANE DOE 101 a duty of care.

5 247. By assigning and employing TYNDALL as the sole full-time gynecologist with
6 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
7 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
8 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
9 patients need not worry about having TYNDALL interact with, and provide care to, those students.
10 Defendants did so in order to preserve their own public image and reputation, so they could retain
11 past students and recruit new students, thus allowing donations and other financial support to
12 continue flowing into their coffers for financial gain.

13 248. Plaintiff JANE DOE 101 is informed and believes, and on that basis alleges, that
14 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
15 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
16 duty to disclose these facts to Plaintiff JANE DOE 101 and others, but negligently and/or
17 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
18 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
19 and Plaintiff JANE DOE 101. Specifically, the Defendant USC knew that TYNDALL was
20 groping, digitally penetrating, and otherwise sexually harassing patients and young female students
21 in isolation with those patients and students, based on the following:

- 22 a. In or around 1992, JANE DOE 101, who at the time was a nineteen-year-
23 old undergraduate student in her freshman year at Defendant USC, made
24 her first-ever gynecological appointment with Defendant USC's Student
25 Health Center in order to obtain treatment for a urinary tract infection.
26 TYNDALL, as the only full-time gynecologist with regular availability
27 employed by Defendant USC's Student Health Center, was assigned to be
28 JANE DOE 101's treating physician.
- b. When she arrived for her appointment, TYNDALL took an immediate
interest in JANE DOE 101's Chinese descent and asked JANE DOE 101
where her parents were from. TYNDALL then told JANE DOE 101 that the
Student Health Center was "busy," so he was going to start the appointment
without a nurse present.

- 1 c. TYNDALL forced JANE DOE 101 to strip completely naked and change
2 into a medical gown. TYNDALL then insisted that he perform a complete
3 physical examination of JANE DOE 101, including a pelvic examination.
4 JANE DOE 101 is informed and believes, and on this basis alleges, that it
5 was not, in fact, medically necessary or proper for TYNDALL to perform a
6 pelvic examination to diagnose and treat a urinary tract infection, but that
7 TYNDALL only insisted on performing such an examination so that he gain
8 access to JANE DOE 101 to sexually abuse her.
- 9 d. TYNDALL then proceeded to sexually abuse JANE DOE 101 by forcing
10 his finger into her vagina, under the guise of "seeing if the speculum would
11 fit." Next, TYNDALL forced his fingers into JANE DOE 101's anus,
12 without explanation and without any medical justification. As he digitally
13 penetrated her vagina and anus, TYNDALL made numerous sexually-
14 harassing comments – including but not limited to, "Your body produced a
15 lot of lubricant," "You are very wet, you're lucky," and "You have a
16 gorgeous and tight vagina" – and asked JANE DOE 101 numerous prurient
17 questions – including but not limited to, "Do you have anal sex?" "Are you
18 a virgin?" "How many sexual partners do you have?" and "What sex
19 positions do you do with your boyfriend?" Plaintiff JANE DOE 101 is
20 informed and believes, and on this basis alleges, that TYNDALL said this
21 wholly inappropriate comments and questions in order to shame, coerce,
22 humiliate and control Plaintiff JANE DOE 101 so that she would be
23 silenced, and so that she would suffer psychological pain and emotional
24 distress.
- 25 e. In reasonable reliance upon Defendant USC's deliberate concealment of
26 myriad complaints about TYNDALL's dangerous propensity to sexually
27 abuse young patients, and the fact that Defendant USC held TYNDALL out
28 to be a trustworthy and legitimate medical professional, Plaintiff JANE
DOE 101 reasonably believed that TYNDALL had provided her with
legitimate medical treatment. Additionally, JANE DOE 101 had no medical
training, or experience with gynecologists whatsoever, with which to gauge
whether TYNDALL's conduct was, in fact, sexual abuse, such that she was
blamelessly ignorant of the fact that she had been sexually abused by
TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse
was nationally publicized, that Plaintiff JANE DOE 101 learned that
TYNDALL had sexually assaulted her.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 102

249. At all times material hereto, Plaintiff JANE DOE 102 was a graduate student and
was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control,
dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of
the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the
Plaintiff JANE DOE 102.

250. At all times material hereto, TYNDALL was under the direct supervision,
management, agency and control of Defendants USC and DOES 1 through 500, inclusive.
TYNDALL was a gynecological physician hired, employed, supervised, and retained by

1 Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC,
2 TYNDALL's employment duties included providing medical care to the female undergraduate
3 and graduate students of Defendant USC. The purported care offered by TYNDALL included, but
4 was not limited to, conducting gynecological examinations and providing reproductive health
5 treatments to the female students of Defendants USC and DOES 1 through 500, which included
6 Plaintiff JANE DOE 102. Plaintiff JANE DOE 102 was a graduate student of Defendant USC and
7 DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 102 came to be
8 under the direction and control of TYNDALL who used his position of authority and trust to molest
9 and sexually abuse Plaintiff JANE DOE 102.

10 251. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was
11 a gynecological physician, Plaintiff JANE DOE 102 was under TYNDALL's direct supervision,
12 control and care, which created a special, confidential, and fiduciary relationship between Plaintiff
13 JANE DOE 102 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty
14 of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was
15 in contact with and providing medical care to young female students, Defendants USC and DOES
16 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
17 DOE 102, owing Plaintiff JANE DOE 102 a duty of care.

18 252. By assigning and employing TYNDALL as the sole full-time gynecologist with
19 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
20 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
21 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
22 patients need not worry about having TYNDALL interact with, and provide care to, those students.
23 Defendants did so in order to preserve their own public image and reputation, so they could retain
24 past students and recruit new students, thus allowing donations and other financial support to
25 continue flowing into their coffers for financial gain.

26 253. Plaintiff JANE DOE 102 is informed and believes, and on that basis alleges, that
27 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
28 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a

1 duty to disclose these facts to Plaintiff JANE DOE 102 and others, but negligently and/or
2 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
3 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
4 and Plaintiff JANE DOE 102. Specifically, the Defendant USC knew that TYNDALL was
5 groping, digitally penetrating, and otherwise sexually harassing patients and young female students
6 in isolation with those patients and students, based on the following:

- 7 a. In or around 2003, JANE DOE 102, who at the time was a graduate student
8 attending Defendant USC, made an appointment with Defendant USC's
9 Student Health Center in order to obtain a refill of her birth control
10 prescription. TYNDALL, as the only full-time gynecologist with regular
11 availability employed by Defendant USC's Student Health Center, was
12 assigned to be JANE DOE 102's treating physician.
- 13 b. When she arrived for her appointment, TYNDALL insisted on performing
14 a full pelvic examination before refilling JANE DOE 102's birth control
15 prescription. JANE DOE 102 is informed and believes, and on this basis
16 alleges, that it was not medically necessary for TYNDALL to perform a full
17 pelvic examination, but that TYNDALL only insisted on performing such
18 an examination so that he could gain access to JANE DOE 102 to sexually
19 abuse her.
- 20 c. Then, under the guise of conducting a "pelvic examination," TYNDALL
21 sexually abused JANE DOE 102 by penetrating her vagina with his fingers
22 and moving his fingers around inside of her vagina, without a speculum, for
23 a prolonged period of time. While he was digitally penetrating her,
24 TYNDALL made inappropriate comments about how "tight" JANE DOE
25 102's vagina was. Plaintiff JANE DOE 102 is informed and believes, and
26 on this basis alleges, that TYNDALL's wholly inappropriate comments
27 about her vagina were designed to shame, coerce, humiliate and control
28 Plaintiff JANE DOE 102 so that she would be silenced, and so that she
would suffer psychological pain and emotional distress.
- d. TYNDALL then told JANE DOE 102, while his fingers were inside of her,
that part of her hymen was still intact. JANE DOE 102 doubted this
statement, as she had been sexually active for several years. In response,
TYNDALL began to move his fingers even more roughly inside of JANE
DOE 102's vagina, in a deliberate attempt to cause her pain. When JANE
DOE 102 told TYNDALL that he was hurting her, TYNDALL replied,
"See?" TYNDALL then told JANE DOE 102 that her sexual partners "must
not have been well-endowed." Plaintiff JANE DOE 102 is informed and
believes, and on this basis alleges, that TYNDALL intentionally caused
JANE DOE 102 physical pain because he was angry that she had doubted
his statement about her hymen being intact, and because he derived sexual
pleasure from causing JANE DOE 102 pain.
- e. At the time, in reasonable reliance upon the fact that TYNDALL was a
USC-employed doctor, and upon Defendant USC's deliberate concealment
of myriad complaints about TYNDALL's dangerous propensity to sexually
abuse young female students, Plaintiff JANE DOE 102 reasonably believed
and trusted that TYNDALL had provided her with legitimate medical
treatment. Plaintiff JANE DOE 102 also had no medical training or

experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 102 learned, for the first time, that TYNDALL's behavior did, in fact, constitute sexual abuse, harassment and assault.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 103

254. At all times material hereto, Plaintiff JANE DOE 103 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 103.

255. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 103. Plaintiff JANE DOE 103 was an undergraduate student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 103 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 103.

256. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 103 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 103 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was in contact with and providing medical care to young female students, Defendants USC and DOES

1 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
2 DOE 103, owing Plaintiff JANE DOE 103 a duty of care.

3 257. By assigning and employing TYNDALL as the sole full-time gynecologist with
4 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
5 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
6 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
7 patients need not worry about having TYNDALL interact with, and provide care to, those students.
8 Defendants did so in order to preserve their own public image and reputation, so they could retain
9 past students and recruit new students, thus allowing donations and other financial support to
10 continue flowing into their coffers for financial gain.

11 258. Plaintiff JANE DOE 103 is informed and believes, and on that basis alleges, that
12 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
13 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
14 duty to disclose these facts to Plaintiff JANE DOE 103 and others, but negligently and/or
15 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
16 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
17 and Plaintiff JANE DOE 103. Specifically, the Defendant USC knew that TYNDALL was
18 groping, digitally penetrating, and otherwise sexually harassing patients and young female students
19 in isolation with those patients and students, based on the following:

- 20 a. In or around 1990, JANE DOE 103, who at the time was an undergraduate
21 student attending Defendant USC, made an appointment with Defendant
22 USC's Student Health Center in order to obtain treatment for a vaginal wart.
23 TYNDALL, as the only full-time gynecologist with regular availability
24 employed by Defendant USC's Student Health Center, was the only doctor
25 available and therefore was assigned to be JANE DOE 103's treating
26 physician.
- 27 b. When she arrived for her appointment, TYNDALL sexually abused JANE
28 DOE 103 by forcing his ungloved finger into her vagina, under the guise of
"seeing whether the speculum will fit." TYNDALL then told JANE DOE
103 told her that she did not, in fact, have a vaginal wart, but that the
suspected wart was "part of her hymen." TYNDALL then took a
photograph of JANE DOE 103's naked vagina, for no legitimate medical
purpose and solely to satisfy his own prurient desires.
- c. At the time, in reasonable reliance upon the fact that TYNDALL was a
USC-employed doctor, and upon Defendant USC's deliberate concealment

of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, Plaintiff JANE DOE 103 reasonably believed and trusted that it was medically legitimate for TYNDALL to photograph her genitalia. Plaintiff JANE DOE 103 also had no medical training or experience by which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 103 learned, for the first time, that TYNDALL's behavior did, in fact, constitute sexual abuse and harassment.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE DOE 104

259. At all times material hereto, Plaintiff JANE DOE 104 was an undergraduate student and was under Defendants USC, TYNDALL's, and DOES 1 through 500's complete control, dominion, and supervision. TYNDALL worked for, was employed by, and/or an agent/servant of the Defendants USC and/or DOES 1 through 500, when TYNDALL came into contact with the Plaintiff JANE DOE 104.

