

Texas at Dallas or associated law enforcement agencies ("Doe Officers"), and COLLIN COUNTY, TEXAS ("Collin County") (collectively, "Defendants"), and for cause of action would respectfully show the Honorable Court as follows:

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I. NATURE OF THE ACTION

1. This is a civil rights action brought against Defendants for their unlawful seizure, excessive force, retaliatory arrest, racial discrimination, and deliberate indifference to the constitutional rights of Plaintiff Dr. Ali Asgar H. Alibhai. Acting under color of law, Defendants orchestrated a campaign of punishment against Plaintiff for the simple act of observing and objecting to state-sponsored overreach. Their actions violated Plaintiff's rights under the First, Fourth, and Fourteenth Amendments to the United States Constitution, as well as federal civil rights statutes and Texas common law. Plaintiff brings claims under 42 U.S.C. § 1983, 42 U.S.C. § 1981, Title VII of the Civil Rights Act of 1964, and Texas state law.

2. Plaintiff alleges that Defendant Richard Benson, as President of the University of Texas at Dallas, exercised final policymaking authority and ratified official conduct that

suppressed lawful expression, imposed retaliatory employment restrictions, and subjected minority faculty members to harsher treatment than their white colleagues.

3. Plaintiff further alleges that Defendants Nils Roemer and Inga Musselman, as senior administrators, actively implemented and enforced policies and practices that singled out Plaintiff for exclusion, humiliation, and lasting professional harm, all without lawful basis or factual justification.

4. Defendants' actions were not mere misjudgments. They were deliberate exercises of institutional power, designed to target, escalate, and silence those who stood at the intersection of peaceful protest and vulnerable identity. As a result, Plaintiff has suffered physical injury, emotional trauma, reputational damage, and professional setbacks that continue to this day. For these constitutional violations and other causes of action, Plaintiff seeks full and fair redress.

II. PARTIES

5. Plaintiff Dr. Ali Asgar H. Alibhai is a United States citizen who resides in Dallas County, Texas. At all relevant times, Plaintiff was employed by the University of Texas at Dallas as a tenure-track Assistant Professor of Art History.

6. Defendant University of Texas at Dallas ("UTD") is a public institution of higher education organized under the laws of Texas. UTD may be sued for declaratory and injunctive relief under 42 U.S.C. § 1983. UTD may be served by serving its President Richard C. Benson at 800 W. Campbell Road, Richardson, Texas 75080.

7. Defendant Richard Benson is the President of the University of Texas at Dallas. He is sued in his individual and official capacities. He can be served at 800 W. Campbell Road, Richardson, Texas 75080.

8. Defendant Nils Roemer is the Dean of the School of Arts and Humanities at the

University of Texas at Dallas. He is sued in his individual and official capacities. He may be served by serving his employer's president, Richard C. Benson, at 800 W. Campbell Road, Richardson, Texas 75080.

9. Defendant Inga Musselman is the Provost and Vice President for Academic Affairs at the University of Texas at Dallas. She is sued in her individual and official capacities. She may be served by serving her employer's president, Richard C. Benson, at 800 W. Campbell Road, Richardson, Texas 75080.

10. Defendant "Officer Ramos" is a University of Texas at Dallas police officer who participated in the unlawful arrest and excessive force against Plaintiff. He is sued in his individual capacity. Defendants John Does 1–5 are unknown law enforcement officers who participated in the seizure, detention, or mistreatment of Plaintiff. They are sued in their individual capacities. Ramos and the other officers may be served by serving their employer, Richard C. Benson, at 800 W. Campbell Road, Richardson, Texas 75080.

11. Defendant Collin County, Texas is a governmental entity organized under the laws of Texas and is responsible for the policies, practices, and customs at the Collin County Jail. Collin County is sued for declaratory and injunctive relief and, where appropriate, damages under Monell liability principles. Collin County may be served with process by serving The Honorable Chris Hill at 2300 Bloomdale Rd., Suite 4192 McKinney, TX 75071.

