

# **Exhibit 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO**

STEVE SNYDER-HILL,  
RONALD MCDANIEL,  
DAVID MULVIN,  
KELLY REED,  
WILLIAM RIEFFER,  
WILLIAM BROWN,  
KURT HUNTSINGER,  
STEVE HATCH,  
MELVIN ROBINSON,  
DOUGLAS WELLS, and  
JOHN DOES 1-28,

Plaintiffs,

v.

THE OHIO STATE UNIVERSITY,

Defendant.

Case No. 2:18-cv-00736-MHW-EPD

**JURY TRIAL DEMANDED**

**SECOND AMENDED COMPLAINT**

Plaintiffs Steve Snyder-Hill, Ronald McDaniel, David Mulvin, Kelly Reed, William Rieffer, William Brown, Kurt Huntsinger, Steve Hatch, Melvin Robinson, Douglas Wells, and John Does 1 through 28, by and through their counsel, state the following as their Second Amended Complaint against Defendant, The Ohio State University:

**PRELIMINARY STATEMENT AND INTRODUCTION**

1. The Ohio State University (“OSU” or “University”) let a monster sexually abuse hundreds, perhaps thousands, of young men for two decades. OSU employed this monster. OSU gave him a position of authority. OSU promoted him. OSU even honored him. OSU let him

perpetrate, at last count, “1,429 instances of fondling and 47 instances of rape.”<sup>1</sup> This is perhaps the greatest sex abuse scandal in American history. It is without question the greatest scandal in the history of American higher education.

2. This civil rights case is brought by 38 of the men sexually assaulted, abused, molested and/or harassed by Dr. Richard Strauss, the physician, athletic team doctor, and serial sex abuser OSU employed from 1978 to 1998.
3. That Dr. Strauss abused Plaintiffs and hundreds of other young men at OSU is not open to reasonable debate: He committed 1,429 sexual assaults and 47 rapes by OSU’s admission. An OSU-commissioned investigative report found that Dr. Strauss “sexually abused at least 177 male student-patients he was charged with treating as a University physician.”<sup>2</sup> Report at 1. Dr. Strauss’s sexual abuse of OSU students included fondling their testicles and penises, masturbating men to erection and ejaculation, drugging and anally raping them, digitally penetrating their rectums, touching their bodies in other inappropriate ways, making inappropriate comments about their bodies, and asking improper, sexualized questions—all in the guise of providing needed medical evaluation and care.
4. Equally undebatable is OSU’s knowledge, deliberate indifference, and culpability.
5. From the beginning, OSU knew Dr. Strauss was abusing male students: “University personnel had knowledge of Strauss’s sexually abusive treatment of male student-patients as early as 1979.” *Id.* at 1. As Governor DeWine’s Working Group on Reviewing the Medical Board’s Handling of the Investigation Involving Richard Strauss (“Medical Board

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<sup>1</sup> *University issues annual crime report*, Ohio State News (Oct. 1, 2019), <https://news.osu.edu/university-issues-annual-crime-report/> (last visited Oct. 23, 2019).

<sup>2</sup> Caryn Trombino & Markus Funk, Perkins Coie LLP, *Report of the Independent Investigation: Sexual Abuse Committed by Dr. Richard Strauss at The Ohio State University*, (May 15, 2019) [hereinafter “Report”].

Report”) found, “Despite multiple supervising and colleague physicians who were aware of complaints/rumors about Strauss as far back as 1979, no Ohio State University physician reported any wrongdoing by Strauss to the State Medical Board of Ohio. More troubling, it appears the abuse was never reported to law enforcement by anyone at the University or the Medical Board.”<sup>3</sup> Medical Board Report at 2.

6. “Despite the persistence, seriousness, and regularity of such complaints [from male students], no meaningful action was taken by the University to investigate or address the concerns until January 1996.” Report at 3. For decades, Dr. Strauss’s abuse was well known among at least *fifty* OSU employees in the athletic department. *Id.* at 88, 100-22. Multiple Student Health Directors also had information about Dr. Strauss’s abuse for years. *Id.* at 115-144. Dr. Strauss’s inappropriate touching was a frequent topic of discussion and well known among OSU’s trainers, coaches, and athletic directors. This was reflected in the commonly-used nicknames for Dr. Strauss, including “Dr. Balls,” “Dr. Nuts,” “Dr. Jelly Paws,” “Dr. Soft Hands,” and “Dr. Cough.”
7. Instead of stopping Dr. Strauss’s serial sexual abuse, OSU facilitated it. OSU employed Dr. Strauss for nearly two decades. OSU put Dr. Strauss in Student Health Services, exposing thousands of students to him. OSU made Dr. Strauss the official doctor for no fewer than five sports teams and gave him regular access to student-athletes in at least 16 sports. OSU forced student-athletes to see Dr. Strauss for annual physicals and medical treatment in order to participate in university sports and maintain their athletic

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<sup>3</sup> *Report of the Working Group on Reviewing the Medical Board’s Handling of the Investigation Involving Richard Strauss* (Aug. 30, 2019), <https://med.ohio.gov/Portals/0/Gov%20Working%20Group%20Strauss%20Report.pdf?ver=2019-09-30-142900-270> [hereinafter “Medical Board Report”].

scholarships—even after student-athletes complained to their coaches about Dr. Strauss’s abuse. At least one coach threatened athletes with having to see Dr. Strauss if they did not listen to the coach.

8. There was an “astounding failure of anyone in a position of authority to come forward to initiate a Medical Board or criminal investigation into Strauss’ conduct.” Medical Board Report at 2. “Strauss’ repeated sexual abuse of his patients went effectively unaddressed for nearly the length of his tenure at Ohio State. Although many were aware of complaints or rumors about the abuse, no one advanced concerns raised by students or unraveled Strauss’ ‘medical’ defenses of his abuse.” *Id.* at 1.
9. No OSU administrator or employee called the police. No one called 911. No one called the State Medical Board. No one fulfilled their duties as a mandated reporter of sexual abuse. This was a complete and utter collapse of OSU’s duty to protect its students.
10. OSU administrators and employees of Student Health Services facilitated Dr. Strauss’s abuse in yet other ways. For example, after a student lodged a complaint detailing Dr. Strauss’s inappropriate sexual touching and comments during an examination, the Director of Student Health Services legitimized the abuse by telling the student (falsely) that no one had complained about Dr. Strauss before and that Dr. Strauss had said the examination was medically appropriate. The Director of Student Health also failed to report Dr. Strauss to law enforcement or to the State Medical Board, despite being required to do so.
11. Plaintiffs, and many other young men, would have been spared Dr. Strauss’s horrific abuse had the University investigated and terminated Dr. Strauss when the complaints began.
12. Yet “[d]espite the persistence, seriousness, and regularity of such complaints”—from 1979 to 1996—“no meaningful action was taken by the University to investigate or address the

- concerns until January 1996.” Report at 3.
13. When OSU belatedly took action in 1996, it did far too little. Although OSU removed Dr. Strauss as a treating physician in that year, it did little else. “[N]one of the physicians working with Strauss found occasion to report him to the Medical Board or to law enforcement – even after the University suspended him from seeing patients through Student Health. Nor did the University or any of its administrators involve campus or outside law enforcement, even after recognizing that the severity and pervasiveness of Strauss’ abuse compelled the withdrawal of authority to see patients and the nonrenewal of his contract.” Medical Board Report at 3.
  14. Not only did OSU not report Dr. Strauss, it concealed his abuse and enabled him to continue seeing patients.
  15. OSU continued Dr. Strauss’s faculty appointment even after OSU determined that Dr. Strauss’s misconduct required removing him as a treating physician, and even after the State Medical Board had “brought to the attention of officials at the university” “that Dr. Strauss ha[d] been performing inappropriate genital exams on male students for years.” *Id.* OSU allowed Dr. Strauss to retire voluntarily in 1998. When Dr. Strauss retired, OSU gave him emeritus status. OSU also allowed Dr. Strauss to open an off-campus men’s clinic in 1996, advertise for patients in OSU’s student newspaper in 1996 and 1997, and even offer a student discount—enabling Dr. Strauss’s continued abuse of young men in Columbus. Report at 5, 85.
  16. OSU’s investigation in 1996 also never sought to identify, counsel, or support Dr. Strauss’s victims. Even after the Medical Board told OSU in 1996 that Dr. Strauss had been “performing inappropriate genital exams on male students” at OSU “for years,” OSU did

nothing to identify those whom Dr. Strauss abused. Report at 4. OSU failed to take “additional steps to identify other students who had previously complained about Strauss,” even as OSU falsely claimed to the Medical Board that it was working to do so. *Id.* Had OSU made any effort to identify others Dr. Strauss had abused, it would have had no difficulty identifying scores of male students. OSU’s concealment of Dr. Strauss’s pervasive sexual abuse meant that those students needlessly suffered for decades, alone.

17. Even after it knew that Dr. Strauss had been “performing inappropriate genital exams on male students” at OSU “for years,” Medical Board Report at 3, OSU destroyed patient health records of those examined by Dr. Strauss. Those records would have helped identify whom Dr. Strauss abused. Those records would have substantiated survivors’ complaints about Dr. Strauss’s unnecessary medical exams. By destroying those health records, OSU further concealed Dr. Strauss’s sexual abuse.
18. OSU’s culture of institutional indifference to the rights and safety of its students has permitted serial sexual predators and harassers to thrive at the university for the last four decades. OSU has not only been indifferent to the abuse inflicted by Dr. Strauss. On information and belief, at least two OSU employees since Dr. Strauss systematically committed sexual abuse and/or facilitated rampant sexual harassment: a former Director of OSU’s Marching Band, Jonathan Waters, and an assistant diving coach, Will Bohonyi.
19. In 2014, after OSU investigated a complaint against Jonathan Waters alleging a sexualized culture within the Marching Band, OSU found “a sexually hostile environment for students in the Marching Band of which the University had notice and failed to adequately address.”<sup>4</sup>

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<sup>4</sup> Letter from Meena Morey Chandra, Regional Director, Reg. XV, Office for Civil Rights, U.S. cont’d on next page

20. In response to its findings of sexual harassment within the Marching Band, OSU adopted a new plan for combatting sexual misconduct so that it could become “a national leader” in preventing and responding to sexual misconduct.<sup>5</sup>
21. But OSU is an offender, not a “national leader.” After receiving a report during a meet in 2014 that assistant diving coach Will Bohonyi sexually abused a minor in OSU’s Diving Club, OSU allegedly sent the victim, not Bohonyi, home from the meet.<sup>6</sup> In addition, OSU allegedly failed to address hundreds of naked photographs Bohonyi forced a 16-year old victim to take of herself and that were in OSU’s possession for approximately four years.<sup>7</sup>
22. In 2018, OSU dissolved its comprehensive sexual assault prevention and response unit after revelations that OSU employees within the unit had failed to handle students’ reports of sexual assault properly and told some victims that they were “lying” and “delusional.”<sup>8</sup>

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Dep’t Educ., to Dr. Michael V. Drake, President, Ohio State University 2 (Sept. 11, 2014), <https://www2.ed.gov/documents/press-releases/ohio-state-letter.pdf> (last visited July 24, 2018) [hereinafter “OCR Findings Letter”] (describing results of OSU’s investigation of alleged sexual harassment within Marching Band).

<sup>5</sup> *Ohio State announces comprehensive plan to combat sexual misconduct and relationship violence* Ohio State News (September 17, 2015), <https://news.osu.edu/ohio-state-announces-comprehensive-plan-to-combat-sexual-misconduct-and-relationship-violence/> (last visited July 21, 2018) [hereinafter “OSU Plan”].

<sup>6</sup> See Complaint at ¶¶ 267-75, *Pryor v. USA Diving, Inc., et al.*, No. 1:18-cv-2113 (S.D. Ind. July 11 2018), ECF No. 1, available at [https://www.courtlistener.com/recap/gov.uscourts.insd.85736/gov.uscourts.insd.85736.1.0\\_2.pdf](https://www.courtlistener.com/recap/gov.uscourts.insd.85736/gov.uscourts.insd.85736.1.0_2.pdf) [hereinafter “Diving Complaint”].

<sup>7</sup> *Id.* at ¶¶ 176-80, 260-61.

<sup>8</sup> Jennifer Smola, *Ohio State closes ‘failed’ program, takes another hard look at Title IX policies*, The Columbus Dispatch (June 24, 2018), available at <http://www.dispatch.com/news/20180624/ohio-state-closes-failed-program-takes-another-hard-look-at-title-ix-policies> (last visited July 21, 2018); see also Jeremy Bauer-Wolf, *A broken system at Ohio State*, Inside Higher Ed (July 10, 2018), available at <https://www.insidehighered.com/news/2018/07/10/ohio-state-closes-sexual-assault-unit-after-complaints-mismanagement-poor-reporting> (last visited July 21, 2018).

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An independent audit found that the unit failed to report 57 potential felonies to law enforcement.<sup>9</sup>

23. It is not surprising that, within this ingrained culture of institutional indifference, OSU succeeded in keeping Dr. Strauss's two decades of serial sexual abuse buried until 2018.
24. OSU has admitted the University's "fundamental failure at the time to prevent this abuse."<sup>10</sup> Plaintiffs have filed this lawsuit in the hope that OSU will fulfill its goal of becoming "a national leader" in preventing and responding to sexual misconduct by making the systemic changes needed to ensure that students can obtain their education in a safe environment, free from sexual harassment and abuse by OSU employees. Plaintiffs also seek compensation for their injuries caused by OSU's failure to take appropriate action to stop Dr. Strauss's known sexual predation, in violation of Title IX of the Education Amendments of 1972.

### **JURISDICTION AND VENUE**

25. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1343 because the matters in controversy arise under the laws of the United States. Specifically, Plaintiffs assert claims under Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.*
26. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because the events giving rise to Plaintiffs' claims occurred within this district.

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<sup>9</sup> Jennifer Smola, *Ohio State's troubled sexual assault center failed to report 57 potential felonies, audit finds*, The Columbus Dispatch (July 30, 2019), available at <https://www.dispatch.com/news/20190730/ohio-states-troubled-sexual-assault-center-failed-to-report-57-potential-felonies-audit-finds> (last visited Oct. 23, 2019).

<sup>10</sup> See Michael V. Drake, *A Message from President Drake: Strauss Investigation Report*, The Ohio State University (May 17, 2019), <https://president.osu.edu/presidents/drake/news-and-notes/2019/strauss-investigation-report-campus-wide-email.html> (last visited Oct. 23, 2019).

**PARTIES**

27. Plaintiffs incorporate by reference the allegations in all previous paragraphs as if fully stated here.
28. Because this Complaint addresses issues of sexual harassment and abuse, which are matters of the utmost intimacy, with the exception of certain Plaintiffs who have agreed to be publicly identified, the names of the Plaintiffs have been withheld from this Second Amended Complaint to protect their identities.<sup>11</sup>
29. Plaintiff Steve Snyder-Hill is an adult male and a resident of Ohio. He attended The Ohio State University from 1991 through 2000. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during an examination in 1995.
30. Plaintiff Ronald McDaniel is an adult male and a resident of Illinois. He attended The Ohio State University from 1981 through 1987. McDaniel was a member of OSU's tennis team from 1981 through 1986. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss twice during examinations from 1982 through 1983.
31. Plaintiff David Mulvin is an adult male and a resident of Ohio. He attended The Ohio State University from 1975 through 1979 and was a member of OSU's wrestling team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during an examination during Dr. Strauss's first year of employment.
32. Plaintiff Kelly Reed is an adult male and a resident of Illinois. He attended The Ohio State University from 1986 through 1988 and was a member of OSU's track and field team throughout those years. He was sexually assaulted, abused, molested and/or harassed by

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<sup>11</sup> Plaintiffs will file under seal a version of the Second Amended Complaint that identifies each of the John Doe plaintiffs to this Court.

Dr. Strauss at a medical appointment in the fall of 1986.

33. Plaintiff William Rieffer is an adult male and a resident of Missouri. He attended The Ohio State University from 1984 through 1989. Rieffer was a member of OSU's track and field team from 1984 through 1985. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during an examination in the fall of 1984.
34. Plaintiff William Brown is an adult male and a resident of Minnesota. He attended The Ohio State University from 1984 through 1989 and was a member of OSU's hockey team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during annual examinations from 1984 through 1989.
35. Plaintiff Kurt Huntsinger is an adult male and a resident of Illinois. He attended The Ohio State University from 1984 through 1989 and was a member of OSU's swim team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss at every annual examination and at approximately ten other examinations from 1984 through 1989.
36. Plaintiff Steve Hatch is an adult male and a resident of Connecticut. He attended The Ohio State University from 1981 through 1985 and was a member of the track and field team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss at least twice during annual and other examinations from 1981 through 1985.
37. Plaintiff Melvin Robinson is an adult male and a resident of Ohio. He attended The Ohio State University from 1980 through 1984 and was a member of OSU's track and field team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1980 through 1984.
38. Plaintiff Douglas Wells is an adult male and a resident of Ohio. He attended The Ohio State

University in the fall of 1983 and tried out for the track and field team. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss in 1983 during an examination for a hamstring injury.

39. Plaintiff John Doe 1 is an adult male and a resident of Ohio. He attended The Ohio State University from 1992 through 1997. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during a medical examination in 1993 or 1994.
40. Plaintiff John Doe 2 is an adult male and a resident of Connecticut. He attended The Ohio State University from 1984 through 1988 and was a member of OSU's basketball team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1984 through 1989.
41. Plaintiff John Doe 3 is an adult male and a resident of Ohio. He attended The Ohio State University from 1984 through 1989 and was a member of OSU's tennis team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1984 through 1989, and was a minor the first time this occurred.
42. Plaintiff John Doe 4 is an adult male and a resident of California. He attended The Ohio State University from 1982 through 1986 and was a member of OSU's tennis team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1982 through 1986.
43. Plaintiff John Doe 5 is an adult male and a resident of Maryland. He attended The Ohio State University from 1986 through 1990 and was a member of OSU's tennis team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1986 through 1990.

44. Plaintiff John Doe 6 is an adult male and a resident of New York. He attended The Ohio State University from 1984 through 1988. John Doe 6 was a member of OSU's soccer team from 1984 through 1986. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1984 through 1986.
45. Plaintiff John Doe 7 is an adult male and a resident of Florida. He attended The Ohio State University from 1982 through 1986 and was a member of OSU's tennis team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1982 through 1986.
46. Plaintiff John Doe 8 is an adult male and a resident of Ohio. He attended The Ohio State University from 1984 through 1988 and was a member of OSU's lacrosse team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss three times between the winter of 1985 and the fall of 1987.
47. Plaintiff John Doe 9 is an adult male and a resident of New York. He attended The Ohio State University from 1991 through 1996. John Doe 9 was a member of OSU's gymnastics team from 1991 through 1995. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss between ten and twelve times during examinations from 1991 through 1995.
48. Plaintiff John Doe 10 is an adult male and a resident of Ohio. He attended The Ohio State University from 1990 through 1996. John Doe 10 was a member of OSU's fencing team from 1991 through 1994. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss dozens of times during examinations from the fall of 1991 through the fall of 1994.
49. Plaintiff John Doe 11 is an adult male and a resident of Ohio. He attended The Ohio State

University from 1978 through 1981 and was a member of OSU's wrestling team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss five times during examinations from 1978 through 1981.

50. Plaintiff John Doe 12 is an adult male and a resident of California. He attended The Ohio State University from 1994 through 1995 and was a member of OSU's golf team during that time. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss at a medical appointment in the fall of 1994.
51. Plaintiff John Doe 13 is an adult male and a resident of Ohio. He attended The Ohio State University from 1992 through 1997. John Doe 13 was a member of OSU's fencing team from the fall of 1993 through the spring of 1997. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss at two separate medical appointments in the fall of 1993 and the fall of 1994.
52. Plaintiff John Doe 14 is an adult male and a resident of Ohio. He attended The Ohio State University from 1984 through 1987 and was a member of OSU's soccer team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss five to six times during annual physicals and medical appointments.
53. Plaintiff John Doe 15 is an adult male and a resident of Ohio. He attended The Ohio State University from 1992 through 1997. John Doe 15 was a member of OSU's wrestling team from 1992 through 1993. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during twice, once during a physical and once during a medical appointment for an injury.
54. Plaintiff John Doe 16 is an adult male and a resident of Ohio. He attended The Ohio State University from 1989 through 1994. John Doe 16 was a member of OSU's gymnastics

team from 1989 through 1993. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during annual physicals and several medical appointments.

55. Plaintiff John Doe 17 is an adult male and a resident of New York. He attended The Ohio State University from 1989 through 1994. John Doe 17 was a member of OSU's gymnastics team from 1989 through 1993. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1989 through 1993.
56. Plaintiff John Doe 18 is an adult male and a resident of New York. He attended The Ohio State University from 1987 through 1990 and was a member of the wrestling team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during an examination in 1987.
57. Plaintiff John Doe 19 is an adult male and a resident of Georgia. He attended The Ohio State University from 1986 through 1990 and was a member of the swim team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss numerous times during annual and other examinations from 1986 through 1990.
58. Plaintiff John Doe 20 is an adult male and a resident of Pennsylvania. He attended The Ohio State University from 1983 through 1985 and was a member of the gymnastics team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during annual and other examinations from 1983 through 1985.
59. Plaintiff John Doe 21 is an adult male and a resident of West Virginia. He attended The Ohio State University from 1982 through 1983 and was a member of OSU's gymnastics team during that academic year. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during an annual examination in the fall of 1982.

60. Plaintiff John Doe 22 is an adult male and a resident of Texas. He attended The Ohio State University from 1987 through 1992 and was a member of OSU's soccer team from 1987 through 1989. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during an annual examination in 1987.
61. Plaintiff John Doe 23 is an adult male and a resident of Ohio. He attended The Ohio State University from 1990 through 1995 and was a member of OSU's wrestling team from 1990 through 1994. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss at every annual examination and at approximately three other examinations between 1990 and 1992.
62. Plaintiff John Doe 24 is an adult male and a resident of Florida. He attended The Ohio State University from 1990 through 1994 and was a member of OSU's lacrosse team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss at three annual examinations between 1990 and 1993.
63. Plaintiff John Doe 25 is an adult male and a resident of Ohio. He attended The Ohio State University from 1977 through 1980 and was a member of OSU's wrestling team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during annual and other examinations while he was a student-athlete at OSU.
64. Plaintiff John Doe 26 is an adult male and a resident of New Jersey. He attended The Ohio State University from 1990 through 1993 and was a member of OSU's swim team throughout those years. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during annual and other examinations while he was a student-athlete at OSU.
65. Plaintiff John Doe 27 is an adult male and a resident of California. He attended The Ohio State University from 1982 through 1991 and was a member of OSU's volleyball team



from 1982 through 1984. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during annual examinations in 1983 and 1984.

66. Plaintiff John Doe 28 is an adult male and a resident of Ohio. He attended The Ohio State University from 1981 through 1985 and was the manager for OSU's gymnastics team from 1983 through 1984. He was sexually assaulted, abused, molested and/or harassed by Dr. Strauss during an examination in 1983 or 1984.
67. Defendant The Ohio State University ("OSU") was at all relevant times and continues to be a public university organized and existing under the laws of the State of Ohio.
68. Defendant OSU receives, and at all relevant times received, federal financial assistance and is therefore subject to Title IX of the Educational Amendments of 1972, 20 U.S.C. §1681, *et seq.*

#### **COMMON FACTUAL ALLEGATIONS**

69. Plaintiffs incorporate by reference the allegations in all previous paragraphs as if fully stated here.

#### **Dr. Strauss' History of Employment and Sexual Predation at OSU**

70. OSU employed Dr. Strauss from approximately September 1978 through March 1998. Dr. Strauss served in various positions at OSU, including, but not limited to: assistant professor of medicine, tenured associate professor, and full professor; associate director of the Sports Medicine Program; responsibilities in the Sports Medicine Clinic in OSU's Student Health Services; treating physician at OSU's Student Health Services; and team physician for at least five OSU sports teams.
71. Dr. Strauss was appointed to the OSU faculty as an Assistant Professor of Medicine in the Pulmonary Disease Division of the Department of Medicine in September 1, 1978. OSU promoted him to tenured Associate Professor in July 1983 and, in July 1992, OSU

promoted him again from Associate Professor to Professor. He remained an OSU faculty member until he retired on March 1, 1998. While on the OSU faculty he had concurrent responsibilities in other OSU roles.

72. “Within months” of his September 1978 appointment, Dr. Strauss “began serving as a team physician to OSU student-athletes on an informal, volunteer basis. By October 1980, Strauss was appointed Associate Director of Sports Medicine in the Department of Preventive Medicine (unpaid), at which point he was spending approximately 20% of his time practicing clinical sports medicine with OSU varsity athletes at the Sports Medicine Clinic in Student Health, and worked daily in the late afternoon at the Larkins Hall training room.” Report at 34.
73. Dr. Bob Murphy, the Head Team Physician, “requested that the Athletics Director (Hugh Hindman) formally appoint Strauss as a team physician” in August 1981. *Id.*
74. Dr. Strauss served as a team physician until July 1996.
75. As a team physician, Dr. Strauss had regular contact with male student-athletes in baseball, cheerleading, fencing, football, gymnastics, ice hockey, lacrosse, soccer, swimming, diving, water polo, tennis, track and field, cross country, volleyball, wrestling, and golf.
76. Dr. Strauss also worked as a physician at OSU’s Student Health Center, where he had access to the entire student population, not just student-athletes. According to the OSU-commissioned report, “Strauss provided medical treatment to students in the Student Health Center from roughly 1980 through early 1996, primarily in conjunction with the Sports Medicine Clinic and his role as a team physician.” *Id.* at 36. Dr. Strauss was formally appointed as a Student Health staff physician in the Men’s Clinic in July 1994. *Id.*
77. In January 1996, OSU placed Dr. Strauss on administrative leave and conducted an

investigation. The investigation was based on sexual misconduct complaints from three students (one of whom was Plaintiff Snyder-Hill) that OSU had received between November 1994 and January 1996. In June 1996, OSU held a disciplinary hearing into these complaints without notifying the student complainants or permitting them to participate. *See id.* at 4, 145.

78. In August 1996, OSU declined to renew Strauss's appointment with Student Health. OSU's Student Health Services did not renew his contract and the Athletic Department terminated his employment agreement with the Athletics Department. *Id.* at 3-4. OSU, however, kept Dr. Strauss as a tenured faculty member and, after he voluntarily retired in 1998, OSU gave him emeritus status. *Id.* at 154.
79. Beginning his very first year of employment at OSU—and spanning his entire two-decade tenure—Dr. Strauss preyed on male students, fondling, groping, sexually assaulting, abusing, harassing, and raping them. He did so with OSU's knowledge and support.
80. OSU facilitated Dr. Strauss's abuse of male student-athletes by requiring them to undergo annual physical exams with Dr. Strauss in order to participate in OSU athletics and maintain their scholarships. OSU also facilitated Dr. Strauss's abuse of male students in the general student population by making Dr. Strauss a treating physician at OSU's student health center. OSU also facilitated Dr. Strauss's abuse of those who worked at OSU during athletic events.
81. OSU also facilitated Dr. Strauss's abuse of underage boys, including underage boys who participated in OSU's summer sports camps for high school students and underage boys who visited OSU, by providing Dr. Strauss free access to underage boys with no supervision or oversight.

82. No matter the illness or injury, Dr. Strauss's modus operandi during medical exams was always the same.
83. He required students to remove their pants so that he could perform invasive and medically unnecessary examinations of their genitals and/or rectum.
84. He groped and fondled students' genitalia, often without gloves.
85. He performed unnecessary rectal examinations and digitally penetrated students' anuses.
86. He pressed his erect penis against students' bodies.
87. He drugged and anally raped students.
88. He moaned while performing testicular exams.
89. He made inappropriate and medically unnecessary comments about students' bodies, including comments on their physical appearance, heritage, skin tone, and physique. And he took pictures of students, purportedly for a musculature book he was writing.
90. During Dr. Strauss's first year of employment, when an attending physician at OSU's Student Health Center asked a wrestling team captain, Plaintiff David Mulvin, why he came to the Student Health Center instead of seeing Dr. Strauss, the wrestler explained that Dr. Strauss had examined his genitals for 20 minutes and appeared to be trying to get him excited.
91. Another student-athlete's experience exemplifies the pattern of Dr. Strauss's sexual predation. The student recalled a physical exam with Dr. Strauss: "I'm sitting, and he straddled my thigh, mounted my thigh. Rubbed on my thigh. I was just frozen." Dr. Strauss then told the athlete to undress so that he could check, purportedly, for a hernia. Dr. Strauss proceeded to inspect the student's penis "in detail."<sup>12</sup>

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<sup>12</sup> Kevin Stankiewicz, *Former Ohio State athlete says he was sexually assaulted twice by former*  
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92. The next year, the student-athlete received his physical, yet again, from Dr. Strauss. Most of the 20-minute exam involved Dr. Strauss inspecting the student's genitalia.<sup>13</sup>
93. The following year, the student-athlete received his physical from a different doctor. That physical lasted five minutes. There was no hernia test. The doctor did not make the student fully undress. Afterward, the student was perplexed: "Is that it?"<sup>14</sup>
94. The student-athlete felt at the time that Dr. Strauss's behavior was wrong. But Dr. Strauss's authority as a medical professional and OSU's official team doctor caused the student to doubt his instincts. And Dr. Strauss's elevated position at OSU made him feel powerless to stop it.
95. Only after OSU publicly announced in 2018 that it was investigating allegations of sexual misconduct raised against Dr. Strauss (the "Investigation") did the student realize that his discomfort had been justified, his instincts correct: Dr. Strauss had sexually abused him. He was relieved to learn that he wasn't "crazy" for thinking something had been wrong.<sup>15</sup>
96. The insidious nature of sexual abuse by a healthcare provider explains the student-athlete's struggle to come to terms with Dr. Strauss's abuse—and why this struggle is all too common among victims of physician-patient abuse. Although Dr. Strauss's victims felt deeply uncomfortable during his exams and thought his conduct was inappropriate, most of them did not realize these exams were sexually abusive until after OSU publicized its Investigation in 2018.

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*team doctor Richard Strauss*, The Lantern (Apr. 6, 2018), available at <https://www.thelantern.com/2018/04/former-ohio-state-athlete-says-he-was-sexually-assaulted-twice-by-former-team-doctor-richard-strauss/> (last visited July 26, 2018).

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

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

97. As the OSU-commissioned Report concedes, “[t]his case present[s] an intersection of two specific types of sexual abuse, both of which have generally *not* been associated with common conceptions of sexual abuse. Specifically, this case involve[s] doctor-patient sexual abuse and the sexual abuse of adult males.” *Id.* at 11 (emphasis in original).
98. The Report also acknowledges that “[p]atients often do not report sexual abuse committed by their doctors due to . . . confusion as to whether sexual abuse, in fact, occurred.” *Id.* Even as late as 2018/2019, 22 of the 177 students interviewed for the OSU-commissioned investigation *still* did not understand Strauss’s conduct constituted abuse, though the Report found they were abused. *Id.* at 38.
99. Because laypersons can find it difficult to ascertain what conduct constitutes physician sexual abuse, Perkins Coie LLP—the law firm that prepared the OSU-commissioned Report—determined that it was “essential” to its investigation that it “consult with suitably qualified medical experts.” Those external experts were essential to “discern whether, and to what extent, Strauss’ physical examinations of student-patients exceeded the boundaries of what was appropriate or medically necessary.” *Id.* at 24.
100. A law firm with millions of dollars and experienced investigators could not determine whether patients were abused, without consulting “suitably qualified medical experts.” It is little wonder that so many Plaintiffs, most of whom were just college-aged men, did not know either.

**OSU’s Knowledge and Facilitation of Dr. Strauss’s Sexual Predation**

101. OSU played a key role in normalizing and perpetuating Dr. Strauss’s serial sexual abuse.
102. For instance, when Plaintiff Steve Snyder-Hill, a former OSU student sexually assaulted by Dr. Strauss, lodged a complaint about Dr. Strauss’s misconduct, the director of OSU’s

Student Health Services, Ted W. Grace, M.D., told him—falsely—that OSU had “never received a complaint about Dr. Strauss before.”<sup>16</sup>

103. In fact, OSU had received many complaints about Dr. Strauss before.

104. OSU learned of the abuse within Dr. Strauss’s very first year of employment. During the 1978-1979 wrestling season, Dr. Strauss fondled Plaintiff David Mulvin, a wrestling team captain, during a medical exam. Mulvin reported the incident to a doctor at OSU’s student health center.<sup>17</sup>

105. The doctor did nothing.<sup>18</sup>

106. OSU did nothing.<sup>19</sup>

107. The abuse was well known within the athletics community at OSU. Strauss’s inappropriate sexual behavior was “broadly witnessed and discussed in the Athletics Department.” *Id.* at 88. Perkins Coie found that “[m]ore than 50 individuals who were members of the OSU Athletics Department staff” knew about Dr. Strauss’s inappropriate sexual conduct. *Id.* (emphasis added).