260. At all times material hereto, TYNDALL was under the direct supervision, management, agency and control of Defendants USC and DOES 1 through 500, inclusive. TYNDALL was a gynecological physician hired, employed, supervised, and retained by Defendant USC, and DOES 1 through 500. While a gynecological physician at Defendant USC, TYNDALL's employment duties included providing medical care to the female undergraduate and graduate students of Defendant USC. The purported care offered by TYNDALL included, but was not limited to, conducting gynecological examinations and providing reproductive health treatments to the female students of Defendants USC and DOES 1 through 500, which included Plaintiff JANE DOE 104. Plaintiff JANE DOE 104 was an ~~undergraduate~~ student of Defendant USC and DOES 1 through 500 and it is under these circumstances that Plaintiff JANE DOE 67 came to be under the direction and control of TYNDALL who used his position of authority and trust to molest and sexually abuse Plaintiff JANE DOE 104.

261. As a student of Defendants USC and DOES 1 through 500 while TYNDALL was a gynecological physician, Plaintiff JANE DOE 104 was under TYNDALL's direct supervision, control and care, which created a special, confidential, and fiduciary relationship between Plaintiff JANE DOE 104 and TYNDALL. Because of such relationship, TYNDALL owed Plaintiff a duty of care. Additionally, as the employers and supervisors of TYNDALL with knowledge that he was

1 in contact with and providing medical care to young female students, Defendants USC and DOES
2 1 through 500 were also in a special, confidential, and fiduciary relationship with Plaintiff JANE
3 DOE 104, owing Plaintiff JANE DOE 104 a duty of care.

4 262. By assigning and employing TYNDALL as the sole full-time gynecologist with
5 regular availability at Defendant USC and DOES 1 through 500's Student Health Center,
6 Defendants USC and DOES 1 through 500 represented to its students, and the community, that
7 TYNDALL was safe, trustworthy, and of high moral and ethical repute, such that students and
8 patients need not worry about having TYNDALL interact with, and provide care to, those students.
9 Defendants did so in order to preserve their own public image and reputation, so they could retain
10 past students and recruit new students, thus allowing donations and other financial support to
11 continue flowing into their coffers for financial gain.

12 263. Plaintiff JANE DOE 104 is informed and believes, and on that basis alleges, that
13 Defendants knew or should have known that TYNDALL had engaged in unlawful sexually-
14 abusive conduct in the past, and/or was continuing to engage in such conduct. Defendants had a
15 duty to disclose these facts to Plaintiff JANE DOE 104 and others, but negligently and/or
16 intentionally suppressed, concealed or failed to disclose this information. The duty to disclose this
17 information arose by the special, trusting, confidential, fiduciary relationship between Defendants
18 and Plaintiff JANE DOE 104. Specifically, the Defendant USC knew that TYNDALL was
19 groping, digitally penetrating, and otherwise sexually harassing patients and young female students
20 in isolation with those patients and students, based on the following:

- 21 a. From in or around 2014 through 2016, JANE DOE 104, who at the time
22 was an undergraduate student attending Defendant USC, was forced to
23 submit to TYNDALL's sexual abuse on at least four separate occasions
24 while seeking gynecological treatment from Defendant USC's Student
25 Health Center. TYNDALL, as the only full-time gynecologist with regular
26 availability employed by Defendant USC's Student Health Center, was
27 assigned to be JANE DOE 104's treating physician.
28 b. JANE DOE 104 made her first appointment with Defendant USC's Student
Health Center in or around 2014 in order to obtain a prescription for birth
control. When she arrived for her first appointment, JANE DOE 104 was
informed by TYNDALL that, in order to obtain a birth control prescription,
it was necessary for her to first submit to a pelvic examination. JANE DOE
104 is informed and believes, and on this basis alleges, that it was not, in
fact, medically necessary for her to submit to a pelvic examination before

obtaining a birth control prescription, and that TYNDALL falsely told her this in order to gain access to her to sexually abuse her.

- c. Under the guise of conducting a "pelvic examination," TYNDALL sexually abused JANE DOE 104 by forcing two of his fingers into JANE DOE 104's vagina, without wearing a glove. As he digitally penetrated her, TYNDALL made extremely inappropriate and sexually harassing comments about JANE DOE 104's genitalia and sex life, including but not limited to: "You must be an athlete, you're so tight," "You are so wet, one of my most wet patients for your age," and "Is your boyfriend pleasing you correctly?" TYNDALL also made racist and misogynistic statements during the appointment; for example, when JANE DOE 104 told TYNDALL that she was studying the Korean language, TYNDALL said, "Korean women don't make good wives," and "Korean women are tight like you." Plaintiff JANE DOE 104 is informed and believes, and on this basis alleges, that all of TYNDALL's numerous inappropriate, sexually-harassing, racist and misogynistic comments were designed to shame, coerce, humiliate and control Plaintiff JANE DOE 104 so that she would be silenced, and so that she would suffer psychological pain and emotional distress.
- d. Throughout the entire time that TYNDALL was sexually abusing JANE DOE 104 during this first appointment, a USC-employed chaperone was present in the examination room, observing TYNDALL's abuse yet remaining silent.
- e. TYNDALL did eventually write JANE DOE 104 a prescription for birth control, but he only provided her with six months' worth of medication at any given time, thus forcing JANE DOE 104 to return to the Student Health Center every six months. Each time she returned, TYNDALL insisted on performing a "pelvic examination," and used this access to JANE DOE 104 to sexually abuse her in the manner described above.
- f. During her final appointment with TYNDALL, in or around 2016, TYNDALL forced JANE DOE 104 to strip completely naked and change into a medical gown. TYNDALL again digitally penetrated JANE DOE 104 and commented on her "wetness and tightness" as he did so, saying, "You haven't changed since your first visit." Again, a USC-employed chaperone was present in the examination room during this final appointment, observing TYNDALL's abuse yet remaining silent.
- g. In reasonable reliance upon Defendant USC's deliberate concealment of myriad complaints about TYNDALL's dangerous propensity to sexually abuse young female students, the fact that Defendant USC held TYNDALL out to be a trustworthy and legitimate medical professional, and the fact that USC-employed chaperones observed TYNDALL's conduct yet said nothing, Plaintiff JANE DOE 104 reasonably believed that TYNDALL had provided her with legitimate medical treatment. Additionally, JANE DOE 104 had no medical training or experience with which to gauge whether TYNDALL's conduct was, in fact, sexual abuse, such that she was blamelessly ignorant of the fact that she had been sexually abused by TYNDALL. It was not until May of 2018, when TYNDALL's sexual abuse was nationally publicized, that Plaintiff JANE DOE 104 learned that TYNDALL had sexually assaulted her.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY ALL PLAINTIFFS

264. Plaintiffs are informed and believe, and on that basis allege, that while Plaintiffs were young students and patients of Defendants USC and DOES 1 through 500, Defendants engaged in a pattern and practice of ignoring complaints, failing to investigate sexual harassment and abuse complaints, deliberately concealing information from abuse victims, and contributed to a sexually hostile environment on campus at Defendant USC.

265. It is upon information, and therefore belief, that Defendants USC and DOES 1 through 500 had history and systemic problem in properly handling sexual harassment and sexual abuse allegations. This pattern and practice was evidenced by, *inter alia*, the U.S. Department of Education's 2013 investigation of Defendant USC's handling of numerous rape cases, during which over 100 USC students came forward to complain of Defendant USC's "gross mishandling" of those rape cases. Furthermore, Plaintiffs are informed and believe, and on that basis allege, that the numerous complaints lodged against TYNDALL that were actively concealed by Defendant USC illustrate that Defendant USC had – and continues to have – a culture of ignoring, minimizing and sanitizing complaints from sexual abuse victims. By Defendant USC's own admission, in the course of its 2016 investigation of complaints against TYNDALL, "a review of files kept by Dr. Larry Neinstein, a former health center director from 1995-2014 (who is now deceased), showed earlier patient complaints about TYNDALL, including complaints about his clinical practice. The files contained eight complaints logged between 2000 and 2014 that were concerning." Even more egregiously, a patient lodged a written complaint against TYNDALL in 1988, before TYNDALL was hired as a full-time gynecologist, yet Defendant USC still hired TYNDALL as a gynecologist at its Student Health Center the following year. Despite the fact that TYNDALL's direct supervisor, Dr. Neinstein, possessed documented complaints against TYNDALL dating back to the year 2000, and that other complaints dating back to at least 1988 also existed, Defendant USC continued to allow TYNDALL to retain his position, thereby granting him unfettered sexual access to its young female students.

266. Plaintiffs are informed and believe, and on that basis allege, that Defendants knew, or should have known, of TYNDALL's propensity and disposition to engage in sexual misconduct

1 with young patients before he sexually abused and molested Plaintiffs, and knew of the probability
2 that he would molest students and patients with whom he came into contact, including but not
3 limited to Plaintiffs. Namely, by Defendant USC's own admission, numerous documented
4 complaints were lodged with Defendant USC regarding TYNDALL's sexually abusive behavior,
5 which Plaintiffs now know date back to at least the year 1988. Moreover, Plaintiffs are informed
6 and believe that, the vast majority of the times that TYNDALL sexually abused a patient student
7 at Defendant USC's Medical Center or Student Health Clinic, a USC-employed chaperone was
8 present, witnessing the sexual abuse yet doing nothing to intervene.

9 267. Defendants failed to implement reasonable safeguards to avoid acts of unlawful
10 sexual conduct by TYNDALL in the future, including avoiding placement of TYNDALL in a
11 position where contact and interaction with vulnerable patients and students is an inherent
12 function. Defendants ignored and suppressed the past sexual misconduct TYNDALL had engaged
13 in.

14 268. Plaintiffs are informed and believe, and on that basis allege, that Defendants were
15 apprised, knew or should have known and/or were put on notice of TYNDALL's past sexual abuse
16 of young patients and students, past complaints and/or investigations, and his propensity and
17 disposition to engage in such unlawful activity and unlawful sexual activity with patients, such
18 that Defendants knew or should have known that TYNDALL would commit wrongful sexual acts
19 with young patients, including Plaintiffs. Plaintiffs are informed and believe, and on that basis
20 allege, that personnel and/or employment records and other records of Defendants' reflect
21 numerous incidents of inappropriate sexual contact and conduct with patients by TYNDALL and
22 other professionals, employees, assistants, agents, supervisors and others, on the physical premises
23 of such Defendants. Based on these records, Defendants knew and/or should have known of
24 TYNDALL's history of sexual abuse, past claims and/or past investigations, and his propensity
25 and disposition to engage in unlawful activity and unlawful sexual activity with patients, such that
26 Defendants knew or should have known that TYNDALL would commit wrongful sexual acts with
27 those patients, including Plaintiffs.
28

1 269. Because of the relationship between Plaintiffs and Defendants, Defendants had an
2 obligation and duty under the law not to hide material facts and information about TYNDALL's
3 past, and his deviant sexual behavior and propensities. Additionally, Defendants had an affirmative
4 duty to inform, warn, and institute appropriate protective measures to safeguard patients who were
5 reasonably likely to come in contact with TYNDALL. Defendants willfully refused to notify, give
6 adequate warning and implement appropriate safeguards, thereby creating the peril that ultimately
7 damaged Plaintiffs.

8 270. California *Penal Code* § 11160(a)(2) provides: "Any health practitioner employed
9 in a health facility, clinic, physician's office, local or state public health department, or a clinic or
10 other type of facility operated by a local or state public health department who, in his or her
11 professional capacity or within the scope of his or her employment provides medical services for
12 a physical condition to a patient whom he or she knows or reasonably suspects is a person
13 described as follows, shall immediately make a report in accordance with subdivision (b): Any
14 person suffering from any wound or other physical injury inflicted upon the person where the
15 injury is the result of assaultive or abusive conduct." *Penal Code* § 11160(b) mandates that such
16 reports be made to a local law enforcement agency by telephone, "immediately or as soon as is
17 practicable." and by written report "within two working days of receiving the information
18 regarding the person." By and through its health practitioner employees and/or agents, Defendant
19 USC repeatedly violated the foregoing *Penal Code* provisions by failing to report TYNDALL to
20 law enforcement each time it witnessed and/or received reports of TYNDALL committing a sexual
21 assault or battery on a patient. Furthermore, Defendant USC has deliberately attempted to conceal
22 its recurring failures to comply with *Penal Code* § 11160 by publicly and falsely claiming that it
23 had no legal duty to report TYNDALL's sexually abusive behavior to law enforcement.