III. JURISDICTION AND VENUE

12. This Court has jurisdiction over the 42 U.S.C. §§ 1981 and 1983 claims raised in this Complaint, pursuant to 28 U.S.C. §§ 1331 and 1343(3). Plaintiffs invoke the supplemental jurisdiction of this Court pursuant to 28 U.S.C. § 1367 to adjudicate pendent claims arising under the laws of the State of Texas and seeks recovery under the Wrongful Death and Survival Statutes

of the State of Texas as allowed by law.

13. Venue is appropriate in the Northern District of Texas under 28 U.S.C. § 1391 because Defendants reside, and the acts complained of arose, in the Northern District of Texas.

14. The amount of controversy exceeds \$75,000 exclusive of interest and costs.

IV. FACTUAL ALLEGATIONS

15. On May 1, 2024, Plaintiff Dr. Ali Asgar H. Alibhai, a South Asian Muslim tenure-track professor of Islamic Art History at the University of Texas at Dallas (UTD), was violently arrested by law enforcement officers while walking across campus after completing a class. At the time of the incident, Plaintiff was engaged in the ordinary duties of his employment and was not participating in any protest or unlawful activity. He had not received any prior directive, warning, or dispersal order from law enforcement or university officials.

16. Earlier that afternoon, Plaintiff had concluded a seminar, and after briefly speaking with a student advisee, he left the Edith O'Donnell Institute of Art History building to obtain food before returning to his office. As he walked toward the Student Center, he encountered a student-led protest encampment and observed a sudden and heavily militarized law enforcement presence advancing on students who, based on his direct observations, were peaceful and nonviolent. The students were not obstructing access to campus buildings or engaging in any behavior that would constitute a safety threat.

17. The student-led protest, referred to as the "Gaza Liberation Plaza," had been organized earlier that day by UTD students to express solidarity with civilians in Gaza. Across the country, university students have organized similar encampments to express solidarity with civilians affected by the war in Gaza. These demonstrations, overwhelmingly peaceful in nature, have often included teach-ins, vigils, and coordinated messaging aligned with core constitutional

principles of free expression and assembly. While some campuses have responded with dialogue and de-escalation, others, including UTD, have met these gatherings with excessive and disproportionate force. Protesters created a peaceful encampment, established ground rules to avoid confrontation, provided food and medical aid on-site, and left campus walkways accessible. The atmosphere was orderly and calm. There were no reports of violence, vandalism, or unlawful activity prior to the arrival of law enforcement.

18. Alarmed by the volume of police officers, the deployment of riot gear, and the use of long-barreled weapons and loud chants by officers, Plaintiff began recording video footage on his phone. He was concerned for the safety of students and intended to document the unfolding events. He observed officers dressed in brown and black uniforms, some in plain clothes, advancing in formation with visible weapons. Plaintiff verbally implored the officers to remain calm, repeating the phrase, "They are just kids."

19. Without warning, command, or individualized instruction, Plaintiff was physically seized from behind by unidentified officers. At no point did Plaintiff obstruct, interfere with, or threaten law enforcement. He was standing in a public space, lawfully present on campus, engaging in constitutionally protected observation and speech. Nonetheless, he was forcibly detained. Multiple officers kicked Plaintiff, twisted his limbs, and attempted to throw him to the ground. His shirt was ripped in public view. Despite repeatedly stating that he was not resisting, officers escalated the use of force.

20. Among those involved was a UTD Police officer whom Plaintiff believes to be Officer Ramos, based on facial recognition and context, though he cannot definitively confirm the officer's last name. Plaintiff interacted with this officer in 2023 when the officer engaged him in a prolonged and uncomfortable conversation about purchasing a photograph, during which he

collected Plaintiff's contact information without justification. Plaintiff later referenced this incident in email correspondence with colleagues and staff, identifying it as an instance of racial profiling. After Plaintiff's arrest in 2024, a student named Faraz independently identified the same officer based on video footage and media images as "Officer Ramos," noting the officer's prior history of hostility toward students of color. During the May 1 arrest, this officer applied force to Plaintiff's shoulder blade, tightened restraints beyond a safe threshold, and dragged Plaintiff across campus in full view of students and colleagues. Plaintiff was not informed of the basis for his arrest at the time. His attempts to de-escalate the situation and his visibly non-threatening demeanor were disregarded.