108. Student complaints about Dr. Strauss poured in over the years. Male student after male student complained: “From roughly 1979 to 1996, male students complained that Strauss routinely performed excessive—and seemingly medically unnecessary—genital exams,

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<sup>16</sup> Jennifer Smola, *Complaint from former Ohio State student details abuse by Strauss in 1995*, The Columbus Dispatch (July 19, 2018), available at <http://www.dispatch.com/news/20180719/complaint-from-former-ohio-state-student-details-abuse-by-strauss-in-1995> (last visited July 26, 2018).

<sup>17</sup> Jean Casarez, *Former OSU wrestler says Richard Strauss molested him in late 1970s, earliest such allegation*, CNN (July 19, 2018), available at <https://www.cnn.com/2018/07/18/us/former-osu-wrestler-richard-strauss-molestation-allegation/index.html> (last visited July 22, 2018).

<sup>18</sup> *See id.*

<sup>19</sup> *See id.*

regardless of the medical condition the student-patients presented.” *Id.* at 2-3.

109. It was also “broadly known within the Athletic Department that Strauss showered alongside the male students.” *Id.* at 2.
110. “[B]eing examined by Strauss was akin to being ‘hazed’ or was a ‘rite of passage.’” *Id.* at 88.
111. Older students told younger students to watch out for Dr. Strauss, giving him nicknames such as Dr. Jelly Paws, Dr. Nuts, Dr. Cough, and Dr. Levi’s (because he would get into students’ jeans).
112. Student-athletes informed OSU athletic administrators and staff, including, but not limited to, Athletic Director Andy Geiger, Athletic Director Jim Jones, Athletic Director Hugh Hindman, Assistant Athletic Director Archie Griffin, Senior Associate Athletic Director Paul Krebs, Assistant Athletic Director Larry Romanoff, Assistant Athletic Director Richard Delaney, Assistant Director of Student Athlete Support Services John Macko, Track and Field Coach Frank Zubovich, Tennis Coach John Daly, Swimming Coach Dick Sloan, former Head Wrestling Coach Chris Ford, former Head Gymnastics Coach Peter Kormann, and Fencing Coach Charlotte Remenyik, that Dr. Strauss’s conduct seemed inappropriate and made them uncomfortable.
113. Other than Remnyik, these administrators did not take any action in response to the athletes’ complaints about Dr. Strauss.
114. Staff at OSU’s Student Health Center—including multiple Student Health Directors—were also aware of serious concerns about Dr. Strauss’s examinations of male students.
115. A 1982 draft report by the primary physician in the Student Health Center’s Sports Medicine Clinic, Dr. David Henderson, stated that “[Dr. Strauss] works for no one, answers



to no one, and is accountable to no one.” *Id.* at 116. Dr. Henderson’s concerns, though admittedly oblique, were serious enough to be escalated to Dr. Bob Murphy, the Head Team Physician and Director of OSU’s Sports Medicine Division, and to University President Edward Jennings.

116. In fact, Dr. Murphy received at *least five* written reports about Dr. Strauss’s misconduct—four from OSU Athletics Department staff and one from a student-athlete: (i) Assistant Athletic Director Larry Romanoff told Dr. Murphy in the late 1980s or early 1990s that there were rumors that Strauss was showering with the student-athletes; (ii) after a student announced to the training room in 1989 that Dr. Strauss administered an inappropriate genital exam, an athletic trainer reported the student’s complaint to Dr. Murphy; (iii) in 1992 or 1993, Dr. Murphy asked a Team Physician to perform the wrestling team’s annual physical instead of Dr. Strauss due to “issues” about how Dr. Strauss performed genital exams and his continued presence in the showers; (iv) a student trainer reported concerns about Strauss’s examination methods to Dr. Murphy, apparently in 1979 or 1980; and (v) a student-athlete complained to Dr. Murphy that Dr. Strauss fondled his penis for an extended time during a routine annual physical. *Id.* at 100–02.
117. Dr. Murphy apparently did nothing in response to any of the five complaints.
118. Instead, Dr. Murphy advised Dr. Strauss in approximately 1986 that there were persistent rumors about him. *Id.* at 95. Still, Dr. Murphy did not take action on student-athletes’ complaints.
119. Dr. John Lombardo, the Head Team Physician/Medical Director of the OSU Sports Medicine and Family Health Center, also received and discarded multiple complaints about Dr. Strauss. An athletic trainer told Dr. Lombardo in the early 1990s that Dr. Strauss made

athletes uncomfortable and it was inappropriate for him to shower with students. A Graduate Assistant Trainer reported to Dr. Lombardo her “concerns about the rumors regarding Strauss” performing seemingly unnecessary genital exams and the fact that Strauss insisted on one-on-one exams with the students.” *Id.* at 103.

120. One nurse reported to Perkins Coie that Dr. Strauss’s examinations of male student-patients were so much “longer than normal” that Student Health staff speculated “that Strauss was engaged in ‘sexual interaction’ with the male student-patients.” *Id.* at 121. In that time period, she also reported to two Student Health Directors (Dr. Doris Charles and Dr. Forrest Smith) that Strauss took longer than normal to conduct his examinations with student patients. Both directors dismissed her concerns. *Id.* at 121-22.

121. Dr. Grace, the Student Health Director at OSU beginning in 1992, knew before he even joined OSU that Dr. Strauss was rumored to have engaged in “inappropriate sexual touching of athletes.” *Id.* at 141. Dr. Grace admitted that he came to OSU “suspicious” of Dr. Strauss and was “surprised” to learn Dr. Strauss was assigned to Student Health. *Id.* Nonetheless, Dr. Grace allowed Dr. Strauss to staff the Student Health Men’s Clinic for reasons that are unclear (because Dr. Grace refused to be interviewed by Perkins Coie). Dr. Grace required Dr. Strauss to “call for a chaperone every time he was going to conduct a genital examination on a student in the Men’s Clinic.” *Id.* at 142. But “it is unclear why Grace believed that a ‘self-enforcing’ chaperoning requirement was an appropriate solution for Strauss, given that virtually every examination in the Men’s Clinic was likely to require a genital examination, due to the nature of the services offered there.” *Id.* at 143-144. In any event, Dr. Strauss stopped calling the chaperone, and Dr. Grace “never checked in with [the assigned chaperone] to determine whether Strauss was complying with the

requirement, or to solicit [the chaperone's] views on how the examinations were proceeding.” *Id.* at 142.

122. No later than 1994, Remenyik, the head coach for fencing, reported that male fencers were uncomfortable with Dr. Strauss and she complained that Dr. Strauss was “performing improper or unnecessary genital exams on her male student-athletes.” *Id.* at 92–93. Dr. John Lombardo, OSU’s Medical Director/Head Team Physician, recognized Remenyik’s concerns in a November 1994 letter to Senior Associate Athletic Director Paul Krebs. Dr. Lombardo’s letter stated he “investigated” Remenyik’s concerns, and concluded they were “based on rumors” that had been “generated for 10 years with no foundation.” *Id.* at 93. He described the “rumors” as “pervasive.” *Id.* at 94. OSU then had another physician—Dr. Trent Sickles—“assume the primary role as physician for the fencers.” *Id.* But OSU did nothing to protect all of the other athletes and students who were being abused by Dr. Strauss. OSU did not do a formal investigation or take any disciplinary action against Dr. Strauss. OSU did not report the complaint to the State Medical Board of Ohio.
123. Dr. Strauss’s unorthodox touching during medical exams was such common knowledge that OSU’s coaching staff, trainers, and student-athletes knew him as “Dr. Jelly Paws,” “Dr. Nuts,” “Dr. Soft Hands,” and “Dr. Cough”—names that reflect his sexual predation.
124. OSU’s coaching staff, including tennis coach John Daly, regularly joked about Dr. Strauss’s examinations of male athletes. Daly threatened student-athletes that they would have to see Dr. Strauss, if they did not do what the coach asked. He also laughed about it being a student’s “turn to see Dr. Strauss.”
125. Dr. Strauss’s inappropriate examinations were well-known and discussed openly by OSU administrators and staff.

126. Rather than take the flood of complaints about Dr. Strauss seriously, OSU continued to require students to be treated by him, thereby supplying him an endless trough of victims.
127. Indeed, OSU told student-athletes that if they wanted to keep their scholarships or continue playing for OSU, they had to go to Dr. Strauss for their annual physical exams and medical treatment.
128. Many of Dr. Strauss's victims were student-athletes on full scholarship, making them particularly vulnerable to his abuse. OSU's requirement that athletes be examined and treated by Dr. Strauss forced them into an impossible Hobson's choice: either suffer through Dr. Strauss's deeply uncomfortable, questionable examinations or forego their scholarships and educations.
129. OSU's requirement also put student-athletes in the unbearable position of choosing between their physical health in the short term and their psychological, emotional, and physical well-being in the long-term.
130. For instance, one student-athlete—an All-American wrestler—recalled that whenever he was injured, he had to decide: “Is this injury bad enough that I’m going to get molested for it?”<sup>20</sup>
131. Dr. Strauss's abuse—which OSU allowed to continue unchecked throughout his long tenure—has traumatized many survivors for decades. Indeed, many survivors continue to be afraid to see doctors to this day, causing them to jeopardize their health and receive dangerous diagnoses late.
132. Dr. Strauss did not limit his abuse to the privacy of the exam room. He reigned over the

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<sup>20</sup> Kantele Franko, *Ex-athletes say Ohio State doc groped, ogled men for years*, AP News (July 7, 2018), available at <https://www.apnews.com/355629efdd91432aadfca6d6b28c170c> (last visited Oct. 23, 2019).

locker rooms of Larkins Hall, the former OSU recreation center, where—in full view of OSU’s coaching staff and other employees—he harassed male student-athletes.

133. He read the newspaper naked in the male locker room, so that he could stare at student-athletes’ bodies.
134. He showered with student-athletes for hours at a time and several times a day.
135. On one occasion, he finished showering and was preparing to leave the locker room when one of his “favorite” wrestlers began to shower. Dr. Strauss undressed and joined the wrestler in the shower.<sup>21</sup>
136. Yet again, male student-athletes complained to OSU about Dr. Strauss’s conduct.
137. Yet again, OSU had an opportunity to stop the abuse, but did nothing.
138. And so, Dr. Strauss continued to terrorize OSU students with impunity.
139. Following Dr. Strauss’s lead, other OSU employees took full advantage of OSU’s indifference to sexual harassment and abuse.
140. For instance, some trainers were so “touchy feely” with the student-athletes that the athletes developed a practice of informing each other about which trainers to avoid.
141. A cohort of “voyeurs” flocked to Larkins Hall to gawk at the OSU student-athletes and masturbate while watching them shower.<sup>22</sup>
142. One wrestling head coach, Russ Hellickson, described the toxic culture at OSU as a

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<sup>21</sup> See First Amended Class Action Complaint at ¶ 135, *John Doe, et al. v. The Ohio State University*, No. 2:18-cv-00692 (S.D. Ohio Oct. 26, 2018), ECF No. 33 [hereinafter “Class Action Complaint”]), ¶ 135.

<sup>22</sup> Rachael Bade & John Bresnahan, ‘*A cesspool of deviancy*’: *New claims of voyeurism test Jordan denials*, POLITICO (July 6, 2018), available at <https://www.politico.com/story/2018/07/06/jim-jordan-harassment-ohio-state-wrestling-699192> (last visited July 26, 2018).

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“cesspool of deviancy.”<sup>23</sup> He recalled, “Coaching my athletes in Larkins Hall was one of the most difficult things I ever did.”<sup>24</sup>

143. At times, Coach Russ Hellickson had to physically drag the voyeurs out of Larkins Hall.<sup>25</sup> Although he pleaded with OSU to move the athletes to a private building,<sup>26</sup> his pleas fell went unheard. Yet again, OSU did nothing to stop the abuse and harassment.
144. Though students and OSU staff complained about Dr. Strauss for decades, it was not until 1996 that the complaints led to a formal investigation.
145. Shortly after Dr. Lombardo’s November 1994 finding that the fencing team’s complaints were “unfounded,” two male patients of the Student Health Men’s Clinic—Plaintiff Snyder-Hill (“Student B” in the Perkins Coie Report) and another student (“Student A” in the Perkins Coie Report)—separately complained about Dr. Strauss’s inappropriate genital exams in January 1995. Dr. Ted Grace, the Director of Student Health, wrote a report stating he had created a consent form as a result of Student A’s complaint.
146. After Plaintiff Snyder-Hill complained about Dr. Strauss’s inappropriate exams (detailed further below), shortly after Student A’s complaint, Dr. Grace falsely claimed that Student Health had never received a complaint about Dr. Strauss and claimed all complaints were maintained in a quality assurance file. He also falsely claimed that, as a result of Plaintiff Snyder-Hill’s complaint, Student Health was creating a consent form, but apparently Dr. Grace was already creating this form as a result of Student A’s complaint.
147. Despite the two complaints brought against Strauss in January 1995, OSU gave Dr. Strauss

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<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

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

<sup>26</sup> *Id.*

"Exceptional" and "Excellent" ratings on his 1995 OSU Administrative & Professional Staff Performance.

148. A year later, in January 1996, a third student complained in January 1996 that Dr. Strauss fondled his genitals and asked him sexually inappropriate questions.
149. Finally, after years of complaints, this cluster of complaints caused OSU to place Dr. Strauss on administrative leave in January 1996 and launch a Student Affairs investigation into the November 1994 complaints from the fencing team, the two January 1995 complaints, and the January 1996 complaint. As part of its investigation, OSU apparently did not investigate the history of complaints about Strauss in Athletics. *Id.* at 147-148.
150. In June 1996, OSU held a disciplinary hearing into these complaints without notifying the student complainants or permitting them to participate.
151. A few weeks after the hearing, in July 1996, Dr. Lombardo informed Dr. Strauss that OSU's Athletics Department was terminating his employment. In August 1996, OSU decided not to renew his Student Health Services Appointment "based on three complaints by students in a period of 13 months." *Id.* at 150.
152. When informing Dr. Strauss that his Student Health Services Appointment was not being renewed, OSU was clear to Dr. Strauss that his faculty appointment would continue.
153. "Strauss remained employed at the University as a tenured professor in the School of Public Health." *Id.* at 146.
154. In October 1997, Dr. Strauss announced that he intended to retire.
155. Randall Harris, the Acting Director of the School of Public Health, recommended that Dr. Strauss receive emeritus status upon retirement "based on his long-standing service, commitment, and national and international achievements." *Id.* at 6.

156. Harris recommended that Dr. Strauss receive emeritus status upon retirement, though he was aware that a student-patient at Student Health had raised a complaint about Dr. Strauss.
157. Ronald St. Pierre, the Vice Dean and Secretary for the College of Medicine and Associate Vice President of Health Sciences and Academic Affairs, also recommended Dr. Strauss receive an emeritus appointment, though he was aware of the 1996 Student Affairs disciplinary action against Dr. Strauss.
158. Dr. Strauss retired effective March 1, 1998.
159. Upon his retirement, OSU's Board of Trustees bestowed on him the honorific appointment of Faculty Emeritus in the University's School of Public Health. *Id.* at 154.
160. While Dr. Strauss was on administrative leave in March 1996, he began considering opening a private, off-campus medical clinic specializing in men's issues.
161. Dr. Strauss spoke to St. Pierre about his plans for opening this men's clinic. St. Pierre said "there would be no problem" with Dr. Strauss opening that private men's clinic. *Id.* at 151.
162. Dr. Strauss did, in fact, open that men's clinic off-campus clinic near OSU's campus to treat "common genital/urinary problems"—even though he was trained as a pulmonologist—and solicited male students for sexual health treatment in OSU's student newspaper. He began seeing patients there in September 1996.
163. OSU did nothing to protect students from being abused by Dr. Strauss at the men's clinic, though it had removed him from working at the Student Health Center because of a sexual misconduct complaint.
164. OSU's deliberate indifference is beyond dispute. "Despite the persistence, seriousness, and regularity of such complaints [from male students between 1979 and 1996], no meaningful action was taken by the University to investigate or address the concerns until January 1996



...” *Id.* at 3.

165. Dr. Strauss committed suicide in 2005. The effects of his abuse, and OSU’s complicity in it, survive in the lives of his victims.

**OSU’s Commissioned Investigation**

166. In April of 2018, approximately forty years after students first began complaining about Dr. Strauss’s abuse, OSU announced that it was opening an investigation into student-athletes’ allegations of sexual misconduct by Dr. Strauss dating back to the late-1970s.

167. OSU opened this investigation in 2018 after one or more former student-athletes (again) informed OSU of Dr. Strauss’s sexual abuse.

168. Until OSU opened its investigation in April of 2018, most of the Plaintiffs did not understand that Dr. Strauss had sexually assaulted and harassed them in the guise of providing necessary and appropriate medical care. And none of them knew, or had any reason to know, of the role that OSU played in facilitating Dr. Strauss’s abuse. This is because OSU ignored, rebuffed, and concealed complaints about Dr. Strauss, preventing the Plaintiffs from discovering their claims against OSU.

169. The appointed Special Counsel to OSU, Porter Wright Morris & Arthur LLP, retained Perkins Coie LLP (“Perkins Coie”) in April 27, 2018. *Id.* at 1.

170. On OSU’s behalf, Perkins Coie conducted a massive factual investigation of sexual misconduct allegations raised against Dr. Strauss. Perkins Coie evaluated, first, “allegations that Strauss committed acts of sexual misconduct against members of the OSU community.” *Id.* at 1. Second, Perkins Coie evaluated “whether ‘the University’ had knowledge of such allegations against Strauss” while he was employed by OSU. *Id.*

171. Perkins Coie spent \$6.2 million and 12 months on their investigation.

172. Perkins Coie reviewed 825 boxes of records from OSU and collected records from sources outside the University. They interviewed 520 witnesses, including 177 survivors.
173. Perkins Coie's 182-page Report reaches two striking conclusions: First, finding the survivors uniformly credible, it found that "Strauss sexually abused at least 177 male student-patients he was charged with treating as a University physician." *Id.* Perkins Coie concluded that "at least" 177 men were abused because they only interviewed 177 male students—had they interviewed more survivors they undoubtedly would have concluded that Dr. Strauss abused far more than 177 men. Perkins Coie did not interview the majority of the Plaintiffs in this action.
174. Second, Perkins Coie found that OSU "personnel had knowledge of Strauss' sexually abusive treatment of male student-patients as early as 1979." *Id.*
175. The Perkins Coie report provides detailed, credible evidence of Dr. Strauss's serial sexual predation and OSU's institutional indifference to complaints about Dr. Strauss.
176. Yet OSU is in "damage control mode." It does not want to be held fully accountable for employing a serial sexual predator and perpetuating his abuse of students for two decades.
177. But enough is enough. Remedial action to help the survivors of Dr. Strauss's sexual predation is long overdue, as is systemic institutional change to ensure that something like this never happens again to another OSU student.

**OSU's Pattern of Indifference to Sexual Harassment and Abuse**

178. OSU's culture of indifference to the safety and well-being of its students has caused sexual violence to flourish at OSU for the last four decades. This toxic culture, which has drawn the attention and censure of the federal government, continues to thrive to this day.
179. On June 23, 2010, the United States Department of Education's Office for Civil Rights

(“OCR”) initiated a review of OSU’s compliance with Title IX. With the federal government peering over its shoulder, OSU rushed to revise its sexual abuse policies and procedures.<sup>27</sup> Nevertheless, on September 11, 2014, after a four-year-long review of OSU, OCR announced that the university had violated Title IX.<sup>28</sup>

180. Specifically, OCR found that OSU’s policies and procedures were confusing and inconsistent, failed to designate timeframes for the completion of major stages of sexual abuse investigations, and failed to ensure that complainants were afforded equal opportunity to participate in the grievance process, in violation of Title IX.<sup>29</sup>

181. OCR also found that students were confused about how and where to report incidents of sexual harassment and assault.<sup>30</sup>

182. OCR likewise found that OSU’s procedures “inappropriately suggest and, in some instances, seem to require that parties work out alleged sexual harassment directly with the accused harasser prior to filing a complaint with the University.”<sup>31</sup>

183. In some cases, OCR was unable even to reach a determination about whether OSU adequately responded to complaints because OSU’s complaint files were so sloppy and indecipherable.<sup>32</sup>

184. In order to close the federal government’s review, OSU entered into a resolution agreement with OCR. That agreement required OSU, in part, to disseminate information to educate

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<sup>27</sup> OCR Findings Letter, *supra* note 4, at 24.

<sup>28</sup> *Id.* at 1.

<sup>29</sup> *Id.* at 1, 9, 26.

<sup>30</sup> *Id.* at 10.

<sup>31</sup> *Id.* at 25.

<sup>32</sup> *Id.* at 19, 27.

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students and staff about Title IX's prohibition against sexual abuse and harassment, and how to report incidents. It also required OSU to revise its policies and procedures to eliminate the requirement that students "work out" sexual harassment and abuse directly with their abuser. And it required OSU to provide mandatory training on sexual abuse to students and staff.<sup>33</sup>

185. After the federal government initiated its investigation into OSU's practices, OSU began its own investigation into a sexual harassment complaint concerning its Marching Band.

186. OSU's internal investigation found that the Marching Band's culture facilitated sexual harassment and created a sexually hostile environment for its students.<sup>34</sup> Students in the Marching Band were called sexual nicknames, like "Boob Job" and "Twinkle Dick," and pressured to participate in an annual nude Marching Band tradition.<sup>35</sup> Students felt that the Marching Band's culture was sexualized and an "old guys" club, and that it operated under a "culture of intimidation," which culminated in at least one known sexual assault as well as sexual harassment.<sup>36</sup> Most damningly, the investigation found that OSU had notice of the hostile environment but had failed to do anything about it.<sup>37</sup>

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<sup>33</sup> *Id.* at 27-29; *see also* Resolution Agreement, Ohio State University, OCR Docket #15-10-6002, available at <https://www2.ed.gov/documents/press-releases/ohio-state-agreement.pdf> (last visited July 24, 2018).

<sup>34</sup> Ohio State University Investigation Report, Complaint against Jonathan Waters, Director of the OSU Marching Band 1 (July 22, 2014), available at <http://www.documentcloud.org/documents/1235398-osu-investigation-report-complaint-against.html> (last visited July 21, 2018) [hereinafter "OSU Report regarding Complaint against Waters"].

<sup>35</sup> *Id.* at 4-5.

<sup>36</sup> *Id.* at 11-12.

<sup>37</sup> OCR Findings Letter, *supra* note 4, at 2; OSU Report regarding Complaint against Waters, *supra* note 35, at 1.

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187. A year after OCR found OSU non-compliant with Title IX, the University launched an initiative designed to “ensure Ohio State is a national leader” in preventing and responding to sexual abuse.<sup>38</sup>
188. If only OSU’s actions were as good as its words.
189. In 2014, during a diving meet, OSU received a report that OSU assistant diving coach Will Bohonyi was sexually abusing a minor in OSU’s Diving Club. Inexplicably, OSU allegedly sent the victim—not the perpetrator—home from the meet.<sup>39</sup>
190. OSU then allegedly failed to take action to address the hundreds of naked photographs of the victim engaged in sexual acts that Coach Bohonyi had forced her to take.<sup>40</sup> These photographs—child pornography—allegedly sat in OSU’s possession for some four years.<sup>41</sup>
191. Revelations of OSU’s ongoing culture of abuse continue to accumulate. For instance, in June of 2018, OSU was forced to shutter its sexual assault prevention and response unit after concerns emerged that unit employees had told victims of abuse they were “lying,” “delusional,” and had “an active imagination.”<sup>42</sup> Other victims were denied services because they would not disclose the identity of their attackers.<sup>43</sup> An independent audit of

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<sup>38</sup> OSU Plan, *supra* note 5.

<sup>39</sup> Diving Complaint, *supra* note 6, at ¶¶ 272, 274-75.

<sup>40</sup> *Id.* at ¶¶ 176-180, 260-62.

<sup>41</sup> *Id.* at ¶ 180.

<sup>42</sup> Jennifer Smola, *Ohio State closes sexual-assault center, fires 4 after complaints*, The Columbus Dispatch (June 20, 2018), <http://www.dispatch.com/news/20180619/ohio-state-closes-sexual-assault-center-fires-4-after-complaints> (last visited July 26, 2018); Bauer-Wolf, *supra* note 8..

<sup>43</sup> *See* Bauer-Wolf, *supra* note 8.

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that unit revealed that it failed to report *57 potential felonies* that it was required to report to law enforcement—felonies that likely involve sexual assault.<sup>44</sup>

192. On August 8, 2018, OCR initiated yet another investigation into OSU’s compliance with Title IX—this time involving OSU’s response to students’ allegations of sexual misconduct by Dr. Strauss, the subject of this lawsuit.

193. Despite all evidence to the contrary—a federal investigation finding Title IX violations, numerous student complaints, internal reports, witnesses, and more—OSU persists in claiming it is and has been “a leader” on issues of sexual abuse.<sup>45</sup> The survivors of its four decades of indifference beg to differ.

#### **SPECIFIC FACTUAL ALLEGATIONS**

194. Plaintiffs incorporate by reference the allegations in all previous paragraphs as if fully stated here.

#### **STEVE SNYDER-HILL**

195. Steve Snyder-Hill (then named Steve Hill) was a student at OSU from 1991 through 2000. He was also a student-employee in graduate school at OSU from 1998-2000.

196. Snyder-Hill was examined by Dr. Strauss once, on or about January 5, 1995, at OSU’s student health center (“Student Health”).

197. Snyder-Hill went to Student Health to have a lump in his chest checked.

198. The triage nurse there recommended that Snyder-Hill see Dr. Strauss, which he did.

199. Snyder-Hill was alone in the room with Dr. Strauss.

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<sup>44</sup> Smola, *Ohio State’s troubled sexual assault center failed to report 57 potential felonies, audit finds*, *supra* note 9.

<sup>45</sup> Smola, *Ohio State closes ‘failed’ program, takes another hard look at Title IX policies*, *supra* note 8.

200. Dr. Strauss told Snyder-Hill that he needed to remove all of his clothes, so that Dr. Strauss could perform a full medical exam.
201. Snyder-Hill complied with this request.
202. During the examination, Dr. Strauss made inappropriate comments to Snyder-Hill and asked inappropriate questions about Snyder-Hill's sexual and personal desires, which made Snyder-Hill very uncomfortable. These comments and questions included asking Snyder-Hill if he was gay, whether he had trouble sleeping with just one person, and whether he sexually desired to do something else; and telling Snyder-Hill that he worked with AIDS patients and was the doctor for the athletic department. Snyder-Hill felt as if Strauss was testing him to see how he would react to being in an uncomfortable position.
203. When Dr. Strauss told Snyder-Hill that he needed to check Snyder-Hill's testicles, Snyder-Hill felt very uncomfortable and said this was not necessary because his regular doctor had recently done this.
204. Dr. Strauss insisted on doing both testicular and rectal examinations, ignoring Snyder-Hill's statements that he did not need those exams, and Dr. Strauss performed both exams on Snyder-Hill before checking the lump in Snyder-Hill's chest.
205. Dr. Strauss fondled Snyder-Hill for an unnecessarily long period of time. Dr. Strauss put his face so uncomfortably close to Snyder-Hill's genital area during the prolonged examination that Snyder-Hill could feel Dr. Strauss breathing on his genitals. The rectal exam involved Dr. Strauss digitally penetrating Snyder-Hill's rectum with his finger. Dr. Strauss did not wear gloves at any point during the examination.
206. Snyder-Hill felt very uncomfortable and powerless throughout Dr. Strauss's examination. Snyder-Hill felt intimidated and became afraid to voice a concern.

207. This escalated when Dr. Strauss asked Snyder-Hill to lay down on the table, then leaned over to finally check the lump in Snyder-Hill's chest—the only reason Snyder-Hill sought medical attention. Dr. Strauss massaged Snyder-Hill's chest for a prolonged time, initially brushing his groin against Snyder-Hill's side, but as he kept rubbing Snyder-Hill's chest, Dr. Strauss got much more aggressive, pushing his pelvic area up against Snyder-Hill's side and holding it there. Snyder-Hill could feel Dr. Strauss's erect penis pressed against him. Dr. Strauss kept himself pressed against Snyder-Hill for a prolonged time while rubbing and fondling his chest.
208. Snyder-Hill was shocked by this and felt that Dr. Strauss was trying to manipulate and intimidate him. As a result, Snyder-Hill could not look Dr. Strauss in the eyes during the exam or afterwards. Snyder-Hill felt very intimidated by Dr. Strauss.
209. The examination by Dr. Strauss weighed heavily on Snyder-Hill afterwards. He felt very uncomfortable and upset, and thought the examination was inappropriate. He also felt guilty that he had let Dr. Strauss touch him. He thought Dr. Strauss's topics of conversation were flirty and that, if Snyder-Hill had given Dr. Strauss a signal to proceed sexually, Dr. Strauss would have acted on it.
210. The next day, on January 6, 1995, Snyder-Hill called Student Health to lodge a complaint about Dr. Strauss. He spoke with the Assistant Director of Student Health, Judy Brady, who took notes on his oral complaint. The complaint is memorialized in a "Patient Comment" form dated January 6, 1995.
211. Brady told Snyder-Hill that someone would get back to him. Snyder-Hill said he wanted to speak with the top person at Student Health.
212. Dr. Ted Grace, Director of Student Health, called Snyder-Hill in response to the complaint



Snyder-Hill made with Judy Brady. Dr. Grace said he had spoken with Dr. Strauss about Snyder-Hill's complaint, Dr. Strauss denied rubbing against Snyder-Hill with an erection, and Dr. Strauss said he was just doing his job during the examination. Snyder-Hill said Dr. Grace was taking Dr. Strauss's side and that Snyder-Hill felt helpless and powerless in this situation because it was his word against Dr. Strauss's. Snyder-Hill demanded further action, so Dr. Grace arranged a meeting.

213. At some point between January 5 and January 24, 1995, Snyder-Hill, accompanied by his then-boyfriend, participated in a two-hour, in-person meeting with Dr. Grace, Dr. Strauss, and Dr. Louise Douce, OSU's Director of Counseling and Consulting Services. Snyder-Hill brought his boyfriend as a witness, which he felt was necessary because Dr. Strauss had denied any wrongdoing and Dr. Grace had supported Dr. Strauss's position during their prior telephone conversation. During the in-person meeting, Drs. Grace and Douce required that Snyder-Hill recount his allegations about Dr. Strauss's inappropriate and abusive conduct during the January 5, 1996 examination. OSU's insistence that Snyder-Hill detail his abuse in the presence of his abuser was traumatic and psychologically harmful for Snyder-Hill.

214. After Snyder-Hill explained what Dr. Strauss had said and done in the examination, Dr. Strauss responded with pretextual and false explanations for his inappropriate statements and conduct. Snyder-Hill replied that he did not believe Dr. Strauss's explanations. As the meeting progressed, Dr. Strauss's demeanor escalated to anger, then rage. When Snyder-Hill explained that Dr. Strauss had pressed his erect penis into him, Dr. Strauss slammed his hand on the table and screamed directly at Snyder-Hill that Snyder-Hill was trying to destroy his reputation and career. Dr. Grace and Dr. Douce looked shocked by Dr. Strauss's

outburst, but said nothing. At the end of the meeting, Dr. Douce said it appeared that the incident was just a misunderstanding, she was very confident that “Dr. Strauss was not guilty of any wrongdoing,” and Snyder-Hill had just been confused and mistaken about Dr. Strauss’s intentions. *Id.* at 129. Snyder-Hill told them that he didn’t accept their conclusion, was unhappy with the result, and needed to go home and consult with his boyfriend on what to do next.

215. Dr. Grace called Snyder-Hill on January 24, 1995, as a follow-up to the meeting. Snyder-Hill told Dr. Grace that he still was not happy with the results of the meeting and did not accept it. Snyder-Hill also demanded that changes be made, so other students would not experience what he had experienced with Dr. Strauss. Snyder-Hill also voiced concern about where his complaint would go or be retained, in case Dr. Strauss acted this way with another patient. Snyder-Hill demanded that students be permitted to opt out of testicular and rectal examinations (or anything that might make them uncomfortable) and, at a minimum, have someone else present in the room during examinations (to avoid a situation where it would be the doctor’s word against the student’s). Snyder-Hill also demanded that he be notified if anyone else complained about Dr. Strauss’s conduct. Dr. Grace agreed to Snyder-Hill’s demands, and then Snyder-Hill asked Dr. Grace to document their conversation in writing.
216. Per Snyder-Hill’s request, Dr. Grace wrote a follow up letter to Snyder-Hill, dated January 26, 1995, in which he represented that “we had never received a complaint about Dr. Strauss before, although we have had several positive comments.”
217. Dr. Grace’s statement was false. In fact, “Student A” had complained about Dr. Strauss three days before Snyder-Hill’s complaint, and many other students had complained about

Dr. Strauss for many years before that to numerous OSU officials.