24 271. Additionally, Defendant USC's own Code of Conduct mandates that "no faculty
25 member may commit sexual assault, defined as any physical sexual act (including, but not limited
26 to, actual or attempted intercourse, sexual touching, fondling, or groping) perpetrated upon a
27 person." Defendant USC's own Code of Ethics further states: "At the University of Southern
28 California, ethical behavior is predicated on two main pillars: a commitment to discharging our

obligations to others in a fair and honest manner, and a commitment to respecting the rights and dignity of all persons. As faculty, staff, students, and trustees, we each bear responsibility not only for the ethics of our own behavior, but also for building USC's stature as an ethical institution." In direct contravention of their own Codes, Defendant USC actively concealed TYNDALL's sexually abusive behavior for nearly thirty years, thereby exposing Plaintiffs to his sexual assault, harassment and molestation.

272. Plaintiffs are informed and believe, and on that basis allege, that as part of Defendants' conspiratorial and fraudulent attempt to hide TYNDALL's propensity to sexually abuse and molest young students and patients, and prior sexual misconduct with patients, from public scrutiny and criminal investigation, Defendants implemented various measures designed to make TYNDALL's conduct harder to detect and ensure that other patients and students with whom he came into contact, such as Plaintiffs, would be sexually abused, including:

- a. Permitting TYNDALL to remain in a position of authority and trust after Defendants knew or should have known that he molested his young patients;
- b. Placing TYNDALL in a separate and secluded environment, at Defendant USC and DOES 1 through 500, which granted him unfettered access and control over patients even when he was purporting to conduct extremely sensitive gynecological treatment, thereby allowing TYNDALL to physically and sexually interact with the young students of USC, including Plaintiffs;
- c. Failing to disclose and actively concealing TYNDALL's prior record of misconduct, sexual abuse, harassment and molestation and his propensity to commit such acts towards students and patients in Defendants USC and DOES 1 through 500's Student Health Center, from its students, its patients, the public at large, and law enforcement;
- d. Allowing TYNDALL to have unfettered and un-controlled access to young patients, including the Plaintiffs;
- e. Holding out TYNDALL to Plaintiffs, other patients at Defendants USC and DOES 1 through 500, the alumni members of the Trojan family, and the public at large as a trustworthy and honest person of high ethical and moral repute who was capable and worthy of being granted unsupervised access to the student patients of Defendants USC and DOES 1 through 500;
- f. Failing to investigate or otherwise confirm or deny such facts about TYNDALL, including prior complaints, claims and investigations for sexual abuse;
- g. Failing to inform, and actively concealing from Plaintiffs and law enforcement officials the fact that Plaintiffs and others were or may have been sexually abused, harassed and molested, after Defendants knew or should have known TYNDALL may have sexually abused Plaintiffs or others, thereby enabling Plaintiffs to

continue to be endangered and sexually abused, harassed, molested, and/or creating the circumstance where Plaintiffs and others were less likely to receive proper medical treatment, thus exacerbating the harm to Plaintiffs;

- h. Holding out TYNDALL to Plaintiffs and to the community as being in good standing and trustworthy;
- i. Cloaking TYNDALL's prior sexual misconduct with student patients within the facade of normalcy, thereby disguising the nature of his sexual abuse and contact with young patients;
- j. Failing to take reasonable steps and to implement reasonable safeguards to avoid acts of unlawful sexual conduct by TYNDALL such as avoiding placement of TYNDALL in functions or environments in which his intimate contact with young patients was inherent;
- k. Failing to put in place a system or procedure to supervise or monitor physicians, chaperones, and agents to insure they do not molest or abuse patients in Defendants' care, and that they further report all reasonable suspicions of sexual assault and battery to law enforcement pursuant to *Penal Code* § 11160.

273. By his position within the Defendants' institutions, TYNDALL attained a position of influence over Plaintiffs, and others. Defendants' conduct created a situation of peril that was not, and could not, be appreciated by Plaintiffs. By virtue of Defendants' conspiratorial and fraudulent conduct, and in keeping with their intent to fail to disclose and hide TYNDALL's past and present conduct from the community, the Trojan family, the public at large and law enforcement, Defendants allowed TYNDALL to remain in a position of influence where his unsupervised or negligently supervised conduct with patients made the molestation and abuse of those individuals, including the Plaintiffs, possible.

274. By his position within the Defendants' institutions, Defendants and TYNDALL demanded and required that Plaintiffs respect TYNDALL in his position as the only full-time gynecological physician with regular availability for Defendant USC and DOES 1 through 500. In fact, Plaintiffs had no choice but to see TYNDALL, because TYNDALL was the only full-time gynecologist with regular availability employed by Defendant USC's Student Health Center, such that he was automatically assigned as each Plaintiff's treating physician each time they required gynecological treatment. Indeed, several of Plaintiffs specifically requested appointments with a gynecologist other than TYNDALL, but were told by Defendant USC that no other gynecologist was available.

275. The sexual harassment and abuse of Plaintiffs by TYNDALL, outlined below, took place while TYNDALL was a research assistant and gynecological physician employed, retained, and supervised by Defendants USC, DOES 1 through 500, and Plaintiffs were students and patients of Defendants USC and DOES 1 through 500, while TYNDALL was serving as an agent and employee of Defendants in his capacity as a physician:

- a. In his capacity as a physician with Defendants USC and DOES 1 through 500, TYNDALL was given custody and supervision of students and patients, including Plaintiffs. TYNDALL used this position to coerce student patients to concede to his prurient sexual demands, using his authority and position of trust to exploit them physically, sexually, and emotionally;
- b. As patients and students of Defendant USC, Plaintiffs came into contact with TYNDALL, Defendants' USC and DOES 1 through 500's physician. Plaintiffs are informed and believe TYNDALL would use the guise of gynecological care and treatment to normalize intimate, inappropriate, and sexually abusive contact with Plaintiffs. During this period, Plaintiffs were patients under TYNDALL's direct supervision and control.
- c. Plaintiffs are informed and believe TYNDALL's physical and sexual abuse of Plaintiffs commenced in or around 1989 and continued through in or around 2016. During this period, Plaintiffs were students and patients under TYNDALL's, Defendants USC, and DOES 1 through 500's direct supervision and control. Using his position as a physician, TYNDALL would interact with Plaintiffs under the guise of providing them care and treatments necessary for their health and well-being. Under these circumstances, TYNDALL would, among other abusive acts, force Plaintiffs to strip naked, grope their bare breasts and digitally penetrate their vaginas, in the presence of other medical professional staff. Plaintiffs are informed and believe that TYNDALL's sexual abuse, molestation, and harassment of Plaintiffs occurred on the premises of Defendants USC and DOES 1 through 500.
- d. During these occurrences, TYNDALL groped, penetrated, and otherwise sexually abused Plaintiffs, under the guise of performing medical procedures, for TYNDALL's own sexual gratification. TYNDALL would have the Plaintiffs remove all of their clothes and lay on the treatment table naked. TYNDALL would then perform his acts of sexual abuse upon Plaintiffs, in front of another medical professionals employed as chaperones by Defendant USC.
- e. TYNDALL's sexual abuse and harassment of Plaintiffs was done for TYNDALL's personal sexual gratification, and it annoyed, disturbed, irritated, and offended Plaintiffs as it would have a reasonable person. Plaintiffs did not consent to the sexual abuse and harassment by TYNDALL.

276. As set forth more fully herein above, TYNDALL did sexually abuse, harass and molest Plaintiffs, who were student and/or patients at the time of the acts at-issue. Plaintiffs are informed and believe, and on that basis allege, that such conduct by TYNDALL was based upon

1 Plaintiffs' gender, and was done for TYNDALL's sexual gratification. These actions upon
2 Plaintiffs were performed by TYNDALL without the free consent of Plaintiffs.

3 277. During the period Plaintiffs were being sexually abused and harassed by
4 TYNDALL, Defendants had the authority and ability to prevent such abuse by removing
5 TYNDALL from his position as a research assistant and/or gynecological physician at Defendants
6 USC and DOES 1 through 500. They failed to do so, allowing the abuse to occur and to continue
7 unabated. Plaintiffs are informed and believe, and on that basis allege, that this failure was a part
8 of Defendants' conspiratorial plan and arrangement to conceal TYNDALL's wrongful acts, to
9 avoid and inhibit detection, to block public disclosure, to avoid scandal, to avoid the disclosure of
10 their tolerance of student-patient sexual molestation and abuse, to preserve a false appearance of
11 propriety, and to avoid investigation and action by public authority including law enforcement.
12 Such actions were motivated by a desire to protect the reputation of Defendants and protect the
13 monetary support of Defendants, while fostering an environment where such abuse could continue
14 to occur.

15 278. As a direct result of the sexual harassment and abuse of Plaintiffs by TYNDALL,
16 Plaintiffs have had difficulty in meaningfully interacting with others, including those in positions
17 of authority over Plaintiffs including physicians, supervisors, and superiors at work. Plaintiffs have
18 been limited in their ability to meaningfully interact with others due to the trauma of this
19 molestation and abuse. This inability to interact creates conflict with Plaintiffs' values of trust and
20 confidence in others, and has caused Plaintiffs substantial emotional distress, anxiety, nervousness
21 and fear. As a direct result of the sexual abuse and molestation by TYNDALL, Plaintiffs suffered
22 immensely, including, but not limited to, encountering issues with a lack of trust, various negative
23 psychological and emotional sequelae, depressive symptoms, eating disorders, anxiety, and
24 nervousness. Further, TYNDALL's sexual abuse of Plaintiffs has so deeply traumatized Plaintiffs,
25 and damaged Plaintiffs' trust in health care professionals, that Plaintiffs have avoided seeking
26 necessary medical treatment by gynecologists, to the detriment of their health and physical well-
27 being.
28

1 279. As a direct and proximate result of Defendants' tortious acts, omissions, wrongful
2 conduct and breaches of their duties, Plaintiffs' employment and professional development has
3 been adversely affected. Plaintiffs have lost wages and will continue to lose wages in an amount
4 to be determined at trial. Plaintiffs have suffered substantial economic injury, all to Plaintiffs'
5 general, special and consequential damage in an amount to be proven at trial, but in no event less
6 than the minimum jurisdictional amount of this Court.

7 280. As a further direct and proximate result of Defendants' wrongful actions, as herein
8 alleged, Plaintiffs have been hurt in their health, strength and activity. Plaintiffs have sustained
9 permanent and continuing injury to her or his nervous system and person, which has caused and
10 continues to cause great mental, physical and nervous pain, suffering, fright, upset, grief, worry
11 and shock in an amount according to proof at trial but in no event less than the jurisdictional
12 minimum requirements of this Court.

13 281. As is set forth herein, Defendants and each of them have failed to uphold numerous
14 mandatory duties required of them by state and federal law, as well as their own internal written
15 policies and procedures, including but not limited to:

- 16 a. Duty of health care professionals to report reasonable suspicions of sexual abuse
17 to law enforcement, pursuant to *Penal Code* § 11160;
- 18 b. Duty to use reasonable care to protect participants and members from known or
19 foreseeable dangers;
- 20 c. Duty to protect participants and members and staff, and provide adequate
21 supervision;
- 22 d. Duty to ensure that any direction given to participants and members is lawful, and
23 that adults act fairly, responsible and respectfully towards participants and
24 members;
- 25 e. Duty to properly train staff so that they are aware of their individual responsibility
26 for creating and maintaining a safe environment;
- 27 f. Duty to review the criminal history of applicants and current employees;
- 28 g. Duty to provide diligent supervision over patients;
- h. Duty to act promptly and diligently and not ignore or minimize problems.
- i. Duty to report suspected incidents of sexual abuse.

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1 282. Defendants and each of them had and have a duty to protect students and patients,
2 including Plaintiffs. Defendants were required to, and failed, to provide adequate supervision, and
3 failed to be properly vigilant in seeing that supervision was sufficient at Defendants USC and
4 DOES 1 through 500 to ensure the safety of Plaintiffs and others.

