

**THE STATE OF NEW YORK  
COUNTY OF LIVINGSTON: COURT OF CLAIMS  
ROCHESTER DISTRICT**

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Sadie Schreiner	:	Index No.
Plaintiff,	:	
	:	
-against-	:	<b><u>VERIFIED CLAIM</u></b>
New York State, State University of New York, College at Geneseo,	:	
Defendants.	:	

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TO: The Clerk of Court of Claims  
of the State of New York  
Empire State Plaza  
Box 7344 Capitol Station  
Albany, New York 12224

The Attorney General of the State of New York  
Department of Law  
The Capitol  
Albany, New York 12224

SUNY Geneseo  
Western Campuses Office  
1300 Elmwood Avenue  
Cleveland Hall, Room 507-A  
Buffalo, New York 14222-1095

Plaintiff, Sadie Schreiner, (hereinafter referred to as “Plaintiff” or “Sadie”), by and through her counsel, Cirilli, LLC, and by way of Complaint against Defendant, State University of New York (“Defendant”), allege and state as follows:

**PRELIMINARY STATEMENT**

1. Sadie Schreiner is a woman who loves to run competitively. In March of 2025, she signed up to run for the women’s 200 meter and 400 meter races held at the State University of

New York, College at Geneseo (“SUNY Geneseo” or “College”). Sadie signed up as an athlete unattached to any University or club and qualified to participate based upon her past official race times for those distances to compete in the SUNY Geneseo sponsored invitational track meet (“Geneseo Early Invitational”).

2. SUNY Geneseo claims to be known for its “welcoming atmosphere.” Its website goes further indicating that its “supportive, inclusive community cultivates creativity, engagement, and discovery.” Unfortunately, SUNY Geneseo breaks away from its website advertisement, when SUNY Geneseo aided and abetted by its employees, Dani Drews and Christopher Popovici, and compelled by the National Collegiate Athletic Association (“NCAA”) denied a transgender woman the right to compete in the Geneseo Early Invitational.

3. The Geneseo Early Invitational is open to members of the public to participate, so long as their times qualify for the competition. On March 29, 2025, Sadie contacted Christopher Popovici, the head coach of the track and field team, requesting to run in the women’s 200 meter and 400 meter races. Chris Popovici responded that Sadi is prohibited to run as a woman. He explained that this was the directive he received from the NCAA. According to Chris Popovici, if SUNY Geneseo did not follow the NCAA’s directive, it “opens the meet up or event up to being invalidated for all the competitors.”

4. Adding insult to injury, Chris Popovici continued that if Sadie did not want to compete as a man, the only other solution was “to offer an exhibition event where you would compete by yourself.” As if Sadie running was an exhibition of some sort.

5. Sadie files the instant complaint under the New York Human Rights Law (“NYSHRL”) and seeks all relief that is just and proper for compensatory and punitive damages afforded under that specific state law, the New York common law protecting against unlawful

conspiracies, and relief for the intentional infliction of emotional distress affected by the Defendants, collectively and individually, as fully set forth in the following paragraphs.

### **PARTIES**

#### **Plaintiff, Sadie Schreiner**

6. Plaintiff Sadie Schreiner is an individual residing in New Jersey.

7. Even before entering high school, Sadie participated both as a student athlete running in sanctioned intercollegiate and other races as an athlete attached to a named school and in international meets as a qualified “unattached” runner based on her recorded times in prior events.

8. During her high school years, Sadie followed her biological needs and transitioned to womanhood with the full support of her family and continued to compete as a short distance runner through high school and thereafter at the Rochester Institute of Technology (“RIT”), an NCAA Division III institution.

#### **Defendant, State University of New York, College at Geneseo**

9. Defendant, SUNY Geneseo is an institution of higher learning located in Geneseo, NY. SUNY Geneseo was founded in 1871 and is the only institution in the state of New York that is a member of the Council of Public Liberal Arts Colleges (“COPLAC”). According to SUNY Geneseo’s website, this membership distinguishes the institution that demonstrates “a diverse, equity-minded, and inclusive campus environment...”