218. Dr. Grace's letter also assured Snyder-Hill that "[a]ny future complaints would include consideration of all prior complaints of a similar nature." This statement upset Snyder-Hill because it fell short of what Dr. Grace had agreed to during their phone conversation: Dr. Grace had told Snyder-Hill he would contact Snyder-Hill if OSU received another complaint about Dr. Strauss. As a result, Snyder-Hill felt slighted by this statement in Dr. Grace's letter. At the same time, Snyder-Hill believed this was probably the best he could get from OSU and Dr. Grace.
219. Dr. Grace also stated in the letter that "all patient comments—both positive and negative—are maintained in a quality assurance file that is available for review by the Joint Commission on Accreditation of Healthcare Organizations."
220. The letter also mentioned suggestions from Snyder-Hill about improvements to Student Health that resulted in a new form that "asks every patient if he or she would like to have a chaperone present during the office visit," and provides an opportunity for students to opt out of potential genital exams or touching in certain areas. This statement was also a misrepresentation because, "Student Health had already been developing an intake form to address Student A's concerns," before Snyder-Hill's conversation with Dr. Grace. *Id.* at 132.
221. Snyder-Hill felt that Dr. Grace had indirectly addressed some of his concerns and that the proposed changes to Student Health's protocols would prevent Dr. Strauss from abusing other students.
222. Neither Dr. Grace nor any other OSU administrator or employee informed Snyder-Hill of any OSU grievance procedure to complain about Dr. Strauss. Nor did Dr. Grace, Dr.

Douce, or any other OSU administrator or employee inform Snyder-Hill that he could report the incident with Dr. Strauss to law enforcement or other authorities.

223. Dr. Strauss's personnel file contains no mention of Snyder-Hill's complaint, or any disciplinary action or internal investigation stemming from the complaint.<sup>46</sup> In fact, Dr. Grace's June 27, 1995 performance review of Dr. Strauss rated Dr. Strauss as excellent and did not mention Snyder-Hill's (or Student A's) complaint.
224. When OSU learned in 1996 from the Medical Board that its investigator had concluded that Dr. Strauss had been "performing inappropriate genital exams on male students" at OSU "for years," no one at OSU informed Snyder-Hill about this conclusion. *Id.* at 4.
225. Snyder-Hill heard nothing further about sexual abuse by Dr. Strauss until July 11, 2018, when he saw Dr. Strauss's photograph in media reports and recognized his face. Until seeing these media reports, Snyder-Hill did not know, or have reason to know, that Dr. Strauss had sexually abused other OSU students before abusing him or that others had previously complained to OSU about Dr. Strauss's abuse.
226. Until seeing these media reports on July 11, 2018, Snyder-Hill did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive medical examination of him in January of 1995.
227. Until seeing these media reports on July 11, 2018, Snyder-Hill had no reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
228. This is because OSU, through Dr. Grace, falsely represented to Snyder-Hill that no one had previously complained about Dr. Strauss and/or concealed prior complaints about Dr.

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<sup>46</sup> *Former Ohio State student says he filed sexual assault complaint about Strauss in the 90's* (July 16, 2018), available at <https://www.nbcnews.com/video/ohio-state-wrestlers-share-emotional-descriptions-of-alleged-abuse-1275836995600> (last visited July 17, 2018).

Strauss from Snyder-Hill.

229. Snyder-Hill reasonably relied on Dr. Grace's representations that Student Health had never received a complaint about Dr. Strauss before Snyder-Hill's and that Student Health had only received positive comments about Dr. Strauss.
230. Snyder-Hill believed, and had reason to believe, that OSU had responded adequately to his concerns about ensuring student safety in the future, because Dr. Grace informed him that his complaint would be considered if there were any future complaints about Dr. Strauss, all patient comments about Dr. Strauss would be maintained in a quality assurance file subject to review, and Student Health had created a new form that would allow students to request a chaperone at office visits and an opportunity to opt out of potential genital exams or touching in other areas.
231. Even if, in 1995, Snyder-Hill had tried to inquire further into OSU's role in permitting Dr. Strauss's abuse of him, the inquiry would have been futile, as OSU controlled access to that information and, through Dr. Grace, had rebuffed Snyder-Hill's efforts by telling him that no one had previously complained about Dr. Strauss.
232. In short, based on Dr. Grace's false representations in 1995, Snyder-Hill reasonably believed that he was the first OSU student to complain about Dr. Strauss's medical examinations, no other students had been similarly abused, and OSU was taking reasonable action to ensure student safety in the future.
233. On July 11, 2018, Snyder-Hill was traumatized by learning the news about Dr. Strauss's serial sexual abuse, OSU's knowledge about it and failure to take appropriate action to stop it, and Dr. Strauss's death by suicide. He feels that OSU has robbed him of the ability to ever get closure on the sexual abuse he suffered at the hands of Dr. Strauss and to confront

his abuser.

234. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, Snyder-Hill would not have been abused by Dr. Strauss.

235. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, Snyder-Hill has suffered emotional and psychological damages. To this day, he is extremely uncomfortable with physicians, particularly when getting testicular or rectal examinations. Snyder-Hill is in the military and, since his experience with Dr. Strauss, he has been uncomfortable using communal showers and therefore avoids going to the showers when other soldiers are there. In addition, learning about Dr. Strauss's sexual abuse, OSU's role in allowing it, and Dr. Strauss's death has re-traumatized Snyder-Hill, causing repressed memories of his painful experiences to resurface. Snyder-Hill has been reliving those painful experiences, including the emotions he experienced during Dr. Strauss's exam and after he complained about Dr. Strauss to OSU. These experiences have also had a profound, devastating impact on Snyder-Hill's confidence and self-esteem as a gay man. When this abuse happened to him back in 1995, Snyder-Hill did not tell his parents about it because he was in the process of coming out of the closet as a gay man and was terrified that his parents might think all gay men acted like Dr. Strauss. So, Snyder-Hill lived with this secret of abuse to shelter his parents from the truth. The abuse also affected how he felt about himself being gay. Snyder-Hill attended seminars at OSU on how to change your sexuality and found it very difficult to accept his sexuality.

**RONALD MCDANIEL**

236. Ronald McDaniel was a member of Defendant OSU's tennis team from 1981 through 1986, and had an athletic scholarship.

237. McDaniel relied on his scholarship to attend college.
238. McDaniel was treated by Dr. Strauss in the doctor's Larkins Hall office at OSU on at least two occasions.
239. The first occasion was during McDaniel's freshman year at OSU, in or about the winter of 1982, when McDaniel's coach, John Daly, told him to go to Larkins Hall to see one of the team doctors for cold-related symptoms. This is where he encountered Dr. Strauss for the first time.
240. During the winter 1982 examination, when McDaniel complained of swollen adenoids and a cold, Dr. Strauss told McDaniel that he needed conduct a full medical examination and instructed McDaniel to remove his pants.
241. McDaniel complied with Dr. Strauss's request. During the examination, under the guise of performing a needed medical evaluation to screen for hernias and structural damage, Dr. Strauss rubbed and massaged McDaniel's testicles and penis in what seemed like a sexual manner.
242. Dr. Strauss also asked personal questions about McDaniel's nationality and stared up and down at his body.
243. McDaniel felt very uncomfortable about how Dr. Strauss had conducted his examination, and he expressed his discomfort afterwards with more senior athletes and one of the head team trainers, named Jim.
244. The athletes and trainer laughed and told McDaniel that their nickname for Dr. Strauss was "Dr. Nuts" because, no matter what injury or illness an athlete had, Dr. Strauss would always examine their testicles.
245. Some athletes also told McDaniel that, during examinations, Dr. Strauss would try to rub

- them like a girlfriend does and sometimes stuck a finger up their rectums.
246. McDaniel soon learned that Dr. Strauss's seemingly inappropriate touching during medical examinations was well known and openly discussed among athletes, trainers, coaches, and the athletic director.
247. In McDaniel's experience, Dr. Strauss's genital examinations were a running joke among trainers, coaches, and administrators, including, but not limited to: athletic director Hugh Hindman; associate information director Steve Snapp; and co-head athletic trainer Billy Hill. He often heard the trainers, coaches, and administrators joke and laugh about the athletes' complaints about Dr. Strauss's medical examinations.
248. In or about the fall of 1983, McDaniel sustained an ankle injury while running, and Coach Daly told him to go to Larkins Hall again to see a team doctor for medical treatment.
249. McDaniel did not want to go to Larkins Hall and risk seeing Dr. Strauss again, given his first experience, but felt that his athletic scholarship would be at risk if he disobeyed his coach's instruction.
250. McDaniel complied with his coach's instruction and went to Larkins Hall. He assumed that if he had to see Dr. Strauss again, the doctor would have no reason to conduct a testicular exam for an ankle injury.
251. During the fall 1983 examination, Dr. Strauss again instructed McDaniel to remove his shorts so that Dr. Strauss could perform a full medical examination.
252. McDaniel asked why he needed to "drop his shorts" for an ankle injury. Dr. Strauss grabbed the waistband of McDaniel's shorts to try to pull them down.
253. Dr. Strauss advised McDaniel that he had to check him for a hernia.
254. McDaniel refused to take his shorts off.



255. McDaniel then left Dr. Strauss's office. He decided he would never get examined by Dr. Strauss again because he felt violated.
256. McDaniel told Coach Daly about Dr. Strauss's medical examination and said he would never again get medical treatment from Dr. Strauss.
257. Coach Daly said, "Okay" and that was it.
258. Coach Daly did not follow up on McDaniel's complaint about Dr. Strauss. To McDaniel's knowledge, Coach Daly did not take any corrective action against Dr. Strauss or ensure that others did.
259. McDaniel was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss.
260. Until hearing media reports in early July, 2018, about an investigation into allegations that Dr. Strauss had sexually abused OSU student-athletes, McDaniel did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive medical examinations of him or that other athletes had previously complained to OSU about Dr. Strauss's abuse.
261. Until hearing these media reports in early July, 2018, McDaniel had no reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
262. This is because, in McDaniel's experience, Dr. Strauss's genital examinations were a running joke among trainers, coaches, and administrators. In addition, Coach Daly's unconcerned reaction to his complaint about Dr. Strauss, and his teammates' jokes about Dr. Strauss's examinations, did not give McDaniel any reason to investigate what OSU was doing or failing to do. Indeed, when McDaniel raised concerns about Dr. Strauss's examinations, Coach Daly's reaction served to reinforce McDaniel's reasonable belief that further inquiry would not be productive.

263. Even if, in 1983, McDaniel had tried to inquire further into OSU's role in permitting Dr. Strauss's abuse of him, the inquiry would have been futile, as OSU controlled access to that information, and, through its trainers, coaches, and administrators, treated complaints about Dr. Strauss's examinations as matters of no real concern.

264. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, McDaniel would not have been abused by Dr. Strauss.

265. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, McDaniel has suffered emotional and psychological damages. For example, McDaniel is plagued by a fear of medical examinations that ultimately resulted in delayed treatment of a testicular tumor. Because of the unchecked abuse by Dr. Strauss, McDaniel has avoided physical examinations involving his testicles and is extremely uncomfortable about seeing doctors for medical treatment that might involve a testicular exam. This had significant consequences for McDaniel, who had a bike accident in or around the spring of 1999 in which he suffered a blow to the area near his testicles. McDaniel chose to endure the pain rather than seek immediate medical attention, due to his experience with Dr. Strauss at OSU. After six to eight months of continuing and increasing pain, McDaniel felt forced to obtain a medical consult and was, in turn, diagnosed with a benign testicular tumor. The tumor had grown to enormous proportions because of the delay in getting his testicle evaluated, and McDaniel suffered medical complications and pain as a result of the delay in getting treatment. Both medical providers who treated McDaniel were troubled by the fact that McDaniel had waited so long to get medical attention for this issue.

**DAVID MULVIN**

266. David Mulvin was a member of Defendant OSU's wrestling team from 1975-1979. Mulvin was captain of OSU's wrestling team during the 1978-1979 season.

267. Mulvin was treated by Dr. Strauss on one occasion, in or around 1978, in Larkins Hall.
268. Mulvin sought treatment for a fungal infection caused by a genital burn from his protective wrestling gear.
269. Dr. Strauss took Mulvin into a “closet,” off the training room area in Larkins Hall, where they were secluded.
270. Dr. Strauss inspected Mulvin’s penis, including pulling and groping, for at least 20 minutes and for what felt like a century. Dr. Strauss appeared to be trying to perform masturbation on Mulvin, and Dr. Strauss appeared frustrated when his actions did not cause Mulvin to become erect. Dr. Strauss moaned during the examination.
271. Mulvin became frustrated with the length and intrusiveness of Dr. Strauss’s exam. He asked Dr. Strauss if he could just give him his prescription, like every other doctor had given him in the past without such an intrusive exam.
272. Dr. Strauss did not allow Mulvin to leave. Instead, referring to Mulvin’s penis, Dr. Strauss replied, “Doesn’t this thing ever work?”
273. Mulvin was shocked and horrified by Dr. Strauss’s question. He asked, “What do you mean?”
274. Dr. Strauss responded, “Does it ever get hard?”
275. Mulvin felt disturbed and replied, “Yeah, for my girlfriend.” He then dressed and left the room, stating, “I’m all through here.”
276. Mulvin then immediately went to OSU’s student health center to seek a prescription cream for a fungal infection that had developed from the burn.
277. The attending health center physician asked Mulvin why he was seeking treatment at the health center, rather than seeing Dr. Strauss.

278. Mulvin reported to the physician that Dr. Strauss had examined his genitals for 20 minutes and that he believed Dr. Strauss was trying to sexually excite him. Mulvin told the physician that he had this fungal infection before, the exam typically lasted no longer than a minute and did not include an inspection of his penis, and Dr. Strauss had groped his penis the entire time.
279. The physician responded, “That seems really odd. It’s not normal.”
280. The physician then told Mulvin that he would make a note of Mulvin’s report and pass it along. The physician then examined Mulvin. The exam lasted no more than a minute. The physician did not touch or inspect his penis at any time during the examination. The physician wrote Mulvin a prescription, which was what Mulvin had expected a physician to do.
281. Mulvin does not know if the physician noted Mulvin’s complaint, reported it, or took any other action.
282. Mulvin reported Dr. Strauss’s conduct to the health center physician because he believed that the physician was Dr. Strauss’s boss and that he would take action on his complaint.
283. Mulvin did not report Dr. Strauss’s conduct to his coach because he feared that the coach would blame him for what happened, rather than Dr. Strauss.
284. Mulvin was never informed or made aware of any grievance procedure to complain to OSU about Dr. Strauss.
285. Mulvin and his teammates sometimes talked about Dr. Strauss’s examinations. Mulvin recalls telling some teammates to be careful around Dr. Strauss and some teammates relaying their uncomfortable experiences with Dr. Strauss. Mulvin never discussed this in front of his coaches because he felt like they would view him as less of a man.

286. Until reading media reports in approximately July of 2018 about OSU's investigation into Dr. Strauss's sexual abuse, Mulvin did not know that Dr. Strauss's examination of him was, in fact, sexual assault. And even if Mulvin had understood that Dr. Strauss's conduct constituted sexual assault, he had no reason to know of the role OSU had played in facilitating the sexual assault.
287. While Mulvin was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss's examination, thought it was inappropriate, and complained about it, Mulvin did not understand or believe that Dr. Strauss had sexually abused him.
288. This is because, while Mulvin attended OSU, he reasonably believed that OSU would not have hired Dr. Strauss, or sent Mulvin and other athletes to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.
289. After Mulvin complained to a physician at Student Health, he felt he had no reason to investigate what Dr. Strauss or OSU was doing or failing to do. In any event, an investigation would have been futile because OSU controlled access to all relevant information.
290. In short, until reading news coverage in approximately July of 2018 about Dr. Strauss's serial sexual abuse of OSU students, Mulvin did not know, or have reason to know, that Dr. Strauss had sexually abused him and other student-athletes or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
291. If OSU had taken meaningful action to address any prior reports of Dr. Strauss's sexual abuse, Mulvin would not have been abused by Dr. Strauss.
292. As a result of Dr. Strauss's abuse and OSU's failure to prevent or address it, Mulvin has

suffered emotional and psychological damages. For example, Mulvin has avoided seeing a male physician ever since and has spent decades blaming himself for Dr. Strauss's conduct during the 1978 medical examination.

**KELLY REED**

293. Kelly Reed was a member of Defendant OSU's track and field team from 1986 through 1988, and had a full athletic scholarship.
294. At a track meet in Johnsonville, Tennessee, Reed tore his hamstring. When he returned to OSU, athletic trainer Rob Morris told Reed that he had scheduled an appointment for Reed to see Dr. Strauss.
295. Morris accompanied Reed to Larkins Hall, where Dr. Strauss had a private examination room. Morris stayed outside in the training room during Reed's examination.
296. Dr. Strauss escorted Reed into his private examination room. Once in the private room, Dr. Strauss told Reed to disrobe and put on a medical gown. Reed complied, then sat on the table in the room.
297. Dr. Strauss told Reed to roll over onto his stomach. After Reed complied, Dr. Strauss began to rub Reed's buttocks. Dr. Strauss then placed his thumb inside the crack of Reed's buttocks and told Reed to flex.
298. Reed jumped up in an abrupt and forceful manner and said, "Hey, hey, man, what are you doing?"
299. Dr. Strauss said, "I have to complete this for the examination." Reed disagreed and told Dr. Strauss that his hamstring did not have anything to do with his buttocks. Reed told Dr. Strauss to stop, then positioned himself so that Dr. Strauss had to stop.
300. Dr. Strauss continued his harassment, telling Reed that he was going to examine his whole body and that he had read about Reed in the newspaper. Throughout the examination, Dr.

Strauss told Reed that Reed had a “beautiful body” and that he was “very handsome.”

301. At one point in the examination, Dr. Strauss asked Reed turn onto his back. Reed complied, then Dr. Strauss started rubbing Reed’s thighs and massaging his genitals. Dr. Strauss took Reed’s penis in one hand and his testicles in the other and began rubbing his testicles. Dr. Strauss then proceeded to closely inspect, rub and pull back the foreskin of his penis for a significant amount of time.
302. Dr. Strauss was not wearing gloves throughout the examination.
303. Dr. Strauss’s inappropriate and unwelcome touching became so egregious that Reed told Dr. Strauss to stop and began arguing with Dr. Strauss about how he touched and examined Reed’s buttocks and genitals.
304. Reed told Dr. Strauss the exam was over. Reed put on his clothes and left.
305. Reed immediately complained to Morris about Dr. Strauss’s voyeuristic and lewd conduct during the examination. Morris questioned Reed about what part of the examination Reed thought was inappropriate. Morris did not seem to take Reed’s allegations seriously, so Reed told Morris that he would report this to his coach, Frank Zubovich.
306. The following day, Reed told Coach Zubovich and Assistant Coach Roger Bowen about Dr. Strauss massaging his genitals and placing his thumb in the crack of Reed’s buttocks.
307. Coach Zubovich did not seem to take Reed’s allegations seriously and questioned Reed about his perception of the examination. Assistant Coach Bowen just laughed.
308. Zubovich and Morris told Reed he had to see Dr. Strauss again for a follow up appointment. Reed refused. He told Zubovich and Morris that he would just do exercises by himself and would never get treatment from Dr. Strauss again.
309. Although Reed never received treatment from Dr. Strauss again, whenever Dr. Strauss saw

Reed on campus, he made chilling comments about Reed's athletic body. Reed always told Dr. Strauss to get away from him.

310. Reed followed up with Coach Zubovich on several occasions to see if Zubovich reported Dr. Strauss. Coach Zubovich always brushed him off and nothing came of it.
311. Reed repeatedly told coaching and training staff, including Coach Zubovich, Assistant Coach Bowen, Assistant Coach Tom Doyle, track team athletic trainer Rob Morris, and football team athletic trainer Billy Hill, about Dr. Strauss's misconduct during Reed's medical examination. Reed estimates that he raised this issue with coaching and training staff approximately ten to twelve times.
312. Reed also met with Assistant Athletic Director Archie Griffin in Griffin's office to complain about Dr. Strauss's sexual misconduct. As Reed was telling Griffin about Dr. Strauss's sexual misconduct, Griffin had a smirk on his face. Reed interpreted this as Griffin being very familiar with complaints about Dr. Strauss. Griffin told Reed that he would look into the situation.
313. To Reed's knowledge, no one followed up on Reed's complaints; no one at OSU investigated Reed's allegations, nor did anyone take corrective action against Dr. Strauss or ensure that others did.
314. Reed felt like he could not do anything more under the circumstances than report Dr. Strauss's sexual misconduct to coaches, trainers, and the athletic director.
315. Reed was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss.
316. Until hearing media reports in 2018 about OSU's investigation into allegations of sexual abuse by Dr. Strauss, Reed did not know, or have reason to know, of OSU's role in Dr.



Strauss's sexually abusive medical examinations of him or that other athletes had previously complained to OSU about Dr. Strauss's abuse.

317. Until hearing these media reports in 2018, Reed had no reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

318. This is because OSU officials' unconcerned reaction to Reed's complaints about Dr. Strauss did not give Reed any reason to investigate what OSU was doing or failing to do. Indeed, when Reed raised concerns about Dr. Strauss's conduct during his examination, the coaches', trainers' and athletic director's reactions served to reinforce Reed's reasonable belief that further inquiry would not be productive.

319. Even if Reed had tried to inquire further into OSU's role in permitting Dr. Strauss's abuse of him, the inquiry would have been futile, as OSU controlled access to that information, and, through its coaches, trainers and athletic director, treated Reed's complaints about Dr. Strauss as matters of no real concern.

320. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, Reed would not have been abused by Dr. Strauss.

321. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, Reed has suffered emotional and psychological damages, including but not limited to depression, anxiety, post-traumatic stress disorder, sleep disorders, and nightmares. Reed suffers from anxiety whenever he has to see a doctor and refused to get a physical or testicular exam for several years after being examined by Dr. Strauss. Reed continues see a psychiatrist and therapist to address the emotional and psychological trauma, as well as its physical manifestations.

**WILLIAM RIEFFER**

322. William Rieffer was a member of Defendant OSU's track and field team from the fall of

1984 through the spring of 1985, and had a partial athletic scholarship.

323. Rieffer relied on his partial athletic scholarship to attend college.
324. While Rieffer was on the track and field team, Frank Zubovich was the head coach and Roger Bowen was an assistant coach.
325. Upon joining the team, coaching staff told Rieffer that he was required to get an annual physical from Dr. Strauss.
326. Rieffer felt that he did not have any choice but to see Dr. Strauss, since it was a condition for participating on the track and field team.
327. Coaching staff gave Rieffer and his teammates a specific date and time to see Dr. Strauss for their individual physicals. The team went to the training room in Larkins Hall, and Dr. Strauss called each teammate individually to get their physical in a private room.
328. Rieffer received a physical from Dr. Strauss in the fall of 1984, when Rieffer was 18 years old.
329. Soon after Rieffer entered the private examination room with Dr. Strauss, Dr. Strauss began asking Rieffer about his sexual orientation and whether he was sexually attracted to men. Dr. Strauss stayed on this topic for approximately five minutes, and Rieffer felt like he had to convince Dr. Strauss that he was not gay.
330. After asking Rieffer about his sexual orientation, Dr. Strauss told Rieffer to disrobe for his examination.
331. Dr. Strauss began to touch and manipulate Rieffer's testicles. The manner and length of time Dr. Strauss touched his testicles felt intrusive and inappropriate.
332. Dr. Strauss did not wear gloves during the examination.
333. After Dr. Strauss stopped manipulating Rieffer's testicles, he told Rieffer that he was

- required to examine Rieffer's chest for breast cancer.
334. Rieffer had never had a breast exam performed during an annual physical.
335. Dr. Strauss rubbed Rieffer's chest in a seemingly sexually suggestive manner for what seemed like an extended period of time.
336. The expressions on Dr. Strauss's face made it appear as though he was sexually aroused by touching Rieffer's chest.
337. After the examination, several upperclassmen asked Rieffer how it went and started making jokes about Dr. Strauss feeling up athletes during their physicals.
338. Rieffer soon learned that it was a common joke among his teammates that Dr. Strauss would spend a lot of time touching athletes' genitals during physicals.
339. Rieffer recalls some of his teammates appearing very unnerved after their physicals with Dr. Strauss.
340. Rieffer felt that something was wrong with Dr. Strauss, and that his examination was inappropriate, but Rieffer did not realize at the time that Dr. Strauss had sexually abused and harassed him and his teammates.
341. Rieffer did not report his discomfort with Dr. Strauss's examination, in part because he was fearful of losing his partial athletic scholarship.
342. Rieffer left OSU after the spring 1985 track and field season for family reasons and never had another physical with Dr. Strauss.
343. Rieffer was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss.
344. In retrospect, Rieffer realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he

learned about OSU's investigation into allegations of abuse by Dr. Strauss.

345. While Rieffer was an OSU student, he trusted that OSU would not allow him to be harmed.

So, even though he felt uncomfortable during Dr. Strauss's examinations, Rieffer did not understand or believe that Dr. Strauss had sexually abused him.

346. Rieffer reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.

347. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, Rieffer did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

348. This is because, in Rieffer's experience, Dr. Strauss's conduct during physicals was common knowledge and it was treated as a "rite of passage" for incoming student-athletes.

349. In any event, even if, while Rieffer was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

350. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, Rieffer did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

351. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, Rieffer would not have been abused by Dr. Strauss.

352. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, Rieffer suffers from anxiety that affects his interactions with the student-athletes he coaches in secondary school. Because of OSU's failure to protect him and his teammates, he fears that the student-athletes he coaches will experience the same type of abuse he endured as a student-athlete at OSU.

**WILLIAM BROWN**

353. William Brown was a member of Defendant OSU's hockey team from 1984 through the fall of 1989, and had a full athletic scholarship.

354. Brown relied on his athletic scholarship to attend college.

355. While Brown was on the hockey team, Jerry Welsh was the head coach and George Burke and Francis LaChappele were assistant coaches.

356. While Brown was on the hockey team, it was standard practice to get an annual physical before the season started, and coaching or training staff told the team when they had to get their physicals.

357. On the scheduled day, the hockey team members went to OSU's football facility for their physicals.

358. Brown was an 18-year-old freshman at OSU when he had his first physical examination with Dr. Strauss.

359. The physical was done in a private room in OSU's football facility. No one besides Brown and Dr. Strauss were in the room.

360. At the start of the physical, Dr. Strauss told Brown to take off his shirt and lie down on the examination table.

361. Dr. Strauss then closed the door and approached Brown. As he walked by Brown, Dr.

Strauss brushed his hand against Brown's chest.

362. Dr. Strauss then examined Brown's chest.

363. After examining Brown's chest, Dr. Strauss told Brown to drop his shorts and stand up. Brown complied with this request.

364. Dr. Strauss remained seated in a chair in front of Brown, as Brown stood naked in the room.

365. Dr. Strauss grabbed Brown's penis and began to touch and rotate Brown's penis in different directions.

366. Brown felt very uncomfortable and could not understand why Dr. Strauss was touching him in this manner.

367. As Dr. Strauss held onto Brown's penis and "examined" it, Dr. Strauss commented that Brown "must have had fun last night" because his penis looked red.

368. Brown was taken aback by the comment and did not know how to respond.

369. This was unlike any physical Brown had previously experienced, and Brown felt that it was not a "normal" physical examination.

370. After the team completed its physicals, Brown recalls teammates joking about the way Dr. Strauss examined them. Brown did not speak up because he felt very uncomfortable with the whole situation.

371. Brown was worried that if he expressed his discomfort with Dr. Strauss's examination, he would not fit in, and he did not want to draw attention to himself.

372. Brown also worried that his opportunity to play on the hockey team would be jeopardized if he complained, so he said nothing and continued to see Dr. Strauss for annual physicals for the remainder of the time he played hockey at OSU.

373. Brown felt that the way Dr. Strauss performed his physical was strange, but did not realize

at the time that Dr. Strauss had sexually abused and harassed him and his teammates.

374. Brown was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and he did not believe there was any recourse for what he experienced.

375. In retrospect, Brown realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he learned about OSU's investigation into allegations of abuse by Dr. Strauss.

376. While Brown was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, Brown did not understand or believe that Dr. Strauss had sexually abused him.

377. Brown reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.

378. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, Brown did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

379. Even if, while Brown was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

380. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, Brown did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take

appropriate steps to stop Dr. Strauss's abuse.

381. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, Brown would not have been abused by Dr. Strauss.

382. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, Brown has suffered emotional and psychological damages. For example, Brown feels very uncomfortable when he receives medical treatment from a male doctor and tries to avoid male doctors altogether. Brown also struggles with blaming himself for his experience with Dr. Strauss. He tries to block the memories of that experience, but cannot avoid the rush of those memories when he gets medical treatment.

#### **KURT HUNTSINGER**

383. Kurt Huntsinger was a member of Defendant OSU's swim team from 1984 through 1989. He started as a preferred walk-on athlete, then was awarded an athletic scholarship after his first year on the team.

384. Huntsinger was heavily recruited by OSU. He initially committed to swim at the University of North Carolina, but ultimately decided to attend OSU due to OSU's persistence.

385. Huntsinger relied on his scholarship and would not have been unable to attend OSU without it.

386. While Huntsinger was on the swim team, Dick Sloan was the head coach and Carl Reinhart was an assistant coach.

387. While Huntsinger was on the swim team, it was standard practice to get an annual physical before the season started, and the athletic department told the team when they had to get their physicals. The team was required to see the team physician, who, at the time, was Dr. Strauss.



388. The swim team got their physicals at Larkins Hall. Team members waited in the training room, and Dr. Strauss called each athlete individually to get his physical in a private room where only the athlete and Dr. Strauss were present.
389. Huntsinger was an 18-year-old freshman at OSU when he had his first physical examination with Dr. Strauss.
390. Once Huntsinger was in the private examination room, Dr. Strauss told him to “drop his trousers” and stand in the middle of the room. Huntsinger complied with this request.
391. Dr. Strauss then sat in a chair at eye-level with Huntsinger’s genitals.
392. Dr. Strauss began to closely examine Huntsinger’s penis and testicles, moving his penis up and down and side to side and manipulating Huntsinger’s testicles.
393. The genital “examination” seemed to last for an excessive amount of time.
394. Huntsinger commented on the length of time it was taking to perform the examination.
395. Dr. Strauss just responded that Huntsinger “looked great.” Dr. Strauss also made other comments during the examination that made Huntsinger uncomfortable.
396. After the physical, Huntsinger and his teammates joked about Dr. Strauss’s methods of examination. Huntsinger believes that they joked about this because they did not know how else to process what had happened to them.
397. After Huntsinger’s first physical and on several occasions after that, Huntsinger told Coach Sloan that he was uncomfortable with Dr. Strauss’s examination. Coach Sloan made light of Huntsinger’s complaint, laughed about the athletes’ descriptions of the examinations, and said, “That’s just what Dr. Strauss does.”
398. Huntsinger’s teammates also discussed Dr. Strauss’s examination methods in front of Coach Sloan and athletic trainers.

399. Because Coach Sloan and the athletic trainers treated the examinations as normal, Huntsinger continued to see Dr. Strauss for physicals each year he attended OSU. Dr. Strauss performed the same type of genital examination on Huntsinger at each physical.
400. Huntsinger also saw Dr. Strauss at least ten times between 1984 and 1989 for treatment related to tendinitis. Dr. Strauss performed the same genital examination at each medical appointment.
401. Huntsinger also witnessed Dr. Strauss hanging around the locker room and watching male athletes in the shower. Dr. Strauss was at the locker room in the mornings and afternoons, leering at athletes.
402. Dr. Strauss also took photographs of the swimmers during practices.
403. Dr. Strauss's conduct in the locker room and during examinations was widely known and often joked about in front of coaching and training staff.
404. Upperclassmen on the swim team often warned incoming freshmen that Dr. Strauss was "touchy feely" during examinations.
405. Although Huntsinger felt that Dr. Strauss's conduct during examinations and in the locker room was strange, he did not realize at the time that Dr. Strauss was sexually abusing and harassing him and his teammates.
406. Huntsinger was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
407. In fact, Coach Sloan told Huntsinger that Dr. Strauss's examinations were appropriate and there was no reason to complain.
408. Huntsinger also did not think that complaining was an option, given that everyone seemed

to know about Dr. Strauss's conduct and accepted it as normal.

409. In retrospect, Huntsinger realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, after he learned about OSU's investigation into allegations of abuse by Dr. Strauss.
410. While Huntsinger was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, Huntsinger did not understand or believe that Dr. Strauss had sexually abused him.
411. Huntsinger reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
412. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, Huntsinger did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
413. Even if, while Huntsinger was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
414. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, Huntsinger did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
415. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse,

Huntsinger would not have been abused by Dr. Strauss.

416. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, Huntsinger has suffered emotional and psychological damages, though Huntsinger believes he has long been in denial about the impact these incidents have had on him. Huntsinger has lost trust in medical professionals and is trying to cope with learning the extent of OSU's involvement in covering up Dr. Strauss's sexual abuse.