5 283. Despite having a duty to do so, Defendants failed to adequately train and supervise
6 all staff to create a positive and safe environment, specifically including training to perceive, report
7 and stop inappropriate sexual conduct by other members of the staff, specifically including
8 TYNDALL and young students and patients. In particular, the USC-employed chaperones who
9 were responsible for ensuring that TYNDALL did not sexually abuse his young patients during
10 examinations deliberately flouted this duty. Chaperones would routinely comply with
11 TYNDALL's request to leave the examination room, thereby allowing TYNDALL unfettered
12 access to sexually abuse his young patients. In other cases, chaperones would deliberately look
13 away from TYNDALL while he was sexually abusing his patients or – perhaps even more
14 egregiously – would watch the abuse yet remain silent. Moreover, Defendant USC's chaperones
15 failed to report or investigate myriad complaints from patients that TYNDALL had sexually
16 abused them over the years.

17 284. Defendants failed to enforce their own rules and regulations designed to protect the
18 health and safety of its students and patients. Further, they failed to adopt and implement safety
19 measures, policies and procedures designed to protect patients, such as Plaintiffs from the sexually
20 exploitive and abusive acts of their agents and employees such as TYNDALL.

21 285. In subjecting Plaintiffs to the wrongful treatment herein described, Defendants
22 TYNDALL, USC and DOES 1 through 500 acted willfully and maliciously with the intent to harm
23 Plaintiffs, and in conscious disregard of Plaintiffs' rights, so as to constitute malice and/or
24 oppression under California *Civil Code* section 3294. Plaintiffs are informed, and on that basis
25 allege, that specifically, the Defendants acted in concert, and under their authority as an
26 educational institution and medical provider, with reckless disregard for the concern of the student-
27 patients in its charge, in order to further financially benefit its business's growth. The Defendants
28 acted intentionally in creating an environment that harbored molesters, put its vulnerable patients

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1 and young students at-risk of harm, ignored clear warning signs and their duties to report sexual
2 abusers and molesters in their ranks, to maintain a façade of normalcy, in order to maintain its
3 funding and provide further financial growth of Defendants USC and DOES 1 through 500, on the
4 international level. The safety of the student-patients that were entrusted to Defendants USC and
5 DOES 1 through 500 and was compromised due to Defendants desire to maintain the status quo
6 of the Defendants USC and DOES 1 through 500 organizations, to continue to enjoy the financial
7 support of the alumni of the Trojan family, and avoid any public scrutiny for their misconduct.
8 Plaintiffs are informed, and on that basis allege, that these willful, malicious, and/or oppressive
9 acts, as alleged herein above, were ratified by the officers, directors, and/or managing agents of
10 the Defendants. Plaintiffs are therefore entitled to recover punitive damages, in an amount to be
11 determined by the court, against Defendants TYNDALL, USC and DOES 1 through 500.

12 STATUTES OF LIMITATIONS

13 286. Plaintiffs were each sexually abused by TYNDALL on Defendant USC's campus
14 from in or around 1989 to in or around 2016, while Plaintiffs were patients of Defendant USC's
15 Student Health Center. Several Plaintiffs were sexually abused by TYNDALL while a chaperone
16 employed by Defendant USC witnessed the abuse and did nothing to intervene, and Defendant
17 USC actively concealed numerous complaints of TYNDALL's sexually abusive behavior in order
18 to deceive Plaintiffs into believing that his sexual abuse was a legitimate medical treatment.
19 Indeed, several of TYNDALL's patients attempted to report TYNDALL's misconduct, yet were
20 led to believe that their complaints were without merit, because no one from Defendant USC took
21 action against or investigated TYNDALL as a result of these complaints. Then, in or around June
22 of 2017, Defendant USC paid TYNDALL a financial settlement in exchange for his quiet
23 resignation, in order to continue to conceal TYNDALL's sexually abusive nature from the public
24 and thereby insulate itself from civil liability. For all of the foregoing reasons, each Plaintiff's
25 statute of limitations was equitably tolled and Defendants USC and Does 1 through 500 are
26 equitably estopped from asserting the statute of limitations as a defense. Defendants USC's
27 employees and DOES 1 through 500 acted wrongfully in ignoring and actively concealing myriad
28 complaints of sexual misconduct lodged against TYNDALL, and further breached numerous

1 mandatory duties owed to Plaintiffs by holding TYNDALL out as a safe, legitimate medical
2 professional and failing to warn Plaintiffs of TYNDALL's proclivity to sexually abuse young
3 patients. Moreover, Plaintiffs were coerced into not talking about the abusive acts they endured by
4 the threatening and coercive actions of Tyndall, who placed them under duress and imminent fear,
5 and only came forward once the coercive nature of his acts subsided, due to Defendant USC's and
6 the media's revelation of his pattern of misconduct and the subsequent police investigation
7 allowing such victims, including Plaintiffs, to come forward without fear of retribution by
8 Defendants USC and TYNDALL.

9 287. Furthermore, Plaintiffs were led to believe that TYNDALL's sexual abuse was not,
10 in fact, sexual abuse, but rather was legitimate gynecological treatment, due to the fact that a USC-
11 employed chaperone witnessed the sexual abuse yet did nothing to intervene. Plaintiffs were young
12 patients at the time they were sexually abused by TYNDALL, and had no knowledge, or training
13 in what legitimate gynecological examinations were, in comparison to TYNDALL's purported
14 treatments. Indeed, several of the Plaintiffs had never had any sort of gynecological treatment
15 before their appointments with TYNDALL, and therefore had no prior experience whatsoever with
16 which to compare TYNDALL's purported treatment. Furthermore, Plaintiffs were not, and are not,
17 medical professionals and have no specialized medical training, and thus did not and could not
18 have reasonably discovered their abuse at an earlier date than they did. As such, they were
19 blamelessly ignorant of the true facts related to their abuse until it was revealed in May of 2018,
20 because it was not until May of 2018. ~~when the~~ allegations of sexual misconduct against
21 TYNDALL received national media attention and became public knowledge, that Plaintiffs knew
22 or had reason to know that their claims against Defendants USC, TYNDALL and DOES 1 through
23 500 had accrued. Thus, the Plaintiffs' claims accrued in or around May of 2018.

24 **FIRST CAUSE OF ACTION**
25 **VIOLATION OF UNRUH ACT (CIVIL CODE § 51)**
26 **(Against Defendant TYNDALL, USC and DOES 1 through 500)**

27 288. Plaintiffs re-allege and incorporate by reference herein each and every allegation
28 contained herein above as though fully set forth and brought in this cause of action.

1 289. The Plaintiffs' civil rights were violated by Defendant USC, when Defendant USC,
2 through its agents, actors and employees, intentionally concealed complaints of sexual abuse,
3 molestation and harassment by TYNDALL from Plaintiffs. Plaintiffs had a right to be free from
4 gender discrimination, sexual molestation, abuse and harassment under the Unruh Civil Rights
5 Act.

6 290. The Defendants USC, TYNDALL, and DOES 1 through 500 were acting under the
7 color of their authority and in the scope of their employment, during the instances when the
8 Plaintiffs were students and/or patients at Defendant USC and DOES 1 through 500.

9 291. The Defendant USC denied Plaintiffs full and equal accommodations, advantages,
10 facilities, privileges and healthcare services because of their gender, by allowing TYNDALL
11 unfettered access to sexually abuse Plaintiffs, by and through his position of authority as the
12 Student Health Center's sole full-time gynecologist with regular availability, by actively
13 concealing from Plaintiffs its knowledge that TYNDALL was a serial sexual predator.

14 292. By employing and retaining TYNDALL, first as a research assistant, and then as
15 the sole full-time gynecologist with regular availability in its Student Health Clinic, despite its
16 knowledge of myriad reports of TYNDALL's sexually abusive nature, Defendant USC forced its
17 students and patients to seek necessary medical treatment from TYNDALL, thereby exposing
18 Plaintiffs to TYNDALL's sexual abuse. Thus, Defendant USC's retention of TYNDALL denied
19 Plaintiffs, and all of its other young students and patients, of full and equal access to safe medical
20 facilities, treatment and services, based upon their gender.

21 293. The substantial motivating reason for Defendant USC's conduct of actively
22 concealing numerous complaints of TYNDALL's sexually abusive nature was Plaintiffs' gender,
23 as Defendant USC knew that only its female students would seek gynecological treatment from
24 TYNDALL and, thus, would be unwittingly subjected to his sexual assaults.

25 294. As a direct and proximate result of Defendants' tortuous acts, omissions, wrongful
26 conduct and breaches of their duties, Plaintiffs' employment and professional development has
27 been adversely affected. Plaintiffs have lost wages and will continue to lose wages in an amount
28 to be determined at trial. Plaintiffs have suffered substantial economic injury, all to Plaintiffs'

1 general, special and consequential damage in an amount to be proven at trial, but in no event less
2 than the minimum jurisdictional amount of this Court.

3 295. As a further direct and proximate result of Defendants' wrongful actions, as herein
4 alleged, Plaintiffs have been hurt in their health, strength and activity. Plaintiffs have sustained
5 permanent and continuing injury to their nervous systems and persons, which has caused and
6 continues to cause great mental, physical and nervous pain, suffering, fright, upset, grief, worry
7 and shock in an amount according to proof at trial but in no event less than the jurisdictional
8 minimum requirements of this Court.

9 **SECOND CAUSE OF ACTION**
10 **BANE ACT (CIVIL CODE §52.1)**
11 **(Against Defendants TYNDALL, USC and DOES 1 through 500)**

12 296. Plaintiffs re-allege and incorporate by reference herein each and every allegation
13 contained herein above as though fully set forth and brought in this cause of action.

14 297. Defendants' actions, as alleged herein, have had and will continue to interfere with
15 Plaintiffs' right to be free from gender discrimination in the form of sexual harassment in the
16 educational and collegiate setting, codified under 20 U.S.C. §1681. Furthermore, the Plaintiffs had
17 a right to have Defendant USC respond immediately and investigate their sexual assaults,
18 molestation and harassment by TYNDALL.

19 298. During Plaintiffs' time as patients and/or students at Defendant USC, Defendants
20 engaged in oppressive and unlawful tactics in ignoring, concealing, and ultimately suppressing the
21 Plaintiffs' complaints of being sexually abused by TYNDALL. Plaintiffs were threatened,
22 intimidated and coerced for reporting TYNDALL's sexually abusive conduct, by TYNDALL's
23 own intimidating and humiliating conduct, as well as the conspiratorial silence and inaction of
24 Defendant USC's chaperones. These intentional acts of concealment of TYNDALL's abusive
25 behavior violated the Plaintiffs' right to be free from discrimination on the basis of her gender,
26 under Title IX.

27 299. Furthermore, the Plaintiffs were deprived of Due Process of law, when various
28 complaints to Defendant USC employees failed to trigger any report, investigation, or other action
by Defendant USC, who was required to do so, both under its own policies and procedures, as well

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1 as under Federal mandate by Title IX, and the Fourteenth Amendment. In addition, these actions
2 were contrary to Plaintiffs' civil rights guaranteed under the Constitution of the State of California.

3 300. Defendants' wrongful conduct was intended to, and did successfully interfere with
4 Plaintiffs' Constitutional Rights to be free from gender discrimination and harassment, as well as
5 interfered with their rights of Due Process under the United States' Constitution, specifically the
6 Fifth and Fourteenth Amendments.

7 301. Defendants unlawfully and wrongfully used, or employed others to wrongfully use
8 threats, intimidation, harassment, violence, and coercion over Plaintiffs' person, to which
9 Plaintiffs had no relief except to submit to the Defendants' wrongful threats, intimidation,
10 harassment, violence, and coercion, which rendered Plaintiffs' submission involuntary.

11 302. Defendants' above-noted actions were the legal and proximate causes of physical,
12 psychological, emotional, and economic damages, and damage to the Plaintiffs, who have suffered
13 and continue to suffer to this day. The actions of Defendants have also resulted in Plaintiffs
14 incurring, and will require them to incur into the future, expenses for medical and psychological
15 treatment, therapy, and counseling.

16 303. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer
17 great pain of mind and body, shock, emotional distress, physical manifestations of emotional
18 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;
19 have suffered and continues to suffer and was prevented and will continue to be prevented from
20 performing daily activities and obtaining the full enjoyment of life; have and will continue to
21 sustain loss of earning capacity; and have incurred and will continue to incur expenses for medical
22 and psychological treatment, therapy, and counseling. Plaintiffs have also suffered economic,
23 vocational and employment losses, as well.

