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Attorneys for Plaintiff  
RUPA MARYA, M.D.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RUPA MARYA, M.D.,

Plaintiff,

vs.

BOARD OF REGENTS OF THE UNIVERSITY  
OF CALIFORNIA; SAM HAWGOOD;  
CATHERINE LUCEY; ROBERT WACHTER;  
TRACY TSUGAWA; BRIAN ALLDREDGE;  
WAN HA; AND DOES 1-20,

Defendants.

Case No.:

**COMPLAINT**

**DEMAND FOR JURY TRIAL**

RUPA MARYA, M.D., by her counsel, alleges:

## INTRODUCTION

1  
2 1. Plaintiff Dr. Rupa Marya (“Dr. Marya”) is a Professor of Medicine at University  
3 of California, San Francisco, a public university directly governed by the First Amendment  
4 (hereinafter “UCSF”). She alleges the University of California (hereinafter “UC”), through  
5 UCSF’s administration, in suspending her employment, infringed her First Amendment right of  
6 free speech, both as to statements she made as a private citizen and others in the course of her  
7 duties, as described below.

8 2. The University of California at San Francisco (hereinafter “UCSF”) is far more  
9 than a college campus. It owns or manages over 1,400 hospital beds in the Bay Area and  
10 admits over 41,000 patients each year, dwarfing many other medical systems in the area. It has  
11 over 36,000 employees, including 2,800 at UCSF Benioff Children’s Hospital in Oakland,  
12 California, and sees patients for over 55,000 annual outpatient visits there.

13 3. Because UCSF’s size and reputation defines much of health care practice and  
14 medical culture in the Bay Area, throughout her 23 years of employment, Dr. Marya has often  
15 commented publicly on the way its operations and stances affect the lives of members of the  
16 community – and of broader communities who are poor and marginalized. And because of  
17 UCSF’s large footprint in academic medicine, she has also addressed the ways its policies and  
18 practices affect the lives of its students and employees and influence medical and public health  
19 ethics.

## PARTIES

20  
21 4. Dr. Marya is a Professor of Medicine at UCSF, which is part of the UC system.  
22 She is female, South Asian, Sikh, and, as will be detailed below suffers from a disability or  
23 disabilities, at least one of which significantly limits major life and work activities. She  
24 associates with and advocates for all oppressed people, including, *inter alia* Palestinians, who are  
25 currently experiencing genocide and ethnic cleansing by Israel, per the assessment of countless  
26 Israeli and non-Israeli genocide scholars, the United Nations, Amnesty International and other  
27 reputable organizations that make this determination.

28 //

1           5. Defendant Board of Regents of University of California adopts and oversees the  
2 implementation of policies throughout the entire multi-camps system, including the University of  
3 California at San Francisco (hereinafter “UCSF”). Those policies include, *inter alia*, policies for  
4 anti-discrimination compliance and human resources management for all the campuses.

5           6. The University of California is a governmental entity, which operates public  
6 universities throughout California, including UCSF owns substantial property in Alameda  
7 County including the 163-bed UCSF Benioff Children’s Hospital in Oakland, California. On  
8 information and belief, the building housing the hospital is over 160,000 square feet. UCSF also  
9 owns the land on which a new, much larger hospital is under construction in Oakland. UCSF also  
10 owns a 49% stake in the 88,000 square foot building housing the UCSF Fremont Outpatient  
11 Center and it also owns the building housing its Claremont Outpatient Treatment Center.

12           7. Defendant Robert Wachter is, and at all times material hereto was, Executive  
13 Vice-Chancellor of the Department of Medicine at UCSF.

14           8. Defendant Catherine Lucey is, and at all times material hereto was, Executive  
15 Vice-Chancellor of UCSF.

16           9. Defendant Won Ha is, and at all times material hereto was, Vice-Chancellor of  
17 Communications at UCSF.

18           10. From 2021 until December 31, 2024 Defendant Tracy Tsugawa was the  
19 Director/EEO Officer/Title IX Officer of the Office for the Prevention of Harassment and  
20 Discrimination at UCSF. From January 1, 2025 to the present Tsugawa is Associate Vice  
21 Chancellor, in addition to her previous titles, which she retains, at UCSF.