### **STEVE HATCH**

417. Steve Hatch was a member of Defendant OSU's track and field team from 1981 through 1985, and received an athletic scholarship covering nearly all of his expenses.

418. Hatch relied on his athletic scholarship to attend college.

419. As a requirement of receiving his athletic scholarship, OSU required Hatch to get an annual physical from Dr. Strauss and to see Dr. Strauss for any injuries or illnesses.

420. Before Hatch got his first physical from Dr. Strauss, Hatch's teammates joked about Dr. Strauss, calling him nicknames including "Dr. Drop Your Drawers" and "Dr. Turn and Cough."

421. Although Hatch saw Dr. Strauss multiple times for physical exams and injuries, two examinations stand out in Hatch's memory.

422. Hatch was an 18-year-old freshman at OSU when he had his first physical examination with Dr. Strauss. The exam occurred in 1981, before his first track season.

423. OSU had told Hatch to see Dr. Strauss for a physical at an OSU facility. The exam occurred in a private room. No one besides Hatch and Dr. Strauss were in the room.

424. During the exam, Dr. Strauss told Hatch to drop his pants. Hatch did as he was told. Dr. Strauss then moved his face very close to Hatch's genitals and began manipulating Hatch's

testicles and penis. This caused Hatch's penis to become semi-erect, and Dr. Strauss began to giggle.

425. Dr. Strauss also jammed his fingers into the cavities where Hatch's testicles drop down.
426. Dr. Strauss seemed to be fascinated with Hatch's genitals and to enjoy touching them.
427. Dr. Strauss's behavior was creepy, uncomfortable, and unnerving to Hatch.
428. Hatch felt deeply embarrassed by the physical exam.
429. Hatch saw Dr. Strauss on another occasion for a rash on his chest.
430. The exam also occurred at an OSU facility in a private room where just Dr. Strauss and Hatch were present.
431. During the exam, Dr. Strauss instructed Hatch to drop his pants. Hatch complied with this request. Similar to the first physical exam, Dr. Strauss moved his face very close to Hatch's genitals and began manipulating Hatch's testicles and penis.
432. Dr. Strauss again jammed his fingers into the cavities where Hatch's testicles drop down.
433. Dr. Strauss lingered on Hatch's genitals for what seemed like an inappropriate amount of time and made Hatch feel extremely uncomfortable.
434. During other physicals and examinations for Hatch's numerous injuries, Dr. Strauss always required Hatch to drop his pants and manipulated Hatch's penis and testicles.
435. Hatch's teammates had similar experiences with Dr. Strauss, but the team made light of their experiences and joked about the exams.
436. Hatch was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
437. In retrospect, Hatch realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he

learned about OSU's investigation into allegations of abuse by Dr. Strauss.

438. While Hatch was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss's examination and complained about it, Hatch did not understand or believe that Dr. Strauss had sexually abused him.
439. Hatch reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
440. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, Hatch did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
441. Even if, while Hatch was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
442. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, Hatch did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
443. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, Hatch would not have been abused by Dr. Strauss.
444. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, Hatch has suffered emotional and psychological damages. For example, Dr. Strauss's sexual abuse

retraumatized Hatch, who suffered emotional abuse as a child. The media coverage of Dr. Strauss's sexual abuse and OSU's investigation has caused repressed memories of these painful experiences to resurface. In addition, since his examinations by Dr. Strauss, Hatch has never trusted doctors and avoids them, putting his health in jeopardy. For example, not long after he had his exam with Dr. Strauss, Hatch delayed having an appendectomy and nearly died. Later on, Hatch was bitten by a tick and unknowingly contracted Lyme disease, causing a 104-degree fever. Hatch delayed seeing a doctor for his symptoms, putting his health at such risk that, when he finally did seek treatment, he was hospitalized in intensive care.

**MELVIN ROBINSON**<sup>47</sup>

445. Melvin Robinson was a member of Defendant OSU's track and field team from 1980 through 1984, and received student aid in the form of a Pell Grant and athletic team benefits.
446. Robinson relied on his athletic team benefits to attend college. These benefits included paid off-campus housing, meal vouchers, athletic shoes, equipment, and sportswear, contingent on Robinson meeting academic and athletic performance requirements.
447. As a requirement of Robinson receiving team benefits, OSU staff told him that he had to see Dr. Strauss for annual team physicals, any injuries, and any other immediate medical concerns.
448. Prior to his first physical with Dr. Strauss in his freshman year, Robinson heard rumors about Dr. Strauss's examinations. Upperclassmen warned Robinson that Dr. Strauss was "creepy" and they called him "Dr. Nuts" because he fondled athletes during exams. One

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<sup>47</sup> Melvin Robinson was previously listed as John Doe 1 in the First Amended Complaint.

senior on the track and field team told their head coach, Frank Zubovich, that he would not see Dr. Strauss again, but the coach did nothing.

449. Robinson saw Dr. Strauss at least two or three times per year for his OSU- mandated annual physicals and for treatment of his injuries.

450. During each and every exam, Dr. Strauss told Robinson to drop his pants. Then Dr. Strauss touched Robinson's genitals, under the guise of performing a hernia check.

451. In the guise of checking for muscle and bone anomalies, Dr. Strauss also touched, probed, and wrapped his arms around Robinson during examinations.

452. Dr. Strauss also commented on Robinson's athletic prowess, his defined collarbone, and his eyelashes.

453. Sometimes trainers or physical therapists witnessed Dr. Strauss's examinations of Robinson.

454. Even with witnesses present, Dr. Strauss touched Robinson's genitals, but he was more aggressive when witnesses were not present.

455. Dr. Strauss's exams made Robinson extremely uncomfortable. Robinson thought Dr. Strauss's conduct was weird and wondered whether it was inappropriate.

456. After the first two visits with Dr. Strauss, Robinson told Coach Zubovich that he did not want to see Dr. Strauss again. And he continued to tell his coach the same after each visit.

457. His coach did nothing.

458. Without support from the people entrusted to protect him, Robinson resorted to trying to avoid Dr. Strauss on his own.

459. He avoided seeking medical care so that he would not have to see Dr. Strauss.

460. He made sure never to complain about a groin injury or ask about sexually transmitted



diseases.

461. He also tried to seek treatment at different clinics on campus.
462. Robinson's teammates also had to see Dr. Strauss several times a year.
463. No matter what the injury was, Dr. Strauss performed testicular exams on them at every opportunity. For instance, a wrist injury resulted in a testicular exam.
464. It was also known among the athletes that Dr. Strauss would try to cover any appointment an athlete made to address a sexually transmitted disease.
465. Dr. Strauss commented on the students' hair, eyes, eyebrows, facial structure, and skin tone.
466. Dr. Strauss also rubbed their skin.
467. He also instructed them to make certain movements in a jockstrap, apparently so that he could ogle their bodies. For instance, he would say he had to perform a scoliosis exam and would stare at their bodies.
468. On multiple occasions, Robinson complained to his teammates about Dr. Strauss's examinations in front of OSU coaches.
469. Robinson's teammates teased each other about having to see Dr. Strauss and made jokes about trying to avoid him, in front of their coaches.
470. Sometimes a coach would promise to look into it.
471. But the coaches did nothing.
472. To Robinson's knowledge, his coaches never investigated his or his teammates' concerns.
473. Nor did the coaches take any corrective action against Dr. Strauss or attempt to ensure that others did.
474. Robinson was never informed or made aware of any OSU grievance procedure to complain

about Dr. Strauss and did not believe there was any recourse for what happened to him.

475. The students were left to fend for themselves.
476. They devised ways to reduce their exposure to Dr. Strauss's abuse.
477. For instance, instead of turning their heads to cough during a testicular exam, they coughed directly on Dr. Strauss, hoping to force him to back away.
478. They also developed a practice called "avoidance, escape, or dodge," to try to avoid Dr. Strauss.
479. But Dr. Strauss was not the only OSU employee who made Robinson and his teammates uncomfortable. Several of the trainers were "touchy feely" with the track and field athletes.
480. Robinson and his teammates tried to avoid those trainers because of the way the trainers touched them. He and his teammates also felt that those trainers would protect Dr. Strauss at the expense of the athletes.
481. Robinson and many of his friends were black athletes from the inner city, dependent on their scholarships and team benefits for their educations.
482. They felt terrified of losing their scholarships and team benefits if they complained about Dr. Strauss's or the trainers' conduct.
483. They felt that Dr. Strauss and the trainers were untouchable.
484. Until seeing news coverage of the OSU investigation in June or July of 2018, Robinson did not know, or have reason to know, that Dr. Strauss's examinations of him and his teammates were sexually abusive.
485. This is because, while Robinson attended OSU, student-athletes openly joked about Dr. Strauss's examinations in front of their coaches, the coaches continued to require him and other athletes to see Dr. Strauss for examinations and treatment, and Robinson reasonably

- believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
486. In addition, Coach Zubovich's unconcerned reaction to his and his teammates complaints about Dr. Strauss did not give Robinson any reason to investigate what Dr. Strauss or OSU was doing or failing to do. Indeed, when Robinson and some of his teammates raised questions about Dr. Strauss's examinations, the coaches' reactions served to reinforce Robinson's reasonable belief that further inquiry would not be productive. In any event, an investigation would have been futile because OSU controlled access to all relevant information.
487. In short, until hearing media reports in June or July of 2018, about Dr. Strauss's serial sexual abuse of OSU students, Robinson did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
488. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, Robinson would not have been abused by Dr. Strauss.
489. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, Robinson has suffered emotional and psychological damages. The media coverage of OSU's investigation into allegations of Dr. Strauss's sexual abuse has caused repressed memories of Robinson's experience with Dr. Strauss to resurface and has caused Robinson to relive those painful incidents. Robinson has been further traumatized by learning about Dr. Strauss's serial sexual abuse, OSU's knowledge about the abuse, and OSU's failure to take appropriate action to stop it while Robinson was a young student at OSU.

**DOUGLAS WELLS<sup>48</sup>**

490. Douglas Wells was a student at OSU's main campus in the fall quarter of 1983.
491. Coaching staff at OSU encouraged Wells to try out for the track and field team.
492. As he was training to try out for the team, Wells sustained a hamstring injury.
493. Some athletes at OSU suggested that Wells see Dr. Strauss because Dr. Strauss was OSU's team physician.
494. To the best of his recollection, Wells scheduled an appointment with Dr. Strauss through the Student Health Center.
495. Wells was 18 years old when he was examined by Dr. Strauss.
496. On the date of the appointment, Dr. Strauss took Wells into a private examination room either at the Student Health Center or Larkins Hall. Only Wells and Dr. Strauss were in the room.
497. Wells told Dr. Strauss that he was having pain in his hamstring.
498. Dr. Strauss told Wells to disrobe from the waist down and to lie down on a table.
499. Wells followed Dr. Strauss's instructions.
500. Dr. Strauss started the examination by rubbing Wells's torso and buttocks.
501. Wells thought the manner in which Dr. Strauss was rubbing him was strange. Wells had a hamstring injury before and other medical professionals had never rubbed him in that way.
502. Wells felt that Dr. Strauss was rubbing him in a sexual way. The "massage" lasted for a prolonged period, which made the "examination" even more uncomfortable.
503. Dr. Strauss then began brushing up against Wells's penis and testicles.
504. Dr. Strauss took Wells's penis and testicles in his hands and began touching and

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<sup>48</sup> Douglas Wells was previously listed as John Doe 22 in the First Amended Complaint.

manipulating them.

505. Dr. Strauss also inserted his finger into Wells's anus.
506. Dr. Strauss did not wear gloves during the examination.
507. Wells was alarmed that Dr. Strauss was touching his genitals and inserting his finger into Wells's anus. He asked Dr. Strauss, "Do you understand that I am here for my hamstring?"
508. Dr. Strauss responded that he was required to examine Wells's whole body.
509. The examination lasted approximately 15 minutes, most of which was not focused on Wells's hamstring.
510. At the end of the examination, Dr. Strauss told Wells to do some hamstring stretches. Based on the way Dr. Strauss examined him, Wells was surprised by Dr. Strauss's recommended course of action.
511. Wells felt that the examination was very strange and inappropriate, but he did not know what to do. Wells grew up in a small, Ohio town and thought his reaction might have been from his own naiveté.
512. Wells thought he could trust Dr. Strauss, as OSU's team doctor. Wells was too embarrassed to say anything about Dr. Strauss's behavior.
513. Wells never sought treatment from Dr. Strauss again.
514. In fact, Wells was so uncomfortable with the interaction, and felt so vulnerable, that he left main campus and finished his education at a satellite campus in Lima, Ohio.
515. Wells also quit athletics because he did not want to get another physical from Dr. Strauss or any team physician, for that matter. Wells feared that his experience with Dr. Strauss would always be on his mind, and he did not think he could handle putting himself through that again.

516. Although Wells felt extremely uncomfortable during Dr. Strauss's examination and thought Dr. Strauss was strange, he did not realize at the time that Dr. Strauss was sexually abusing and harassing him.
517. In fact, Wells questioned himself and his perception of the examination.
518. Wells was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
519. In retrospect, Wells realizes that Dr. Strauss sexually abused and harassed him. However, he did not know or have reason to know this until 2018, when he learned about OSU's investigation into allegations of abuse by Dr. Strauss.
520. While Wells was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, Wells did not understand or believe that Dr. Strauss had sexually abused him.
521. Wells reasonably believed that OSU would not have permitted Dr. Strauss to examine him and student-athletes unless Dr. Strauss's examinations were legitimate.
522. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, Wells did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that students had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
523. Even if while Wells was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
524. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, Wells did not know, or have reason to know, that Dr. Strauss had sexually abused him, that

OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

525. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, Wells would not have been abused by Dr. Strauss.

526. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, Wells has suffered emotional and psychological damages. For example, Wells was so unnerved by his interaction with Dr. Strauss that he left OSU's main campus and quit athletics altogether out of fear of being abused during required physicals. Wells also delayed all medical treatment for ten years after his examination with Dr. Strauss, believing that it would be easier to deal with pain or illness than the possibility of being abused by a physician. To this day, Wells struggles with the psychological trauma of Dr. Strauss's abuse and OSU's failure to protect him, including struggling with bouts of depression which required treatment by a psychiatrist. He relives his experience with Dr. Strauss whenever he gets medical treatment. He has also experienced severe anxiety, anger issues, and suicidal thoughts. He has suffered from sleep and eating disorders as well as sexual dysfunction. The effects of Dr. Strauss's abuse have negatively affected his relationship with his wife and children.

**JOHN DOE 1<sup>49</sup>**

527. John Doe 1 was a student at OSU from 1992 to 1997.

528. In 1993 or 1994, John Doe 1 called OSU's Student Health Center to set up an appointment to check a lump on his testicle.

529. Student Health recommended that John Doe 1 see Dr. Strauss, which he did.

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<sup>49</sup> John Doe 1 was previously listed as John Doe 29 in Plaintiff's First Amended Complaint.

530. At the beginning of the exam, Dr. Strauss instructed John Doe 1 to drop his pants and underwear, and provided no gown or other piece of clothing. John Doe 1 complied with this instruction and stood naked while Dr. Strauss looked at him.
531. Dr. Strauss then walked up to John Doe 1, removed his exam gloves and said, “I can feel you better this way.”
532. With ungloved hands, Dr. Strauss began manipulating John Doe 1’s testicles and penis. Dr. Strauss kept one hand on John Doe 1’s penis while he felt John Doe 1’s testicles.
533. Dr. Strauss touched and manipulated John Doe 1’s genitals for an inappropriate and extremely uncomfortable length of time. Strauss started his exam by facing John Doe 1 from the front, but then proceeded to approach and manipulate him from behind, never removing his grip from John Doe 1’s penis
534. Dr. Strauss continued to grip John Doe 1’s penis and started to pull and manipulate his penis in a stroking fashion. Dr. Strauss said words to the effect, “I want your penis to get erect because it makes it easier for me to feel you for any abnormalities.” Dr. Strauss succeeded in causing John Doe 1’s penis to become erect. As he was becoming erect, John Doe 1 felt as though he would vomit, and a tremendous amount of shame.
535. As Dr. Strauss was gripping and stroking John Doe 1’s penis with one hand, his other hand slid down the crack of John Doe 1’s buttocks, and kept it pressed against him. The stroking lasted an extremely uncomfortable length of time.
536. John Doe 1 found the exam very upsetting and felt that Dr. Strauss had violated him, but did not realize at the time that Dr. Strauss had sexually abused him. As a heterosexual male, he questioned why this had happened to him and asked himself, “What is wrong with me?”
537. John Doe 1 felt emotionally and psychologically ill about the exam, enough to immediately



discuss the exam with his roommate. John Doe 1, however, only reported few details about the exam to his roommate because he felt ashamed and did not want his roommate to think differently of him. Until recently, this was the only time John Doe 1 discussed the exam with anyone.

538. While John Doe 1 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt upset and violated by Dr. Strauss's examination, John Doe 1 did not understand that Dr. Strauss had sexually abused him.

539. John Doe 1 reasonably believed that OSU would not have made Dr. Strauss a doctor at Student Health, and directed him and other students to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.

540. John Doe 1 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.

541. In retrospect, John Doe 1 realizes that Dr. Strauss sexually abused and harassed him. However, he did not know or have reason to know this until 2018, when he learned about OSU's investigation into allegations of abuse by Dr. Strauss. Indeed, learning of OSU's investigation was the trigger that enabled John Doe 1 to recognize that Dr. Strauss's examination was sexually abusive.

542. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 1 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other students had complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

543. Even if, while John Doe 1 was an OSU student, he had tried to inquire further into OSU's

role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

544. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 1 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

545. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 1 would not have been abused by Dr. Strauss.

546. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 1 has suffered emotional and psychological damages. Though John Doe 1 has tried for years to bury his memories of Dr. Strauss's exam, he has relived the exam every single day. It has caused John Doe 1 to experience shame and embarrassment, and other negative emotions he cannot describe, causing him emotional and social problems over many years for which he is just now seeking treatment. While at OSU, John Doe 1's experience with Dr. Strauss also negatively affected his studies. Learning about OSU's investigation into Dr. Strauss's conduct has retraumatized John Doe 1 and caused him to confront the emotions he has tried to bury for years.

### **JOHN DOE 2**

547. John Doe 2 was a member of Defendant OSU's basketball team from 1984 to 1989, and had an athletic scholarship.

548. John Doe 2 relied on his scholarship to attend college.

549. John Doe 2 saw Dr. Strauss for one of his required annual physicals and for treatment of illnesses.

550. John Doe 2's recollection is that he was examined by Dr. Strauss at OSU a total of four

times, once for a physical and three times for treatment at OSU's walk-in clinic.

551. In the winter of 1985, when John Doe 2 was 18 years old, he saw Dr. Strauss for a physical.

552. John Doe 2 also saw Dr. Strauss three times during walk-in clinic hours, twice for cold-related symptoms sometime between 1987 and 1988.

553. No matter the reason for John Doe 2's visit, Dr. Strauss asked him to drop his pants and found a reason to touch his genitals.

554. When John Doe 2 saw Dr. Strauss for his physical, Dr. Strauss's hands lingered on his genitals for what seemed like an inappropriate amount of time. Dr. Strauss also rubbed John Doe 2's arms during the exam.

555. John Doe 2 visited the OSU walk-in clinic in 1988 for treatment of his back pain. When he had had back pain on prior occasions, other doctors treated John Doe 2 by injecting his arm with cortisone. Instead, Dr. Strauss told John Doe 2 to "roll over" during the exam and take off his pants. Dr. Strauss indicated he need to inject John Doe 2 in his buttocks. John Doe 2 complied.

556. Dr. Strauss injected John Doe 2. John Doe 2 does not know what Dr. Strauss drugged him with. After receiving the injection, John Doe 2 became unconscious. When John Doe 2 came to, his pants and underwear were by his ankles. His anus felt like it had been penetrated by Strauss while John Doe 2 was unconscious.

557. John Doe 2 felt extremely embarrassed. He was too embarrassed to report Dr. Strauss's action to his coach or trainer.

558. John Doe 2 was also fearful that he would lose his scholarship if he complained.

559. John Doe 2 approached the women's basketball trainer, Linda Daniels, while she was alone in her office. John Doe 2 entered Daniels's office and asked to speak with her in private.

John Doe 2 shut the door and asked, “What’s up with Doctor Strauss?” Daniels, who was sitting at her desk, stopped writing, looked up at John Doe 2, and said, “Stay away from him, he’s bad news.” Daniels asked John Doe 2 what had happened. John Doe 2 responded that he would tell her later, but never did because he was too embarrassed.

560. John Doe 2 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss by Ms. Daniels or anyone else. He did not believe there was any recourse for what happened to him.

561. Other team members called Dr. Strauss “Dr. Nuts” and “Dr. Cough” because of the seemingly inappropriate way he touched athletes’ genitals during his examinations.

562. Until seeing news coverage of the OSU investigation in 2018, John Doe 2 did not know, or have reason to know, that Dr. Strauss’s examinations of him and his teammates were sexually abusive.

563. This is because, while John Doe 2 attended OSU, student-athletes openly joked about Dr. Strauss’s examinations in front of their coaches and trainers, the coaches required him and other athletes to see Dr. Strauss for examinations and treatment, and John Doe 2 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss’s examinations were legitimate.

564. In addition, the coaches’ and trainers’ unconcerned reaction to his teammates’ comments about Dr. Strauss and Ms. Daniel’s reaction did not give John Doe 2 any reason to investigate what Dr. Strauss or OSU was doing or failing to do. Indeed, the coaches’ and trainers’ reactions, including Ms. Daniel’s reactions, served to reinforce John Doe 2’s reasonable belief that pursuing the matter would not be productive. In any event, an investigation would have been futile because OSU controlled access to all relevant

information.

565. In short, until seeing news coverage in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 2 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
566. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 2 would not have been abused by Dr. Strauss.
567. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 2 dropped out of OSU, though he needed only a small number of additional classes to obtain his degree. He never obtained a college degree. John Doe 2 began drinking heavily and became an alcoholic. He has struggled to have healthy relationships with his family and children. Dr. Strauss's John Doe 2 avoids going to doctors and feels anxious and uncomfortable with doctors. After leaving OSU, John Doe 2 did not get another physical from a doctor until 2013. A couple of years ago, John Doe 2 had lost 45 pounds without any explanation, but refused to see a doctor until his family finally got him to do so. John Doe 2 then learned he had a thyroid issue.

### **JOHN DOE 3**

568. John Doe 3 was a member of Defendant OSU's tennis team from 1984 through 1989.
569. Upon arriving as a freshman at OSU, John Doe 3 quickly learned that Dr. Strauss was notorious for the way he touched athletes during medical exams. Upperclassmen on the tennis team called Dr. Strauss "Dr. Nuts" and "Dr. Balls" because of his seemingly intrusive examinations and his insistence on performing testicular exams on the athletes regardless of their injury or illness.
570. John Doe 3 was subjected to his first "examination" by Dr. Strauss when he was only 17

years old. He was shocked by it. No prior medical examination had ever made him feel so uncomfortable.

571. He continued to have to see Dr. Strauss multiple times a year over the next four years for his annual OSU-required physicals, as well as for medical treatment of his illnesses and injuries when Dr. Strauss was the assigned physician at the OSU Health Center's open clinic hours. John Doe 3 estimates that Dr. Strauss sexually assaulted him dozens of times.
572. No matter the reason for the visit, Dr. Strauss always required John Doe 3 to remove his pants and underwear. Dr. Strauss then performed a purported "testicular exam," in which he groped John Doe 3's testicles and penis for an extended period of time and stared at his genitals. Dr. Strauss had a distinct, creepy smile on his face during each examination of John Doe 3.
573. These "testicular exams" sometimes lasted for 15-20 minutes.
574. When John Doe 3 was treated at the OSU Health Center, Dr. Strauss usually had training staff assist him. On occasion, these training staff observed Dr. Strauss perform the unwarranted 15-20 minute testicular exams on John Doe 3.
575. Dr. Strauss's exams made John Doe 3 extremely uncomfortable, confused, and embarrassed. He did not know whether there was a medical purpose to Dr. Strauss's touching.
576. And he did not know what to do about Dr. Strauss's conduct, particularly because he was a minor when the abuse began.
577. As a result, John Doe 3 did not make a formal report to OSU about Dr. Strauss's conduct. But he regularly discussed Dr. Strauss's "creepy" behavior and uncomfortable exams with other tennis players, in front of OSU staff.

578. John Doe 3 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
579. Until reading news coverage of the OSU investigation in or about April, 2018, John Doe 3 did not know, or have reason to know, that Dr. Strauss's examinations of him and his teammates were sexually abusive.
580. While John Doe 3 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examinations, John Doe 3 did not understand or believe that Dr. Strauss had sexually abused him.
581. This is because, while John Doe 3 attended OSU, student-athletes openly joked about Dr. Strauss's examinations in front of OSU staff, and John Doe 3 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
582. In addition, OSU staff's unconcerned reaction to his and his teammates' comments about Dr. Strauss did not give John Doe 3 any reason to investigate what Dr. Strauss or OSU was doing or failing to do. Indeed, the staff's reactions served to reinforce John Doe 3's reasonable belief that pursuing the matter would not be productive. In any event, an investigation would have been futile because OSU controlled access to all relevant information.
583. In short, until reading news coverage in or about April, 2018, about Dr. Strauss's serial sexual abuse of OSU students, John Doe 3 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

584. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 3 would not have been abused by Dr. Strauss.
585. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 3 has suffered emotional and psychological damages. For example, John Doe 3 experiences feelings of dread every time he has to see a doctor for medical care. While at OSU, John Doe 3 had hemorrhoids for which he refused to see Dr. Strauss, the only physician OSU made available to him. This caused John Doe 3 to have several uncomfortable treatments to resolve his hemorrhoids issue later in life. John Doe 3 has a hernia for which he has not sought treatment because of his anxiety with doctors. He has also has put off having a vasectomy because of anxiety over seeing a doctor for a procedure relating to his genitalia. John Doe 3 has also had difficulty sleeping and coping with the anxiety he experiences each time he hears news involving Dr. Strauss's abuse of OSU students. A psychiatrist recently prescribed him an emotional support dog to help him cope with his trauma and anxiety. John Doe 3 has also been prescribed sleeping medication to help him sleep.

**JOHN DOE 4**

586. John Doe 4 was a member of Defendant OSU's tennis team from 1982 through 1986, and had a full athletic scholarship.
587. John Doe 4 relied on his scholarship to attend college.
588. John Doe 4's coach, John Daly, required John Doe 4 to get an annual physical with Dr. Strauss to continue playing with the team and receiving his scholarship.
589. Before his first physical with Dr. Strauss, John Doe 4 heard rumors from other student-athletes about Dr. Strauss's examinations, including that Dr. Strauss was a creep and fondled the athletes' testicles.
590. John Doe 4 had annual physicals with Dr. Strauss in the doctor's Larkins Hall office three



of his four years at OSU.

591. Coach Daly scheduled John Doe 4's physicals with Dr. Strauss and told John Doe 4 when to go.
592. During these physicals, Dr. Strauss made inappropriate comments, including "drop your trousers" and "let's see what we're working with." John Doe 4 felt that Dr. Strauss spent an unnecessarily long time "examining" his genitals. Dr. Strauss also made sexual moaning sounds while examining John Doe 4's genitals.
593. During John Doe 4's first physical his freshman year, Dr. Strauss held John Doe 4's penis and said that it was a good size. He then held John Doe 4's foreskin and commented about John Doe 4 being uncircumcised. Dr. Strauss asked John Doe 4 if John Doe 4 had any issues "with this." John Doe 4 understood Dr. Strauss to be asking about his sexual performance. John Doe 4 said he did not have any issues. Dr. Strauss continued to hold John Doe 4's penis and foreskin for a prolonged time. John Doe 4 became increasingly uncomfortable. He gave Dr. Strauss an irritated look, at which point Dr. Strauss released John Doe 4's penis.
594. John Doe 4's physicals with Dr. Strauss were unlike any physical John Doe 4 had undergone previously or since then.
595. Each year at OSU, John Doe 4 tried to avoid getting his annual physical because he felt uncomfortable about the way Dr. Strauss touched his genitals. He did not know whether there was a medical purpose to Dr. Strauss's touching during the physicals.
596. John Doe 4 felt very uncomfortable with Dr. Strauss's conduct after his first physical. In his sophomore year, John Doe 4 told Coach Daly that he did not want to attend any additional physicals with Dr. Strauss. Coach Daly said the physical with Dr. Strauss was

mandatory, not a choice.

597. Each year, Coach Daly told John Doe 4 that he had to get his physical with Dr. Strauss or he would not be able to continue playing at OSU.

598. John Doe 4 feared that his scholarship would be at risk if he did not comply with Coach Daly's instructions.

599. Coach Daly often joked and laughed about sending tennis players, including John Doe 4, to see Dr. Strauss as punishment.

600. Coach Daly also threatened tennis players that, if they did not do what he told them, he would send them to Dr. Strauss and "you're gonna get groped."

601. Other tennis players often joked that Dr. Strauss would be particularly excited for John Doe 4's physical because John Doe 4 was known to be "well-endowed." These comments were made in Coach Daly's presence on numerous occasions.

602. Other tennis players hated being treated by Dr. Strauss. They often teased each other about having to see Dr. Strauss, in front of Coach Daly and team trainers.

603. To John Doe 4's knowledge, Coach Daly did not follow up on John Doe 4's complaints about Dr. Strauss, or take any corrective action against Dr. Strauss or ensure that others did.

604. John Doe 4 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.

605. Until hearing media reports in June or July of 2018 about OSU's investigation into sexual abuse by Dr. Strauss, John Doe 4 did not know, or have reason to know, that Dr. Strauss's examinations of him and his teammates were sexually abusive.

606. While John Doe 4 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examinations, John Doe 4 did not understand or believe that Dr. Strauss had sexually abused him.
607. This is because, while John Doe 4 attended OSU, student-athletes openly joked about Dr. Strauss's examinations in front of Coach Daly, Coach Daly continued to require him and other athletes to see Dr. Strauss for examinations and treatment, and John Doe 4 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
608. In addition, Coach Daly's unconcerned reaction to his and his teammates' complaints and comments about Dr. Strauss did not give John Doe 4 any reason to investigate what Dr. Strauss or OSU was doing or failing to do. Indeed, Coach Daly's reactions served to reinforce John Doe 4's reasonable belief that pursuing the matter would not be productive. In any event, an investigation would have been futile because OSU controlled access to all relevant information.
609. In short, until hearing media reports in June or July of 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 4 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
610. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 4 would not have been abused by Dr. Strauss.
611. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 4 has suffered emotional and psychological damages. John Doe 4 now feels significant stress when his children must attend medical appointments. Because of Dr. Strauss's actions, he fears for

their safety whenever they have to see a medical professional. As a result, he is extremely protective of them before and during any medical appointment, to the point of causing his children frustration and irritation.

**JOHN DOE 5**

612. John Doe 5 was a member of OSU's tennis team from 1986 through 1990, and had a partial athletic scholarship and Pell Grant.
613. John Doe 5 relied on his scholarship and grant to attend college.
614. John Doe 5 saw Dr. Strauss for his annual physicals. He also saw Dr. Strauss approximately four times per year for medical treatment, including one occasion on which he had mononucleosis.
615. No matter the reason for John Doe 5's appointment, including when John Doe 5 had mononucleosis, Dr. Strauss always performed a genital exam on him. Dr. Strauss's hands lingered on John Doe 5's penis and testicles for what felt like an inappropriate amount of time. During the exams, Dr. Strauss also looked at John Doe 5's penis and testicles from every angle.
616. Dr. Strauss's conduct made John Doe 5 very uncomfortable.
617. Dr. Strauss's conduct made John Doe 5 so uncomfortable that, in his senior year, he purposely did not shower prior to his physical with Dr. Strauss, so that he would smell bad and Dr. Strauss's exam might be shorter.
618. John Doe 5 also saw Dr. Strauss for the removal of a wart on his penis. After the removal, Dr. Strauss required three follow-up visits that John Doe 5 felt were unnecessary.
619. John Doe 5 did not want to continue receiving his physicals and medical treatment from Dr. Strauss, but felt he had to do so or would risk losing his scholarship and his ability to play on OSU's tennis team.

620. John Doe 5 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
621. John Doe 5's teammates joked about the way Dr. Strauss touched their genitals during examinations.
622. Until 2018, when he learned through a former teammate about media coverage of OSU's investigation into sexual abuse by Dr. Strauss, John Doe 5 did not know, or have reason to know, that Dr. Strauss's examinations of him and his teammates were sexually abusive.
623. While John Doe 5 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examinations, John Doe 5 did not understand or believe that Dr. Strauss had sexually abused him.
624. This is because, while John Doe 5 attended OSU, student-athletes openly joked about Dr. Strauss's examinations, Coach Daly required him and other athletes to see Dr. Strauss for examinations and treatment, and John Doe 5 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
625. As a result, John Doe 5 had no reason to investigate what Dr. Strauss or OSU was doing or failing to do. In any event, an investigation would have been futile because OSU controlled access to all relevant information.
626. In short, until 2018, when John Doe 5 spoke with a former teammate and saw media coverage about Dr. Strauss's serial sexual abuse of OSU students, John Doe 5 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate

steps to stop Dr. Strauss's abuse.

627. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 5 would not have been abused by Dr. Strauss.
628. Because of his experiences with Dr. Strauss, which OSU failed to prevent, John Doe 5 is leery of doctors and does not want to see a doctor for any reason. He has to get screened frequently for prostate cancer because it runs in his family, and he finds the screening very difficult. When John Doe 5 has to have surgery, he instructs medical staff to put him to sleep because he "doesn't want to know what happens."
629. Now a tennis teacher, John Doe 5 enforces a no-touch policy with his students, because of the unchecked abuse by Dr. Strauss.

#### **JOHN DOE 6**

630. John Doe 6 was a member of Defendant OSU's soccer team from 1984 through 1986.
631. John Doe 6 saw Dr. Strauss three to four times per year, for three years, for annual physicals and medical treatment.
632. No matter the reason for John Doe 6's visit, Dr. Strauss always told him to drop his pants and then spent what seemed like an inordinate amount of time touching John Doe 6's penis and testicles.
633. John Doe 6 was too embarrassed and ashamed to report his discomfort about Dr. Strauss's examinations.
634. John Doe 6 felt that he had to return again and again to Dr. Strauss because OSU required annual physicals.
635. John Doe 6 was never informed or made aware of any grievance procedure to complain to OSU about Dr. Strauss and did not believe there was any recourse for what happened to him.

636. Until seeing media reports in the spring of 2018 about OSU's investigation into sexual abuse by Dr. Strauss, John Doe 6 did not know, or have reason to know, that Dr. Strauss's examinations of him were sexually abusive.
637. While John Doe 6 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss's examinations, John Doe 6 did not understand or believe that Dr. Strauss had sexually abused him.
638. This is because, while John Doe 6 attended OSU, OSU required him and other athletes to see Dr. Strauss for examinations and treatment, and John Doe 6 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
639. As a result, John Doe 6 had no reason to investigate what Dr. Strauss or OSU was doing or failing to do. In any event, an investigation would have been futile because OSU controlled access to all relevant information.
640. In short, until seeing media reports in the spring of 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 6 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
641. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 6 would not have been abused by Dr. Strauss.
642. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 6 has suffered emotional and psychological damages. For example, John Doe 6 is extremely uncomfortable in locker rooms and doctors' offices. His body tenses during medical exams, and he feels stressed and anxious when his genitals are examined.

**JOHN DOE 7**

643. John Doe 7 was a member of Defendant OSU's tennis team from 1982 through 1986, and had a full athletic scholarship.
644. John Doe 7 depended on his full scholarship to attend college.
645. As a requirement of receiving his scholarship, John Doe 7 had to get an annual physical from Dr. Strauss. This is something his coach, John Daly, told John Doe 7 he had to do.
646. John Doe 7 also had to see Dr. Strauss to obtain medical treatment for illnesses and injuries, regardless of the nature of the ailment.
647. For example, Coach Daly instructed John Doe 7 to see Dr. Strauss for a broken ankle during his freshman year. John Doe 7 felt at the time that it was strange for him to see Dr. Strauss for a broken ankle because he needed to see an orthopedic specialist.
648. Coach Daly also directed John Doe 7 to see Dr. Strauss whenever John Doe 7 was sick with the flu.
649. During each of John Doe 7's medical appointments, Dr. Strauss touched John Doe 7's penis and testicles in a way that felt like groping.
650. Regardless of the reason for the visit, Dr. Strauss would tell John Doe 7 to drop his trousers and turn around. Dr. Strauss would then examine John Doe 7's genitals, without wearing medical gloves.
651. Dr. Strauss's examinations made John Doe 7 extremely uncomfortable.
652. But because Dr. Strauss was a physician, and John Doe 7 was so young, he was too scared during his freshman and sophomore years to question Dr. Strauss about his exams.
653. Eventually, in his junior year, John Doe 7 asked Dr. Strauss why his examination of John Doe 7's genitals was taking so long and asked, "Are we done?" at least three times during Dr. Strauss's exam. Dr. Strauss ignored John Doe 7's questions and continued the "exam"



with a smirk on his face.

654. During these appointments, Dr. Strauss would always ask John Doe 7 about his tennis matches, seemingly to prolong his time with John Doe 7.
655. On several occasions, John Doe 7 asked Dr. Strauss, “Are you done now? Can I get dressed now?” to end the exam.
656. John Doe 7 felt very uncomfortable with Dr. Strauss’s examinations and told Coach Daly that he did not want to be treated by Dr. Strauss anymore.
657. Coach Daly told John Doe 7 that he had to see Dr. Strauss or else he could not play tennis at OSU and could lose his athletic scholarship.
658. John Doe 7 was afraid to complain further because he relied on his scholarship to go to school and was therefore afraid to “make waves.”
659. John Doe 7 tried to put off his annual physicals with Dr. Strauss, but Coach Daly forced him to go.
660. John Doe 7 grew so uncomfortable with Dr. Strauss’s conduct that he avoided seeking medical care when he was sick and instead tried to treat himself. For example, when John Doe 7 had the flu, he would buy over-the-counter medication from a drugstore and try to recover on his own, rather than risk another examination by Dr. Strauss.
661. Coach Daly threatened tennis players, including John Doe 7, with having to see Dr. Strauss.
662. Coach Daly regularly joked about Dr. Strauss’s examinations in the presence of team members and training staff. Coach Daly would say things like, “Work hard or you will be sent to Dr. Strauss.”
663. Some players called Dr. Strauss a “weirdo” and often discussed his unorthodox conduct in front of Coach Daly. Coach Daly just laughed.

664. To John Doe 7's knowledge, Coach Daly did not follow up on John Doe 7's or any other players' concerns about Dr. Strauss. Nor did Coach Daly take any corrective action against Dr. Strauss or ensure that others did.
665. John Doe 7 was never informed or made aware of any grievance procedure to complain to OSU about Dr. Strauss and did not believe there was any recourse for what happened to him.
666. Until learning in the spring of 2018 about OSU's investigation into Dr. Strauss's sexual abuse, John Doe 7 did not know, or have reason to know, that Dr. Strauss's examinations of him and his teammates were sexually abusive.
667. While John Doe 7 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss's examinations, John Doe 7 did not understand or believe that Dr. Strauss had sexually abused him.
668. This is because, while John Doe 7 attended OSU, student-athletes openly joked about Dr. Strauss's examinations in front of Coach Daly, Coach Daly continued to require him and other athletes to see Dr. Strauss for examinations and treatment, and John Doe 7 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
669. In addition, Coach Daly's unconcerned reaction to his and his teammates' complaints and comments about Dr. Strauss did not give John Doe 7 any reason to investigate what Dr. Strauss or OSU was doing or failing to do. Indeed, Coach Daly's reactions served to reinforce John Doe 7 and his teammates' reasonable belief that pursuing the matter would not be productive. In any event, an investigation would have been futile because OSU controlled access to all relevant information.

670. In short, until learning in the spring of 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 7 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
671. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 7 would not have been abused by Dr. Strauss.
672. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 7 has suffered emotional and psychological damages, including fear of sending his children to college and their participating in athletics. John Doe 7 also feels embarrassed and isolated from his former teammates and fellow OSU alumni due to the ridicule that has accompanied OSU's investigation.

**JOHN DOE 8**

673. John Doe 8 was a member of Defendant OSU's lacrosse team from 1984 through 1988.
674. While John Doe 8 was a student-athlete at OSU, OSU coaches required him and his teammates to have annual physicals.
675. John Doe 8 received four annual physicals from Dr. Strauss between 1984 and 1988, all done in the fall semester.
676. John Doe 8 was 19 years old when he had his first physical examination with Dr. Strauss.
677. The physicals occurred in the training room at the North Facility on OSU's campus.
678. John Doe 8 and his teammates were instructed to line up single-file in the training room in the North Facility.
679. The coaching staff, including Head Coach Fred Koval, remained in the North Facility while the athletes received their examinations in the training room.
680. John Doe 8 and his teammates lined up face-to-back, leading all the way up to Dr. Strauss

in the training room.

681. Dr. Strauss performed a physical on each athlete, but, because of the way Dr. Strauss had the athletes lined up, they could not see the examinations done on their teammates.
682. During each of John Doe 8's physical examinations with Dr. Strauss, Dr. Strauss manipulated John Doe 8's penis, moving it up and down several times, telling him it was for a "hernia check."
683. Dr. Strauss also instructed John Doe 8 to cough and turn his head repeatedly.
684. Dr. Strauss performed several "pinky checks" during the exams, where he placed his pinky on the sides of John Doe 8's scrotum and seemed to linger for an extended period of time.
685. Dr. Strauss did not wear gloves during the examinations.
686. Upperclassmen advised fellow teammates to limit their time with Dr. Strauss because of the way Dr. Strauss touched their bodies, including their genitalia, during physical examinations.
687. John Doe 8 was very uncomfortable with Dr. Strauss's physicals and wondered whether they were medically appropriate, but he felt lucky to be able to play lacrosse at Defendant OSU and did not feel that he could inform coaching staff without jeopardizing his athletic career at OSU. As a result, he "powered through" his discomfort with Dr. Strauss's exams.
688. In addition to receiving annual physicals from Dr. Strauss, John Doe 8 once received treatment from Dr. Strauss for an on-the-field injury during a game at Ohio Stadium in the spring of 1987.
689. John Doe 8 required sutures to his face as a result of the injury.
690. Dr. Strauss told John Doe 8 to meet him alone in the locker room at Ohio Stadium after the game for further examination.

691. During the examination, Dr. Strauss instructed John Doe 8 to go to the shower in the locker room to clean out his facial wound.
692. While John Doe 8 showered in the locker room, he turned around and realized that Dr. Strauss was watching him shower.
693. John Doe 8 asked Dr. Strauss if the wound was clean enough, and Dr. Strauss responded, “Yes, that’s good.”
694. This was not the first or only time that Dr. Strauss watched the lacrosse players, including John Doe 8, while they showered in the locker room.
695. It was well known among the athletes that, after most practices, Dr. Strauss would watch the team shower and try to engage the players in conversation while they prepared to shower or after they exited the shower.
696. Dr. Strauss often made comments about the physical appearance of student athletes, advising one athlete that he had “nice pecs.”
697. Dr. Strauss was known among teammates as “Dr. Jelly Finger.”
698. John Doe 8 was never informed or made aware of any grievance procedure for complaining about Dr. Strauss’s conduct, nor does he believe OSU had such process in place while he attended OSU.
699. Until seeing media reports in 2018 about OSU’s investigation into sexual abuse by Dr. Strauss, John Doe 8 did not know, or have reason to know, that Dr. Strauss’s examinations of him were sexually abusive.
700. While John Doe 8 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss’s examinations, John Doe 8 did not understand or believe that Dr. Strauss had sexually abused him.

701. This is because, while John Doe 8 attended OSU, OSU required him and other athletes to see Dr. Strauss for examinations and treatment, and John Doe 8 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
702. As a result, John Doe 8 had no reason to investigate what Dr. Strauss or OSU was doing or failing to do. In any event, an investigation would have been futile because OSU controlled access to all relevant information.
703. In short, until seeing news coverage in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 8 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
704. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 8 would not have been abused by Dr. Strauss.
705. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 8 has suffered emotional and psychological damages. For example, John Doe 8 lost trust in adults, authority figures, and people with professional accreditation. He is also suspicious of the motives of any medical professional and does not trust doctors.

**JOHN DOE 9**

706. John Doe 9 was a member of Defendant OSU's gymnastics team from 1991 through 1995, and received a three-fourths athletic scholarship.
707. John Doe 9 was heavily recruited by OSU. He attended because he believed OSU had the best gymnastics program in the country and he liked the camaraderie and energy of the campus.
708. While John Doe 9 was a student-athlete at OSU, the athletic department required him to be

- examined by Dr. Strauss for annual physicals and for any medical conditions that arose.
709. John Doe 9 estimates that he was subjected to sexual abuse and harassment by Dr. Strauss 10 to 12 times over the course of his four years at OSU.
710. Prior to John Doe 9's first physical, other student-athletes joked about the rookies having to see Dr. Strauss and said, "Good luck."
711. John Doe 9 was an 18-year-old freshman the first time that Dr. Strauss sexually abused him. The abuse occurred in the guise of an annual physical examination that he and his teammates were required to have.
712. During that first visit, Dr. Strauss called John Doe 9 back to a private room in Larkins Hall for the annual physical. John Doe 9 was alone in the room with Dr. Strauss.
713. Dr. Strauss told John Doe 9 to take all of his clothes off. John Doe 9 complied and stood naked in the middle of the room.
714. Dr. Strauss was sitting on a stool with wheels and scooted over to John Doe 9. Dr. Strauss immediately started fondling and cupping John Doe 9's testicles and stroking his penis at the same time, as if he were trying to cause John Doe 9 to get an erection.
715. When John Doe 9 did not become aroused, Dr. Strauss started to further manipulate his penis by turning it various directions.
716. Dr. Strauss placed his hands on John Doe 9's buttocks and spun his chair around John Doe 9.
717. Dr. Strauss then spread John Doe 9's buttocks to look at John Doe 9's anus.
718. During the course of the "examination," John Doe 9 began to understand the upperclassmen's jokes about Dr. Strauss.
719. John Doe 9 began hyperventilating and felt like he was having an out-of-body experience.

720. Dr. Strauss examined John Doe 9 the same way each time John Doe 9 saw him, whether it was for a physical examination, a dislocated finger, an allergic reaction, or a back fracture.
721. After the first exam in 1991, John Doe 9 developed such serious anxiety issues that he was placed on anti-anxiety medication.
722. Each time John Doe 9 saw Dr. Strauss, his blood pressure would rise and he would start to shake uncontrollably.
723. The physical examinations caused John Doe 9 such distress that, when he returned home during a break in the 1994-1995 school year, he saw his primary care physician and spoke with the physician about the way Dr. Strauss conducted John Doe 9's examinations.
724. The primary care physician told John Doe 9 that Dr. Strauss's actions were inappropriate and not medically necessary. The physician wrote a note seeking to excuse John Doe 9 from further physicals by Dr. Strauss.
725. When John Doe 9 returned to OSU, he gave the note to Dr. Strauss. Dr. Strauss told John Doe 9 that the note would not be honored by OSU and that John Doe 9 was required to have a physical done by Dr. Strauss.
726. John Doe 9 felt defeated by this response and felt forced to submit to yet another physical by Dr. Strauss. Dr. Strauss subjected him to the same type of groping and physical manipulation of his genitalia as he had done during prior physicals.
727. After that physical in the 1994-1995 school year, John Doe 9 gave the physician's note to his athletic trainer, in the hope that the athletic department would excuse him from any further contact with Dr. Strauss.
728. The athletic trainer advised John Doe 9 that the trainer would be in the room to monitor any future physicals he got from Dr. Strauss.



729. Because of an injury that sidelined him from participating in OSU gymnastics, John Doe 9 did not get another physical from Dr. Strauss during his remaining time at OSU.
730. John Doe 9's teammates regularly discussed the way Dr. Strauss touched their genitals during physical examinations.
731. In addition to providing physicals to members of the gymnastics team while John Doe 9 attended OSU, Dr. Strauss regularly showered with the gymnastics team and lingered in the locker room while the athletes showered.
732. It was not unusual for random adult males who were not OSU athletes to shower with the team at Larkins Hall. On one occasion in 1994 or 1995, John Doe 9 recalls that an unknown adult male entered the shower with the team. The adult male began slowly masturbating while he watched the athletes shower. John Doe 9 was disgusted and immediately left the shower area.
733. On one occasion, in September of 1993, Dr. Strauss approached John Doe 9 after John Doe 9 had just left the locker room shower wearing only a towel.
734. Dr. Strauss started asking John Doe 9 about his sex life and said, "Let me take a look."
735. Dr. Strauss got down onto his knees, removed John Doe 9's towel from around his waist, and began examining his testicles. Dr. Strauss once again cupped John Doe 9's testicles and rubbed his penis. Dr. Strauss then placed his hands on John Doe 9's buttocks and grabbed John Doe 9's scrotum.
736. John Doe 9 grabbed Dr. Strauss by the shoulders and said, "That's enough."
737. In or about 1994, Dr. Strauss started photographing John Doe 9 performing various gymnastics moves. Dr. Strauss asked John Doe 9 to pose for him while Dr. Strauss took the photographs and seemed to get sexually stimulated during the process. Dr. Strauss later

developed these photographs and delivered them to John Doe 9.

738. While John Doe 9 was at OSU, he was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss.

739. In 1997, after John Doe 9 had graduated from OSU, John Doe 9's former athletic trainer told him that OSU was going to hold a hearing on Dr. Strauss's conduct. The former athletic trainer asked John Doe 9 if he would testify against Dr. Strauss.

740. Because of the psychological damage caused by Dr. Strauss, John Doe 9 declined to participate in the hearing. He did not want to re-live his experience or face Dr. Strauss again.

741. John Doe 9 does not know if the hearing into Dr. Strauss's conduct ever occurred or how the matter resolved.

742. Some years later, when John Doe 9 was walking in Santa Monica, California—where he had moved to get far away from OSU and his experience with Dr. Strauss—Dr. Strauss appeared shirtless, from out of nowhere. Dr. Strauss tried to put his arm around John Doe 9 when greeting him, but John Doe 9 immediately began hyperventilating and told Dr. Strauss never to touch him again.

743. In 2018, when John Doe 9 saw media reports about Dr. Larry Nassar's sexual abuse of female gymnasts, he started to feel anxious, anticipating that it would not be long before Dr. Strauss's abuses were publicized.

744. His fears were confirmed after OSU announced in April, 2018, that it was investigating allegations of sexual abuse by Dr. Strauss.

745. However, until hearing media reports in 2018 about OSU's investigation, John Doe 9 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive

examinations of him or that other athletes had complained to OSU about Dr. Strauss's abuse before Dr. Strauss had abused John Doe 9.

746. Until hearing these media reports in 2018, John Doe 9 had no reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

747. This is because John Doe 9 believed, and had reason to believe, that OSU had responded adequately to his 1995 complaint about Dr. Strauss's physical examinations. Through an athletic trainer, OSU told John Doe 9 he would never have to undergo an unchaperoned examination by Dr. Strauss again. In addition, in 1997, a trusted OSU athletic trainer told John Doe 9 that OSU was holding a hearing on Dr. Strauss's conduct.

748. Based on OSU's response to his complaint about Dr. Strauss and OSU's subsequent representations about a hearing to address Dr. Strauss's conduct, John Doe 9 did not have any reason to investigate what OSU was doing or failing to do regarding allegations of abuse by Dr. Strauss. Indeed, further inquiry would have been futile, as OSU controlled access to that information.

749. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 9 would not have been abused by Dr. Strauss.

750. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 9 has suffered emotional and psychological damages.

751. For example, since experiencing abuse by Dr. Strauss, John Doe 9 cannot seek medical treatment without suffering from severely elevated blood pressure. His blood pressure once got so high during a physical examination that he had to undergo an echocardiogram to confirm that he did not have heart problems and was suffering from "white coat syndrome."

752. In addition, because of the high blood pressure he now suffers during physical exams, John

Doe 9 had to undergo a series of tests and overcome other obstacles to obtain life insurance coverage.

753. Since experiencing abuse by Dr. Strauss, John Doe 9 has developed a phobia of doctors and medical examinations, particularly when he has to disrobe. Seeing doctors causes John Doe 9 severe stress and anger.

754. John Doe 9 has had problems controlling his emotions and anger over Dr. Strauss's abuse of him, because he has struggled with whether he could have done more to stop the abuse. Since learning that other students and athletes complained about Dr. Strauss long before John Doe 9 was abused, and even a few years afterwards, and that OSU ignored and covered up the abuse, John Doe 9's emotions and anger have intensified and have impacted his work and family life.

#### **JOHN DOE 10**

755. John Doe 10 was a member of Defendant OSU's fencing team from 1991 through 1994.

756. While John Doe 10 was a student-athlete at OSU, the athletic department required him and his teammates to have annual physical examinations.

757. The team's physical exams were done at Larkins Hall. The coaching staff and athletic trainer told team members the day they would get their physicals by the team physician, Dr. Strauss. John Doe 10 and his teammates would go to Larkins Hall during the allotted time frame for physicals. The athletic trainers would get basic information from each team member, then team members were called one-by-one into a private room with Dr. Strauss.

758. John Doe 10 received his first physical from Dr. Strauss in the fall of 1991, when John Doe 10 was 19 years old.

759. When it was John Doe 10's turn for a physical, he entered the private room. He was alone with Dr. Strauss.

760. Dr. Strauss told John Doe 10 to disrobe. John Doe 10 did as he was told, and Dr. Strauss began commenting on John Doe 10's collar bones.
761. Dr. Strauss had John Doe 10 stand naked in the middle of the room, while Dr. Strauss straddled a chair directly in front of John Doe 10's crotch.
762. John Doe 10 asked Dr. Strauss why he was sitting that close to his crotch. Dr. Strauss replied: "So that I am in a vulnerable position, so that if I try anything you are in control."
763. John Doe 10 was stunned by Dr. Strauss's response and could not process what was going on or what Dr. Strauss meant by that comment.
764. Dr. Strauss then began to touch and manipulate John Doe 10's testicles and penis. Dr. Strauss did not wear gloves.
765. Dr. Strauss kept his face right next to John Doe 10's penis while moving his penis up and down.
766. Dr. Strauss had a wolfish grin on his face as he touched John Doe 10's penis and testicles.
767. John Doe 10 was terrified and froze.
768. After the physical, John Doe 10 spoke to his teammates about the experience.
769. The teammates with more experience said, "Yep, price of being on the team" and "We'll all go through it. It's over now."
770. After his first physical, John Doe 10 told athletic trainer Vince O'Brien about how inappropriate it seemed. O'Brien asked John Doe 10 what Dr. Strauss did that did not seem medically necessary. John Doe 10 tried to explain what happened, and O'Brien said he would follow up with Dr. Strauss.
771. John Doe 10 does not know whether O'Brien followed up with Dr. Strauss or anyone else. But Dr. Strauss remained the team physician for the remainder of John Doe 10's tenure at

OSU.

772. John Doe 10 received three additional physicals with Dr. Strauss while at OSU. Each physical was the same.
773. John Doe 10 also saw Dr. Strauss dozens of times for various injuries or illnesses. Dr. Strauss examined and touched his genitals every time, even if John Doe 10 went in for allergies.
774. In or about 1993 or 1994, John Doe 10 went to the training room after he had dislocated his shoulder. Dr. Strauss took John Doe 10 back to his private office.
775. When in the private office, Dr. Strauss told John Doe 10 to remove his shirt and drop his pants so he could check for a hernia.
776. Dr. Strauss did the same examination on his genitals as he had done on prior occasions, all while John Doe 10's shoulder was hanging out of its socket.
777. After Dr. Strauss stopped touching his penis and testicles, Dr. Strauss told John Doe 10 to go back to the training room, where Dr. Strauss rolled John Doe 10's shoulder back in place.
778. There were several occasions when John Doe 10 went to the training room for medical treatment, saw that Dr. Strauss was on duty, then waited until the next day to receive medical treatment from another doctor.
779. On one occasion, John Doe 10 bruised his foot during practice, saw that Dr. Strauss was in the locker room and, instead of seeking immediate treatment, continued playing until Dr. Strauss left, then advised training staff of his injury.
780. John Doe 10 also witnessed Dr. Strauss watching male athletes as they showered in Larkins Hall.

781. Sometimes Dr. Strauss sat naked by the water fountain for about an hour-and-a-half, watching the athletes as they went in and out of the showers. On other occasions, Dr. Strauss stood at the entrance to the showers—sometimes naked and other times clothed—watching the athletes as though he was a wolf and the students were sheep.
782. On one occasion in 1991 or 1992, when John Doe 10 was showering in the locker room by himself, Dr. Strauss came into the shower and stood directly next to him, even though there were several open shower heads not directly next to John Doe 10.
783. Dr. Strauss turned on the water but did not wash himself. He stood within three feet of John Doe 10 and just stared at John Doe 10's crotch.
784. John Doe 10 felt trapped, as Dr. Strauss had placed himself between John Doe 10 and the door.
785. John Doe 10 turned off the water, grabbed a towel, pointed to his eyes, and said, "My eyes are up here." John Doe 10 left and never showered at Larkins Hall again. Instead, he went home sweaty and smelly so he could take a shower by himself and avoid being ogled by Dr. Strauss. To this day, John Doe 10 is extremely uncomfortable using a public shower.
786. After the shower incident, John Doe 10 was on high alert whenever Dr. Strauss was around. He made sure he was never alone with Dr. Strauss and always took special note of where the exits were when Dr. Strauss was near.
787. Dr. Strauss's conduct during examinations and at the locker room showers was common knowledge among his teammates and athletic trainers, as fencing team members talked openly about this while trainers were present.
788. Dr. Strauss's conduct during examinations and at the showers made John Doe 10 exceedingly uncomfortable. He felt something was wrong with Dr. Strauss, but did not

realize that Dr. Strauss was sexually abusing and harassing him and his teammates.

789. While he was a student at OSU, John Doe 10 did not know what to do about Dr. Strauss's conduct and he felt that he was not in a position to do anything.

790. John Doe 10 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.

791. In retrospect, John Doe 10 realizes that Dr. Strauss sexually abused and harassed him and all of his teammates. However, he did not know or have reason to know this until 2018, when he learned about OSU's investigation into allegations of abuse by Dr. Strauss.

792. After OSU launched an investigation in 2018, athletes who participated on the fencing team after John Doe 10 told John Doe 10 that Dr. Strauss had abused them.

793. After OSU launched an investigation in 2018, another fencing team member told John Doe 10 that fencing Coach Charlotte Remenyik had tried to get OSU administrators to investigate Dr. Strauss's conduct, but her complaints were ignored.

794. While John Doe 10 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examinations, John Doe 10 did not understand or believe that Dr. Strauss had sexually abused him. The fact that OSU did not take action after John Doe 10 told O'Brien about his concerns further led John Doe 10 to believe Dr. Strauss's examinations were legitimate.

795. John Doe 10 reasonably believed that that OSU would not have made Dr. Strauss the athletic team doctor, and required him and other athletes to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.

796. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 10



did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

797. This is because, in John Doe 10's experience, Dr. Strauss's conduct was common knowledge among athletes and trainers, but none of them seemed particularly concerned about it.

798. In any event, even if, while John Doe 10 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

799. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 10 would not have been abused by Dr. Strauss.

800. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 10 has suffered emotional and psychological damages. For example, John Doe 10 has delayed getting needed medical treatment and suffers anxiety when using public showers.

#### **JOHN DOE 11**

801. John Doe 11 was a member of Defendant OSU's wrestling team from 1978 through 1981.

802. To participate on the wrestling team, OSU required John Doe 11 to get an annual physical.

803. Head Coach Chris Ford told John Doe 11 and his teammates that they were required to get their physicals and medical treatment from Dr. Strauss.

804. The coaching and/or training staff scheduled annual physicals and medical appointments for John Doe 11.

805. John Doe 11 received his first physical from Dr. Strauss in 1978, when John Doe 11 was 18 years old.

806. The physical examination was done in Larkins Hall, in a private room near the training area.
807. John Doe 11 was alone with Dr. Strauss throughout the examination.
808. During the physical, Dr. Strauss touched John Doe 11's testicles and the sides of his penis for a prolonged period of time.
809. Dr. Strauss did not wear gloves.
810. After the physical, John Doe 11 learned that Dr. Strauss's conduct during physical examinations was common knowledge. His teammates discussed Dr. Strauss's conduct in front of the wrestling coaches while they were in the locker room. John Doe 11's teammates joked about having to go see Dr. Strauss, saying things like, "Uh oh, you have to see the doctor."
811. OSU required John Doe 11 to see Dr. Strauss for two additional physicals, one in 1979 and the other in 1980.
812. Both of those physicals were like the first one. Dr. Strauss touched John Doe 11's penis and testicles for a prolonged period of time, without wearing gloves.
813. Sometime between 1978 and 1981, John Doe 11 also saw Dr. Strauss for stomach issues. During that examination, Dr. Strauss pulled down John Doe 11's pants, but John Doe 11 pulled them back up to stop Dr. Strauss from touching his genitals as he had done during annual physicals.
814. While John Doe 11 was a student-athlete at OSU, he also saw Dr. Strauss showering with the wrestlers after practice. His coaches and teammates treated this as an uncomfortable joke.
815. John Doe 11 stopped showering at Larkins Hall because Dr. Strauss made him so

uncomfortable.

816. Dr. Strauss's conduct during examinations and at the showers made John Doe 11 very uncomfortable. He felt something was wrong with Dr. Strauss, but did not realize that Dr. Strauss was sexually abusing and harassing him and his teammates.
817. While he was a student at OSU, John Doe 11 did not know what to do about Dr. Strauss's conduct and he felt that he was not in a position to do anything.
818. John Doe 11 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
819. In retrospect, John Doe 11 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know, or have reason to know this until approximately June or July of 2018, when he learned through television news coverage about OSU's investigation into allegations of abuse by Dr. Strauss.
820. While John Doe 11 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examinations, John Doe 11 did not understand or believe that Dr. Strauss had sexually abused him.
821. John Doe 11 reasonably believed that that OSU would not have required him and other athletes to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.
822. Until learning in approximately June or July of 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 11 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

823. This is because, in John Doe 11's experience, Dr. Strauss's conduct was common knowledge among the coaches, but none of them seemed particularly concerned about it.
824. In any event, even if, while John Doe 11 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
825. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 11 would not have been abused by Dr. Strauss multiple times.
826. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 11 has suffered emotional and psychological damages. For example, because John Doe 11 had suffered sexual abuse as a child, Dr. Strauss's abuse retraumatized him.
827. Because of Dr. Strauss's abuse and OSU's failure to prevent or stop it, John Doe 11 developed alcohol and drug dependencies, could not sleep or control his anger, became mean-spirited, and ultimately dropped out of OSU before graduating.

**JOHN DOE 12**

828. John Doe 12 was a member of Defendant OSU's golf team during the 1994-1995 academic year, and had a partial athletic scholarship.
829. To participate on the golf team, OSU required John Doe 12 to see Dr. Strauss for a physical examination.
830. Before the 1994 golf season began, Coach Jim Brown took the entire golf team into a large room so they could get their required physicals. Coach Jim Brown greeted Dr. Strauss, and then left the team with Dr. Strauss.
831. Dr. Strauss called each athlete into a separate, private examination room.
832. John Doe 12 was 18 years old when he saw Dr. Strauss for his physical examination.
833. Dr. Strauss called John Doe 12 into the private examination room and was alone with Dr.

Strauss throughout the examination.

834. Dr. Strauss told John Doe 12 to take his pants off, and John Doe 12 complied.
835. Dr. Strauss then began to physically manipulate John Doe 12's testicles and penis. It appeared as though Dr. Strauss was trying to arouse John Doe 12.
836. Dr. Strauss did not wear gloves during the examination.
837. Dr. Strauss also placed his face very close to John Doe 12's genitals for a prolonged period of time.
838. After the examination, John Doe 12 wondered whether he had been abused by Dr. Strauss, but felt that he had to give Dr. Strauss the benefit of the doubt because he was a renowned physician and OSU endorsed him as the team physician. He was not sure whether there was a medical purpose to Dr. Strauss's examination.
839. John Doe 12 was embarrassed and angry after the physical examination. He felt that he could not voice his concerns to OSU because of Dr. Strauss's position with the university.
840. John Doe 12 also felt too embarrassed to discuss the physical with his teammates, but saw other teammates leaving Dr. Strauss's private examination room with what appeared to be similar looks of distress and anxiety.
841. During the golfing season, John Doe 12 sprained his ankle. John Doe 12 played through the pain and did not tell the coaching staff because he did not want to be forced to seek treatment from Dr. Strauss.
842. John Doe 12 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
843. After the 1994-1995 school year, John Doe 12 transferred to another university for reasons

unrelated to Dr. Strauss.

844. In retrospect, John Doe 12 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this, until learning from news coverage in approximately July of 2018 about OSU's investigation into allegations of sexual abuse by Dr. Strauss.
845. While John Doe 12 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss's examination, John Doe 12 did not understand or believe that Dr. Strauss had sexually abused him.
846. John Doe 12 reasonably believed that that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.
847. Until learning in approximately July of 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 12 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
848. In any event, even if, while John Doe 12 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
849. In short, until learning in approximately July of 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 12 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

850. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 12 would not have been abused by Dr. Strauss.

851. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 12 has suffered emotional and psychological damages. For example, John Doe 12 is skeptical of physicians and people generally. He has not allowed a male doctor to perform a hernia examination on him since his experience with Dr. Strauss and has, instead, had a female nurse practitioner do the exam. In addition, John Doe 12 feels like he relives the abuse he experienced during his physical with Dr. Strauss every time he gets a physical examination.