21. Plaintiff was then shackled at the wrists, waist, and ankles and placed inside a metal transport van, which officers shut off without ventilation. Before this, however, although Plaintiff and others were already seated and secured in the van, they were removed in public view and subjected to a secondary 'chaining ceremony,' where they were shackled with metal restraints in front of the roundabout and the Atheneum: the university's newly opened Asian art museum, where Plaintiff is the only professor of Asian Art History. This public act of humiliation occurred in front of students.

22. After being reloaded into the van, Plaintiff was confined in the sealed vehicle for nearly an hour, during which time he experienced overheating and elevated heart rate levels. He began striking the van walls and calling out for help. Through the meshed front window separating the officers from the middle section of the van where Plaintiff sat, he observed three officers laughing and ignoring his pleas. Plaintiff's Apple Watch later documented dangerously elevated vitals during confinement. The physical conditions and the deliberate denial of aid constituted a grave risk to his health.

23. At Collin County Jail, Plaintiff and others were first brought through a covered vehicle area where officers with firearms lined them up against a wall, removed their metal shackles, and re-applied plastic restraints. The officer who conducted this on Plaintiff was a person of color and treated Plaintiff with minimal force. Plaintiff was then taken inside for booking. During this time, Plaintiff was further humiliated when heavily armed officers entered the booking lobby area outside the holding cell section, wearing ski masks and carrying weapons labeled "non-lethal," which they held within feet of Plaintiff's face. Afterward, while being processed, an officer cutting away plastic restraints inflicted a deep laceration on Plaintiff's wrist. No medical care was provided.

24. Following release, Plaintiff was informed for the first time that he had been arrested for criminal trespassing, despite having lawful access to UTD's campus and no prior instruction to vacate the area. For nearly twelve months following his arrest, Plaintiff remained under the shadow of an active criminal allegation with no indictment or formal resolution. In April 2025, a Collin County grand jury returned a no-bill on the charge, conclusively finding no probable cause to proceed. This legal finding confirms that Plaintiff's arrest lacked any lawful basis and supports the conclusion that the arrest was pretextual and retaliatory.

25. Immediately following Plaintiff's release from custody, and continuing throughout the pendency of the criminal investigation, UTD administrators imposed restrictive and stigmatizing conditions on Plaintiff's access to his office and campus facilities, including requiring advance notice to the UTD Police Department. These restrictions remained in effect even after the grand jury returned a no-bill in April 2025 nearly twelve months after his arrest and were not imposed on similarly situated white faculty members who had also been arrested. Plaintiff has

been removed from university activities, excluded from events he helped organize, and publicly replaced by white colleagues in university representation roles.

26. Administrators failed to issue any correction or clarification of the circumstances surrounding his arrest, further enabling false narratives and reputational damage. President Richard Benson, in a public Op-Ed and during faculty senate meetings, suggested that the use of force was justified because officers did not know whether arrestees had weapons or criminal records, despite the fact that all faculty are employed subject to background checks. These statements cast unfounded suspicion on Plaintiff and other arrestees and served to intimidate faculty who opposed the university's actions. Plaintiff believes these statements to be defamatory and libelous.

27. Since the time of his arrest and continuing through the present, Plaintiff has suffered ongoing restrictions on his employment, academic opportunities, and safety on campus. He has required regular therapy, psychiatric medication, and dental procedures resulting from stress-induced trauma. He fractured two teeth due to stress-induced grinding, one of which required a full replacement, and the other a crown. Comments from colleagues, exclusion from committees, and the chilling effect of the University's retaliatory conduct have harmed his professional standing and mental well-being. He has been denied full participation in the academic life of the university and remains under informal sanction.

28. UTD administrators and police officers acted with deliberate indifference to Plaintiff's constitutional rights. The seizure, use of force, and continued restrictions on his employment were motivated by discriminatory animus and retaliatory intent. Plaintiff's conduct was peaceful, lawful, and protected under the First and Fourth Amendments. The treatment he received violated clearly established federal rights and caused severe personal and professional harm.