24 304. In subjecting Plaintiffs to the wrongful treatment described herein, Defendants
25 acted willfully and maliciously with the intent to harm Plaintiffs, and in conscious disregard of
26 Plaintiffs' rights, entitling Plaintiffs to compensatory damages in a sum to be shown according to
27 proof, emotional distress damages in a sum to be shown according to proof, punitive and/or
28 exemplary damages, attorney's fees, other damages pursuant to *Civil Code* section 52(b)(1), and a

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1 temporary restraining order or a preliminary or permanent injunction ordering Defendants to
2 refrain from conduct or activities as alleged herein, stating "VIOLATION OF THIS ORDER IS A
3 CRIME PUNISHABLE UNDER SECTION 422.77 OF THE PENAL CODE," and other such
4 relief as the court deems proper.

5 **THIRD CAUSE OF ACTION**
6 **SEXUAL ABUSE AND HARASSMENT IN THE EDUCATIONAL SETTING**
7 **(EDUCATION CODE §220)**
8 **(Against Defendants TYNDALL, USC and DOES 1 through 500)**

9 305. Plaintiffs re-allege and incorporate by reference herein each and every allegation
10 contained herein above as though fully set forth and brought in this cause of action.

11 306. Plaintiffs were harmed by being subjected to sexual abuse, harassment and
12 molestation at Defendants USC and DOES 1 through 500 because of the Plaintiffs' gender and
13 Defendants are responsible for that harm.

14 307. The Plaintiffs suffered harassment that was so severe, pervasive, and offensive that
15 it effectively deprived Plaintiffs of the right of equal access to educational benefits and
16 opportunities.

17 308. Defendants had actual knowledge that this sexual harassment, abuse, and
18 molestation was occurring. Specifically, Defendant USC, by and through its employees, witnessed
19 TYNDALL's abuse firsthand, as it was witnessed by multiple USC-employed chaperones. Further,
20 Defendant USC received, and then actively suppressed and ignored, numerous complaints of
21 TYNDALL's sexual abuse, dating back to at least the year 1988.

22 309. In the face of this knowledge of sexual abuse, harassment, and molestation that was
23 being perpetrated upon the Plaintiffs, by TYNDALL, Defendants acted with deliberate
24 indifference towards responding to these alarms and preventing further abuse. Defendants allowed
25 TYNDALL to remain as a physician at Defendants USC and DOES 1 through 500, to sexually
26 harass, abuse and molest other patients. It was not until June of 2017 that Defendants allowed
27 TYNDALL to resign, with a monetary settlement, that TYNDALL's sexual abuse of young female
28 students of Defendant USC finally abated.

1 310. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer
2 great pain of mind and body, shock, emotional distress, physical manifestations of emotional
3 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;
4 have suffered and continues to suffer and were prevented and will continue to be prevented from
5 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings
6 and earning capacity, and have incurred and will continue to incur expenses for medical and
7 psychological treatment, therapy, and counseling.

8 311. In subjecting the Plaintiffs to the wrongful treatment herein described, Defendants
9 USC, TYNDALL and DOES 1 through 500, acted willfully and maliciously with the intent to
10 harm Plaintiffs, and in conscious disregard of Plaintiffs' rights, so as to constitute malice and
11 oppression under California Civil Code section 3294. Plaintiffs are therefore entitled to the
12 recovery of punitive damages, in an amount to be determined by the court, against TYNDALL,
13 USC and DOES 1 through 500, in a sum to be shown according to proof.

14 **FOURTH CAUSE OF ACTION**
15 **GENDER VIOLENCE**
16 **(Against Defendant TYNDALL)**

17 312. Plaintiffs re-allege and incorporate by reference herein each and every allegation
18 contained herein above as though fully set forth and brought in this cause of action.

19 313. TYNDALL's acts committed against Plaintiffs, as alleged herein, including the
20 sexual harassment, molestation and abuse of the Plaintiffs constitutes gender violence and a form
21 of sex discrimination in that one or more of TYNDALL's acts would constitute a criminal offense
22 under state law that has as an element the use, attempted use, or threatened use of physical force
23 against the person of another, committed at least in part based on the gender of the victim, whether
24 or not those acts have resulted in criminal complaints, charges, prosecution, or conviction.

25 314. TYNDALL's acts committed against Plaintiffs, as alleged herein, including the
26 sexual harassment, molestation and abuse of the Plaintiffs constitutes gender violence and a form
27 of sex discrimination in that TYNDALL's conduct caused a physical intrusion or physical invasion
28 of a sexual nature upon Plaintiffs under coercive conditions, whether or not those acts have resulted
in criminal complaints, charges, prosecution, or conviction.

1 321. Because of TYNDALL's age and position of authority, physical seclusion of the
2 Plaintiffs, Plaintiffs' mental and emotional state, and Plaintiffs' young age, Plaintiffs were unable
3 to, and did not and could not, give consent to such acts.

4 322. Even though the Defendants knew or should have known of these activities by
5 TYNDALL, Defendants did nothing to investigate, supervise or monitor TYNDALL to ensure the
6 safety of the student-patients in their charge.

7 323. Because of Plaintiffs' relationships with Defendants, as a student-patients of
8 Defendants, and Plaintiffs' young age, Plaintiffs were unable to easily terminate the doctor-patient
9 relationship they had with Defendants.

10 324. A corporation is a "person" within meaning of *Civil Code* section 51.9, which
11 subjects persons to liability for sexual harassment within a business, service or professional
12 relationship, and such an entity defendant may be held liable under this statute for the acts of its
13 employees. *C.R. v. Tenet Healthcare Corp.*, (2009) 169 Cal.App.4th 1094. Further, principles of
14 ratification apply when the principal ratifies the agent's originally unauthorized harassment, as is
15 alleged to have occurred herein.

16 325. Defendants' conduct (and the conduct of their agents) was a breach of their duties
17 to Plaintiffs.

18 326. As a result of the above-described conduct, Plaintiffs have suffered and continue to
19 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
20 distress including embarrassment, loss of ~~self-esteem~~ disgrace, humiliations, and loss of
21 enjoyment of life; has suffered and continues to ~~suffer~~ and was prevented and will continue to be
22 prevented from performing daily activities and ~~obtaining~~ the full enjoyment of life; will sustain
23 loss of earnings and earning capacity, and/or have ~~incurred~~ and will continue to incur expenses for
24 medical and psychological treatment, therapy, and counseling.

25 **SIXTH CAUSE OF ACTION**
26 **SEXUAL ASSAULT**
(Against Defendant TYNDALL)

27 327. Plaintiffs re-allege and incorporate by reference herein each and every allegation
28 contained herein above as though fully set forth and brought in this cause of action.

1 328. TYNDALL, in doing the things herein alleged, including intending to subject
2 Plaintiffs to numerous instances of sexual abuse and molestation during Plaintiffs' time with
3 Defendants USC and DOES 1 through 500, beginning on or around 1990, and lasting for the
4 duration of Plaintiffs' tenure with these Defendants, in or around 2016, including but not limited
5 to instances of TYNDALL groping and penetrating the Plaintiffs' vaginas, all while TYNDALL
6 acted in the course and scope of his agency/employment with Defendants, and each of them and
7 were intended to cause harmful or offensive contact with Plaintiffs' persons, or intended to put
8 Plaintiffs in imminent apprehension of such contact.

9 329. In doing the things herein alleged, Plaintiffs were put in imminent apprehension of
10 a harmful or offensive contact by TYNDALL and actually believed TYNDALL had the ability to
11 make harmful or offensive contact with Plaintiffs' person.

12 330. Plaintiffs did not consent to TYNDALL intended harmful or offensive contact with
13 Plaintiffs' persons, or intent to put Plaintiffs in imminent apprehension of such contact.

14 331. In doing the things herein alleged, TYNDALL violated Plaintiffs' right, pursuant
15 to *Civil Code* section 43, of protection from bodily restraint or harm, and from personal insult. In
16 doing the things herein alleged, TYNDALL violated his duty, pursuant to *Civil Code* section 1708,
17 to abstain from injuring the person of Plaintiffs or infringing upon their rights.

18 332. As a result of the above-described conduct, Plaintiffs have suffered and continue to
19 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
20 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of
21 enjoyment of life; have suffered and continue to suffer and was prevented and will continue to be
22 prevented from performing daily activities and obtaining the full enjoyment of life; will sustain
23 loss of earnings and earning capacity, and/or have incurred and will continue to incur expenses for
24 medical and psychological treatment, therapy, and counseling.

25 333. Plaintiffs are informed and based thereon alleges that the conduct of Defendants
26 was oppressive, malicious and despicable in that it was intentional and done in conscious disregard
27 for the rights and safety of others, and were carried out with a conscious disregard of their right to
28 be free from such tortious behavior, such as to constitute oppression, fraud or malice pursuant to

California *Civil Code* section 3294, entitling Plaintiffs to punitive damages against Defendants in an amount appropriate to punish and set an example of Defendants.

SEVENTH CAUSE OF ACTION
SEXUAL BATTERY: *Civil Code* § 1708.5
(Against Defendant TYNDALL)

334. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained herein above as though fully set forth and brought in this cause of action.

335. During Plaintiffs' time as patients and/or students with Defendants USC and DOES 1 through 500, TYNDALL intentionally, recklessly and wantonly did acts which were intended to, and did result in harmful and offensive contact with intimate parts of Plaintiffs' persons, including but not limited to being subjected to numerous instances of sexual abuse by TYNDALL, during Plaintiffs' time with Defendants USC and DOES 1 through 500, beginning on or around 1990, and lasting for the duration of Plaintiffs' tenure with Defendants USC and DOES 1 through 500, in or around 2016, including but not limited to instances of TYNDALL groping and fondling the Plaintiffs' vaginas, all while TYNDALL acted in the course and scope of his agency/employment with Defendants, and each of them.

336. TYNDALL did the aforementioned acts with the intent to cause a harmful or offensive contact with an intimate part of Plaintiffs' persons, and would offend a reasonable sense of personal dignity. Further, said acts did cause a harmful or offensive contact with an intimate part of Plaintiffs' persons that would offend a reasonable sense of personal dignity.

337. Because of TYNDALL's position of authority over Plaintiffs, and Plaintiffs' mental and emotional state, and Plaintiffs' young age, Plaintiffs did not give meaningful consent to such acts.

338. As a direct, legal and proximate result of the acts of TYNDALL, Plaintiffs sustained serious and permanent injuries to their persons, all of his damage in an amount to be shown according to proof and within the jurisdiction of the Court.

339. As a direct result of the sexual abuse by TYNDALL, Plaintiffs have difficulty in reasonably or meaningfully interacting with others, including those in positions of authority over Plaintiffs including teachers, and supervisors, and in intimate, confidential and familial

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relationships, due to the trauma of the sexual abuse inflicted upon them by Defendants. This inability to interact creates conflict with Plaintiffs' values of trust and confidence in others, and has caused Plaintiffs substantial emotional distress, anxiety, nervousness and fear. As a direct result of the sexual abuse and molestation by TYNDALL, Plaintiffs suffered immensely, including, but not limited to, encountering issues with a lack of trust, various psychological sequelae, depressive symptoms, anxiety, nervousness, and self-medicating behavior.

340. Plaintiffs are informed and based thereon alleges that the conduct of TYNDALL was oppressive, malicious and despicable in that it was intentional and done in conscious disregard for the rights and safety of others, and were carried out with a conscious disregard of her right to be free from such tortious behavior, such as to constitute oppression, fraud or malice pursuant to California *Civil Code* section 3294, entitling Plaintiffs to punitive damages against TYNDALL in an amount appropriate to punish and set an example of TYNDALL.

EIGHTH CAUSE OF ACTION
UNFAIR BUSINESS PRACTICES (*BUSINESS & PROFESSIONS CODE* §17200)
(Against Defendants USC, TYNDALL and DOES 1 through 500)

341. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained herein above as though fully set forth and brought in this cause of action.

