

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

William Sussman, et al.,

Plaintiffs,

v.

Massachusetts Institute of Technology and
Michel DeGraff,

Defendants.

Case No. 25-CV-11826-RGS

**DEFENDANT MASSACHUSETTS INSTITUTE OF TECHNOLOGY'S
PARTIAL MOTION TO DISMISS THE AMENDED COMPLAINT**

Pursuant to Rules 12(b)(6) and 12(b)(1) of the Federal Rules of Civil Procedure, Defendant Massachusetts Institute of Technology (“MIT”) moves for entry of an order dismissing the following claims in Plaintiffs’ Amended Complaint (ECF No. 17) against MIT for failure to state a claim or for lack of subject-matter jurisdiction:

- Count I (direct discrimination under Title VI) as to Plaintiffs Lior Alon, William Sussman, and the Louis D. Brandeis Center Coalition to Combat Anti-Semitism (“the Coalition”);
- Count II (hostile educational environment under Title VI) as to Plaintiffs Alon, Sussman, and the Coalition in their entirety, and as to Plaintiff “John Doe”¹ to the extent his claim is based on allegations about the general campus environment;
- Count III (retaliation under Title VI) as to Alon and Sussman;

¹ Plaintiff “John Doe” has moved for leave to proceed under a pseudonym. *See* ECF No. 18. That motion is currently pending. MIT does not consent to Doe’s use of a pseudonym. Until the Court resolves the pending motion, however, MIT refers to this plaintiff as John Doe.

- Count V (hostile work environment under Title VII) as to Alon and the Coalition in their entirety and as to Doe to the extent his claim is based on allegations about the general campus environment;
- Count VI (retaliation under Title VII) as to Alon;
- Count VIII (hostile work environment under Massachusetts General Law Chapter 151B) as to Alon and the Coalition in their entirety, and as to Doe to the extent his claim is based on allegations about the general campus environment;
- Count IX (retaliation under Massachusetts General Law Chapter 151B) as to Alon;
- Count XII (intentional infliction of emotional distress) as to Alon and Sussman;
- Count XIII (reckless infliction of emotional distress) as to Alon and Sussman; and
- Count XIV (negligent infliction of emotional distress) as to Alon.

In support of its Motion, MIT submits the accompanying Memorandum of Law (excess pages granted on September 29, 2025) and the Declaration of Jaren D. Wilcoxson and Exhibits 1-16 attached thereto, which are documents quoted, linked, or otherwise discussed in the Amended Complaint and thus incorporated by reference.

With respect to the remaining claims in the Amended Complaint—which are newly asserted in this pleading by Doe, and which MIT vigorously disputes—MIT reserves its rights to answer those claims following the resolution of its partial motion to dismiss, consistent with the practice of this Court and the Federal Rules of Civil Procedure. *See Nat’l Cas. Co. v. OneBeacon Am. Ins. Co.*, 12-CV-11874-DJC, 2013 WL 3335022, at *6 (D. Mass. July 1, 2013) (“[A] partial motion to dismiss suspends the time to answer the claims not subject to the motion.”), *aff’d sub nom. Emps. Ins. Co. of Wausau v. OneBeacon Am. Ins. Co.*, 744 F.3d 25 (1st Cir. 2014); *see also* Fed. R. Civ. P. 12(a)(4).

WHEREFORE, MIT respectfully requests that the Court dismiss the claims brought by Plaintiffs Alon, Sussman, and the Coalition in their entirety and with prejudice, and the claims brought by Doe to the extent they are based on allegations about the general campus environment.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), MIT requests oral argument on this Motion.

Dated: October 8, 2025

Respectfully submitted,

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

/s/ Ishan K. Bhabha

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I certify that counsel for the parties have conferred in a good-faith effort to narrow or resolve the issues raised in this Motion.

/s/ Ishan K. Bhabha

Ishan K. Bhabha

CERTIFICATE OF SERVICE

I certify that a true copy of this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on October 8, 2025.

/s/ Ishan K. Bhabha

Ishan K. Bhabha