### **JOHN DOE 13**

852. John Doe 13 was a member of Defendant OSU's fencing team from the fall of 1993 through the spring of 1997.

853. John Doe 13 chose to attend OSU because he was part of a family of OSU alumni.

854. Before John Doe 13's first fencing season started, Coach Charlotte Remenyik and athletic trainer Vince O'Brien told him that, to participate in OSU athletics, John Doe 13 had to get a physical examination.

855. The fencing team went to the football facility or Larkins Hall as a group for their annual physicals, and each teammate was called back to a private room for a physical with Dr. Strauss.

856. John Doe 13 was 19 years old when he got his first physical from Dr. Strauss.

857. During the examination, Dr. Strauss told John Doe 13 to take a seat in the private examination room. John Doe 13 complied, then Dr. Strauss approached him and mounted John Doe 13's thigh.

858. Dr. Strauss continued the examination in this position as he took John Doe 13's blood pressure. John Doe 13 could feel Dr. Strauss rubbing his testicles on John Doe 13's thigh.

859. John Doe 13 immediately panicked and felt like he was frozen in place.
860. John Doe 13's blood pressure was elevated.
861. Dr. Strauss then instructed John Doe 13 to disrobe.
862. Dr. Strauss sat on a stool and watched as John Doe 13 undressed.
863. Dr. Strauss then had John Doe 13 stand directly in front of him while he remained seated on his stool.
864. Dr. Strauss began a very intense inspection of John Doe 13's testicles and penis, inspecting every inch with ungloved hands. This inspection lasted 10 to 15 minutes.
865. John Doe 13 felt that the inspection was very strange because John Doe 13 had not complained about anything related to his genital area before the exam started.
866. John Doe 13 was terrified and froze during Dr. Strauss's inspection of his genitals. Dr. Strauss acted in a very clinical manner during the exam, which made John Doe 13 question his own discomfort.
867. John Doe 13 felt lucky to have the opportunity to play a varsity sport at OSU and did not want to risk that opportunity by complaining about Dr. Strauss's behavior.
868. However, in the fall of 1994, after Dr. Strauss performed the same type of physical examination of John Doe 13's genitals, John Doe 13 felt violated again and spoke with Coach Charlotte Remenyik about it. Coach Remenyik advised John Doe 13 that she had heard rumors about Dr. Strauss and that she would talk to someone at OSU about his conduct.
869. After the fall of 1994, a physician other than Dr. Strauss performed the fencing team's annual physicals.
870. While John Doe 13 attended OSU, he also witnessed Dr. Strauss behaving inappropriately



in the locker rooms at Larkins Hall.

871. About three to four times per week, Dr. Strauss sat naked at the water fountains, pretending to read the paper. In reality, Dr. Strauss was staring at the male athletes as they showered. On some of these occasions, Dr. Strauss was naked when he ogled the athletes.
872. Dr. Strauss was not the only voyeur. Older men often wandered around naked in the locker room, staring at the athletes. John Doe 13 felt uncomfortable in that environment and always tried to get in and out of the locker room as quickly as possible.
873. OSU athletes often joked about Dr. Strauss's behavior. Upperclassmen also warned rookie athletes about Dr. Strauss's physicals.
874. John Doe 13 felt horrible about his interactions with Dr. Strauss, but believed that OSU would not endorse Dr. Strauss as its team physician if he was acting inappropriately. Dr. Strauss was reputed to be an Olympic-level doctor and leader on research into athletes' use of steroids.
875. Dr. Strauss's reputation, and OSU's continued employment of Dr. Strauss, made John Doe 13 question himself and feel like he was the one doing something wrong.
876. While John Doe 13 was at OSU, he was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
877. As detailed above, Coach Charlotte Remenyik reported Dr. Strauss's conduct with the fencing team to OSU administrators, after hearing complaints from John Doe 13 and others.
878. In 1997, while John Doe 13 was still a student at OSU, Coach Charlotte Remenyik asked him if he would be willing to testify at a hearing about Dr. Strauss's conduct.
879. John Doe 13 was too afraid and embarrassed to participate in the 1997 hearing. He felt that

he would be blamed, rather than Strauss, for what occurred during the physical examinations.

880. John Doe 13 does not know if the hearing into Dr. Strauss's conduct ever occurred or how the matter resolved.

881. In retrospect, John Doe 13 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he saw media coverage of the criminal trial of Michigan State University physician Larry Nassar and heard female gymnasts talk about how Dr. Nassar sexually abused them in the guise of providing medical care.

882. While John Doe 13 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss's examination, and felt that Dr. Strauss behaving inappropriately, John Doe 13 did not understand or believe that Dr. Strauss had sexually abused him.

883. John Doe 13 reasonably believed that that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.

884. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 13 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

885. This is because, in 1997, a trusted OSU coach told John Doe 13 that OSU was holding a hearing on Dr. Strauss's conduct.

886. Based on OSU's representations about a hearing in 1997 to address Dr. Strauss's conduct, John Doe 13 did not have any reason to investigate what OSU was doing or failing to do regarding allegations of abuse by Dr. Strauss. Indeed, further inquiry would have been futile, as OSU controlled access to that information.

887. In short, until learning in 2018 about Dr. Nassar's serial sexual abuse of gymnasts and/or Dr. Strauss's serial sexual abuse of OSU students, John Doe 13 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

888. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 13 would not have been abused by Dr. Strauss.

889. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 13 has suffered emotional and psychological damages. He developed severe anxiety, depression and suicidal ideation for years. He also developed "white coat syndrome" and consistently has high blood pressure when he sees a physician for treatment or evaluation. He experiences flashbacks to his interactions with Dr. Strauss each time his blood pressure is taken.

890. John Doe 13 continues to suffer from severe anxiety. He feels anxious when alone with men in general and male physicians in particular.

#### **JOHN DOE 14**

891. John Doe 14 was a member of Defendant OSU's soccer team from 1984 through 1987.

892. To participate on the soccer team, OSU required John Doe 14 to get an annual physical.

893. The soccer team's coaching staff, including Head Coach Al Blanco and Assistant Coaches Cliff Gault, John Gibson and Forola Khumeini, scheduled annual physical examinations for John Doe 14, and informed him of his assigned time slot to see Dr. Strauss for a

physical.

894. John Doe 14's physical examinations by Dr. Strauss were done in a private room in Larkins Hall.
895. John Doe 14 received his first physical from Dr. Strauss when John Doe 14 was 18 years old.
896. While he was a student-athlete at OSU, John Doe 14 saw Dr. Strauss for an annual physical two or three times.
897. During each physical, Dr. Strauss instructed John Doe 14 to remove all of his clothes.
898. John Doe 14 complied and remained naked for the entirety of the exams, which lasted at least twenty minutes.
899. Dr. Strauss got on his hands and knees to perform John Doe 14's testicular exam.
900. Dr. Strauss touched John Doe 14's penis during the exams for what seemed like an inappropriate amount of time.
901. Dr. Strauss did not wear gloves during the exams.
902. Dr. Strauss also made moaning sounds during the physical exams.
903. During the exams, Dr. Strauss commented on John Doe 14's body and sex life.
904. Dr. Strauss performed the same type of testicular and penile exams on John Doe 14 when John Doe 14 saw Dr. Strauss for medical appointments to address injuries, including hand and ankle injuries, and illnesses, including the flu.
905. While John Doe 14 was a student-athlete at OSU, he also witnessed Dr. Strauss watching athletes in the locker room at Larkins Hall.
906. Dr. Strauss often showered for extended periods of time with the athletes. Dr. Strauss always selected the shower one or two shower heads away from John Doe 14, despite there

being multiple open shower heads further away from John Doe 14 and other athletes.

907. Fellow athletes often teased John Doe 14 because Dr. Strauss seemed to pay extra attention to him during showers.
908. Dr. Strauss also took photographs of John Doe 14 at soccer events, then gave John Doe 14 the photographs before his physical exams and during soccer practices.
909. John Doe 14's teammates commonly referred to Dr. Strauss as "Dr. Cough." John Doe 14 first heard this nickname in his freshman year at OSU, before his first physical with Dr. Strauss, then learned that the nickname seemed to refer to Dr. Strauss's prolonged examination of athletes' genitals during their physical exams.
910. Dr. Strauss's conduct during examinations and at the showers made John Doe 14 very uncomfortable. He felt something was wrong with Dr. Strauss, but did not realize that Dr. Strauss was sexually abusing and harassing him and his teammates.
911. In front of coaching and training staff, John Doe 14 discussed his concerns about Dr. Strauss's behavior with his teammates, including the way Dr. Strauss conducted physicals and the fact that Dr. Strauss watched the athletes shower.
912. Upon information and belief, OSU did not take any action to address John Doe 14's concerns about Dr. Strauss's conduct.
913. John Doe 14 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
914. In retrospect, John Doe 14 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this, until after media reports surfaced in approximately April of 2018 about OSU's investigation into allegations

of abuse by Dr. Strauss.

915. While John Doe 14 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examinations, John Doe 14 did not understand or believe that Dr. Strauss had sexually abused him.
916. John Doe 14 reasonably believed that that OSU would not have required him and other athletes to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.
917. Until learning in approximately April of 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 14 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
918. This is because, in John Doe 14's experience, Dr. Strauss's conduct was common knowledge among trainers and coaches, but none of them seemed particularly concerned about it.
919. In any event, even if, while John Doe 14 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
920. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 14 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
921. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 14 would not have been abused by Dr. Strauss.

922. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 14 has suffered emotional and psychological damages. For example, John Doe 14 has avoided doctors and has self-medicated for various ailments for fear of being molested by medical professionals. He also worries regularly about his own children going to college and getting molested during medical treatment.

**JOHN DOE 15**

923. John Doe 15 was a member of Defendant OSU's wrestling team during the 1992-1993 academic year, when he was a freshman at OSU.

924. Growing up in Columbus, Ohio, it had been John Doe 15's dream to wrestle for OSU.

925. Upon joining the wrestling team, coaching staff told John Doe 15 that he was required to get a pre-season physical from Dr. Strauss.

926. Before John Doe 15's pre-season physical, upperclassmen wrestlers made comments and told stories about Dr. Strauss to John Doe 15 and the other underclassmen wrestlers, warning them to "watch out for Dr. Strauss."

927. John Doe 15 felt that he did not have any choice but to see Dr. Strauss, since it was a condition for participating on the wrestling team.

928. John Doe 15 received his pre-season physical from Dr. Strauss in 1992, when John Doe 15 was 18 or 19 years old.

929. During the physical, which was conducted in a private room, Dr. Strauss touched John Doe 15's penis and testicles in what seemed like an inappropriate manner. Dr. Strauss's touching made John Doe 15 feel extremely uncomfortable.

930. During the 1992-1993 wrestling season, John Doe 15's coaches also required him to see Dr. Strauss for a shoulder injury.

931. During the exam, Dr. Strauss told John Doe 15 to drop his pants, even though the purpose

of the visit was to evaluate and treat his injured shoulder.

932. John Doe 15 refused to drop his pants. Dr. Strauss then moved on to the shoulder examination.
933. John Doe 15 avoided seeking medical treatment for the remainder of his time at OSU, as he felt it was better to be hurt than to see Dr. Strauss.
934. John Doe 15 and other OSU wrestlers commonly referred to Dr. Strauss as “Jelly Finger.” They also called Dr. Strauss “Levi Strauss,” joking that he wanted to get into their pants.
935. While John Doe 15 was a student-athlete at OSU, he also witnessed Dr. Strauss in the locker room and shower area at Larkins Hall after almost every wrestling practice. Dr. Strauss often waited in the Larkins Hall locker room when the team arrived and was the last to leave.
936. While in the locker room, Dr. Strauss talked to and leered at the wrestlers, including John Doe 15, as they undressed and showered. John Doe 15 thought Dr. Strauss’s behavior in the locker room was weird and gross, and it made him extremely uncomfortable.
937. Because of Dr. Strauss’s conduct during examinations and in the locker room, John Doe 15 quit the wrestling team after his freshman year and eventually left OSU before obtaining a degree.
938. John Doe 15 felt that something was wrong with Dr. Strauss, but did not realize that Dr. Strauss was sexually abusing and harassing him and his teammates.
939. John Doe 15 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
940. In retrospect, John Doe 15 realizes that Dr. Strauss sexually abused and harassed him and



his teammates. However, he did not know or have reason to know this, until after media reports surfaced in approximately April of 2018 about OSU's investigation into allegations of abuse by Dr. Strauss.

941. While John Doe 15 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examinations, John Doe 15 did not understand or believe that Dr. Strauss had sexually abused him.
942. John Doe 15 reasonably believed that that OSU would not have required him and other athletes to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.
943. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 15 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
944. This is because, in John Doe 15's experience, Dr. Strauss's conduct in the locker room was common knowledge among trainers and coaches, but none of them seemed particularly concerned about it.
945. In any event, even if, while John Doe 15 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
946. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 15 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

947. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 15 would not have been abused by Dr. Strauss.

948. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 15 has suffered emotional and psychological damages. For example, he quit the wrestling team after his freshman year and did not complete his degree at OSU or another university. John Doe 15 also suffers from lingering anxiety and anger issues.

**JOHN DOE 16**

949. John Doe 16 was a member of Defendant OSU's gymnastics team for three years, from 1989 to 1992. He was a walk-on athlete.

950. To participate on the gymnastics team, OSU required John Doe 16 to get an annual physical.

951. The coaching staff and trainers, including but not limited to Head Coach Peter Kormann, Assistant Coach Keith Miles Avery, and Athletic Trainer Vince O'Brien, told John Doe 16 that he was required to get his annual physicals from Dr. Strauss.

952. The physicals took place at Larkins Hall and/or the Student Health Center.

953. John Doe 16 received his first physical from Dr. Strauss when John Doe 16 was 18 years old.

954. Prior to his first physical, John Doe 16 heard rumors from upperclassmen about Dr. Strauss, including the use of the nickname, "Dr. Sticky Fingers." Upperclassmen made jokes about who was going to be Dr. Strauss's new favorite and said that if Dr. Strauss stayed "down there" for more than ten seconds that "you may be it."

955. John Doe 16 felt that he did not have any choice but to see Dr. Strauss, since it was a condition for participating on the gymnastics team. John Doe 16 was also a walk-on athlete and appreciated that a benefit of being on an OSU athletics team was that his health care

was free of charge.

956. While he was a student-athlete at OSU, John Doe 16 saw Dr. Strauss for an annual physical three times.
957. During each physical, Dr. Strauss instructed John Doe 16 to remove all of his clothing.
958. John Doe 16 complied and remained naked for the entirety of the exams.
959. Once John Doe 16 was naked, Dr. Strauss examined John Doe 16's entire body, rubbing various body parts, including his testicles and penis.
960. Dr. Strauss did not wear gloves during these examinations.
961. Dr. Strauss seemed more aggressive in his examinations as each year passed, spending more time focused on John Doe 16's testicles and penis during the exams. In retrospect, John Doe 16 believes Dr. Strauss was trying to elicit an erection.
962. During the physical examinations, Dr. Strauss made comments about John Doe 16's body, such as "The coaches must be working you hard, you have great muscle tone."
963. While he was a student-athlete at OSU, John Doe 16 also saw Dr. Strauss approximately 10 to 15 times for various medical appointments.
964. In the 1990-1991 school year, John Doe 16 saw Dr. Strauss because of acne on his legs. Dr. Strauss instructed John Doe 16 to remove all of his clothes and performed a testicular exam on John Doe 16 in the same way he had done during the prior physicals.
965. On several occasions, John Doe 16 required treatment for poison ivy. He was highly allergic to poison ivy, so John Doe 16 needed to see Dr. Strauss to get a prescription for an ointment to treat the reaction. Each time John Doe 16 saw Dr. Strauss for poison ivy, Dr. Strauss required him to remove all his clothes and performed a testicular examination, even though the poison ivy was only on John Doe 16's hands and arms.

966. On one occasion, during the 1991-1992 school year, John Doe 16 contacted Dr. Strauss for ointment to treat his poison ivy. Dr. Strauss told John Doe 16 to pick up the prescription at Dr. Strauss's home and gave John Doe 16 his home address. When John Doe 16 arrived at Dr. Strauss's home, the doctor told him to come inside. Dr. Strauss had an examining table in his living room area. Before providing John Doe 16 his prescription, Dr. Strauss instructed John Doe 16 to remove his clothes, put them on the floor, and climb on to the examining table, so he could perform a full physical exam. This included a testicular examination. Dr. Strauss did not give John Doe 16 his prescription medication until after the examination.
967. While John Doe 16 was a student-athlete at OSU, he frequently witnessed Dr. Strauss shower with members of the gymnastic team at Larkins Hall. Dr. Strauss stared at the athletes as they showered.
968. In Larkins Hall, the wrestling and gymnastic teams had a locker room in the same area. There was a shared a wall between them that bordered the public shower area. Dr. Strauss kept a locker in the gymnastic team locker room. Sometimes, John Doe 16 noticed that Dr. Strauss would take a shower with the wrestling team when they finished practice, wait until the gymnastics team finished its practice, and then return to the shower soon afterwards to shower with members of the gymnastics team.
969. Dr. Strauss often hung out in the gym area, taking photographs of the athletes as they performed. Dr. Strauss then delivered the photographs to the athletes, including John Doe 16.
970. Dr. Strauss's conduct during examinations and at the showers made John Doe 16 very uncomfortable. He felt something was wrong with Dr. Strauss, but did not realize that Dr.

Strauss was sexually abusing and harassing him and his teammates.

971. John Doe 16 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
972. In retrospect, John Doe 16 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this, until he saw media reports in August of 2018 about OSU's investigation into allegations of abuse by Dr. Strauss.
973. While John Doe 16 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable about Dr. Strauss's examinations, John Doe 16 did not understand or believe that Dr. Strauss had sexually abused him.
974. John Doe 16 reasonably believed that that OSU would not have required him and other athletes to see Dr. Strauss, unless Dr. Strauss's examinations were legitimate.
975. Until learning in approximately August of 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 16 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
976. This is because, in John Doe 16's experience, Dr. Strauss's conduct was common knowledge among trainers and coaches, everyone made jokes and comments about it, and none of the trainers or coaches seemed particularly concerned about it.
977. In any event, even if, while John Doe 16 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU

controlled access to that information.

978. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 16 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
979. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 16 would not have been abused by Dr. Strauss.
980. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 16 has suffered emotional and psychological damages. For example, John Doe 16 delays getting any medical treatment unless absolutely necessary, both for himself and his children. John Doe 16's experience with Dr. Strauss has impacted the way he views life and his ability to trust medical professionals.

#### **JOHN DOE 17**

981. John Doe 17 was a member of Defendant OSU's gymnastics team from 1989 through 1993. He was a highly recruited athlete and received a full athletic scholarship.
982. John Doe 17 relied on his athletic scholarship to attend OSU and participate on the gymnastics team.
983. While John Doe 17 was on the gymnastics team, Peter Kormann was the head coach, Keith Miles Avery was the assistant coach, Mike Racanelli was an upperclassman, team captain and assistant coach, Bob Sweeney was an athletic trainer, and Vince O'Brien was the athletic trainer in charge of the Larkins Hall training room.
984. To participate on the gymnastics team, OSU required John Doe 17 to get an annual physical.
985. Coaching staff and trainers told John Doe 17 when he was required to get his annual

- physicals from the team doctor.
986. The team doctor during the time John Doe 17 attended OSU was Dr. Strauss.
987. John Doe 17 and his teammates got their annual physicals done at Larkins Hall and waited in the training room until Dr. Strauss called their name.
988. Dr. Strauss took each athlete individually, including John Doe 17, into a private room in Larkins Hall for the physical. No one besides the athlete and Dr. Strauss were in the room during the physical examinations.
989. John Doe 17 was an 18-year-old freshman when he had his first physical examination with Dr. Strauss.
990. Before John Doe 17's first physical, he recalls upperclassmen joking that it was "your turn to get a Strauss physical." At the time, John Doe 17 did not understand what they meant.
991. Soon after the first physical, John Doe 17 understood the "joke." Dr. Strauss's conduct during physicals was an "open secret" among athletes, coaches, and trainers and was treated as a "rite of passage" for the younger athletes.
992. During John Doe 17's first physical, Dr. Strauss told him to strip down to his shorts and lie down on a table.
993. Dr. Strauss started to rub John Doe 17's stomach and continued to move lower, getting closer to his genitals.
994. Dr. Strauss then told John Doe 17 to stand up and remove his shorts. John Doe 17 complied with Dr. Strauss's instructions.
995. Dr. Strauss then sat in a stool with wheels and scooted up to John Doe 17's genitals at eye level.
996. Dr. Strauss was so close to John Doe 17's genitals that John Doe 17 could feel Dr. Strauss's

knee touching the inside of his leg.

997. Dr. Strauss seemed closer to John Doe 17's genitals than necessary to perform a physical. Dr. Strauss also had a strange expression on his face as he examined John Doe 17's genitals, as if he was deriving pleasure from the experience.
998. Dr. Strauss did not wear gloves during the physical.
999. Dr. Strauss began moving John Doe 17's penis from side to side, and up and down.
1000. John Doe 17 was concerned that Dr. Strauss was trying to give him an erection and wondered why Dr. Strauss was pulling on his penis.
1001. John Doe 17 was deeply uncomfortable and in shock.
1002. Dr. Strauss then moved his hands to John Doe 17's testicles and began cupping, rolling, and manipulating each testicle between his fingers for several minutes.
1003. Dr. Strauss said that the prolonged examination was necessary because one of John Doe 17's testicles was slightly larger than the other.
1004. That was news to John Doe 17. No other doctor had ever voiced a concern about the size of one of his testicles.
1005. Dr. Strauss told John Doe 17 that Dr. Strauss would have to "watch that closely."
1006. John Doe 17 looked at the floor throughout the physical, too shocked to say anything to Dr. Strauss.
1007. After the physical, John Doe 17 returned to his teammates and coaching staff, including but not limited to Kormann and Racanelli.
1008. In front of his teammates and coaching staff, John Doe 17 said, "Holy shit, could he spend anymore fucking time holding my balls?" John Doe 17 said he had never been examined like that before.



1009. Everyone, including his coaches, just laughed. It was clear to John Doe 17 that the earlier comments by upperclassmen related to Dr. Strauss's intrusive genital examinations.
1010. John Doe 17 specifically recalls Coach Kormann and Racanelli laughing at his comments. Racanelli told John Doe 17 to just deal with it, and that he would get through it.
1011. Coaching staff shrugged off or ignored the athletes' frequent comments about Dr. Strauss's behavior. As a result, John Doe 17 believed that Dr. Strauss's behavior was acceptable by OSU's standards and that the athletes just had to deal with it if they wanted to continue participating on the team.
1012. Given this environment, John Doe 17 also felt that he could not complain directly about Dr. Strauss or refuse to see him without jeopardizing his scholarship, his participation on the gymnastics team, and his ability to stay at OSU.
1013. Thus, John Doe 17 continued to get his annual physicals from Dr. Strauss for the remaining three years that he participated on the gymnastics team.
1014. Each physical involved the same type of inappropriate manipulation of his penis and testicles.
1015. John Doe 17 also saw Dr. Strauss for all illnesses and injuries he had while on the gymnastics team, because this was also a condition of continuing to receive his scholarship and participate on the team.
1016. Dr. Strauss was always around Larkins Hall to treat athletes, including John Doe 17, and conducted examinations in a private room.
1017. John Doe 17 estimates that he saw Dr. Strauss approximately four to five times each year for treatment related to general medical issues, such as illnesses, allergies, and prescription refills.

1018. During most these visits, Dr. Strauss conducted the same type of inappropriate and unnecessary penile and testicular examinations.
1019. While John Doe 17 was on the gymnastics team, he also saw Dr. Strauss hanging out in the locker room at Larkins Hall, often leering at the athletes as they showered.
1020. Teammates, particularly the upperclassmen, joked about Dr. Strauss being ready to shower as soon as gymnastics practice was over.
1021. Dr. Strauss typically waited in the locker room and, as the team finished practice, he would grab a towel from his locker, walk into the showers with the team, and stare at the athletes as he lathered his penis with soap. Dr. Strauss stared and lathered for a prolonged period of time and it seemed as though he was rubbing his penis in a sexual manner.
1022. John Doe 17 recalls that, after several incidents like this, a teammate asked Racanelli why Dr. Strauss had a locker in the locker room. Racanelli responded, "Don't ask." And Dr. Strauss just continued to shower with the athletes.
1023. Dr. Strauss was not the only male adult, non-athlete who stared at athletes in the shower.
1024. John Doe 17 recalls hearing athletes talk about a man they called "Mr. Belly" going into the shower and pleasuring himself while watching the athletes shower. The athletes referred to him as "Mr. Belly" because he was very large and his belly would shake as he lathered himself with soap and leered at the athletes.
1025. In addition to the locker room, Dr. Strauss hung out in the gym during practices and periodically took photographs of some of John Doe 17's teammates.
1026. Several of John Doe 17's teammates had strong, negative reactions to Dr. Strauss attending practices, which included yelling at Dr. Strauss to leave and stay away from them.
1027. At some point while John Doe 17 was on the team, Coach Kormann and Assistant Coach

Avery tried to limit the amount of time Dr. Strauss spent with the athletes because of the negative impact it was having on the team. John Doe 17 believes that Kormann and Avery told Dr. Strauss to stay out of the gym during practices.

1028. Dr. Strauss's conduct during examinations, in the showers, and at the gym made John Doe 17 very uncomfortable, but John Doe 17 did not realize at the time that Dr. Strauss was sexually abusing and harassing his teammates.
1029. John Doe 17 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
1030. In retrospect, John Doe 17 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he learned about OSU's investigation into allegations of abuse by Dr. Strauss.
1031. While John Doe 17 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable about Dr. Strauss's examinations, John Doe 17 did not understand or believe that Dr. Strauss had sexually abused him.
1032. John Doe 17 reasonably believed that that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
1033. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 17 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

1034. This is because, in John Doe 17's experience, Dr. Strauss's conduct was common knowledge among trainers and coaches, everyone made jokes and comments about it, and none of the trainers or coaches seemed particularly concerned about it.
1035. In any event, even if, while John Doe 17 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
1036. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 17 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
1037. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 17 would not have been abused by Dr. Strauss.
1038. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 17 has suffered emotional and psychological damages. For example, John Doe 17 believes that his experiences with Dr. Strauss caused him to become withdrawn and impacted his sexual experiences and relationships. In addition, learning about Dr. Strauss's sexual abuse and OSU's role in allowing it has retraumatized John Doe 17, causing repressed memories of these painful experiences to resurface. He has been unable to stop thinking about what happened to him, how it has impacted him, and OSU's involvement. He also becomes physically ill when thinking about this. John Doe 17 feels that he needs counseling services, but is unable to afford it.

**ESTATE OF JOHN DOE 18**

1039. John Doe 18 was a member of Defendant OSU's wrestling team from 1987 through 1990.
1040. John Doe 18 transferred to OSU and became a walk-on athlete on the wrestling team in

1987. He transferred to OSU because he loved the school and wanted the opportunity to wrestle at one of the best schools in the State of Ohio.
1041. While John Doe 18 was on the wrestling team, Russ Hellickson was the head coach, and Jim Jordan and Dave Rucker were assistant coaches.
1042. While John Doe 18 was on the wrestling team, it was standard practice to get an annual physical before the season started. John Doe 18 believes that the team learned when it was time for their physicals through a flier posted in the locker room.
1043. Because Dr. Strauss was the team doctor, John Doe 18 saw Dr. Strauss for his physical.
1044. John Doe 18 was required to get a physical to participate on the wrestling team, so he did not feel that he had any choice but to see Dr. Strauss.
1045. John Doe 18 had his first physical examination with Dr. Strauss in 1987. John Doe 18 was 20 or 21 years old at the time.
1046. The physical was done in Larkins Hall in a private room. Only John Doe 18 and Dr. Strauss were in the room.
1047. Dr. Strauss told John Doe 18 to pull his shorts down and stand in the middle of the room, and John Doe 18 complied with Dr. Strauss's instruction.
1048. Dr. Strauss sat on a stool and wheeled himself directly in front of John Doe 18. Dr. Strauss was eye-level with John Doe 18's genitals.
1049. Dr. Strauss began to move John Doe 18's penis from side to side and up and down. To the best of John Doe 18's recollection, Dr. Strauss did not wear gloves as he touched John Doe 18's penis.
1050. Dr. Strauss also manipulated John Doe 18's testicles for what seemed to be an unnecessarily long time for a hernia check.

1051. Given how long the exam was taking, John Doe 18 asked, “What are you doing down there Doc?” Dr. Strauss replied, “Just looking to make sure everything is okay. I bet you have an active social life.” John Doe 18 responded, “Yeah, you don’t have to worry about anything down there.”
1052. After John Doe 18’s first examination with Dr. Strauss, his teammates joked about the length of time Dr. Strauss spent in the showers with them. It was a common joke in the locker room that Dr. Strauss was the “first one in the showers and the last one out.” Dr. Strauss was also famous for his “naked rub downs” during physicals.
1053. While John Doe 18 was on the wrestling team, his teammates also talked about how Dr. Strauss and other men hung out in the shower and locker room at Larkins Hall to watch the male athletes. John Doe 18 once heard that Coach Hellickson had pushed an adult man who was affiliated with the team out of the shower after the man was caught masturbating. John Doe 18 also heard from other athletes that adult men who were not affiliated with an OSU athletic team sometimes had sex in the showers in the mornings.
1054. John Doe 18 felt that the way in which Dr. Strauss conducted his physical examination and showered with the athletes was strange, but John Doe 18 did not realize at the time that Dr. Strauss was sexually abusing and harassing him and his teammates.
1055. John Doe 18 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
1056. In retrospect, John Doe 18 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he learned about OSU’s investigation into allegations of abuse by Dr. Strauss.

1057. While John Doe 18 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, John Doe 18 did not understand or believe that Dr. Strauss had sexually abused him.
1058. John Doe 18 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
1059. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 18 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
1060. This is because, in John Doe 18's experience, Dr. Strauss's conduct during examinations and in the locker room was common knowledge among trainers and coaches, but none of them seemed particularly concerned about it.
1061. In any event, even if, while John Doe 18 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
1062. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 18 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
1063. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 18 would not have been abused by Dr. Strauss.

1064. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 18 has suffered emotional and psychological damages. For example, since being abused by Dr. Strauss, John Doe 18 has avoided getting annual physicals and medical treatment unless absolutely necessary. This caused John Doe 18 to neglect his health, with fatal consequences. Three years ago, John Doe 18 had a physical required by his employer. Shortly after that, John Doe 18 was diagnosed with stage four bile duct cancer (cholangiocarcinoma). He died in February 2019. His Estate has filed a motion to be substituted in this action by its Administratrix.

**JOHN DOE 19**

1065. John Doe 19 was a member of Defendant OSU's swim team from 1986 through 1990, and received a partial athletic scholarship after being recruited by Coach Dick Sloan.

1066. John Doe 19 relied on his partial athletic scholarship to attend OSU.

1067. While John Doe 19 was on the swim team, Coach Sloan told him and his teammates that they were required to get annual physicals in order to participate on the team.

1068. Dr. Strauss was the team doctor while John Doe 19 was on the swim team, and Dr. Strauss conducted all the annual physicals.

1069. The physicals occurred in Larkins Hall. The team went to the training room at Larkins Hall and Dr. Strauss called the athletes one-by-one for their physicals.

1070. The physicals were done in a private room. No one besides the athlete and Dr. Strauss were in the room.

1071. John Doe 19 was 18 or 19 years old when he had his first physical with Dr. Strauss.

1072. During the physical, Dr. Strauss told John Doe 19 to disrobe. John Doe 19 complied with this instruction.

1073. Dr. Strauss sat on a stool directly in front of John Doe 19 while John Doe 19 was naked.



- Dr. Strauss was eye level with John Doe 19's genitals.
1074. Dr. Strauss began manipulating John Doe 19's penis, testicles, and scrotum. John Doe 19 recalls feeling that Dr. Strauss was "manhandling" his genitals—grabbing John Doe 19's penis and moving it in all directions, and rolling John Doe 19's testicles in his hands.
1075. John Doe 19 felt that Dr. Strauss was trying to cause John Doe 19 to get an erection. At one point, after John Doe 19 got an erection, Dr. Strauss commented "Oh, you're getting excited."
1076. John Doe 19 felt extremely uncomfortable during the examination, but he was a young freshman and had no idea what to say or do to stop Dr. Strauss's seemingly intrusive examination.
1077. After John Doe 19 left the examination room, upperclassmen started laughing at him and the other freshmen who had received their first physical from Dr. Strauss.
1078. John Doe 19 soon learned that Dr. Strauss was known for spending a long time touching the swimmers' genitals during examinations. The athletes openly joked about Dr. Strauss's examination methods, usually in front of Coach Sloan.
1079. John Doe 19 felt that he could not complain about Dr. Strauss without jeopardizing his scholarship, his participation on the swim team, and his ability to stay at OSU.
1080. This fear was confirmed when, during his freshman or sophomore year, John Doe 19 told Coach Sloan that he was uncomfortable around Dr. Strauss. Coach Sloan responded, "Shut the fuck up and get in the water."
1081. John Doe 19 felt that he had no choice but to continue seeing Dr. Strauss for his annual physicals, as well as any medical issues that arose. Each of the three additional physicals done by Dr. Strauss involved the same type of inappropriate manipulation of John Doe 19's

genitals, under the guise of checking for STIs.