V. ARGUMENTS AND AUTHORITIES

COUNT I - Count I: First Amendment – Retaliatory Arrest and Chilling of Protected Expression (42 U.S.C. § 1983)

29. The First Amendment prohibits government officials from arresting individuals because they disapprove of their speech, their message, or their presence. That principle holds true even when those officials attempt to shield themselves behind riot gear, batons, and shields.

30. On May 1, 2024, Plaintiff peacefully stood on the campus of the University of Texas at Dallas, where he was lawfully present as a professor. He was not shouting. He was not blocking any walkway. He was not violating any lawful order. Plaintiff merely urged officers, many of them masked and armed, to show restraint, saying, “They are just kids.”

31. Within minutes, Plaintiff was seized without warning, command, or dispersal order by officers of the University of Texas at Dallas Police Department and other law enforcement officers under the operational control of Defendants John Does 1–5 and Officer Ramos. No probable cause supported Plaintiff’s arrest; no unlawful act had occurred.

32. Plaintiff’s arrest was not the product of lawful policing. It was a calculated act of retaliation for engaging in peaceful constitutionally-protected expression. Plaintiff’s protected speech was the catalyst for his seizure—a textbook violation of the First Amendment.

33. The Fifth Circuit and the United States Supreme Court have made clear that peaceful verbal criticism of law enforcement even when inconvenient or unwelcome is protected speech. See *Houston v. Hill*, 482 U.S. 451, 460–63 (1987); *Nieves v. Bartlett*, 139 S. Ct. 1715, 1722 (2019).

34. After nearly a year of public scrutiny and prosecutorial review, a Collin County grand jury returned a no-bill on Plaintiff's charge, affirming that no probable cause existed to justify his arrest on May 1, 2024.

35. The suspicious timing of Plaintiff's arrest immediately following his protected speech combined with the absence of any criminal conduct, strongly supports an inference of retaliatory animus.

36. Rather than disavow the unconstitutional conduct, Defendant President Richard Benson of the University of Texas at Dallas publicly endorsed it. In press statements and faculty meetings, President Benson justified the mass arrests by suggesting—without factual basis—that faculty and students might have been armed or had criminal records. These statements were not corrections; they were calculated acts of reputational damage intended to suppress future protected activity.

37. Defendants' actions—both on the ground and at the highest levels of the university—have caused Plaintiff significant constitutional, reputational, emotional, and professional harm. Plaintiff's experience sends the unmistakable message: at UTD, peaceful speech against state violence risks violent reprisal.

38. Defendants' conduct including that of Defendants John Does 1–5, Officer Ramos, President Benson, and the University of Texas at Dallas acting through its official policies and practices violated clearly established First Amendment rights. Their actions were not merely unconstitutional, they were disgraceful. Strip away the tactical gear and badges, and the story becomes simple: a professor spoke, and for that, he was punished.

39. Plaintiff seeks compensatory damages against the individual Defendants, punitive damages where permitted, declaratory relief against all Defendants in their official capacities, and injunctive relief to prohibit further enforcement of policies and practices that chill constitutionally protected expression on campus.

Count II: Fourth Amendment – Unlawful Seizure and Excessive Force (42 U.S.C. § 1983)

40. The Fourth Amendment to the United States Constitution guarantees the right to be free from unreasonable seizures and the use of excessive force by law enforcement officials. Officers may not seize an individual without probable cause, nor may they employ force that is objectively unreasonable under the circumstances.

41. To determine whether force is excessive, courts apply an objective standard based on the perspective of a reasonable officer on the scene, not with the benefit of hindsight. *Graham v. Connor*, 490 U.S. 386, 396–97 (1989). Force capable of causing serious injury—is constitutionally unreasonable where the individual poses no immediate threat to the officer or others. *Tennessee v. Garner*, 471 U.S. 1, 11–12 (1985).

42. On May 1, 2024, Plaintiff posed no threat to any officer or student. He was standing peacefully in a public area, observing police conduct and verbally urging restraint. He carried no weapon, made no aggressive movements, and disobeyed no lawful command.

43. Nevertheless, officers under the operational command of Defendants, John Does 1–5 and Officer Ramos violently seized Plaintiff without probable cause or warning. They grabbed Plaintiff from behind, twisted his limbs, kicked at his legs, and ripped his clothing in front of students and colleagues.

