Alumnus sues: alleged damages $10 million

Dane Muckler
Contributing Editor

Alumnus Jason Antebi filed a $10 million civil lawsuit against Occidental College March 15, accusing six different employees of Occidental College of "defamation, civil rights violations, intentional infliction of emotional distress" and "breach of contract" for their roles in an investigation into sexual harassment complaints lodged against him in the spring of 2004.

The complaint, filed with the Superior Court of California, names former Dean of Students Frank Ayala, Professor Maryanne Horowitz, President Ted Mitchell, General Counsel Sandra Cooper, Director of Residence Life Rameen Talesh, Director of Communications Jim Tranquada, Occidental College and Occidental's Board of Trustees as defendants in the suit.

According to the suit, the six accused individuals punished Antebi for using constitutionally protected speech and publicly portrayed Antebi "as a racist, criminal, drug pusher, advocate of violence [...] and as a person responsible for an atmosphere of terror on campus." The complaint enumerates various punitive actions taken against Antebi as evidence of a "malicious campaign" by the college. The referenced actions include removal from his radio show, prejudicial treatment by college administrators, as well as the suspension of student government, where Antebi served as Vice President of Policy.

Antebi was fired from his position as a KOXY DJ and formally reprimanded by the college over the content of the March 11 broadcast of his radio show "Rant and Rave." On air, Antebi referenced two of his political opponents within student government as a "douche" and a "bearded feminist," asked listeners to call in with their rape victim stories, and referred to the *Occidental Weekly* staff as "a bunch of stupid retards."

The college's Title IX officer, Maryanne Horowitz launched an investigation after several students lodged harassment complaints. Based on her findings and another investigation by Rameen Talesh at the Office of Student Life, Antebi says he was ordered to seek psychiatric counseling, apologize to the complainants. A record of the incident was placed in his file. Antebi refused to receive medical attention or apologize. He filed an appeal with President Ted Mitchell, and sought counsel from the Foundation of Individual Rights (FIRE) and the American Civil Liberties Union (ACLU).

FIRE and the ACLU insisted that Antebi's comments constituted protected speech. Although they did not challenge the college's right to fire Antebi from his radio show, they contested any further sanctions. FIRE disputes the suspension of student government. "No student government should be dissolved on the pretense of 'offensive' speech," said FIRE Director of Legal and Public Advocacy Greg Lukianoff in a March 15 press release.

Antebi's complaint indicates that a campus-wide email from President Ted Mitchell regarding a "climate of terror" at Occidental made an allusion to Antebi. The email was sent March 29, 2004, shortly before the dissolution of the ASOC. In the email President Mitchell said that "some women and African American students have been subjected to humiliating public diatribes, other women have faced personal intimidation and ridicule by their peers." According to Antebi's complaint "he was the only person being investigated for such behavior."

The complaint also describes his "Rant and Rave" show as "political parody" that was "intentionally obnoxious in its mocking of everyone including Mormons, Christians, Jews, Jehovah's Witnesses, Democrats, Republicans, men, women, children, short, tall, fat and skinny."

James Tranquada said that the college had not yet been served with the suit as of March 22. Tranquada is named as a defendant in the suit, although he is not accused of any specific acts. The suit asks for Antebi's file to be purged of recommendations against him and for at least ten million dollars for "loss of future earnings" and "sustained injury to his nervous system and person."

The college has insurance that will be used to pay legal fees and appoint counsel in the event that the case goes to court. The College's General Counsel and a defendant in the case, Sandra Cooper, declined to comment.

thecase

Plantif: Jason Antebi '04
Defendants:

- Frank Ayala, Former Dean of Students
- Maryanne Horowitz, Professor
- Ted Mitchell, President
- Sandra Cooper, General Counsel
- Rameen Talesh, Director of Residence and Greek Life
- Jim Tranquada, Director of Communnications
- Occidental College
- Occidental's Board of Directors