22           11. Defendant Sam Hawgood is, and at all times material hereto was, Chancellor of  
23 UCSF.

24           12. Defendant Brian Alldredge is, and at all times material hereto was, the Vice  
25 Provost for Academic Affairs at UCSF

26           13. Dr. Marya is informed and believes, based thereon alleges that at all times  
27 material hereto, Defendants, and each of them, were the agents, servants and employees of the  
28 //

1 other Defendants and were acting at all times within the scope of their agency and employment  
2 and with the knowledge and consent of their principal and employer.

### 3 **JURISDICTION AND VENUE**

4 14. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331,  
5 1343(a)(3) and (4), and 1367.

6 15. This Court has personal jurisdiction over Defendants, all of whom are located  
7 and/or work in the Northern District of California.

8 16. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) because  
9 Defendant Regents' headquarters is in this District and because of UCSF's substantial property  
10 holdings.

### 11 **THE FACTS**

#### 12 **Dr. Marya's Qualifications**

13 17. Dr. Marya is a South Asian woman of Punjabi ancestry, raised in the Sikh  
14 religion. She was born in California to immigrant Indian parents, and spent her childhood in the  
15 United States, France, and India. Dr. Marya attended the University of California San Diego,  
16 earning degrees in theater and molecular biology before attending medical school at Georgetown  
17 University where she earned her Doctor of Medicine (MD) in 2002, recognized for her  
18 knowledge, compassion and competence with awards in her chosen specialty. She began her  
19 Residency in Internal Medicine at UCSF in 2002. After taking a gap year from 2003-2004 to  
20 complete a fellowship at the SALT Institute for Documentary Studies at the Maine College of  
21 Art and Design, Dr. Marya returned to UCSF and completed her Residency in Internal Medicine  
22 in 2007.

23 18. Dr. Marya's scholarship as an academic physician focuses on how history and  
24 dynamics of power impact health through the structures of society. She researches, writes, and  
25 teaches about the health impacts of colonialism, racial capitalism, racism and state violence as  
26 well as the paths to create health equity by transforming systems of oppression to ones based in  
27 care and justice. Her practice and teaching also focuses on accompanying people who are  
28 negatively impacted by the medical system and the social systems that create sickness in their

1 struggle for health. Her scholarship is reinforced and informed by her extensive service to and  
2 accompaniment of Black, Brown, poor, Queer, immigrant, and Indigenous and other  
3 marginalized communities in the Bay Area and around the world. Dr. Marya is the founder and  
4 executive director of the Deep Medicine Circle, a nonprofit organization committed to healing  
5 the wounds of colonialism through food, medicine, story, learning and restoration. As an  
6 intensely interdisciplinary practitioner, Dr. Marya also writes and speaks publicly on her work in  
7 the arts as a professional touring musician and about farming, in which she participates in the  
8 Bay Area, growing and giving away tens of thousands of pounds of organic food for food  
9 insecure families each year and innovating food systems change to address climate change and  
10 poor health. As a co-founder of the Do No Harm Coalition, a group of healthcare workers  
11 committed to changing social structures that make health impossible for different groups of  
12 people, she has contributed scholarly and policy work detailing the health impacts of state  
13 violence and the health legacies of colonialism. In 2016, Dr. Marya was invited by California  
14 Native community members to Standing Rock to assist with the medical response to increasing  
15 state violence towards Indigenous people protecting their sovereign land in the face of the  
16 Dakota Access Pipeline, and she was subsequently invited by Lakota elders to help to develop  
17 the Mni Wiconi Health Circle to decolonize food and medicine in Lakota territory and serve  
18 Indigenous communities affected by colonialism. In 2018, a talk she gave on structural racism in  
19 healthcare garnered over 14 million views online. In 2021, Dr. Marya co-authored and published  
20 her book *Inflamed: Deep Medicine and the Anatomy of Injustice*, an international bestseller  
21 which received an enthusiastic review from the prestigious *Lancet* medical journal, has been  
22 translated into several languages, and is taught in medical schools, graduate and undergraduate  
23 universities around the world. Drawing on her decades of work in service of marginalized  
24 communities and learning from the wisdom of Indigenous elders, Dr. Marya's book is a detailed  
25 examination of the health impacts of colonial capitalism on the body, society and the planet. In  
26 2023, her article "The role of Deep Medicine and Cultural Safety in medical education to address  
27 health disparities" detailing a framework for medical education to advance health justice was  
28 published in *Nature*. Through her art, activism, writing and public speaking, Dr. Marya has