44. After arresting Plaintiff without justification, Defendants continued to employ objectively unreasonable force by shackling Plaintiff at the wrists, waist, and ankles, parading him in public view, and forcing him into an unventilated metal transport van in extreme heat where he was left to overheat and suffer for nearly an hour without medical attention.

45. Despite Plaintiff's visible distress and multiple pleas for help including pounding the van walls, transport officers ignored him, laughed at him, and allowed his medical condition to deteriorate. These facts independently sustain a Fourth Amendment claim for deliberate indifference to serious medical needs.

46. No reasonable officer could have believed that the force used against Plaintiff or the deliberate denial of medical care was lawful under clearly established law. Plaintiff was not resisting. He was not a flight risk. He was not violent. He was a professor, exercising his constitutional rights.

47. As a direct and proximate result of Defendants' unconstitutional seizure and excessive force, Plaintiff suffered severe emotional distress, physical pain, long-term psychological trauma, and reputational injury. Defendants' conduct, including that of Defendants John Does 1–5, Officer Ramos, and their supervising entities, violated clearly established Fourth Amendment rights. The force used against Plaintiff was not a mistake, it was a message.

48. Plaintiff seeks compensatory damages against all individual Defendants, punitive damages where permitted, declaratory relief, and injunctive relief to prevent similar abuses in the future.

Count III: Fourteenth Amendment – Substantive Due Process and Equal Protection Violations (42 U.S.C. § 1983)

49. The Fourteenth Amendment guarantees all persons the right to due process of law and equal protection under the law. Government officials violate substantive due process when their conduct is so egregious, so brutal, and so offensive to human dignity that it "shocks the conscience." *County of Sacramento v. Lewis*, 523 U.S. 833, 846–47 (1998).

50. Equal Protection is similarly offended when officials treat individuals differently based on race, religion, or viewpoint without lawful justification. *Village of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 265–66 (1977).

51. On May 1, 2024, Defendants John Does 1–5, Officer Ramos, and other unnamed officers subjected Plaintiff to shocking and unconstitutional treatment in violation of his Fourteenth Amendment rights.

52. After unlawfully arresting Plaintiff without probable cause, officers paraded him in shackles across campus in public view, locked him inside an unventilated transport van under extreme heat, and ignored his visible medical distress. Officers mocked Plaintiff as he called out for help, choosing instead to laugh at him through the meshed window separating them from the back of the vehicle.

53. Plaintiff's Apple Watch documented a dangerously elevated heart rate while confined without ventilation, water, or relief. The deliberate disregard of Plaintiff's serious medical needs while in custody violates basic decency, much less constitutional law. *Hope v. Pelzer*, 536 U.S. 730, 738 (2002) (deliberate indifference to prisoner's suffering violates substantive due process).

54. At the Collin County Jail, the mistreatment continued. Officers in ski masks brandished “non-lethal” weapons inches from Plaintiff’s face during processing. They subjected him to dehumanizing shackling, taunting, and further exposed him to physical danger all without justification or cause.

55. Plaintiff, a South Asian Muslim professor, was treated differently from similarly situated white faculty arrested that day. Only Plaintiff was subjected to continued employment restrictions after release. Only Plaintiff was excluded from university activities he helped organize. Only Plaintiff was publicly smeared by the University's senior leadership without correction or clarification.

56. These facts plausibly allege that Defendants acted with discriminatory animus toward Plaintiff based on his race, religion, and perceived political views, in violation of the Equal Protection Clause.

57. University administrators, including Defendant President Richard Benson and Defendant Dean Nils Roemer, ratified and perpetuated the discriminatory treatment by imposing arbitrary restrictions on Plaintiff’s access to campus, excluding him from academic life, and publicly justifying the mass arrests based on baseless insinuations about danger and criminality.

58. Defendants’ actions shock the conscience and constitute a gross abuse of power. When armed officers punish lawful observers, and administrators institutionalize retaliation, constitutional lines are crossed.

59. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered severe emotional distress, reputational damage, professional losses, and lasting psychological harm.

60. Plaintiff seeks compensatory damages against all individual Defendants, punitive damages where permitted, declaratory relief, and injunctive relief to ensure that university employees and campus visitors are treated equally, regardless of race, religion, or the content of their speech.