1082. Dr. Strauss also conducted a genital examination on John Doe 19 during the majority of medical examinations he did, even when the appointment was to address a cough or cold. On one occasion when John Doe 19 sought treatment from Dr. Strauss because he was ill, Dr. Strauss stroked John Doe 19's penis until he ejaculated. John Doe 19 apologized to Dr. Strauss for ejaculating.
1083. In addition, Dr. Strauss always made a point of feeling John Doe 19's abdominal muscles at each examination. John Doe 19 wondered whether this was medically necessary, but did not feel that he could question Dr. Strauss.
1084. Dr. Strauss never wore gloves when he examined John Doe 19.
1085. While John Doe 19 was on the swim team, Dr. Strauss hung out in the showers when the swim team finished their practices. The swim team's showers were separate from the other athletes' showers, so Dr. Strauss made a special trip to see the team.
1086. Coach Sloan was present when Dr. Strauss made these special trips to the swim teams' showers, but did nothing about it.
1087. While John Doe 19 was on the swim team, Dr. Strauss also attended practices and took photographs of the team.
1088. On several occasions after swim meets, Dr. Strauss offered to drive John Doe 19 to his dorm room. While John Doe 19 was in the passenger seat of Dr. Strauss's car, Dr. Strauss tried to kiss him and repeatedly tried to fondle John Doe 19's genitals through his sweatpants. When John Doe 19 tried to hit Dr. Strauss's hand away and indicated he was not interested, Dr. Strauss repeatedly cajoled him, saying "no one needs to know." Outside of the context of an examination room, John Doe 19 resisted what he saw as a sexual

advance.

1089. Dr. Strauss once invited John Doe 19 to his house to conduct a photo shoot, telling John Doe 19 that he could be a model. Dr. Strauss set up a backdrop at his home and took photographs of John Doe 19 both in a swimsuit and nude. While taking photographs, Dr. Strauss made suggestive comments about John Doe 19's body.
1090. Before swim meets, Dr. Strauss went into the locker room and tried to massage the swimmers, including John Doe 19, telling them he would help to loosen their muscles before their meets. Though John Doe 19 initially allowed Dr. Strauss to do this, he refused to allow Dr. Strauss to continue massaging him after an incident that occurred in his sophomore or junior year.
1091. During John Doe 19's sophomore or junior year, Dr. Strauss followed him into the locker room before a swim meet. They were the only two people in the locker room. Dr. Strauss started massaging him, then then started kissing John Doe 19's neck and back. John Doe 19 immediately grabbed his clothes and left the locker room.
1092. Coach Sloan was aware that Dr. Strauss was massaging, or trying to massage, the athletes before swim meets. He did not stop Dr. Strauss from doing this or take any measures to protect the swimmers from Dr. Strauss.
1093. Coach Sloan rebuffed, ignored, or reacted aggressively to athletes' comments about Dr. Strauss's conduct, and the general atmosphere at OSU was that Dr. Strauss's conduct was just a big joke. As a result, John Doe 19 did not feel that he could refuse to see Dr. Strauss for examinations or press the issue.
1094. John Doe 19 tried to transfer from OSU because of his discomfort with Dr. Strauss and Coach Sloan's aggressive and negative response to John Doe 19's complaints about Dr.

Strauss, but he could not leave because he was unable to get a scholarship at another school.

Thus, he felt forced to continue seeing Dr. Strauss.

1095. Dr. Strauss's conduct during examinations, in the showers, and at swim meets made John Doe 19 deeply uncomfortable, but John Doe 19 did not realize at the time that Dr. Strauss was sexually abusing and harassing him and his teammates.
1096. John Doe 19 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
1097. Because of Coach Sloan's aggressive reaction to John Doe 19's complaint about Dr. Strauss, John Doe 19 believed that Dr. Strauss's behavior was acceptable by OSU standards and that the athletes just had to deal with it if they wanted to continue participating on the team.
1098. John Doe 19 also believed that if he continued to press his discomfort with Dr. Strauss, Coach Sloan would kick him off the swim team and make sure he lost his scholarship. In fact, Coach Sloan did cause John Doe 19 to lose his scholarship in his last year at OSU and John Doe 19 had to fight to get the scholarship back.
1099. In retrospect, John Doe 19 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until he attended medical school in 1993, when he learned the appropriate boundaries of physician-patient contact.
1100. While John Doe 19 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable about Dr. Strauss's examinations and conduct, John Doe 19 did not understand or believe that Dr. Strauss had sexually abused

him.

1101. John Doe 19 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
1102. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 19 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
1103. This is because, in John Doe 19's experience, Dr. Strauss's genital examinations and conduct were a running joke among trainers and coaches. In addition, Coach Sloan's aggressive reaction to his complaint about Dr. Strauss, and his teammates jokes about Dr. Strauss's examinations, did not give John Doe 19 any reason to investigate what OSU was doing or failing to do. Indeed, when John Doe 19 expressed discomfort with Dr. Strauss's examinations, Coach Sloan's reaction served to reinforce John Doe 19's reasonable belief that further inquiry would not be productive.
1104. In any event, even if, while John Doe 19 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
1105. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 19 would not have been abused by Dr. Strauss.
1106. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 19 has suffered emotional and psychological damages. His college experience was negatively impacted—

to the point that he sought (unsuccessfully) to leave OSU because of his extreme discomfort with Dr. Strauss's actions. For example, John Doe 19 feels incredibly uncomfortable during physical examinations and when, as a physician himself, he has to perform hernia checks on patients. This causes him to experience painful flashbacks to the abusive physical examinations he got from Dr. Strauss. John Doe 19 also still struggles with feelings of disgust and guilt over Dr. Strauss massaging and kissing him, despite his best efforts to forget about the experience. Because John Doe 19 wanted to be a doctor and needed a medical school reference letter from Dr. Strauss, he spent a lot of time with Dr. Strauss, looked up to him, and feared angering him. As a result, John Doe 19 has feelings of guilt, blames himself, and struggles with the idea that he was more vulnerable to abuse from Dr. Strauss because of his professional ambitions.

**JOHN DOE 20**

1107. John Doe 20 was a member of Defendant OSU's gymnastics team from 1983 to 1985. He transferred to OSU after his freshman year to participate on the gymnastics team.
1108. While John Doe 20 was on the gymnastics team, Mike Willson was the head coach and Shawn Hayth was the assistant coach.
1109. To participate on the gymnastics team, OSU required John Doe 20 and his teammates to get annual physicals from the team doctor.
1110. Dr. Strauss was the team doctor while John Doe 20 was on the gymnastics team, and Dr. Strauss conducted all the annual physicals.
1111. The physicals occurred in Larkins Hall. The team went to the training room at Larkins Hall and Dr. Strauss called the athletes one-by-one for their physicals.
1112. The physicals were done in a private room. No one besides the athlete and Dr. Strauss were in the room.

1113. John Doe 20 was 20 years old when he had his first physical with Dr. Strauss.
1114. During the physical, Dr. Strauss told him to drop his pants and stand in the middle of the exam room. John Doe 20 complied with this instruction.
1115. As John Doe 20 stood naked in the middle of the room, Dr. Strauss wheeled over to him while seated on a stool. Dr. Strauss was eye level with John Doe 20's genitals.
1116. Dr. Strauss began manipulating John Doe 20's genitals. Dr. Strauss grabbed John Doe 20's penis and began moving it up and down. Dr. Strauss also rolled John Doe 20's testicles between his hands.
1117. Dr. Strauss did not wear gloves as he touched and manipulated John Doe 20's genitals.
1118. John Doe 20 was uncomfortable during the physical and did not know what to do. The physical seemed inappropriate, but he did not feel that he could question OSU's team doctor.
1119. John Doe 20 stood there, just hoping the examination would be over soon.
1120. John Doe 20 felt that the examination, particularly during the time Dr. Strauss touched and manipulated his genitals, was longer than any physical he had previously experienced and seemed longer than medically necessary.
1121. When the physical ended, John Doe 20 returned to his teammates in the training room. He then learned that Dr. Strauss's prolonged genital examinations were a running joke at OSU. It was an "open secret" that male athletes had to go through this rite of passage with Dr. Strauss to participate on OSU's athletic teams.
1122. OSU's coaches and trainers seemed to treat Dr. Strauss's conduct as normal and acceptable, and the general environment at OSU was that Dr. Strauss's conduct was a big joke.
1123. As a result, John Doe 20 did not realize that Dr. Strauss was sexually abusing and harassing

him, and he continued to obtain his annual physicals from Dr. Strauss throughout the time he was on the gymnastics team.

1124. OSU also required John Doe 20 to see Dr. Strauss for treatment of a rash on his wrist. Although the rash was on John Doe 20's wrist, Dr. Strauss still gave John Doe 20 a genital examination that included touching and manipulating John Doe 20's penis and testicles.

1125. While John Doe 20 was on the gymnastics team, he learned another "open secret" about the general environment in Larkins Hall. Men who were not affiliated with OSU athletics watched male athletes shower at Larkins Hall through holes drilled into the bathroom stalls.

1126. John Doe 20 recalls one occasion where a wrestler confronted a man who was staring at athletes in the showers over the wall of a bathroom stall.

1127. John Doe 20 was also propositioned for sexual acts off campus by a male math professor while he was on the gymnastics team.

1128. John Doe 20 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss, the math professor, or any of the men permitted to leer at male athletes in the Larkins Hall showers. Nor did he believe there was any recourse for what happened to him.

1129. All of these behaviors were treated as acceptable by OSU standards, so John Doe 20 believed that he just had to deal with it if he wanted to continue participating on the gymnastics team.

1130. In retrospect, John Doe 20 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he learned about the criminal trial of Michigan State University physician Larry Nassar and heard female gymnasts talk about how Dr. Nassar sexually abused them in the guise of



providing medical care. This made John Doe 20 wonder whether OSU had allowed Dr. Strauss to commit the same type of abuse, then covered it up.

1131. John Doe 20's feelings that Dr. Strauss and OSU were comparable to Dr. Nassar and Michigan State University were confirmed in the spring of 2018, when he learned about OSU's investigation into allegations of abuse by Dr. Strauss.

1132. While John Doe 20 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable about Dr. Strauss's examinations, John Doe 20 did not understand or believe that Dr. Strauss had sexually abused him.

1133. John Doe 20 reasonably believed that that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.

1134. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 20 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

1135. This is because, in John Doe 20's experience, Dr. Strauss's conduct was common knowledge, everyone made jokes and comments about it, and it was an accepted "open secret."

1136. In any event, even if, while John Doe 20 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

1137. In short, until learning in 2018 about Dr. Nassar's serial sexual abuse of gymnasts and/or

Dr. Strauss's serial sexual abuse of OSU students, John Doe 20 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

1138. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 20 would not have been abused by Dr. Strauss.

1139. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 20 has suffered emotional and psychological damages. For example, ever since his first examination by Dr. Strauss, John Doe 20 experiences anxiety when he or a family member gets medical care or treatment. John Doe 20 fears that a medical professional will hurt a member of his family. In addition, since learning in 2018 about OSU's investigation and its role in allowing a sexually hostile culture to flourish on its campus, John Doe 20 feels deeply uncomfortable about his experience as an OSU student—which now seems surreal to him.

**JOHN DOE 21<sup>50</sup>**

1140. John Doe 21 was a member of Defendant OSU's gymnastics team from 1982 through 1983.

1141. While John Doe 21 was on the gymnastics team Mike Willson was the head coach and Shawn Hayth was the assistant coach.

1142. In the fall of 1982, coaching staff told the gymnastics team, including John Doe 21, that the team doctor, Dr. Strauss, would be giving physicals to the team.

1143. The physicals occurred in Larkins Hall. John Doe 21 and his teammates went to the training room there and waited for their turn to get a physical.

1144. Dr. Strauss called the athletes one-by-one for their physicals and took them to a private

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<sup>50</sup> John Doe 21 was previously listed as John Doe 30 in Plaintiff's First Amended Complaint.

examination room. No one besides the athlete and Dr. Strauss were in the room.

1145. John Doe 21 was an 18-year-old freshman when he had his first physical with Dr. Strauss.
1146. Before getting his physical from Dr. Strauss, upperclassmen joked with John Doe 21 about it, saying, “Just wait until he gets you in for the physical.”
1147. John Doe 21 did not know what these statements meant until after he got his physical, but soon learned that they referred to Dr. Strauss’s uncomfortable and intrusive methods of performing physical exams.
1148. During John Doe 21’s physical, Dr. Strauss rubbed his chest for a prolonged time and in a seemingly sexual manner. In fact, Dr. Strauss rubbed John Doe 21’s left nipple for such a long time that John Doe 21 started laughing because it was so uncomfortable that he did not know how else to react. John Doe 21’s laughter seemed to irritate Dr. Strauss.
1149. Dr. Strauss then moved on to a “hernia” examination, in which Dr. Strauss began to manipulate John Doe 21’s penis and testicles, moving his penis up and down and side to side, and rolling John Doe 21’s testicles between his fingers.
1150. John Doe 21 felt that the examination was very strange and inappropriate, but he did not know what to do.
1151. After the examination, John Doe 21 recalls Assistant Coach Hayth joking with other teammates about Dr. Strauss’s unusual behavior during examinations.
1152. The team also had a running joke about how Dr. Strauss spent time in the showers at Larkins Hall and his eyes never went above an athlete’s waist. These jokes were made in front of, and sometimes by, Assistant Coach Hayth.
1153. Because Dr. Strauss’s behavior was treated as one big joke, John Doe 21 believed that OSU accepted it and that it was just a part of being an athlete at OSU.

1154. Although John Doe 21 felt extremely uncomfortable during Dr. Strauss's examination and thought Dr. Strauss was strange, he did not realize at the time that Dr. Strauss was sexually abusing and harassing him and his teammates.
1155. John Doe 21 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
1156. In retrospect, John Doe 21 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he learned about OSU's investigation into allegations of abuse by Dr. Strauss.
1157. While John Doe 21 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, John Doe 21 did not understand or believe that Dr. Strauss had sexually abused him.
1158. John Doe 21 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
1159. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 21 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
1160. Even if, while John Doe 21 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

1161. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 21 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
1162. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 21 would not have been abused by Dr. Strauss.
1163. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 21 has suffered emotional and psychological damages. For example, John Doe 21 is angry at OSU for permitting Dr. Strauss to prey on him and other students. OSU's perpetuation and concealment of Dr. Strauss's serial sexual abuse of John Doe 21 and his teammates has tainted his entire experience at OSU. John Doe 21 also fears for his own students and the athletes he has coached over the years because he feels he cannot trust educational institutions to protect them from predators like Dr. Strauss.

**JOHN DOE 22<sup>51</sup>**

1164. John Doe 22 was a member of Defendant OSU's soccer team from 1987 through 1989.
1165. While John Doe 22 was on the soccer team, Gary Avedikian was the head coach and Clifford Gault was the goalkeeper coach.
1166. While John Doe 22 was on the soccer team, it was standard practice for team members to get an annual physical before the season started, and coaching or training staff told the team when they had to get their physicals from the team doctor.

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<sup>51</sup> The person who was listed as John Doe 22 in Plaintiffs' First Amended Complaint is no longer represented by the undersigned counsel, as described in the pending Motion to Substitute, see Dkt. 79, and his allegations have been removed from this Second Amended Complaint. In his stead, we have renamed as John Doe 22 the man who was listed as John Doe 31 in Plaintiffs' First Amended Complaint.

1167. Dr. Strauss was the team doctor while John Doe 22 was on the soccer team, and Dr. Strauss conducted all the annual physicals.
1168. The team's physicals were done in OSU's football facility.
1169. John Doe 22 was an 18-year-old freshman when he saw Dr. Strauss for a physical.
1170. John Doe 22's physical was done in a private room in OSU's football facility. An unknown individual was in the room during John Doe 22's physical with Dr. Strauss. The unknown individual did not watch or participate in the exam and had his back turned toward John Doe 22 and Dr. Strauss throughout the exam.
1171. During the examination, Dr. Strauss told John Doe 22 to drop his shorts and stand up. John Doe 22 followed Dr. Strauss's instructions.
1172. Dr. Strauss then positioned his face so close to John Doe 22's genitals that it made John Doe 22 very uncomfortable.
1173. Dr. Strauss then began to touch and manipulate John Doe 22's testicles for a prolonged period, longer than seemed medically necessary or appropriate.
1174. John Doe 22 felt very uncomfortable and could not understand why Dr. Strauss was touching him in that way.
1175. John Doe 22 did not believe that Dr. Strauss was performing a normal physical, as it was unlike any physical he had previously experienced.
1176. After his physical, John Doe 22 recalls other teammates joking about the way Dr. Strauss examined them. Teammates joked with others who had not yet had their physicals that Dr. Strauss, also called "Dr. Creepy," was "going to get you."
1177. John Doe 22 felt that the way Dr. Strauss had performed his physical was strange, but did not realize at the time that Dr. Strauss was sexually abusing and harassing him and his

teammates.

1178. This is in part because Dr. Strauss's examinations were treated as a big joke.
1179. OSU also permitted Dr. Strauss to hang around the locker room and shower areas with the athletes. Dr. Strauss watched the team practice, then got into the showers with the team and leered at the athletes. OSU did not take any action to stop Dr. Strauss from doing this, and the team accepted it as part of being an athlete at OSU.
1180. John Doe 22 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
1181. In retrospect, John Doe 22 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this, until after he learned about OSU's investigation into allegations of abuse by Dr. Strauss.
1182. While John Doe 22 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, John Doe 22 did not understand or believe that Dr. Strauss had sexually abused him.
1183. John Doe 22 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
1184. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 22 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

1185. Even if, while John Doe 22 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
1186. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 22 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
1187. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 22 would not have been abused by Dr. Strauss.
1188. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 22 has suffered emotional and psychological damages. For example, John Doe 22 has a daughter who is a college athlete and he worries about her safety because of his experience at OSU. Dr. Strauss's abuse also contributed to John Doe 22's preference to see female physicians whenever possible.

**JOHN DOE 23**

1189. John Doe 23 was a member of Defendant OSU's wrestling team from 1990 through 1994.
1190. John Doe 23 relied on his athletic scholarship to attend OSU.
1191. While John Doe 23 was on the wrestling team, Russ Hellickson was the head coach and Jim Jordan was the assistant coach.
1192. While John Doe 23 was on the wrestling team, it was standard practice for team members to get an annual physical before the season started, and one of the coaches told the team when they had to get their physicals from the team doctor.
1193. Dr. Strauss was the team doctor while John Doe 23 was on the wrestling team, and Dr. Strauss conducted all the annual physicals.



1194. The physicals occurred in Larkins Hall. The team went to the training room there, and Coach Hellickson and Assistant Coach Jordan typically stayed in the training room while the athletes waited for their turn to get a physical.
1195. Dr. Strauss called the athletes one-by-one for their physicals and took them to a private examination room. No one besides the athlete and Dr. Strauss was in the room.
1196. John Doe 23 was a 19-year-old freshman when he had his first physical with Dr. Strauss, in 1990.
1197. John Doe 23's physical with Dr. Strauss started just like other physicals John Doe 23 previously had: Dr. Strauss checked his pulse and temperature, and listened to his heart and lungs.
1198. But the physical changed after Dr. Strauss instructed John Doe 23 to pull down his shorts and stand in front of the exam table.
1199. Dr. Strauss sat on a stool right in front of John Doe 23, at eye-level with John Doe 23's genitals.
1200. Dr. Strauss began to examine John Doe 23's penis, lifting it up and down and running his ungloved hands down the sides of John Doe 23's penis.
1201. Dr. Strauss also began physically manipulating John Doe 23's testicles, grabbing and letting them go 8 to 10 times. John Doe 23 felt that Dr. Strauss was lingering on his testicles.
1202. John Doe 23 was shocked and confused by what Dr. Strauss was doing and was at a loss for words. The genital examination continued for several minutes. In past physicals, John Doe 23 recalls a brief hernia exam that lasted approximately 30 seconds. Dr. Strauss's exam lasted for much longer and felt invasive in comparison.

1203. After the exam was finally over, John Doe 23 left the room, embarrassed and wondering what had happened.
1204. During practice later that day, he overheard upperclassmen talking about how “Strauss was up to his usual” and joking about Dr. Strauss’s examinations. These discussions occurred in front of Coach Hellickson and Assistant Coach Jordan.
1205. John Doe 23 and his teammates were required to get annual physicals and medical treatment for injuries and illnesses from Dr. Strauss.
1206. As a result, John Doe 23 was forced to endure three more physicals from Dr. Strauss while he was on the wrestling team. Each time, Dr. Strauss performed the same type of intrusive genital examination.
1207. John Doe 23 also saw Dr. Strauss between 1990 and 1992 approximately three times for illnesses and a knee injury. During the examination for his knee injury, Dr. Strauss started massaging John Doe 23’s upper thigh and made John Doe 23 take his shorts down. Dr. Strauss then rolled John Doe 23’s testicles between his hands for approximately thirty seconds. John Doe 23 did not think there was any medical necessity for doing this.
1208. John Doe 23 also saw Dr. Strauss for a sore throat a few times between 1990 and 1992. During one of the exams, Dr. Strauss pulled John Doe 23’s shorts down and started rolling John Doe 23’s penis and testicles back and forth between his ungloved hands. John Doe 23 asked Dr. Strauss why he needed to check down there for a sore throat. Dr. Strauss responded that John Doe 23 had lymph nodes all over his body and Dr. Strauss needed to make sure they were not swollen.
1209. Dr. Strauss performed the same type of genital examination each time John Doe 23 saw him, whether it was for a physical, an illness, or an injury. John Doe 23 stopped questioning

the need for the genital examinations because Dr. Strauss always said they were necessary, and coaching staff showed no concern despite the athletes' frequent comments about the genital exams.

1210. John Doe 23 felt that he had no choice but to submit to Dr. Strauss's intrusive examinations.

1211. While John Doe 23 was on the wrestling team, he also saw Dr. Strauss in the locker room and showers nearly every day. John Doe 23 would have been more surprised if Dr. Strauss had not already been waiting for the wrestlers in the shower after they finished practice.

1212. Dr. Strauss could have showered by himself while the wrestlers were practicing, but instead waited for the wrestlers to complete practice and joined them in the shower.

1213. During the showers, Dr. Strauss faced the middle of the showers and watched the athletes. He never washed his hair; he just leered.

1214. Dr. Strauss was not the only voyeur at OSU while John Doe 23 was on the wrestling team. John Doe 23 witnessed older men hanging out in the showers and sauna area to watch the wrestlers. The men fondled themselves as they watched the wrestlers shower.

1215. Coach Hellickson and Assistant Coach Jordan also witnessed this voyeurism. Both commented on the presence of older men in the showers watching the wrestlers. Coach Hellickson and Assistant Coach Jordan told the wrestlers to ignore the older men and pretend they were not there.

1216. Several of the wrestlers expressed their anger about being watched in the shower by these men. Coach Hellickson and Assistant Coach Jordan told the wrestlers that if they did anything to act out that they would find themselves in trouble with the school.

1217. For the most part, the coaching staff treated Dr. Strauss's behavior and the environment in the locker room showers as acceptable by OSU standards. As a result, John Doe 23 believed

that he and his teammates just had to deal with Dr. Strauss and the men watching them in the shower if they wanted to continue participating on the wrestling team. Many athletes continued to joke about Dr. Strauss's behavior, perhaps as a coping mechanism since OSU never took action to stop this.

1218. John Doe 23, his teammates, and their coaches all joked about Dr. Strauss's examinations (referring to him as "Dr. Cough"), his odd behavior in the showers, and the locker room environment as a whole.

1219. In hindsight, John Doe 23 believes that he and his teammates joked about this because they did not know how else to deal with the emotional and psychological toll it was having on them as men.

1220. John Doe 23 found the environment at OSU to be incredibly uncomfortable. He felt that he was constantly put into awkward and inappropriate situations where he and his teammates were taken advantage of. John Doe 23 felt that he and his teammates were constantly being watched by depraved men and that OSU and its coaching staff failed to protect them, instead creating the impression that the athletes had no reason to complain because they were not being raped.

1221. Because Coach Hellickson, Assistant Coach Jordan, and the athletic department treated Dr. Strauss's behavior as acceptable, John Doe 23 believed there was nothing he could do to address his discomfort with Dr. Strauss.

1222. John Doe 23 felt that Dr. Strauss's examinations and conduct were strange, but did not realize at the time that Dr. Strauss was sexually abusing and harassing him and his teammates.

1223. John Doe 23 was never informed or made aware of any OSU grievance procedure to

complain about Dr. Strauss and did not believe there was any recourse for what happened to him.

1224. John Doe 23 did not think that complaining was an option given that everyone seemed to know about it and accepted Dr. Strauss's behavior as normal.

1225. In retrospect, John Doe 23 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this, until 2018, after he learned about OSU's investigation into allegations of abuse by Dr. Strauss.

1226. While John Doe 23 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, John Doe 23 did not understand or believe that Dr. Strauss had sexually abused him.

1227. John Doe 23 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.

1228. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 23 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

1229. Even if, while John Doe 23 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

1230. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 23 did not know, or have reason to know, that Dr. Strauss had sexually abused

him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

1231. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 23 would not have been abused by Dr. Strauss.

1232. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 23 has suffered emotional and psychological damages. For example, John Doe 23 has severe anxiety about getting any medical treatment and tries to avoid it as much as possible. John Doe 23's experience at OSU has caused him to distrust the medical profession, universities, and people in general. John Doe 23 is embarrassed about what happened to him at OSU and it causes him to go through periods of depression, for which he takes medication. Dr. Strauss's abuse, the locker room environment, and OSU's perpetuation of the abusive environment tainted John Doe 23's experience at OSU academically, athletically, and socially. In addition, after leaving OSU, John Doe 23's confidence plummeted and his health declined from weight gain, due in part to the psychological trauma he endured at OSU.

#### **JOHN DOE 24**

1233. John Doe 24 was a member of Defendant OSU's lacrosse team from 1990 through 1994.

1234. While John Doe 24 was on the lacrosse team, Brian Salazar was the head coach from 1990 through 1993, and Paul Caldwell was the head coach in 1994.

1235. While John Doe 24 was on the lacrosse team, it was standard practice to get an annual physical before the season started, and coaching or training staff told the team when they had to get their physicals.

1236. Soon after it was announced that the team had to get physicals, upperclassmen started joking about Dr. Strauss. They warned freshmen that Dr. Strauss did very "thorough"

examinations and made athletes take off their pants for any type of appointment, whether for a physical or an illness.

1237. The jokes and warnings by upperclassmen were made in front of the team's coaches.
1238. John Doe 24 was an 18-year-old freshman at OSU when he had his first physical examination with Dr. Strauss.
1239. Lacrosse team members went to OSU's football facility for their physicals.
1240. John Doe 24's physical was done in a private room. No one besides John Doe 24 and Dr. Strauss were in the room.
1241. Toward the end of the physical, Dr. Strauss told John Doe 24 to drop his pants. John Doe 24 complied with this request.
1242. Dr. Strauss then began to move John Doe 24's penis up and down and from side to side. Dr. Strauss then manipulated John Doe 24's testicles with his hands for what seemed like an unnecessary length of time, purportedly to perform a hernia check.
1243. John Doe 24 had never had a hernia check before, so although he was uncomfortable, he did not realize that Dr. Strauss was sexually abusing and harassing him.
1244. John Doe 24 received annual physicals from Dr. Strauss two more times, in his sophomore and junior years at OSU.
1245. During those physicals, Dr. Strauss did the same type of prolonged genital examination. Because coaches, trainers, and teammates treated Dr. Strauss's examinations as a joke, John Doe 24 did not believe he could refuse to see Dr. Strauss based on his own discomfort with the examinations.
1246. While John Doe 24 was on OSU's lacrosse team, Dr. Strauss also watched him and his teammates as they showered in the locker room. It was also well known that Dr. Strauss

stared at naked athletes when they showered.

1247. Dr. Strauss also took photographs of John Doe 24 as he played lacrosse.

1248. OSU's coaching and training staff were well aware of the athletes joking about Dr. Strauss's examinations. They also knew that Dr. Strauss gawked at the athletes in the showers.

1249. The athletic department seemed to treat and accept Dr. Strauss as just an "odd" man. Because of this environment, and the fact that John Doe 24 did not realize Dr. Strauss was sexually abusing him in the guise of medical treatment, John Doe 24 did not complain about the examinations to his coaches.

1250. John Doe 24 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.

1251. In retrospect, John Doe 24 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, after he learned about OSU's investigation into allegations of abuse by Dr. Strauss.

1252. While John Doe 24 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, John Doe 24 did not understand or believe that Dr. Strauss had sexually abused him.

1253. John Doe 24 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.

1254. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 24 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive



conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse.

Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

1255. Even if, while John Doe 24 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

1256. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 24 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

1257. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 24 would not have been abused by Dr. Strauss.

1258. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 24 has suffered emotional and psychological damages. For example, John Doe 24 always feels uncomfortable during physicals and feels like he has to put his guard up. His experience at OSU has impacted his ability to trust medical professionals.

#### **JOHN DOE 25**

1259. John Doe 25 was a member of Defendant OSU's wrestling team from 1977 through 1980, and received a full athletic scholarship that covered all expenses except fees for books.

1260. John Doe 25 relied on his athletic scholarship to attend college.

1261. To receive the athletic scholarship, OSU required John Doe 25 to get an annual physical from Dr. Strauss and to see Dr. Strauss for any injuries.

1262. All of these examinations occurred in Larkins Hall.

1263. Before John Doe 25's first examination by Dr. Strauss, his teammates warned him about

Dr. Strauss. For example, they said, “Dr. Strauss is going to grab your balls.” His teammates also joked about Dr. Strauss making them remove their underwear then examining their genitals, regardless of the reason for the medical appointment—including for a sore throat.

1264. John Doe 25 saw Dr. Strauss for annual physicals and multiple injuries throughout the time he was on the wrestling team.

1265. To the best of his recollection, John Doe 25 was an 18-year-old freshman when he had his first physical exam with Dr. Strauss.

1266. John Doe 25 felt extremely uncomfortable during the exam. Dr. Strauss’s hands lingered on John Doe 25’s genitals for what seemed like an inappropriate amount of time. Dr. Strauss also moved his face very close to John Doe 25’s genitals while examining them.

1267. During other annual physicals and medical exams for numerous injuries, Dr. Strauss always made John Doe 25 drop his pants and grabbed John Doe 25’s penis and testicles.

1268. John Doe 25’s teammates had similar experiences with Dr. Strauss, but they made light of the exams and joked about them.

1269. John Doe 25’s coaches instilled a mindset in the team that wrestlers were the toughest athletes, could handle and overcome anything, and should not complain.

1270. During a wrestling practice in 1978, John Doe 25 suffered a groin injury. Training staff told him he needed to see Dr. Strauss for the injury, and John Doe 25 followed these instructions.

1271. As he had done in prior exams, Dr. Strauss sat on a stool in front of John Doe 25 and told him to drop his pants. John Doe 25’s groin injury had caused a blood blister and bruise on his penis. John Doe 25 asked Dr. Strauss whether he should be concerned about the bruise.

Dr. Strauss told John Doe 25 that the bruise on his penis was from “too much masturbating.” John Doe 25 had never said anything to Dr. Strauss about masturbating and found this comment very upsetting.

1272. Referring to John Doe 25’s penis, Dr. Strauss then asked John Doe 25, “Can I milk it for you?” John Doe 25 responded “I’m good.” This question embarrassed and angered John Doe 25.

1273. Immediately after the exam, John Doe 25 told his head coach, Chris Ford, exactly what happened, including what Dr. Strauss had offered to do. Coach Ford told John Doe 25 that he would “look into it.”

1274. John Doe 25 never heard from Coach Ford or anyone else about the incident John Doe 25 reported.

1275. While John Doe 25 was on the wrestling team, Dr. Strauss also showered with John Doe 25 and the other wrestlers. Dr. Strauss made comments to them while they showered and dressed in the locker room. This also made John Doe 25 very uncomfortable.

1276. John Doe 25 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.

1277. In retrospect, John Doe 25 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, after he learned about OSU’s investigation into allegations of abuse by Dr. Strauss.

1278. While John Doe 25 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss’s examinations and complained once, John Doe 25 did not understand that Dr. Strauss had sexually abused

him.