342. Plaintiffs are informed and believe and on that basis allege that TYNDALL and Defendants USC and DOES 1 through 500 have engaged in unlawful, unfair and deceptive business practices including allowing TYNDALL to engage in repeated harassment of student-patients, including Plaintiffs, and failing to take all reasonable steps to prevent harassment and abuse from occurring. The unlawful, unfair and deceptive business practices also included failing to adequately investigate, vet, and evaluate individuals for employment with Defendants USC and DOES 1 through 500, refusing to design, implement, and oversee policies regarding sexual harassment and abuse of student-patients in a reasonable manner that is customary in similar educational environments. Plaintiffs are informed and believe and on that basis allege that TYNDALL and Defendants USC and DOES 1 through 500, have engaged in unlawful, unfair and deceptive business practices including concealing sexual harassment, abuse and/or molestation claims by student and/or patients, such as Plaintiffs, so as to retain other similarly situated

1 individuals within Defendants USC and DOES 1 through 500 who were not apprised of such illicit
2 sexual misconduct by TYNDALL.

3 343. Plaintiffs are informed and believes that Defendants engaged in a common scheme,
4 arrangement or plan to actively conceal allegations against sexual abusers who were employees,
5 agents, members, and/or participants at Defendants USC and DOES 1 through 500, including
6 TYNDALL, such that Defendants USC and DOES 1 through 500 could maintain their public
7 image, and avoid detection of such abuse and abusers. Plaintiffs are informed and believe and
8 thereon allege that Defendants actively concealed these allegations, such that Defendants would
9 be insulated from public scrutiny, governmental oversight, and/or investigation from various law
10 enforcement agencies, all done in order to maintain the false sense of safety for participants and
11 their families and to perpetuate the program financially.

12 344. By engaging in unlawful, unfair and deceptive business practices, TYNDALL and
13 Defendants USC and DOES 1 through 500 benefitted financially to the detriment of its
14 competitors, who had to comply with the law.

15 345. Unless restrained, Defendants USC and DOES 1 through 500 will continue to
16 engage in the unfair acts and business practices described above, resulting in great and irreparable
17 harm to Plaintiffs and/or other similarly situated participants and members.

18 346. Plaintiffs seek restitution for all amounts improperly obtained by TYNDALL and
19 Defendants USC and DOES 1 through 500 through the use of the above-mentioned unlawful
20 business practices, as well as the disgorgement of all ill-gotten gains and restitution on behalf of
21 Plaintiffs and all other similarly situated student-patients who were also subjected to the
22 TYNDALL and Defendants USC and DOES 1 through 500 illegal and unfair business practices.

23 347. Pursuant to section 17203 of the California *Business and Professions Code* and
24 available equitable powers, Plaintiffs are entitled to a preliminary and permanent injunction,
25 enjoining TYNDALL, Defendants USC and DOES 1 through 500 from continuing the unlawful
26 and unfair business practices described above. Further, Plaintiffs seek the appointment of a court
27 monitor to enforce its orders regarding client safety. In addition, Plaintiffs are entitled to recover
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1 reasonable attorneys' fees pursuant to the California *Business and Professions Code* and section
2 1021.5 of the *California Code of Civil Procedure*.

3 **NINTH CAUSE OF ACTION**
4 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
5 **(Against Defendants USC, TYNDALL and DOES 1 through 500)**

6 348. Plaintiffs re-allege and incorporate by reference herein each and every allegation
7 contained herein above as though fully set forth and brought in this cause of action.

8 349. Defendants TYNDALL, USC and DOES 1 through 500's conduct toward
9 Plaintiffs, as described herein, was outrageous and extreme.

10 350. A reasonable person would not expect or tolerate the sexual harassment,
11 molestation and abuse of Plaintiffs by TYNDALL, and Defendants' knowledge and callous
12 indifference thereof. Plaintiffs had great trust, faith and confidence in Defendants, which, by
13 virtue of TYNDALL and Defendants' wrongful conduct, turned to fear.

14 351. A reasonable person would not expect or tolerate Defendants putting TYNDALL
15 who was known to Defendants to have physically and sexually abused other student-patients, in a
16 position of care of Plaintiffs and other patients, which enabled TYNDALL to have access to other
17 patients so that he could commit wrongful sexual acts, including the conduct described herein,
18 with young female students, including Plaintiffs. Plaintiffs had great trust, faith and confidence in
19 Defendants, which, by virtue of Defendants' wrongful conduct, turned to fear.

20 352. A reasonable person would not expect or tolerate the Defendants and their agents
21 to be incapable of supervising and/or stopping participants and members of Defendants, including
22 TYNDALL, from committing wrongful sexual acts with other patients, including Plaintiffs, or to
23 supervise TYNDALL. Plaintiffs had great trust, faith and confidence in Defendants, which, by
24 virtue of Defendants' wrongful conduct, turned to fear.

25 353. Defendants' conduct described herein was intentional and malicious and done for
26 the purpose of causing or with the substantial certainty that Plaintiffs would suffer humiliation,
27 mental anguish, and emotional and physical distress.

28 354. As a result of the above-described conduct, Plaintiffs have suffered and continue to
suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional

1 distress including embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment
2 of life; have suffered and continue to suffer and was prevented and will continue to be prevented
3 from performing daily activities and obtaining the full enjoyment of life; will sustain loss of
4 earnings and earning capacity, and/or has incurred and will continue to incur expenses for medical
5 and psychological treatment, therapy, and counseling.

6 355. In subjecting Plaintiffs to the wrongful treatment herein described, Defendants
7 TYNDALL, USC and DOES 1 through 500 acted willfully and maliciously with the intent to harm
8 Plaintiffs, and in conscious disregard of Plaintiffs' rights, so as to constitute malice and/or
9 oppression under California *Civil Code* section 3294. Plaintiffs are informed, and on that basis
10 alleges, that these willful, malicious, and/or oppressive acts, as alleged herein above, were ratified
11 by the officers, directors, and/or managing agents of the Defendants. Plaintiffs are therefore
12 entitled to recover punitive damages, in an amount to be determined by the court, against
13 TYNDALL, USC and DOES 1 through 500.

14 **TENTH CAUSE OF ACTION**
15 **CONSTRUCTIVE FRAUD**

16 **(Against Defendants USC, TYNDALL and DOES 1 through 500)**

17 356. Plaintiffs re-allege and incorporate by reference herein each and every allegation
18 contained herein above as though fully set forth and brought in this cause of action.

19 357. By holding TYNDALL out as an agent of Defendants, and by allowing him to
20 undertake the medical care of young patients such as Plaintiffs, Defendants entered into a
21 confidential, fiduciary, and special relationship with Plaintiffs.

22 358. By holding themselves out as a preeminent collegiate facility, thereby enticing
23 Plaintiffs to attend Defendant USC as undergraduate and graduate students, Defendants entered
24 into a confidential, fiduciary and special relationship with Plaintiffs.

25 359. Defendants breached their confidential, fiduciary duty and special duties to
26 Plaintiffs by the wrongful and negligent conduct described above and incorporated into this cause
27 of action, and in so doing, gained an advantage over Plaintiffs in matters relating to Plaintiffs'
28 safety, security and health. In particular, in breaching such duties as alleged, Defendants were able

1 to sustain their status as an institution of high moral reput, and preserve their reputation, all at the
2 expense of Plaintiffs' further injury and in violation of Defendants' mandatory duties.

3 360. By virtue of their confidential, fiduciary and special relationship with Plaintiffs,
4 Defendants owed Plaintiffs a duty to:

- 5 a. Investigate or otherwise confirm or deny such claims of sexual abuse;
- 6 b. Reveal such facts to Plaintiffs, the community at large, and law enforcement
7 agencies;
- 8 c. Refuse to place TYNDALL and other molesters in positions of trust and authority
9 within Defendants' institutions;
- 10 d. Refuse to hold out TYNDALL and other molesters to the public, the community,
11 parents and law enforcement agencies as being in good standing and, trustworthy
12 in keeping with him and his position as a physician, faculty member and authority
13 figure;
- 14 e. Refuse to assign TYNDALL and other molesters to positions of power within
15 Defendants USC and DOES 1 through 500, and over young students; and
- 16 f. Disclose to Plaintiffs, the public, the school community, and law enforcement
17 agencies the wrongful, tortious, and sexually exploitive acts that TYNDALL had
18 engaged in with patients.

15 361. Defendants' breach of their respective duties included:

- 16 a. Not making reasonable investigations of TYNDALL;
- 17 b. Issuing no warnings about TYNDALL;
- 18 c. Permitting TYNDALL to routinely be supervised only by untrained chaperones,
19 who were consistently derelict in their duty to report TYNDALL's sexual abuse
20 to law enforcement;
- 21 d. Not adopting a policy to prevent TYNDALL from routinely having patients and
22 students in his unsupervised control;
- 23 e. Making no reports of any allegations of TYNDALL's abuse of students prior to
24 or during his employment and/or agency at Defendants USC and DOES 1
25 through 500; and
- 26 f. Assigning and continuing to assign TYNDALL to duties which placed him in
27 positions of authority and trust over other student-patients, positions in which
28 TYNDALL could easily isolate and sexually abuse other student-patients.
- g. Continuing to perpetrate the fraud that TYNDALL did not sexually abuse his
student-patients when, in June of 2017, Defendant USC allowed TYNDALL to
resign quietly, with a financial settlement, rather than reporting his sexually
abusive conduct to law enforcement, the Medical Board, and/or the patients he
sexually abused, including Plaintiffs.

1 362. At the time that Defendants engaged in such suppression and concealment of acts,
2 such acts were done for the purpose of causing Plaintiffs to forbear on their rights.

3 363. Defendants' misconduct did reasonably cause Plaintiffs to forbear on Plaintiffs'
4 rights.

5 364. The misrepresentations, suppressions and concealment of facts by Defendants were
6 intended to and were likely to mislead Plaintiffs and others to believe that Defendants had no
7 knowledge of any charges against TYNDALL, or that there were no other charges of unlawful or
8 sexual misconduct against TYNDALL or others and that there was no need for them to take further
9 action or precaution.

10 365. The misrepresentations, suppressions and concealment of facts by Defendants was
11 likely to mislead Plaintiffs and others to believe that Defendants had no knowledge of the fact that
12 TYNDALL was a molester, and was known to commit wrongful sexual acts with student-patients,
13 including Plaintiffs.

14 366. Defendants knew or should have known at the time they suppressed and concealed
15 the true facts regarding others' sexual molestations, that the resulting impressions were misleading.

16 367. Defendants suppressed and concealed the true facts regarding TYNDALL with the
17 purpose of: preventing Plaintiffs and others, from learning that TYNDALL and others had been
18 and were continuing to sexually harass, molest and abuse patients, TYNDALL and Defendants'
19 control, direction, and guidance, with complete impunity; inducing people, including Plaintiffs and
20 other benefactors and donors to participate and financially support Defendants' program and other
21 enterprises of Defendants; preventing further reports and outside investigations into TYNDALL
22 and Defendants' conduct; preventing discovery of Defendants' own conduct; avoiding damage to
23 the reputations of Defendants; protecting Defendants' power and status in the community; avoiding
24 damage to the reputation of Defendants, or Defendants' institutions; and avoiding the civil and
25 criminal liability of Defendants, of TYNDALL, and of others.

26 368. At all times mentioned herein, Defendants, and in particular Defendants
27 TYNDALL, USC and DOES 1 and DOES 1 through 500, with knowledge of the tortious nature
28 of their own and TYNDALL conduct, knowingly conspired and gave each other substantial

1 assistance to perpetrate the misrepresentations, fraud and deceit alleged herein—covering up the
2 past allegations of sexual misconduct lodged against TYNDALL, and allowing TYNDALL to
3 remain in his position as a physician, faculty member and doctor, so they could maintain their
4 reputations and continue with their positions within the organization.