1 garnered tens of thousands of followers across multiple social media platforms, none of which  
2 identify her through her part-time employment at UCSF.

3 19. Over the course of her career Dr. Marya has received numerous prestigious  
4 recognitions and awards. In 2016, 2017 and 2018, graduating UCSF medical students invited her  
5 to lecture in the Coda Program, the capstone course that prepares all medical students for  
6 graduation. At that time, she was the only faculty member to have the honor of being invited by  
7 graduating students more than once. In 2016, the City of San Francisco's Human Rights  
8 Commission recognized the Do No Harm Coalition with the Hero Award, which the group  
9 refused due to the ongoing police violence against people of color in San Francisco. In 2017, she  
10 was awarded the William Rashkind Award by the American Heart Association for her  
11 contributions to humanism in medicine. In 2021, she received the Women Leaders in Medicine  
12 Award from the American Medical Student Association. In 2021, Dr. Marya was a reviewer of  
13 the American Medical Association's (AMA) Organizational Strategic Plan to Embed Racial  
14 Justice and Advance Health Equity. In 2022, she was invited to the UN Climate Conference of  
15 the Parties in Egypt to speak about her work on colonialism and health. In 2023, she was invited  
16 as a panelist on the nation's first Grand Rounds for Health Equity, hosted by the AMA. Because  
17 of her work advancing health equity, Dr. Marya was appointed by Governor Newsom to the  
18 Healthy California for All Commission, to advance a model for universal healthcare in  
19 California. In 2023, she received a Commendation from the City of Oakland for her decades of  
20 service to the health of all people. In 2021, because of her areas of scholarship and expertise, she  
21 was invited to be a commissioner on the *Lancet Commission for Antiracism and Solidarity in*  
22 *Medicine*.

### 23 **Dr. Marya's Employment at UCSF**

24 20. In 2007 UCSF extended an offer of employment to Dr. Marya, and she joined the  
25 faculty at 55% FTE (full time equivalent). For the past 22 years, Dr. Marya worked part-time at  
26 UCSF, first in training and then as faculty, making the rest of her income through her music,  
27 writing, farming and public speaking. She would spend about six months each year seeing  
28 patients and teaching medicine in the UCSF Medical Center and the rest of her time writing and

1 working in art and activities accompanying marginalized communities locally and around the  
 2 world in their struggle for health. Most of her employment at UCSF was on the non-teaching  
 3 hospital service called the Goldman Medical Service. Over the past 5 years, Dr. Marya was  
 4 exclusively on the Goldman Medical Service where she had no teaching duties and her paid role  
 5 at UCSF was focused exclusively on patient care in the non-teaching hospital medicine services.  
 6 At times, Dr. Marya would be invited as a guest lecturer by medical students interested in her  
 7 unique career path and her activities outside UCSF.

8 **The University's Espoused Commitment to Free Speech and Academic Freedom**

9 21. The Regents and associated University leaders have repeatedly affirmed that the  
 10 University did not contemplate disciplining professors for their off-campus speech. Regents'  
 11 Policy 4403 proudly proclaimed that "Freedom of expression and freedom of inquiry are  
 12 paramount in a public research university and form the bedrock on which our mission of  
 13 discovery is founded. The University will vigorously defend the principles of the First  
 14 Amendment and academic freedom against any efforts to subvert or abridge them."