Count IV: Monell Liability – Unconstitutional Policy, Practice, or Custom (42 U.S.C. § 1983)

61. Under 42 U.S.C. § 1983, a public entity such as the University of Texas at Dallas may be held liable when the deprivation of constitutional rights results from an official policy, a widespread custom, or a decision by a final policymaker. *Monell v. Department of Social Services*, 436 U.S. 658, 694 (1978).

62. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

63. On May 1, 2024, the University of Texas at Dallas, acting through its senior leadership—including President Richard Benson, Vice President Inga Musselman, and Dean Nils Roemer—authorized, directed, and ratified the mass arrest and retaliatory treatment of faculty, students, and community members engaging in peaceful expression.

64. The arrest of Plaintiff and other nonviolent observers was not an isolated event or the product of a rogue officer's bad judgment. It was the foreseeable result of a university strategy

that invited militarized police response to a peaceful protest and left no meaningful channels for de-escalation or dialogue.

65. University officials escalated tensions by providing vague directives, failing to issue lawful dispersal orders, and collaborating with law enforcement in a manner designed to maximize confrontation rather than minimize disruption.

66. Following Plaintiff's arrest, UTD leadership continued to ratify and exacerbate the constitutional violations by imposing arbitrary employment restrictions on Plaintiff, selectively excluding him from academic and ceremonial functions, and publicly justifying the unconstitutional arrests through baseless insinuations of danger and criminality.

67. These acts and omissions were not random or unauthorized. They reflected an official policy and custom of suppressing speech that challenged the university's actions, punishing dissenting faculty, and chilling further protected expression.

68. President Benson's public statements endorsing the arrests, despite the absence of probable cause and despite the peaceful nature of the protest, amount to an express ratification of unconstitutional conduct by the university's final policymaker. Such ratification renders UTD liable under § 1983 for the resulting injuries to Plaintiff. At all relevant times, Defendants acted under color of state law and within the scope of their official duties. Their acts and omissions were deliberate, systematic, and motivated by an intent to silence constitutionally protected speech and expression.

69. As a direct and proximate result of Defendants' unconstitutional policies, practices, and customs, Plaintiff suffered unlawful arrest, physical harm, emotional distress, reputational injury, professional exclusion, and severe psychological trauma.

70. Plaintiff seeks declaratory judgment that UTD's practices violated his constitutional rights, injunctive relief to prohibit similar policies in the future, and compensatory damages against Defendants in their individual capacities where applicable.

Count V: Texas State Law Torts – False Imprisonment, Assault and Battery, and Intentional Infliction of Emotional Distress (Pendent State Law Claims under 28 U.S.C. § 1367)

71. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

A. False Imprisonment

72. Under Texas law, false imprisonment occurs when a person is (1) willfully detained, (2) without consent, and (3) without authority of law. *Wal-Mart Stores, Inc. v. Rodriguez*, 92 S.W.3d 502, 506 (Tex. 2002).

73. Defendants John Does 1–5 and Officer Ramos, acting in concert and under color of state law, seized and detained Plaintiff without probable cause, lawful authority, or legal justification.

74. Plaintiff did not consent to his detention. He was not committing any crime, not resisting, and not given any lawful order to obey prior to being seized.

75. Plaintiff's arrest and prolonged detention, culminating in his placement in a hot, unventilated van and later in jail under humiliating conditions, constituted false imprisonment under Texas law.

B. Assault

76. Under Texas law, an assault occurs when a person intentionally or knowingly causes bodily injury to another or intentionally causes physical contact with another when the person knows or should reasonably believe the other will regard the contact as offensive. *Tex. Penal Code §§ 22.01(a)(1)-(3); City of Watauga v. Gordon*, 434 S.W.3d 586, 590 (Tex. 2014).

77. Defendants John Does 1–5 and Officer Ramos, by grabbing Plaintiff from behind, twisting his limbs, kicking at his legs, and violently restraining him in the absence of any lawful justification, committed assault and battery against Plaintiff.

78. The excessive physical contact inflicted pain, fear, and visible injury, and was objectively offensive and unreasonable.