### **JURISDICTION AND VENUE**

10. Venue is proper in this case pursuant to CPLR §503.

11. This Court has original jurisdiction over Plaintiff’s claims pursuant to N.Y. Ct. Cl. Act §9.

**FACTUAL ALLEGATIONS**

12. At all times relevant to the present Complaint, Sadie Schreiner was a transgender woman whose birth certificate, Social Security Card and Driver's license confirm that she is a female individual.

13. SUNY Geneseo hosted and managed the Geneseo Early Invitational on April 4 and 5, 2025.

14. Individuals competed in the Geneseo Early Invitational as student-athletes representing their college or university.

15. Individuals who did not represent a college or university were also allowed to register and compete in the Geneseo Early Invitational as individuals representing themselves or a recreational or a professional track club. By the published records and results of the Geneseo Early Invitational meet, runners not registered with a college or university registered and were listed as "Unattached."

16. There is a popular website whereby individuals from the public can register for the track meets and races as Unattached. This website is [directathletics.com](http://directathletics.com) (hereinafter "Direct Athletics").

17. Direct Athletics includes links to various meets where attached and unattached athletes including these athletes wishing to participate in the Geneseo Early Invitational could secure information needed to register for track meets across the country.

18. The Geneseo Early Track meet was listed as a race on Direct Athletics.

19. Members of the public could obtain information on how to register for the Geneseo Early Invitational from the website.

20. On March 29, 2025, in following with the registration protocol, Sadie submitted the required e-mail correspondence to Christopher Popovici requesting to run in the women's 200 and 400 meter races, stating:

*I'd like to compete as an unattached athlete in the women's division in the 400 and 200 meter. The times I'd hope to be seeded at would be 55.9 and 24.12. You can check my TFRRS for confirmation of these times.*

21. On March 31, 2025, SUNY Geneseo via Chris Popovici denied Sadie's request:

*The understanding that I've been given by the NCAA is that due to the meet being under NCAA rules, even as an unattached athlete, you would need to compete in your birth gender category as a competitor under that set of rules. If I were to not follow the NCAA meet procedures, it opens the meet up or evet up to being invalidated for all the competitors.*

*If you don't want to compete in the other category, then I don't have a solution other than to offer an exhibition event where you compete by yourself. Much like when schools run an alumni mile with mixed gender. [It] would provide you a chance to compete, but it wouldn't be part of the women's events.*

22. Upon reasonable information, knowledge and belief, approximately 15 other individuals also registered to participate at the Geneseo Early Invitational as "unattached." Just like Sadie, they were looking to compete at the Geneseo Early Invitational as a member of the public not representing an entity or institution.

**AS A FIRST CAUSE OF ACTION**  
**FOR DISCRIMINATION UNDER STATE LAW**  
**NEW YORK EXECUTIVE LAW §296(2)**  
**PLAINTIFF V. DEFENDANT**

23. Plaintiff repeats, reiterates and incorporates the averments contained in the preceding paragraphs as if fully set forth herein.

24. The Geneseo Early Invitational is a public accommodation as defined by New York State Law . NY Exec. §292(9).

25. Gender identity or expression is a protected status under New York State Law. NY Exec. §292(35).

26. “Gender identity or expression” under the NY Executive Law means “a person’s actual or perceived gender-related identity appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth including, but not limited to, the status of being transgender.” NY. Exec. §292(35).

27. In New York, it is a Civil Right to use a place of public accommodation without discrimination because of gender identity or expression.

28. It is simply unlawful discrimination for an owner of any “person, owner...manager...agent or employee of any place of public accommodation, resort or amusement, because of...gender-identity or expression...directly or indirectly to refuse, withhold from or deny such person any of the accommodations, advantages, facilities or privileges thereof...” NY Exec. §296(2)(a).

29. Moreover it is also unlawful for any “person, owner...manager...agent or employee of any place of public accommodation resort or amusement...[to take the position that] the patronage or custom thereat of any person of or purporting to be of any particular...gender identity or expression...is unwelcome, objectionable or not acceptable, desire or solicited.” NY Exec. §296(s).

30. At all times applicable to the present matter, Defendants were aware that Sadie was a transgender woman and maliciously, willfully, and recklessly discriminated against Sadie Schreiner on the basis of her gender identity and expression.