5 369. Plaintiffs and others were misled by Defendants' suppressions and concealment of
6 facts, and in reliance thereon, were induced to act or induced not to act, exactly as intended by
7 Defendants. Specifically, Plaintiffs were induced to believe that there were no allegations of
8 criminal or sexual abuse against TYNDALL and that he was safe to be around patients. Had
9 Plaintiffs, and others, known the true facts about TYNDALL, they would have not participated
10 further in activities of Defendants, or continued to financially support Defendants' activities. They
11 would have reported the matters to the proper authorities, to other patients so as to prevent future
12 recurrences; they would not have allowed their children, including Plaintiffs, to be alone with, or
13 have any relationship with TYNDALL; they would not have allowed young female students,
14 including Plaintiffs, to attend or be under the control of Defendants; they would have undertaken
15 their own investigations which would have led to discovery of the true facts; and they would have
16 sought psychological counseling for Plaintiffs, and for other student-patients, who had been abused
17 by TYNDALL.

18 370. By giving TYNDALL the position of physician and faculty member, Defendants
19 impliedly represented that TYNDALL was safe and morally fit to give medical care and provide
20 gynecological treatment.

21 371. When Defendants made these affirmative or implied representations and non-
22 disclosures of material facts, Defendants knew or should have known that the facts were otherwise.
23 Defendants knowingly and intentionally suppressed the material facts that TYNDALL, had on
24 numerous, prior occasions sexually, physically, and mentally abused patients of Defendants,
25 including Plaintiffs, and knew of or learned of conduct, or should have known of conduct by
26 TYNDALL which placed Defendants on notice that TYNDALL had previously been suspected of
27 felonies, including unlawful sexual conduct with patients, and was likely sexually abusing student-
28 patients in his care.

1 372. Because of Plaintiffs' young age, and because of the status of TYNDALL as a
2 trusted, authority figure to Plaintiffs, Plaintiffs were vulnerable to TYNDALL. TYNDALL sought
3 Plaintiffs out, and was empowered by and accepted Plaintiffs' vulnerability. Plaintiffs'
4 vulnerability also prevented Plaintiffs from effectively protecting themselves from the sexual
5 advances of TYNDALL.

6 373. Defendants had the duty to obtain and disclose information relating to sexual
7 misconduct of TYNDALL.

8 374. Defendants misrepresented, concealed or failed to disclose information relating to
9 sexual misconduct of TYNDALL.

10 375. Defendants knew that they had misrepresented, concealed or failed to disclose
11 information related to sexual misconduct of TYNDALL.

12 376. Plaintiffs justifiably relied upon Defendants for information relating to sexual
13 misconduct of TYNDALL.

14 377. Defendants TYNDALL, USC and DOES 1, and DOES 1 through 500, in concert
15 with each other and with the intent to conceal and defraud, conspired and came to a meeting of the
16 minds whereby they would misrepresent, conceal or fail to disclose information relating to the
17 sexual misconduct of TYNDALL, the inability of Defendants to supervise or stop TYNDALL
18 from sexually harassing, molesting and abusing Plaintiffs, and their own failure to properly
19 investigate, supervise and monitor his conduct with patients.

20 378. By so concealing, Defendants committed at least one act in furtherance of the
21 conspiracy.

22 379. As a result of the above-described conduct, Plaintiffs have suffered and continue to
23 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
24 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of
25 enjoyment of life; have suffered and continues to suffer and were prevented and will continue to
26 be prevented from performing daily activities and obtaining the full enjoyment of life; will
27 sustain loss of earnings and earning capacity, and/or have incurred and will continue to incur
28 expenses for medical and psychological treatment, therapy, and counseling.

380. In addition, when Plaintiffs finally discovered the fraud of Defendants, and continuing thereafter, Plaintiffs experienced recurrences of the above-described injuries. Plaintiffs experienced extreme and severe mental anguish and emotional distress that Plaintiffs had been the victim of Defendants' fraud; that Plaintiffs had not been able to help other young female patients to avoid being molested because of the fraud, and that Plaintiffs had not been able because of the fraud to receive timely medical treatment needed to deal with the problems Plaintiffs had suffered and continues to suffer as a result of the sexual harassment, molestation and abuse.

8 381. In subjecting Plaintiffs to the wrongful treatment herein described, Defendants
9 TYNDALL, USC and DOES 1, and DOES 1 through 500 acted willfully and maliciously with the
10 intent to harm Plaintiffs, and in conscious disregard of Plaintiffs' rights, so as to constitute malice
11 and/or oppression under California *Civil Code* section 3294. Plaintiffs are informed, and on that
12 basis alleges, that these willful, malicious, and/or oppressive acts, as alleged herein above, were
13 ratified by the officers, directors, and/or managing agents of the Defendants. Plaintiffs are
14 therefore entitled to recover punitive damages, in an amount to be determined by the court, against
15 Defendants TYNDALL, USC and DOES 1, and DOES 1 through 500.

(Against Defendants USC and DOES 1 through 500)

18 382. Plaintiffs re-allege and incorporate by reference herein each and every allegation
19 contained herein above as though fully set forth and brought in this cause of action.

383. Prior to and after the first incident of TYNDALL's sexual harassment, molestation and abuse of Plaintiffs, through the present, Defendants, knew and/or should have known that TYNDALL had and was capable of sexually, physically, and mentally abusing and harassing Plaintiffs or other victims.

384. Defendants and each of them had special duties to protect the Plaintiffs and the young patients, when such individuals were entrusted to Defendants' care. Plaintiffs' care, welfare and physical custody was entrusted to Defendants. Defendants voluntarily accepted the entrusted care of Plaintiffs. As such, Defendants owed Plaintiffs, young student- patients, a special duty of care that adults and medical professionals dealing with vulnerable medical patients and young

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1 students, owe to protect them from harm. The duty to protect and warn arose from the special,
2 trusting, confidential, and fiduciary relationship between Defendants and Plaintiffs.

3 385. Defendants breached their duties of care to the Plaintiffs by allowing TYNDALL
4 to come into contact with the Plaintiffs and other student-patients without effective supervision;
5 by failing to adequately hire, supervise and retain TYNDALL whom they permitted and enabled
6 to have access to Plaintiffs; by concealing from Plaintiffs, the public and law enforcement that
7 TYNDALL was sexually harassing, molesting and abusing patients;; and by holding TYNDALL
8 out to Plaintiffs as being of high moral and ethical repute, in good standing and trustworthy.

9 386. Defendants breached their duties to Plaintiffs by failing to investigate or otherwise
10 confirm or deny such facts of sexual abuse by TYNDALL, failing to reveal such facts to Plaintiffs,
11 the community and law enforcement agencies, and by placing TYNDALL into a position of trust
12 and authority, holding him out to Plaintiffs and the public as being in good standing and
13 trustworthy.

14 387. Defendants breached their duty to Plaintiffs by failing to adequately monitor and
15 supervise TYNDALL and failing to prevent TYNDALL from committing wrongful sexual acts
16 with medical patients, including Plaintiffs. Defendants' voluminous past records of sexual
17 misconduct by TYNDALL caused Defendants to know, or gave them information where they
18 should have known, of TYNDALL's incapacity to serve as a physician and faculty member at
19 Defendants' institutions, providing for the physical care of young females.

20 388. As a result of the above-described conduct, Plaintiffs have suffered and continue to
21 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
22 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of
23 enjoyment of life; have suffered and continue to suffer and were prevented and will continue to be
24 prevented from performing daily activities and obtaining the full enjoyment of life; will sustain
25 loss of earnings and earning capacity, and have incurred and will continue to incur expenses for
26 medical and psychological treatment, therapy, and counseling.

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TWELTH CAUSE OF ACTION
NEGLIGENT SUPERVISION
(Against Defendants USC and DOES 1 through 500)

389. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained herein above as though fully set forth and brought in this cause of action.

390. By virtue of Plaintiffs' special relationships with Defendants, and Defendants' relation to TYNDALL, Defendants owed Plaintiffs a duty to provide reasonable supervision of TYNDALL, to use reasonable care in investigating TYNDALL background, and to provide adequate warning to Plaintiffs and other patients of TYNDALL dangerous propensities and unfitness. As organizations and individuals responsible for, and entrusted with, the welfare of patients, Defendants USC and DOES 1 through 500 had a duty to protect, supervise, and monitor both the Plaintiffs from being preyed upon by sexual predators, and to supervise and monitor TYNDALL such that he would not be placed in seclusion with vulnerable medical patients, including the Plaintiffs.

391. As representatives of Defendants USC and DOES 1 through 500, where many of the patients thereof are vulnerable young women entrusted to these Defendants, these Defendants' agents expressly and implicitly represented that physicians, faculty and staff, including TYNDALL, were not a sexual threat to those individuals and others who would fall under TYNDALL influence, control, direction, and care.

392. Defendants, by and through their respective agents, servants and employees, knew or should have known of TYNDALL dangerous and exploitive propensities and that TYNDALL was an unfit agent. Despite such knowledge, Defendants negligently failed to supervise TYNDALL in his position of trust and authority as a physician, faculty member and authority figure over patients and young women, where he was able to commit wrongful acts of sexual misconduct against Plaintiffs. Defendants failed to provide reasonable supervision of TYNDALL, failed to use reasonable care in investigating TYNDALL, and failed to provide adequate warning to Plaintiffs of TYNDALL dangerous propensities and unfitness. Defendants further failed to take reasonable steps to ensure the safety of patients, including Plaintiffs, from sexual harassment, molestation, and abuse.

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1 393. At no time during the periods of time alleged did Defendants have in place a
2 reasonable system or procedure to investigate, supervise and monitor the physician, faculty
3 member or staff, including TYNDALL, to prevent pre-sexual grooming and sexual harassment,
4 molestation and abuse of those individuals, nor did they implement a system or procedure to
5 oversee or monitor conduct toward patients and others in Defendants' care.

6 394. Defendants were aware or should have been aware of how vulnerable medical
7 patients were to sexual harassment, molestation and abuse by physicians, doctors, faculty members
8 and other persons of authority within Defendants' entities.

9 395. Defendants were put on notice, knew and/or should have known that TYNDALL
10 had previously engaged and was continuing to engage in unlawful sexual conduct with minors,
11 patients and had committed other felonies, for his own personal sexual gratification, and that it
12 was foreseeable that he was engaging, or would engage in illicit sexual activities with Plaintiffs,
13 and others, under the cloak of the authority, confidence, and trust, bestowed upon him through
14 Defendants.

15 396. Defendants were placed on actual or constructive notice that TYNDALL had
16 molested other student-patients during his employment with Defendants. Defendants were
17 informed of molestations of patients committed by TYNDALL prior to Plaintiffs' sexual abuse,
18 and of conduct by TYNDALL that would put a reasonable person on notice of such propensity to
19 molest and abuse young female students.

20 397. Even though Defendants knew or should have known of these illicit sexual
21 activities by TYNDALL, Defendants did not reasonably investigate, supervise or monitor
22 TYNDALL to ensure the safety of the patients.

23 398. Defendants' conduct was a breach of their duties to Plaintiffs.

24 399. Defendants, and each of them, breached their duty to Plaintiffs by, *inter alia*, by
25 failing to adequately monitor and supervise TYNDALL and stop TYNDALL from committing
26 wrongful sexual acts with student-patients, including Plaintiffs.

27 400. As a result of the above-described conduct, Plaintiffs have suffered and continue to
28 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional

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1 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of
2 enjoyment of life; have suffered and continue to suffer and were prevented and will continue to be
3 prevented from performing daily activities and obtaining the full enjoyment of life; will sustain
4 loss of earnings and earning capacity, and/or have incurred and will continue to incur expenses for
5 medical and psychological treatment, therapy, and counseling.

6 **NEGLIGENCE PER SE-CONDUCT IN VIOLATION OF MANDATED**
7 **REPORTING LAWS**

8 401. Under applicable law, Defendants, by and through their employees and agents,
9 were medical care providers and were under a statutory duty to report known or suspected incidents
10 of sexual molestation or abuse of student-patients or any individuals in their care to the appropriate
11 authorities, and not to impede the filing of any such report.

12 402. Defendants knew or should have known that their gynecological physician,
13 TYNDALL, and other staff of Defendants, had sexually molested, abused or caused touching,
14 battery, harm, and/or other injuries to young female students including Plaintiffs, giving rise to a
15 duty to report such conduct.

16 403. Defendants knew, or should have known, in the exercise of reasonable diligence,
17 that an undue risk to patients, including Plaintiffs, existed because Defendants did not comply with
18 mandatory reporting requirements.