C. Intentional Infliction of Emotional Distress (IIED)

79. Under Texas law, a defendant commits IIED by (1) acting intentionally or recklessly, (2) engaging in extreme and outrageous conduct, (3) causing the plaintiff emotional distress, and (4) where the distress suffered is severe. *Wornick Co. v. Casas*, 856 S.W.2d 732 (Tex.1993); *Tidelands Automobile Club v. Walters*, 699 S.W.2d 939, 942-44 (Tex.App.-Beaumont 1985, writ ref'd n.r.e.). In *Wornick*, the Texas Supreme Court described the outrageous conduct element as that which “goes beyond all possible bounds of decency as to be regarded as atrocious and utterly intolerable in a civilized society.” *Wornick*, 856 S.W.2d at 734, citing Restatement (Second) of Torts § 46 (1965).

80. Defendants’ conduct, including violent seizure without cause, public shackling, mocking Plaintiff’s medical distress, subjecting Plaintiff to degrading and life-threatening

conditions, and the public defamation of Plaintiff by senior university leadership, was extreme, outrageous, and utterly intolerable in a civilized society.

81. Defendants' actions were intentional or, at a minimum, reckless with respect to the known risks to Plaintiff's physical safety, emotional well-being, and professional reputation.

82. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered severe emotional distress, including anxiety, depression, insomnia, loss of professional opportunities, and physical manifestations of stress requiring medical and psychological treatment.

D. Damages

83. Plaintiff seeks compensatory damages, including damages for physical pain, mental anguish, emotional distress, reputational harm, medical expenses, and all other relief available under Texas law. Plaintiff also seeks punitive damages against the individual Defendants whose conduct was willful, malicious, or grossly negligent.

Count VI: Disparate Treatment in Violation of Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.)

84. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

85. *Title VII of the Civil Rights Act of 1964* prohibits employers from discriminating against any individual with respect to terms, conditions, or privileges of employment on the basis of race, color, religion, or national origin. *42 U.S.C. § 2000e-2(a)(1)*.

86. Plaintiff is a South Asian Muslim professor employed by the University of Texas at Dallas.

87. Following Plaintiff's unlawful arrest on May 1, 2024, Defendants subjected Plaintiff to materially adverse employment actions that were not imposed on similarly situated white faculty members who had been arrested under the same circumstances.

88. Specifically, Plaintiff alone among the arrested faculty was:

- (a) Required to submit advance notice for any presence on campus beyond classroom teaching;
- (b) Excluded from participating in academic events he had helped organize;
- (c) Publicly replaced in ceremonial roles by non-arrested white colleagues;
- (d) Subjected to ambiguous warnings about job security and future disciplinary action;
- (e) Denied clarification or support from university leadership to reintegrate safely and fully into academic life.

89. In contrast, white colleagues who were arrested during the same incident, such as Professor Ben Wright, were not subjected to comparable restrictions, exclusions, or reputational harm.

90. Defendants' differential treatment of Plaintiff was motivated by unlawful considerations of his race, religion, and national origin, in violation of *Title VII*.

91. There is no legitimate, nondiscriminatory reason for treating Plaintiff differently from his similarly situated white colleagues.

92. As a direct and proximate result of Defendants' discrimination, Plaintiff has suffered loss of professional opportunities, emotional distress, reputational damage, financial harm, and lasting injury to his academic career.

93. Plaintiff seeks compensatory damages, including back pay, front pay, mental anguish damages, attorney's fees and costs, and punitive damages to the fullest extent permitted by law.

**Count VII: Retaliation in Violation of Title VII of the Civil Rights Act of 1964
(42 U.S.C. § 2000e-3(a))**

94. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

95. *Title VII* prohibits an employer from retaliating against an employee because the employee has opposed any practice made unlawful by *Title VII*, or because the employee has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing. *42 U.S.C. § 2000e-3(a)*.

96. Following Plaintiff's arrest on May 1, 2024, Plaintiff engaged in protected activity under *Title VII* by objecting to the discriminatory treatment he experienced relative to his white colleagues. Plaintiff sought clarification from university administrators, raised concerns about the unfair restrictions placed on his campus access, and questioned the disparate application of discipline.