31. Defendant, SUNY Geneseo, aided and abetted by the other two defendants, discriminated against Sadie when they individually and collectively prohibited Sadie from competing in the women's 200 meter race on account of her gender identity and expression.

32. Plaintiff suffered and continues to suffer great emotional harm as a direct result of SUNY Geneseo's actions.

33. Accordingly, Defendant discriminated against Plaintiff on the basis of gender identity in violation of the New York Human Rights Law.

34. As a result of Defendants' violations of Plaintiff's statutory rights, Plaintiff has been damaged in an amount to be determined at trial.

**AS A SECOND CAUSE OF ACTION**  
**FOR DISCRIMINATION UNDER STATE LAW**  
**NEW YORK EXECUTIVE LAW §296(4)**  
**PLAINTIFF V. DEFENDANT**

35. Plaintiff repeats, reiterates and incorporates the averments contained in the preceding paragraphs as if fully set forth herein.

36. SUNY Geneseo is an "educational institution."

37. It is an unlawful practice for an "educational institution to deny the use of its facilities to any person otherwise qualified, by reason of gender identity or expression..." NY Exec. §296.

38. Defendant denied Sadie use of the facilities that other members of the public were able to enjoy and access.

39. Accordingly, Defendant discriminated against Plaintiff on the basis of gender identity in violation of the New York Human Rights Law.

40. As a result of Defendant's violations of Plaintiff's statutory rights, Plaintiff has been damaged in an amount to be determined at trial.

**AS A THIRD CAUSE OF ACTION**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
**PLAINTIFF V. DEFENDANT**

41. Plaintiff repeats, reiterates and incorporates the averments contained in the preceding paragraphs as if fully set forth herein.

42. Defendant acted intentionally when they excluded Sadie from the women's 200 and 400 meter races.

43. Defendant's individual and collective action was extreme and outrageous.

44. Defendant acted with the intent to cause severe emotional distress in Sadie.

45. Defendant acted with a disregard of the substantial probability of causing severe emotional distress.

46. The Defendant's actions caused Sadie severe emotional distress.

**AS A FOURTH CAUSE OF ACTION**  
**CIVIL CONSPIRACY**  
**PLAINTIFF V. DEFENDANT**

47. Plaintiff repeats, reiterates and incorporates the averments contained in the preceding paragraphs as if fully set forth herein.

48. Defendant violated the New York state law when they excluded Sadie from the 200 and 400 meter women's races.

49. Upon information and belief, Defendant and the NCAA and Christopher Popovici and Dani Drews had an agreement to exclude Sadie Schreiner from the women's races.

50. Upon information and belief, the Defendant engaged in the overt act of excluding Sadie in furtherance of the agreement with the NCAA.

51. Defendant acted with intention in furtherance of the purpose of excluding Sadie from the women's races.

52. As a result of Defendant's actions, Sadie suffered severe emotional distress.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff respectfully requests that judgment be granted:

- a) Declaring Defendants' conduct complained herein to be a violation of Plaintiff's rights under New York State and City law, and its regulations.
- b) Awarding Plaintiff punitive damages against all defendants.
- c) Awarding Plaintiff liquidated damages.
- d) Awarding Plaintiff emotional distress damages.
- e) Awarding Plaintiff the costs of this action together with reasonable attorneys' fees, and;
- f) Awarding such and further relief as this Court deems necessary and proper.

**CIRILLI, LLC**



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**ATTORNEY'S VERIFICATION****STATE OF NEW YORK, COUNTY OF NEW YORK**

I, the undersigned, an attorney admitted to the practice in the Courts of the State of New York, certify that I am the attorney for the plaintiff, **SADIE SCHREINER**, in the within action; I have read the foregoing **COMPLAINT** in the within action and know the contents thereof; the same are true to my own knowledge, except as to the matter herein stated to be alleged on information and belief, and as to those matters, I believe them to be true. The reason this verification is made by me and not by plaintiff, is that the said plaintiff does not reside in the County where Cirilli, LLC maintains its primary office.

My belief as to those matters therein not stated upon knowledge is based upon facts, records, and other pertinent information contained in files.

Dated: September 19, 2025

New York, New York



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Susan M. Cirilli, Esq.