

1 DAN SIEGEL, SBN 056400
2 EMILYROSE JOHNS, SBN 294319
3 SIEGEL, YEE, BRUNNER & MEHTA
4 475 14th Street, Suite 500
5 Oakland, California 94612
6 Telephone: (510) 839-1200
7 Facsimile: (510) 444-6698
8 Emails: danmsiegel@gmail.com;
9 emilyrose@siegelyee.com

7 Attorneys for Claimants
8 RABAB IBRAHIM ABDULHADI
9 AND TOMOMI KINUKAWA

10 CALIFORNIA STATE UNIVERSITY

12 RABAB IBRAHIM ABDULHADI AND) Claim No.
13 TOMOMI KINUKAWA, INDIVIDUALLY)
14 AND ON BEHALF OF ALL OTHERS) **CLAIM PURSUANT TO**
15 SIMILARLY SITUATED,) **CALIFORNIA GOVERNMENT**
16) **CLAIMS ACT**
17 Claimants,)
18 vs.)
19 CALIFORNIA STATE UNIVERSITY,)
20 Respondent.)

21 TO THE BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY:

22 You are hereby notified that RABAB IBRAHIM ABDULHADI and TOMOMI
23 KINUKAWA, who may be contacted through Siegel, Yee, Brunner & Mehta, 475 14th
24 Street, Suite 500, Oakland, CA 94612, claim damages from the CALIFORNIA STATE
25 UNIVERSITY.

26 This claim is based on the actions and/or inaction of officials of SAN
27 FRANCISCO STATE UNIVERSITY (SFSU) in failing to provide secure video/web
28 conferencing to allow claimants ABDULHADI and KINUKAWA, who are faculty

1 members at SFSU, to present the contents of their classroom teaching on September 23,
2 2020.

3 As of September 23, 2020, due to restrictions placed upon public gatherings as a
4 result of the COVID-19 pandemic, classes at San Francisco State University were being
5 conducted remotely. Officials at California State University and San Francisco State
6 University arranged for classes via video/web conferencing services offered by Zoom
7 Video Communications. At no time did officials of California State University and/or
8 San Francisco State University indicate to claimants or anyone else that the laws,
9 policies, and practices applicable to classroom teaching, including the rights of faculty
10 and students to academic freedom and constitutional free speech would be abridged or
11 suspended in any way when teaching was conducted via video/web conferencing.

12 Despite the reasonable and justified beliefs by claimants that their free speech
13 and academic freedom rights would be fully enforced and protected while teaching
14 classes over video/web conferencing, on September 23, 2020, Zoom Video
15 Communications shut down claimants' class, "Whose Narratives: Gender, Justice and
16 Resistance." Nothing about the content of the scheduled class or the identity of any of
17 the speakers scheduled to participate in the class violated federal or state law or any
18 policy of California State University. Apparently, some employee or employees at Zoom
19 Video Communications objected to the content of the class and/or the identity of one or
20 more of the speakers scheduled to appear at the class and took it upon themselves to
21 shut the class down.

22 By allowing Zoom Video Communications to exercise content based censorship
23 of classes at San Francisco State University and by failing to provide an alternative
24 video/web conferencing service to allow claimants to present their class to their
25 students and others who wished to observe the class, California State University
26 violated claimants' rights to free speech and academic freedom. These actions violated
27 claimants' rights under both the First Amendment to the United States Constitution,
28 Article I, § 2 of the California Constitution, and other applicable laws and regulations.


1 The names of the public employees causing claimants' injuries are unknown at
2 this time but include employees of California State University and San Francisco State
3 University.

4 As a result of the actions and inactions of the California State University,
5 claimants Abdulhadi and Kinukawa suffered damages, including violations of their
6 constitutional and statutory rights, humiliation, inconvenience, embarrassment, and
7 emotional distress. The damages sought by this claim are within the unlimited
8 jurisdiction of the Superior Court.

9 All notices or other communications with regard to this claim should be sent to
10 Dan Siegel, Attorney for Claimants, at Siegel, Yee, Brunner & Mehta, 475 14th Street,
11 Suite 500, Oakland, CA 94612.

12 Dated: December 21, 2020

13 SIEGEL, YEE, BRUNNER & MEHTA

14
15 By 
16 Dan Siegel

17 Attorneys for Claimants
18 RABAB IBRAHIM ABDULHADI
19 AND TOMOMI KINUKAWA
20
21
22
23
24
25
26
27
28