15 22. The UC system-wide Academic Policy Manual similarly proclaims that  
 16 constitutional guarantees of speech are a floor – not a ceiling, and that those constitutional  
 17 guarantees are not to be abridged, stating: "Members of the faculty are entitled as University  
 18 employees to the **full protection** of the Constitution of the United States and the Constitution of  
 19 the State of California. These protections are **in addition to** whatever rights, privileges, and  
 20 responsibilities attach to the academic freedom of university faculty." (emphasis added.)

21 23. UC President Michael Drake and all ten UC Chancellors reaffirmed these bedrock  
 22 principles in 2024 when they wrote: "We take our obligation to uphold the First Amendment  
 23 seriously, even when the viewpoints expressed are hateful and repugnant."

24 24. That same year Regents' vice-Chair Jay Sures stressed that the Regents did not  
 25 intend that their policies censor anyone, but merely sought to implement guardrails to make it  
 26 clear that official university channels were meant to convey official university policy and should  
 27 not be used to espouse the views of individual faculty members.

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**Dr. Marya's Protected Speech**

25. Dr. Marya utilized a personal account on X (formerly known as Twitter), to share thoughts and ideas with her “followers,” *i.e.*, other X users who voluntarily sign up to receive her posts (often family and friends). X is a forum designed to facilitate instantaneous commentary and reactions to current events; in fact, X has described that its purpose is “to promote and protect the public conversation — to be the town square of the internet.” Exchanges are informal and, posts are intended to be pithy; they are inherently not designed to capture nuance and subtlety. As with many X users, Dr. Marya’s posts span subjects as broad as her intellectual curiosity. Sometimes she uses X to share humor. But more often, she uses it to share unique ideas and to provoke thought. This sometimes consists of sharing her own viewpoints, and at other times consists of “re-posting” (forwarding to others) interesting writings of others.

26. In recent years, Dr. Marya has used her X account as an outlet for her thoughts and reactions to matters concerning topics of race, colonialism, and other systems of oppression, including police violence in the United States, the suppression of the rights of Native Americans, and events in the Middle East. As a medical doctor, American citizen and as a person of South Asian descent raised in the Sikh religious tradition, Dr. Marya has long been concerned about American foreign policy, including in the Middle East and the issues surrounding the conflict between Israel and Palestine.

27. Many of Dr. Marya’s posts about Israel and Palestine are intended to challenge prevailing views of the issue and to bring texture to an increasingly politicized and polarized debate. And although Dr. Marya frequently disagrees with American and Israeli state policy in the region, her posts take aim at state policy and supremacist political ideologies, not at any religious or ethnic group. Neither her views nor her posts are antisemitic. Indeed, Dr. Marya has used her X account to expressly oppose antisemitism.

**Israel's War of Annihilation in Gaza: October 2023 - Present**

28. After the attacks of October 7, 2023, Israel launched its current military campaign in Gaza. Over the last 18 months more than 50,000 Palestinians have died, and by some testimonies, the losses are a multiple of that number taking into account victims never recovered



1 from under the rubble. According to the United Nations, Human Rights Watch, Amnesty  
 2 International, many foreign governments, and leading genocide scholars around the world, Israel  
 3 has committed myriad war crimes and its war of annihilation in Gaza amounts to genocide.

4 29. Dr. Marya felt an obligation to speak out and did so using her X account. She  
 5 usually sent the tweets from home in the evening after putting his son to bed. She was disturbed  
 6 by widespread apathy and equivocation at the killing of children. Her social media posts were  
 7 deeply critical of Israeli state policy and Israeli government leadership. Her social media posts  
 8 were provocative, often strongly worded, and meant to challenge prevailing views and to shake  
 9 people out of their moral slumber.

10 30. Strong language aside, none of her posts targeted criticism at Judaism or Jewish  
 11 people. Indeed, her posts make clear that her criticisms are directed at the policies, actions, and  
 12 political ideologies of the Israeli government, and are not grounded in any antipathy toward  
 13 Jewish people or their religious beliefs.