1279. John Doe 25 reasonably believed that OSU would not have required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
1280. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 25 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
1281. Even if, while John Doe 25 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
1282. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 25 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
1283. If OSU had taken meaningful action to address any prior reports of Dr. Strauss's sexual abuse, John Doe 25 would not have been abused by Dr. Strauss.
1284. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 25 has suffered emotional and psychological damages. For example, John Doe 25 avoided doctors for years, attempting home remedies to address issues that required treatment by a physician, and putting his health in jeopardy. To this day, John Doe 25 is leery of seeking treatment from doctors. In addition, media coverage of Dr. Strauss's sexual abuse and OSU's investigation has retraumatized John Doe 25, causing repressed memories of these painful experiences to resurface.

**JOHN DOE 26**

1285. John Doe 26 was a member of Defendant OSU's swim team from 1990 through 1993, and had an athletic scholarship.
1286. John Doe 26 relied on his athletic scholarship to attend OSU.
1287. While John Doe 26 was on the swim team, Bill Wadley was the head coach and Mike Curley and David Wharton were assistant coaches.
1288. While John Doe 26 was on the swim team, it was standard practice for team members to get an annual physical before the season started, and coaching or training staff told the team when they had to get their physicals from the team doctor.
1289. Dr. Strauss was the team doctor while John Doe 26 was on the swim team, and Dr. Strauss conducted all the annual physicals.
1290. The physicals occurred in Larkins Hall, and approximately 20 teammates got their physicals from Dr. Strauss there.
1291. The athletes waited in the training room at Larkins Hall until Dr. Strauss called the athletes one-by-one for their physicals. He took the athletes to a private examination room where no one but the athlete and Dr. Strauss were in the room.
1292. John Doe 26 was an 18-year-old freshman when he had his first physical with Dr. Strauss, in 1990.
1293. The teammates who had their physicals before John Doe 26 walked back into the training room looking troubled. As they rejoined the team, they made comments such as, "What's up with this guy?"
1294. When it was John Doe 26's turn for a physical, he soon understood the reason for his teammates' reactions.
1295. After John Doe 26 entered the private examination room, Dr. Strauss instructed him to drop

- his swim suit and stand in the middle of the room. John Doe 26 complied with these instructions.
1296. Dr. Strauss then began to touch and manipulate John Doe 26's penis and testicles with ungloved hands.
1297. The manner in which Dr. Strauss touched John Doe 26's genitals made John Doe 26 feel that Dr. Strauss was trying to cause John Doe 26 to get an erection.
1298. John Doe 26 became very uncomfortable as the exam progressed, and finally said something along the lines of, "Think ya got it figured out yet?"
1299. Dr. Strauss was not dissuaded. He continued to touch and manipulate John Doe 26's penis and testicles for what seemed like an unreasonable length of time. It felt as though Dr. Strauss believed he could do whatever he wanted without consequence.
1300. After John Doe 26's physical, he and his teammates talked about the strange way that Dr. Strauss performed their "hernia checks."
1301. John Doe 26 wanted to continue participating on the swim team and worried that he would jeopardize that opportunity and his future as a world-champion swimmer if he complained about Dr. Strauss. As a result, John Doe 26 continued to see Dr. Strauss for physicals for the remainder of the time he was on the swim team.
1302. At each annual physical, Dr. Strauss performed the same type of intrusive "hernia check" on John Doe 26.
1303. Because Dr. Strauss was the team physician, OSU also required John Doe 26 and his teammates to see Dr. Strauss for any illnesses or injuries.
1304. John Doe 26 recalls seeing Dr. Strauss for medical appointments in 1991 and 1992 for a sore throat and a knee injury.

1305. During the medical appointment for his sore throat, Dr. Strauss instructed John Doe 26 to drop his pants. John Doe 26 responded, “No, it’s for my throat Doc.” But Dr. Strauss told John Doe 26 that he still needed to perform a genital examination. John Doe 26 felt powerless, did not feel he could question Dr. Strauss, and submitted to the genital examination once again.
1306. In 1992, John Doe 26 sustained a knee injury and needed pain medication. Dr. Strauss told him to come in for a medical appointment, which John Doe 26 did. Dr. Strauss once again touched and manipulated John Doe 26’s penis and testicles in the guise of appropriate medical treatment. John Doe 26 felt both angry and scared.
1307. John Doe 26 also witnessed Dr. Strauss leering at male athletes in the locker room and showers. Dr. Strauss sat outside the showers with his camera and took photographs of the athletes as they were changing.
1308. Dr. Strauss also took photographs of John Doe 26 during a Big Ten swim conference at a hotel in Indianapolis in 1991 or 1992.
1309. On one occasion, John Doe 26 spoke with an upperclassman and questioned Dr. Strauss’s conduct. The older athlete said that Dr. Strauss was just strange and obsessed with the human body.
1310. Although John Doe 26 does not recall complaining directly to coaching staff about Dr. Strauss, the team often discussed Dr. Strauss’s behavior in front of coaches and training staff while in the locker room. Dr. Strauss also openly took photographs of athletes as they exited the showers and locker room.
1311. John Doe 26 thought that Dr. Strauss’s examinations and conduct were strange, but did not realize at the time that Dr. Strauss was sexually abusing and harassing him and his

teammates.

1312. John Doe 26 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.

1313. In retrospect, John Doe 26 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this, until 2018, after he learned about OSU's investigation into allegations of abuse by Dr. Strauss.

1314. While John Doe 26 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt uncomfortable during Dr. Strauss's examination, John Doe 26 did not understand or believe that Dr. Strauss had sexually abused him.

1315. John Doe 26 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.

1316. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 26 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.

1317. Even if, while John Doe 26 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.

1318. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 26 did not know, or have reason to know, that Dr. Strauss had sexually abused



him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.

1319. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 26 would not have been abused by Dr. Strauss.

1320. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 26 has suffered emotional and psychological damages. For example, John Doe 26 avoids male doctors because he fears reliving the abuse by Dr. Strauss. John Doe 26 felt powerless right after Dr. Strauss's examinations and now experiences those same feelings since learning that OSU knew about the abuse and did nothing to stop it. John Doe 26 also blames himself for what happened, questioning whether he did something to deserve or instigate the abuse.

#### **JOHN DOE 27**

1321. John Doe 27 was a member of Defendant OSU's volleyball team from 1982 through 1984.

1322. To participate on the volleyball team, OSU staff required John Doe 27 to get an annual physical.

1323. Dr. Strauss was the team doctor while John Doe 27 was on the volleyball team, and Dr. Strauss conducted all the annual physicals.

1324. John Doe 27 was an 18-year-old freshman when he had his first physical with Dr. Strauss, in January of 1983.

1325. Before this exam, OSU staff had John Doe 27 and his teammates form a line outside Dr. Strauss's office in Larkins Hall. When his turn came, John Doe 27 entered a private room with Dr. Strauss and a male athletic trainer.

1326. During the exam, Dr. Strauss instructed John Doe 27 to disrobe. After John Doe 27 complied, Dr. Strauss and inspected John Doe 27's entire body. Dr. Strauss then moved his face very close to John Doe 27's penis and scrotum while touching, closely examining, and

methodically looking all around them for an inappropriately long period of time.

1327. Dr. Strauss did not wear gloves during the exam.
1328. During the exam, Dr. Strauss also made inappropriate comments to John Doe 27. These included telling John Doe 27 that he liked his tan and tan lines, asking about John Doe 27's ethnicity and whether he had vacationed somewhere warm for Christmas, and telling John Doe 27 that he was "looking good."
1329. Dr. Strauss's touching and comments to John Doe 27 were embarrassing, deeply unsettling, and traumatizing.
1330. John Doe 27 had a second physical exam with Dr. Strauss in January of 1984 that was very similar to the first exam. Dr. Strauss instructed John Doe 27 to disrobe, then moved his face very close to John Doe 27's penis and scrotum while touching, closely examining, and methodically looking all around them for an inappropriately long period of time.
1331. From discussions with a teammate, John Doe 27 learned that other volleyball players had similar experiences with Dr. Strauss.
1332. In addition to conducting the volleyball team's medical examinations, Dr. Strauss showered with the team, including John Doe 27. Dr. Strauss made comments to volleyball players while they undressed and showered. He also stared at their naked bodies. This made John Doe 27 and his teammates very uncomfortable.
1333. John Doe 27 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss and did not believe there was any recourse for what happened to him.
1334. In retrospect, John Doe 27 realizes that Dr. Strauss sexually abused and harassed him and his teammates. However, he did not know or have reason to know this until 2018, when he

learned about OSU's investigation into allegations of abuse by Dr. Strauss.

1335. While John Doe 27 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable during Dr. Strauss's examination, John Doe 27 did not understand or believe that Dr. Strauss had sexually abused him.
1336. John Doe 27 reasonably believed that OSU would not have made Dr. Strauss the athletic team doctor and required him and other athletes to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.
1337. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 27 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexually abusive conduct or that other athletes had previously complained to OSU about Dr. Strauss's abuse. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
1338. Even if, while John Doe 27 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
1339. In short, until learning in 2018 about Dr. Strauss's serial sexual abuse of OSU students, John Doe 27 did not know, or have reason to know, that Dr. Strauss had sexually abused him, that OSU had known about Dr. Strauss's serial sexual abuse, or that OSU had failed to take appropriate steps to stop Dr. Strauss's abuse.
1340. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual abuse, John Doe 27 would not have been abused by Dr. Strauss.
1341. As a result of Dr. Strauss's abuse and OSU's failure to prevent it, John Doe 27 has suffered emotional and psychological damages. For example, learning about Dr. Strauss's sexual

abuse and OSU's role in allowing it has retraumatized John Doe 27, causing repressed memories of these painful experiences to resurface. In addition, even though John Doe 27 is an oral surgeon, he feels he has to watch out for doctors and be very careful about who he sees for medical treatment.

**JOHN DOE 28**

1342. John Doe 28 was the manager of OSU's gymnastics team from 1983 through 1985.
1343. In 1983 or 1984, John Doe 28 asked the gymnastics team's coach if he could get a physical exam with other members of the team. John Doe 28 wanted the same opportunity the gymnasts had to get a free check-up. The coach told John Doe 28 to see Dr. Strauss for an exam.
1344. Before the exam, when John Doe 28 asked Coach Mike Willson if he should get a physical examination, Coach Willson replied, "yes." A teammate overheard the conversation and told John Doe 28 to "be careful."
1345. John Doe 28 saw Dr. Strauss for a physical exam at Larkins Hall. Dr. Strauss examined him in a private room there, with no one else present. John Doe 28 recalls that the office had windows, but Dr. Strauss closed the drapes before the examination.
1346. To the best of his recollection, John Doe 28 was a 20-year-old junior at the time of the physical exam with Dr. Strauss.
1347. Dr. Strauss began the exam in an ordinary way, consistent with John Doe 28's expectations for a physical.
1348. But the examination changed quickly after Dr. Strauss sat on a stool and instructed John Doe 28 to drop his pants to check for a hernia.
1349. Dr. Strauss began to touch John Doe 28's testicles and the surrounding areas, asking John Doe 28 to cough over and over again and causing him to get aroused.

1350. Dr. Strauss then began touching John Doe 28's penis and testicles in a way that caused John Doe 28 to begin to get an erection. Dr. Strauss then moved his left hand to John Doe 28's penis and began masturbating him.
1351. John Doe 28 was extremely embarrassed and shocked by the doctor's actions, which prohibited John Doe 28 from responding.
1352. Dr. Strauss repeatedly asked John Doe 28 to cough while he continued to masturbate him.
1353. While touching John Doe 28's genitals, Dr. Strauss gradually moved his face closer to John Doe 28's genitals, making John Doe 28 believe Dr. Strauss was about to put his mouth on John Doe 28's penis.
1354. John Doe 28 then recoiled backwards, away from the doctor.
1355. John Doe 28 believes that the gymnasts had similar experiences with Dr. Strauss, because other gymnasts used euphemisms to talk about Dr. Strauss, saying he was "creepy," "weird," and "probably a fag," among other names.
1356. While John Doe 28 was the manager of the gymnastics team, Dr. Strauss showered with John Doe 28 and the gymnasts. In fact, Dr. Strauss showered repeatedly in the same day, as the gymnasts finished their practices at different times. In between showering, Dr. Strauss walked around the locker room naked with a towel over his shoulder or sat naked in a chair reading a newspaper. Dr. Strauss positioned his chair in the locker room so he could see every male entering the showers from each of the two entrances. Dr. Strauss's conduct in the locker room made John Doe 28 very uncomfortable. He was also angry that he and the team were subjected to this behavior.
1357. Other men, whom John Doe 28 believed were OSU faculty, staff, and/or students, also showered regularly in the locker room with the gymnasts and wrestlers, staring at their

naked bodies. John Doe 28 often saw these men walking around the locker room and shower area fondling themselves, sometimes to the point of getting erections. John Doe 28 believed that these men were “cruising” for sex, as they fondled themselves while looking to see if an athlete was watching them. This happened repeatedly, nearly every day.

1358. To avoid Dr. Strauss and these other men, John Doe 28 and some gymnasts stopped showering at Larkins Hall.

1359. John Doe 28 was never informed or made aware of any OSU grievance procedure to complain about Dr. Strauss or the environment at Larkins Hall and did not believe there was any recourse for what he experienced.

1360. In fact, John Doe 28 believed that if he had reported Dr. Strauss, he might have been removed from the gymnastics team.

1361. Given the environment Dr. Strauss and OSU had created, John Doe 28 was afraid of the consequences if he complained.

1362. In retrospect, John Doe 28 realizes that Dr. Strauss sexually assaulted and harassed him and the gymnastics team. John Doe 28 also realizes now that the environment in the Larkins Hall locker room and showers was sexually hostile. However, he did not know or have reason to know this until 2018, when he learned about OSU’s investigation into allegations of sexual misconduct by Dr. Strauss.

1363. While John Doe 28 was an OSU student, he trusted that OSU would not allow him to be harmed. So, even though he felt very uncomfortable about Dr. Strauss’s physical examination and conduct in the locker room, John Doe 28 did not understand at the time that Dr. Strauss had sexually assaulted and harassed him.

1364. John Doe 28 reasonably believed that OSU would not have made Dr. Strauss the athletic

team doctor and sent him and the gymnasts to see Dr. Strauss unless Dr. Strauss's examinations were legitimate.

1365. Until learning in 2018 about OSU's investigation into Dr. Strauss's conduct, John Doe 28 did not know, or have reason to know, of OSU's role in Dr. Strauss's sexual assaults and harassment or that other students had complained to OSU about Dr. Strauss's conduct. Nor did he have reason to investigate whether OSU—in addition to Dr. Strauss—had harmed him.
1366. In short, until learning in 2018 about Dr. Strauss's serial sexual assault and harassment of OSU students, John Doe 28 did not know, or have reason to know, that Dr. Strauss had sexually assaulted and harassed him, that OSU had known about Dr. Strauss's serial sexual assault and harassment, or that OSU had failed to take appropriate steps to stop Dr. Strauss's sexual misconduct.
1367. Even if, while John Doe 28 was an OSU student, he had tried to inquire further into OSU's role in Dr. Strauss's conduct, the inquiry would have been futile, as OSU controlled access to that information.
1368. If OSU had taken meaningful action to address prior reports of Dr. Strauss's sexual misconduct, John Doe 28 would not have been sexually assaulted and harassed by Dr. Strauss.
1369. As a result of Dr. Strauss's sexual assault and harassment, and OSU's failure to prevent this, John Doe 28 has suffered permanent emotional and psychological damages. For example, prior to his exam with Dr. Strauss, John Doe 28 was an excellent student who was a member of academic honors societies and a recipient of academic scholarships. After the exam, John Doe 28's grade point average dropped precipitously and he struggled to

pass his college courses. This adversely affected John Doe 28's plan to attend graduate school to study experimental or social psychology because he no longer had the grades to pursue this, which, in turn, negatively impacted his earning capacity. In addition, John Doe 28 felt he had no choice but to quit managing the gymnastics team. This happened just a few months before the team won a national championship, causing John Doe 28 to miss the opportunity to receive a championship ring—a heartbreaking moment and lifelong regret.

1370. After his examination by Dr. Strauss, John Doe 28 also began to drink heavily and use recreational drugs. John Doe 28 was not able to become sober until January 1986. Since his experience with Dr. Strauss, John Doe 28 has been distrustful of other people and has had problems with intimacy. John Doe 28 has needed therapy to help him process his trauma. He has been diagnosed with Post Traumatic Stress Disorder (PTSD). He has suffered from nightmares. The impact from Dr. Strauss's abuse continues to affect him deeply. He is on edge and feels fearful and overwhelmed. As a result, he reacts with hypervigilance. He feels angry at OSU and Dr. Strauss. Since the Strauss investigation was announced, John Doe 28 has also suffered from unexplained weight loss and believes it may be stress related.

### **CLAIMS FOR RELIEF**

#### **COUNT I**

#### **Violation of Title IX, 20 U.S.C. § 1681(a), *et seq.***

#### **Creation of Sexually Hostile Culture/Heightened Risk of Sexual Harassment**

1371. Plaintiffs incorporate by reference the allegations in all previous paragraphs as if fully stated here.

1372. Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. § 1681(a), states: "No person in the United States shall, on the basis of sex, be excluded from participation



in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance . . . .”

1373. Title IX is implemented through the Code of Federal Regulations. See 34 C.F.R. Part 106. 34 C.F.R. § 106.8(b) provides: “. . . A recipient shall adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action which would be prohibited by this part.”

1374. As explained in Title IX guidance issued by the U.S. Department of Education’s Office for Civil Rights, sexual harassment of students is a form of sex discrimination covered by Title IX.

1375. Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

1376. Title IX covers all persons subjected to discrimination in any program or activity of a school that receives any federal financial assistance, and covers sexual harassment—including sexual assault and sexual abuse—by school employees, students, and third parties.

1377. Title IX requires OSU to promptly investigate all allegations of sexual harassment, including sexual assault and abuse.

1378. Dr. Strauss was an OSU employee whose actions were carried out as an OSU professor, OSU athletic team doctor, and physician at OSU.

1379. Dr. Strauss’s sexual harassment of Plaintiffs (and others)—which included, among other things, fondling their testicles and penises, masturbating men to erection and ejaculation, drugging and anally raping them, digitally penetrating their rectums, touching their bodies

in other inappropriate ways, making inappropriate comments about their bodies, and asking improper, sexualized questions—was sex discrimination under Title IX.

1380. Dr. Strauss's sexual harassment of Plaintiffs (and others) was rampant, occurring regularly on campus and sometimes at his home, for two decades.
1381. OSU had actual knowledge of Dr. Strauss's serial sexual harassment and permitted it to continue unchecked until 1996 and, even when OSU belatedly took action in 1996, it permitted him to remain employed through 1998, when OSU allowed Dr. Strauss to retire with emeritus status.
1382. Throughout Dr. Strauss's 20-year tenure at OSU, students, student-athletes, and coaches conveyed complaints and concerns to OSU administrators and employees about Dr. Strauss's inappropriate conduct.
1383. For decades, Strauss' abuse was well known among at least *fifty* OSU employees in the athletic department. Multiple Student Health Directors also had information about Dr. Strauss abuse for years.
1384. Specifically, OSU was notified about Dr. Strauss's sexual harassment through OSU employees with authority to take corrective action to address it. These OSU employees include, but are not limited to: former Director of Student Health Services, Ted Grace, M.D.; former Head Team Physician/Medical Director of the OSU Sports Medicine and Family Health Center Dr. John Lombardo; former Head Team Physician/Director of Sports Medicine Dr. Bob Murphy; former Athletic Director and Assistant University Vice President Andy Geiger; former Athletic Director Jim Jones; former Assistant Athletic Director Archie Griffin; former Athletic Director Hugh Hindman; Senior Associate Athletic Director Paul Krebs; former Assistant Athletic Director Larry Romanoff; former

Associate Sports Information Director Steve Snapp; former Assistant Athletic Director Richard Delaney; Assistant Director of Student Athlete Support Services John Macko; former Co-Head Athletic Trainer Billy Hill; former Head Wrestling Coach Russ Hellickson; former Head Tennis Coach John Daly; former Head Track and Field Coach Frank Zubovich; former Head Swimming Coach Dick Sloan; former Head Wrestling Coach Chris Ford; former Head Gymnastics Coach Peter Kormann; and former Head Fencing Coach Charlotte Remenyik.

1385. Many coaches at OSU had enormous power and responsibility. For example, when asked in 2011 whether he would dismiss then-football coach Jim Tressel (for conduct unrelated to Dr. Strauss's abuse), the OSU president replied: "No, are you kidding? Let me just be very clear: I'm just hopeful the coach doesn't dismiss me."<sup>52</sup>
1386. OSU's knowledge of Dr. Strauss's sexual abuse is indisputable.
1387. Both the Perkins Coie Report and the Working Group on Reviewing the Medical Board's Handling of the Investigation Involving Richard Strauss concluded that for years, starting in Dr. Strauss's first year of employment at OSU, OSU personnel—including Dr. Strauss's supervisors in Student Health and the Athletic Department—had knowledge of Dr. Strauss's sexual abuse of male students, based on reports made by students and OSU employees.
1388. OSU was required to promptly investigate and address Plaintiffs' (and others) allegations, reports and/or complaints of unwelcome, inappropriate touching and comments by Dr. Strauss, but OSU did not do so.

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<sup>52</sup> *Gee: No Tressel dismissal*, The Columbus Dispatch (Mar. 8, 2011), <https://www.youtube.com/watch?v=dCutRJvTK6c>

1389. After Plaintiff Snyder-Hill notified former Director of Student Health Services, Dr. Ted Grace, about Dr. Strauss's sexual abuse, Dr. Grace assured Snyder-Hill that OSU would document and retain any future complaints about Dr. Strauss. But OSU's personnel file on Dr. Strauss does not even mention Snyder-Hill's complaint.
1390. Despite years of complaints, OSU did not take any steps to stop Dr. Strauss from treating—and abusing—students until January 1996. At that point, OSU belatedly placed Dr. Strauss on administrative leave and launched an investigation—though the investigation did not include the history of complaints about Strauss in Athletics. OSU held a hearing in June 1996, without notifying the student complainants or permitting them to participate.
1391. Even after OSU's Athletics Department decided to terminate Dr. Strauss's employment and Student Health Services decided not to renew his appointment, OSU permitted Dr. Strauss's faculty appointment as a tenured professor to continue, permitted him to retire, and granted him emeritus status when he retired. OSU also permitted Dr. Strauss to open an off-campus men's clinic while he was on administrative leave and under investigation and to advertise for patients in the school newspaper.
1392. OSU created and was deliberately indifferent to a sexually hostile culture within its education programs and activities, by, among other things:
- a. Mishandling students' reports about Dr. Strauss's conduct and/or discouraging students from reporting Dr. Strauss's conduct;
  - b. Failing to promptly and appropriately investigate, remedy, and respond to complaints about Dr. Strauss's conduct;
  - c. Promoting Dr. Strauss and increasing his access to OSU students, despite students' complaints about Dr. Strauss's conduct;

- d. Failing to adequately supervise Dr. Strauss, after learning that he posed a substantial risk to the safety of male students and student-athletes;
- e. Failing to take prompt and appropriate corrective action to prevent Dr. Strauss from sexually harassing other students;
- f. Requiring student-athletes to see Dr. Strauss for annual physicals and medical treatment in order to participate in university sports and maintain their athletic scholarships—even after student-athletes complained to athletic directors, coaches, and trainers about the ways Dr. Strauss touched them during medical examinations.
- g. Threatening male athletes' participation in OSU sports if they refused to get physicals and/or medical treatment from Dr. Strauss;
- h. Joking about Dr. Strauss's conduct with student-athletes;
- i. Permitting Dr. Strauss to ogle male student-athletes at Larkins Hall while they showered;
- j. Permitting Dr. Strauss to shower with student-athletes for hours at a time, several times a day;
- k. Falsely representing to at least one student who reported sexual harassment by Dr. Strauss that there had been no prior complaints about Dr. Strauss and that Student Health had only received positive comments about Dr. Strauss;
- l. Permitting a toxic, sexualized culture to thrive at Larkins Hall, where a cohort of older male "voyeurs" gathered to gawk at male student-athletes and masturbate while watching them shower.
- m. Conducting a cabined investigation into Dr. Strauss's abuse in 1996 that did

- not include determining the scope of his abuse and did not include examining his treatment of athletes;
- n. Failing to notify those who complained about Dr. Strauss's conduct about the June 1996 disciplinary hearing and not permitting the complainants an opportunity to testify at that hearing;
  - o. Covering up the scope of the abuse of Dr. Strauss by, on information and belief, not telling anyone outside OSU that its investigation led OSU to terminate Dr. Strauss's employment with the Athletics Department, thereby concealing from complainants and those who were victimized by Dr. Strauss the truth about Dr. Strauss's abuse and OSU's indifference for over two decades;
  - p. Covering up and concealing the scope of the abuse of Dr. Strauss by, on information and belief, destroying the health records of those who Dr. Strauss examined, even destroying documents *after* OSU launched an investigation into Dr. Strauss's abuse;
  - q. Allowing Dr. Strauss to continue his employment as a tenured professor after OSU suspending him from seeing students at Student Health and in Athletics and granting him the honorific of emeritus status when he retired;
  - r. Allowing Dr. Strauss continued access to students by approving his off-campus men's clinic and allowing him to advertise in the student newspaper;
  - s. Failing to notify the Medical Board of Ohio about Dr. Strauss's abuse; and
  - t. Failing to notify law enforcement about Dr. Strauss's abuse.

1393. OSU's creation of and deliberate indifference to the sexually hostile culture within its education programs and activities substantially increased the risk that Plaintiffs and others would be sexually harassed and abused.
1394. The sexual harassment and abuse that Plaintiffs suffered was so severe, pervasive and objectively offensive that it effectively barred their access to educational opportunities and benefits, including a safe educational environment and appropriate medical care.
1395. As a direct and proximate result of OSU's creation of and deliberate indifference to a sexually hostile educational environment, which violated Title IX, Plaintiffs have suffered and continue to suffer damages and injuries.

**COUNT II**  
**Violation of Title IX, 20 U.S.C. § 1681(a), *et seq.***  
**Deliberate Indifference to Prior Sexual Harassment**

1396. Plaintiffs incorporate by reference the allegations in all previous paragraphs as if fully stated here.
1397. Before Dr. Strauss sexually harassed or abused most, if not all, of the Plaintiffs, OSU had actual knowledge of Dr. Strauss's prior sexual harassment and abuse of male students at OSU.
1398. "University personnel had knowledge of Strauss' sexual abusive treatment of male student-patients as early as 1979," within Dr. Strauss's first year at OSU. Report at 1. "As early as 1979, personnel in the University's Sports Medicine program and Athletics Department were aware that Strauss was conducting genital examinations on male athletes that were unusually prolonged, and that Strauss refused to allow athletic training staff to be present." *Id.* at 2.
1399. Strauss's inappropriate sexual behavior was "broadly witnessed and discussed in the Athletics Department"; "[m]ore than 50 individuals who were members of the OSU

Athletics Department staff” knew about Dr. Strauss’s inappropriate sexual conduct. *Id.* at 88 (emphasis added). “[B]eing examined by Strauss was akin to being ‘hazed’ or was a ‘rite of passage.’” *Id.*

1400. Between 1978 and 1996, numerous student-athletes complained to OSU administrators and staff about Dr. Strauss’s inappropriate conduct.
1401. Based on Dr. Strauss’s prior conduct, OSU had actual knowledge of the substantial risk that Dr. Strauss would sexually harass other male students at OSU.
1402. OSU officials, with the knowledge described above, had the authority to address the risk posed by Dr. Strauss, and had the authority to take corrective measures by, among other things, closely supervising Dr. Strauss, not allowing him to examine to examine students without another medical professional present, not allowing him to shower with student-athletes, or terminating his employment.
1403. OSU’s failure to address the substantial risk posed by Dr. Strauss, given prior complaints and reports about his inappropriate conduct, was clearly unreasonable in light of the known circumstances.
1404. By its acts and omissions, OSU was deliberately indifferent to the substantial risk that Dr. Strauss would sexually harass other male students at OSU.
1405. As a result of OSU’s deliberate indifference, Plaintiffs were subjected to severe sexual harassment by Dr. Strauss, including sexual assault in the guise of medical care.
1406. The sexual harassment that Plaintiffs suffered was so severe, pervasive, and objectively offensive that it deprived Plaintiffs of access to educational opportunities and benefits, including a safe educational environment and appropriate medical care.
1407. As a direct and proximate result of OSU’s deliberate indifference to Dr. Strauss’s prior



sexual harassment of male students at OSU, which violated Title IX, Plaintiffs have suffered and continue to suffer damages and injuries.

**COUNT III**  
**Violation of Title IX, 20 U.S.C. § 1681(a), *et seq.***  
**Deliberate Indifference to Report of Sexual Harassment**  
**(by Plaintiff Steve Snyder-Hill)**

1408. Plaintiffs incorporate by reference the allegations in all previous paragraphs as if fully stated here.
1409. Beginning on January 6, 1995, OSU had actual knowledge of Dr. Strauss's sexual harassment of Plaintiff Steve Snyder-Hill, when Snyder-Hill called Student Health to lodge a complaint about Dr. Strauss's conduct at a medical examination.
1410. OSU was deliberately indifferent to Snyder-Hill's complaint of sexual harassment by, among other things, failing to appropriately investigate, remedy, and respond to Snyder-Hill's complaint; falsely representing to Snyder-Hill that he was the first student to complain about Dr. Strauss's medical care and that OSU had received only positive comments on Dr. Strauss up to that point; falsely representing to Snyder-Hill that Student Health would change its practices, in response to his complaint, to ensure that students could have a chaperone present when examined and could opt out of testicular and rectal exams; insisting that Snyder-Hill describe the details of Dr. Strauss's sexual in the presence of Dr. Strauss; failing to notify Snyder-Hill about the June 1996 disciplinary hearing on Dr. Strauss's conduct and give Snyder-Hill an opportunity to testify at that hearing; failing to notify Snyder-Hill of the results of that disciplinary hearing; concealing from Snyder-Hill that OSU learned in 1996 that the State Medical Board concluded that Dr. Strauss had been "performing inappropriate genital exams on male students" at OSU "for years"; allowing Dr. Strauss to continue providing medical care to OSU students without any

supervision for nearly a year after Snyder-Hill's complaint; and failing to take disciplinary action against Dr. Strauss in 1995, in response to Snyder-Hill's complaint; and failing to inform Snyder-Hill of his legal rights and options after OSU decided not to discipline Dr. Strauss in 1995 for his conduct during Snyder-Hill's examination.

1411. OSU's deliberate indifference to Snyder-Hill's complaint about Dr. Strauss subjected him to a hostile educational environment so severe, pervasive, and objectively offensive that it deprived him of educational opportunities and benefits, including a safe educational environment and appropriate medical care.
1412. Until July 11, 2018, when Snyder-Hill learned about Dr. Strauss's serial sexual abuse of OSU students, Snyder-Hill did not know, or have reason to know, that OSU had acted with deliberate indifference to his complaint about Dr. Strauss's conduct.
1413. In fact, because of OSU's false representations to him in 1995, Snyder-Hill reasonably believed that he was the first OSU student to complain about Dr. Strauss, no other students had been similarly abused, and OSU had taken reasonable steps to address his concerns about ensuring student safety in the future.
1414. Furthermore, because OSU did not inform Snyder-Hill in 1996 about the disciplinary action it took against Dr. Strauss or the State Medical Board's conclusion about Dr. Strauss's sexual misconduct, Snyder-Hill did not know, or have reason to know, until July 11, 2018, that OSU had acted with deliberate indifference to his complaint about Dr. Strauss's conduct.
1415. As a direct and proximate result of OSU's deliberate indifference to Plaintiff Steve Snyder-Hill's report of Dr. Strauss's sexual harassment, which violated Title IX, Plaintiff Snyder-Hill has suffered and continues to suffer damages and injuries.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully request that this Court:

- (a) Enter judgment in favor of Plaintiffs on their discrimination claims under Title IX;
- (b) Enter judgment against Defendant The Ohio State University;
- (c) Declare Defendant The Ohio State University's conduct in violation of Title IX of the Education Amendments of 1972;
- (d) Award Plaintiffs compensatory damages in amounts to be established at trial, including, without limitation, payment of Plaintiffs' medical and other expenses incurred as a consequence of the sexual abuse and/or harassment and The Ohio State University's deliberate indifference; damages for deprivation of equal access to the educational opportunities and benefits provided by The Ohio State University; and damages for past, present and future emotional pain and suffering, ongoing mental anguish, loss of past, present and future enjoyment of life, and loss of future earnings and earning capacity;
- (e) Award Plaintiffs pre-judgment and post-judgment interest;
- (f) Award Plaintiffs their court costs and expenses, including attorneys' fees, pursuant to 42 U.S.C. § 1988(b); and
- (g) Grant such other relief as this Court deems just and proper.

**JURY DEMAND**

Plaintiffs demand a trial by jury on all issues in this Second Amended Complaint.

Date: November \_\_\_, 2019

Respectfully submitted,

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