97. Rather than addressing Plaintiff's legitimate concerns, Defendants retaliated against him by:

- (a) Continuing to impose vague and stigmatizing restrictions on his access to university spaces;
- (b) Conditioning his professional participation on advance disclosure to the same police department responsible for his unlawful arrest;
- (c) Excluding him from important academic events and committee work critical to his tenure review;
- (d) Ignoring requests for clarification and creating an environment of intimidation and fear.

98. Plaintiff's efforts to seek equal treatment were met not with corrective action, but with additional barriers designed to punish him for asserting his rights.

99. Defendants' retaliatory conduct would dissuade a reasonable employee from making or supporting a charge of discrimination. *See Burlington N. & Santa Fe Ry. Co. v. White*, 548 U.S. 53, 68 (2006).

100. Defendants' retaliation caused Plaintiff significant harm, including emotional distress, loss of academic opportunities, diminished career advancement, and ongoing fear of adverse employment action.

101. As a direct and proximate result of Defendants' retaliation, Plaintiff is entitled to compensatory damages, back pay, front pay, attorney's fees and costs, and punitive damages as authorized by law.

Count VIII: Race Discrimination in Violation of 42 U.S.C. § 1981

102. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

103. *Section 1981 of the Civil Rights Act of 1866* guarantees all persons within the jurisdiction of the United States the same right to make and enforce contracts as is enjoyed by white citizens, including the right to enjoy the benefits, privileges, terms, and conditions of employment, free from racial discrimination. *42 U.S.C. § 1981(a)*.

104. Plaintiff, a South Asian Muslim professor, was employed by the University of Texas at Dallas pursuant to a contractual relationship governed by the terms and conditions of his faculty appointment.

105. Following Plaintiff's unlawful arrest, Defendants, including President Richard Benson, Dean Nils Roemer, and other university administrators acting individually and under color of state law, intentionally discriminated against Plaintiff on the basis of his race by treating him differently than similarly situated white colleagues.

106. Unlike his white counterparts, Plaintiff was subjected to ongoing employment restrictions, exclusion from campus events, loss of ceremonial roles, heightened surveillance, and reputational damage—all consequences not visited upon white faculty members arrested under identical circumstances.

107. The differential treatment Plaintiff experienced was not accidental. It was deliberate, sustained, and directly motivated by impermissible racial considerations.

108. Defendants' actions deprived Plaintiff of the full and equal benefits of his contractual employment relationship with UTD, including participation in academic programs, public recognition, committee service, and opportunities critical to his tenure and advancement.

109. Under § 1981, individuals, including supervisory officials like President Benson and Dean Roemer, may be held personally liable for racially discriminatory acts affecting contractual relationships.

110. As a direct and proximate result of Defendants' race discrimination, Plaintiff has suffered significant economic loss, reputational harm, emotional distress, and diminished career opportunities.

111. Plaintiff seeks compensatory damages, punitive damages against individual Defendants for their intentional discrimination, attorney's fees, and all other relief available under 42 U.S.C. § 1981.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in his favor and against Defendants, and grant the following relief:

- Award Plaintiff compensatory damages for economic loss, emotional distress, physical pain and suffering, reputational harm, and all other non-economic damages;
- Award Plaintiff punitive damages against individual Defendants whose conduct was intentional, malicious, or recklessly indifferent to Plaintiff's constitutional and statutory rights;

- Declare that Defendants' actions violated Plaintiff's rights under the First, Fourth, and Fourteenth Amendments to the United States Constitution; *Title VII* of the *Civil Rights Act of 1964*; 42 U.S.C. § 1981; and Texas state law;
- Enjoin Defendants from maintaining or enforcing any policies, customs, or practices that unlawfully restrict constitutionally protected speech, discriminate on the basis of race, religion, or national origin, or retaliate against individuals for protected activity;
- Award Plaintiff reasonable attorneys' fees, expert fees, and costs of litigation under 42 U.S.C. §§ 1988 and 2000e-5(k);
- Award pre-judgment and post-judgment interest as provided by law; and
- Grant such other and further relief as the Court deems just and proper.

Respectfully Submitted,

/s/ Justin A. Moore

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