19 404. By failing to report the continuing molestations and abuse by TYNDALL, which
20 Defendants knew or should have known about, and by ignoring the fulfillment of the mandated
21 compliance with the reporting requirements, Defendants created the risk and danger contemplated
22 by the applicable mandated reporting laws, and as a result, unreasonably and wrongfully exposed
23 Plaintiffs and other patients to sexual molestation and abuse.

24 405. Plaintiffs were members of the class of persons for whose protection applicable
25 mandated reporting laws were specifically adopted to protect.

26 406. Had Defendants adequately reported the molestation of Plaintiffs and other
27 patients, as required by applicable mandated reporting laws, further harm to Plaintiffs and other
28 individuals would have been avoided.

1 407. As a proximate result of Defendants' failure to follow the mandatory reporting
2 requirements, Defendants wrongfully denied Plaintiffs and other minors the intervention of law
3 enforcement and the appropriate authorities. Such public agencies would have changed the then-
4 existing arrangements and conditions that provided the access and opportunities for the
5 molestation of Plaintiffs by TYNDALL.

6 408. The physical, mental, and emotional damages and injuries resulting from the sexual
7 molestation of Plaintiffs by TYNDALL, were the type of occurrence and injuries that the
8 applicable mandated reporting laws were designed to prevent.

9 409. As a result, Defendants' failure to comply with the mandatory reporting
10 requirements constituted a per se breach of Defendants' duties to Plaintiffs.

11 410. Defendants, and each of them, breached their duty to Plaintiffs by, inter alia, by
12 failing to adequately monitor and supervise TYNDALL and stop TYNDALL from committing
13 wrongful sexual acts with patients, including Plaintiffs.

14 411. As a result of the above-described conduct, Plaintiffs have suffered and continue to
15 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
16 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of
17 enjoyment of life; have suffered and continue to suffer and was prevented and will continue to be
18 prevented from performing daily activities and obtaining the full enjoyment of life; will sustain
19 loss of earnings and earning capacity, and/or have incurred and will continue to incur expenses for
20 medical and psychological treatment, therapy, and counseling.

21 **THIRTEENTH CAUSE OF ACTION**
22 **NEGLIGENT HIRING/RETENTION**
23 **(Against Defendants USC and DOES 1 through 500)**

24 412. Plaintiffs re-allege and incorporate by reference herein each and every allegation
25 contained herein above as though fully set forth and brought in this cause of action.

26 413. By virtue of Plaintiffs' special relationship with Defendants, and Defendants'
27 relation to TYNDALL, Defendants owed Plaintiffs a duty to not hire or retain, given his dangerous
28 and exploitive propensities, which Defendants knew or should have known about had they engaged

1 in a reasonable, meaningful and adequate investigation of her background prior to his hiring or
2 retaining her in subsequent positions of employment.

3 414. Defendants expressly and implicitly represented that the staff, physicians, and
4 faculty members, including TYNDALL, were not a sexual threat to student-patients and others
5 who would fall under TYNDALL influence, control, direction, and guidance.

6 415. At no time during the periods of time alleged did Defendants have in place a
7 reasonable system or procedure to investigate, supervise and monitor its Medical Center or Student
8 Health Center physicians and healthcare professionals, including TYNDALL, to prevent pre-
9 sexual grooming or sexual harassment, molestation and abuse of student-patients nor did they
10 implement a system or procedure to oversee or monitor conduct toward student-patients and/or
11 others in Defendants' care.

12 416. Defendants were aware or should have been aware and understand how vulnerable
13 young female students were to sexual harassment, molestation and abuse by faculty members,
14 physicians, and other persons of authority within the control of Defendants prior to Plaintiffs'
15 sexual abuse by TYNDALL.

16 417. Defendants were put on notice, and should have known that TYNDALL had
17 previously engaged and continued to engage in unlawful sexual conduct with student-patients, and
18 was committing other felonies, for his own personal gratification, and that it was, or should have
19 known it would have been foreseeable that he was engaging, or would engage in illicit sexual
20 activities with Plaintiffs, and others, under the cloak of his authority, confidence, and trust,
21 bestowed upon her through Defendants.

22 418. Defendants were placed on actual or constructive notice that TYNDALL had
23 molested or was molesting patients, both before his employment within Defendants, and during
24 that employment. Defendants had knowledge of inappropriate conduct and molestations
25 committed by TYNDALL before and during his employment, yet chose to allow him to remain
26 unsupervised where he sexually abused Plaintiffs.

27 419. Even though Defendants knew or should have known of these sexually illicit
28 activities by TYNDALL, Defendants failed to use reasonable care in investigating TYNDALL and

1 did nothing to reasonably investigate, supervise or monitor TYNDALL to ensure the safety of the
2 patients.

3 420. Defendants' conduct was a breach of their duties to Plaintiffs.

4 421. As a result of the above-described conduct, Plaintiffs have suffered and continue to
5 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
6 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of
7 enjoyment of life; have suffered and continues to suffer and were prevented and will continue to
8 be prevented from performing daily activities and obtaining the full enjoyment of life; will
9 sustain loss of earnings and earning capacity, and/or have incurred and will continue to incur
10 expenses for medical and psychological treatment, therapy, and counseling.

11 **FOURTEENTH CAUSE OF ACTION**
12 **NEGLIGENT FAILURE TO WARN, TRAIN, or EDUCATE**
13 **(Against Defendants USC and DOES 1 through 500)**

14 422. Plaintiffs re-allege and incorporate by reference herein each and every allegation
15 contained herein above as though fully set forth and brought in this cause of action.

16 423. Defendants owed Plaintiffs a duty to take reasonable protective measures to protect
17 Plaintiffs and other student-patients from the risk of sexual harassment, molestation and abuse by
18 TYNDALL by properly warning, training or educating Plaintiffs and other about how to avoid
19 such a risk.

20 424. Defendants breached their duty to take reasonable protective measures to protect
21 Plaintiffs and other patients from the risk of sexual harassment, molestation and abuse by
22 TYNDALL, such as the failure to properly warn, train or educate Plaintiffs and other patients about
23 how to avoid such a particular risk that TYNDALL posed—of sexual misconduct.

24 425. Defendants breached their duty to take reasonable protective measures to protect
25 Plaintiffs and other patients from the risk of sexual harassment, molestation and abuse by
26 TYNDALL, by failing to supervise and stop employees of Defendants, including TYNDALL,
27 from committing wrongful sexual acts with student-patients, including Plaintiffs.

28 426. As a result of the above-described conduct, Plaintiffs has suffered and continue to
suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional

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1 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of
2 enjoyment of life; have suffered and continues to suffer and were prevented and will continue to
3 be prevented from performing daily activities and obtaining the full enjoyment of life; will sustain
4 loss of earnings and earning capacity, and/or have incurred and will continue to incur expenses for
5 medical and psychological treatment, therapy, and counseling.

6 **WHEREFORE**, Plaintiffs pray for a jury trial and for judgment against Defendants as
7 follows:

8 **FOR ALL CAUSES OF ACTION**

9 1. For past, present and future non-economic damages in an amount to be
10 determined at trial;

11 2. For past, present and future special damages, including but not limited to past,
12 present and future lost earnings, economic damages and others, in an amount to be determined at
13 trial;

14 3. Any appropriate statutory damages;

15 4. For costs of suit;

16 5. Punitive damages, according to proof, though not as to the Negligence Causes of
17 Action (Causes of Action 12 through 16);

18 6. For interest based on damages, as well as pre-judgment and post-judgment
19 interest as allowed by law;

20 7. For attorney's fees pursuant to California *Code of Civil Procedure* sections
21 1021.5, *et seq.*, 52, *et seq.*, 51, *et seq.*, 42 U.S.C. § 1988 or as otherwise allowable by law;

22 8. For declaratory and injunctive relief, including but not limited to court
23 supervision of Defendant USC; and

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9. For such other and further relief as the Court may deem proper.

Dated: August 15, 2018

MANLY, STEWART & FINALDI

By: John C. Manly
JOHN C. MANLY, Esq.
Attorneys for Plaintiffs JANE DOE 74,
JANE DOE 75, JANE DOE 76, JANE DOE
77, JANE DOE 78, JANE DOE 79, JANE
DOE 80, JANE DOE 81, JANE DOE 82,
JANE DOE 83, JANE DOE 84, JANE DOE
85, JANE DOE 86, JANE DOE 87, JANE
DOE 88, JANE DOE 89, JANE DOE 90,
JANE DOE 91, JANE DOE 92, JANE DOE
93, JANE DOE 94, JANE DOE 95, JANE
DOE 96, JANE DOE 97, JANE DOE 98,
JANE DOE 99, JANE DOE 100, JANE
DOE 101, JANE DOE 102, JANE DOE
103, and JANE DOE 104.

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00115100

DEMAND FOR JURY TRIAL

Plaintiffs JANE DOE 74, JANE DOE 75, JANE DOE 76, JANE DOE 77, JANE DOE 78, JANE DOE 79, JANE DOE 80, JANE DOE 81, JANE DOE 82, JANE DOE 83, JANE DOE 84, JANE DOE 85, JANE DOE 86, JANE DOE 87, JANE DOE 88, JANE DOE 89, JANE DOE 90, JANE DOE 91, JANE DOE 92, JANE DOE 93, JANE DOE 94, JANE DOE 95, JANE DOE 96, JANE DOE 97, JANE DOE 98, JANE DOE 99, JANE DOE 100, JANE DOE 101, JANE DOE 102, JANE DOE 103, and JANE DOE 104 hereby demand a trial by jury.

Dated: August 15, 2018

MANLY, STEWART & FINALDI

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By:

John C. Manly
JOHN C. MANLY, Esq.
Attorneys for Plaintiffs JANE DOE 74,
JANE DOE 75, JANE DOE 76, JANE DOE 77, JANE DOE 78, JANE DOE 79, JANE DOE 80, JANE DOE 81, JANE DOE 82, JANE DOE 83, JANE DOE 84, JANE DOE 85, JANE DOE 86, JANE DOE 87, JANE DOE 88, JANE DOE 89, JANE DOE 90, JANE DOE 91, JANE DOE 92, JANE DOE 93, JANE DOE 94, JANE DOE 95, JANE DOE 96, JANE DOE 97, JANE DOE 98, JANE DOE 99, JANE DOE 100, JANE DOE 101, JANE DOE 102, JANE DOE 103, and JANE DOE 104.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): John C. Manly, Esq. SBN 149080 MANLY, STEWART & FINALDI 19100 Von Karman Ave., Suite 800 Irvine, CA 92612 TELEPHONE NO.: 949-252-9990 FAX NO.: 949-252-9991 ATTORNEY FOR (Name): Plaintiff JANE DOE 74, et al.		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles AUG 15 2018 Sherri R. Carter, Executive Officer/Clerk By <u>Rita Nazaryan</u> , Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 312 N. Spring St. MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Spring Street Courthouse		CASE NUMBER: BC 717310 JUDGE: DEPT:	
CASE NAME: JANE DOE 74, et al. v. DR. GEORGE TYNDALL, et al.			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input checked="" type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|---|--|
| a. <input checked="" type="checkbox"/> Large number of separately represented parties | d. <input checked="" type="checkbox"/> Large number of witnesses |
| b. <input checked="" type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input checked="" type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 14
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: August 15, 2018
 JOHN C. MANLY, ESQ.

(TYPE OR PRINT NAME)

John C. Manly

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

SHORT TITLE: JANE DOE 74, et al. v. DR. GEORGE TYNDALL, et al.

CASE NUMBER

BC717310

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES

CLASS ACTION? YES LIMITED CASE? YES TIME ESTIMATED FOR TRIAL ²⁰

HOURS/☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.3.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office
11. Mandatory Filing Location (Hub Case)

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
		<input checked="" type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

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JANE DOE 74, et al. v. DR. GEORGE TYNDALL, et al.

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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	2., 5., 6, 11 2., 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
		<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input checked="" type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.		ADDRESS: 3500 South Figueroa Street
CITY: Los Angeles	STATE: CA	ZIP CODE: 90089

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Spring Street courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.3, subd.(a)].

Dated: August 15, 2018

John C. Manly
 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/15).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.