14 **The University's Reaction to Dr. Marya's Protected Speech**

15 31. Dr. Marya began speaking out against the genocidal campaign waged by Israel in  
 16 Gaza in October 2023, posting content on social media from her expertise as a physician, public  
 17 health expert, and scholar on the impact of racism and colonization on health outcomes. In  
 18 response, Dr. Marya began to receive harassing messages from a UCSF colleague in her direct  
 19 messages. On Saturday October 28, UCSF Executive Vice Chancellor Catherine Lucey called  
 20 Dr. Marya on her day off work, interrogating Dr. Marya about her social media posts. Dr. Marya  
 21 expressed the rising concern by her and other UCSF doctors, staff, and trainees that UCSF had  
 22 remained uncharacteristically silent on Israel's genocidal violence in Gaza, compared to its swift  
 23 action to denounce similar violence, like Russia's war of aggression in Ukraine, in the past.

24 32. After one of Dr. Marya's social media posts went viral in which she expressed  
 25 solidarity with the hospitals and healthcare workers that Israel was attacking in Gaza, Dr. Marya  
 26 began receiving rape and death threats to her UCSF email, which was listed publicly on UCSF's  
 27 website. Dr. Marya notified UCSF leadership on or about November 17, 2023, including Dr.  
 28 Lucey, and UCPD of the threats and asked for them to temporarily take down Dr. Marya's public

1 profile page. When Dr. Marya received similar threats for speaking out against police violence in  
2 the summer of 2020, Dr. Lucey and UCSF leadership pro-actively and quickly responded to help  
3 protect Dr. Marya's privacy in the face of threats and hate mail. From November 17 to  
4 November 28 in 2023, UCSF leadership never responded to Dr. Marya's request, during which  
5 time she was subjected to repeated harassment and threats.

6 33. On November 28, 2023, Dr. Talmadge E. King, Jr., Dean of UCSF's School of  
7 Medicine emailed Dr. Marya informing her that UCSF would be assessing whether Dr. Marya's  
8 social media activity violated university policies. He said not a word about the death threats and  
9 threats of rape Dr. Marya had been subjected to and likewise ignored her request for help from  
10 UCSF leadership and UC Police Department. In her response offering to cooperate with any  
11 assessment of her social media, Dr. Marya emphasized the disparate treatment she was receiving  
12 compared to the last time she was threatened in 2020 and informed Dr. Talmadge and UCSF  
13 leadership that their response made her feel further unsafe at work.

14 34. That same day UCSF faculty member Dr. Diane Coffa shared several emails with  
15 Dr. Marya that Dr. Coffa had received from people unconnected with UCSF which used the  
16 exact same language to vaguely complain about Dr. Marya's social media posts. These emails  
17 were all sent on the same day within the span of 2 hours.

18 35. On November 29, 2023, concerned UCSF colleagues wrote to Dr. Talmadge and  
19 UCSF leadership (including Dr. Lucey) to express concern for Dr. Marya's safety at work and  
20 concern that UCSF leadership was exacerbating the dangers she faced.

21 36. That same day Dr. Marya took medical leave because the stress triggered an  
22 exacerbation of her Long Covid symptoms.

23 37. On December 12, 2023, Dr. Abraham "Avromi" Kanal made racist, anti-Arab,  
24 and anti-Palestinian remarks on an email chain of UCSF's "Anti-Racist Task Force" that also  
25 fostered an unsafe, hostile work and medical environment at UCSF. This email chain was sent to  
26 Dr. Marya by a distressed junior faculty member who was on the chain, who asked Dr. Marya to  
27 join the discussion on the thread. On December 13, Dr. Marya reported these remarks and her

28 //

1 concerns to Dr. Lucey and UCSF leadership and filed a complaint with the UCSF Office for the  
2 Prevention of Harassment and Discrimination (OPHD).

3 38. On January 2, 2024, Dr. Marya posted a thread on social media based on her area  
4 of scholarly expertise examining the racist and supremacist ideologies embedded in Zionism's  
5 project of colonization and its possible negative impacts on health outcomes. In her post, Dr.  
6 Marya explained that her critique was narrowly focused on the political ideology of the Zionist  
7 colonial project, and expressly noted that her critique of Zionist political ideology was not a  
8 criticism of Judaism or Jews and should not be conflated with any such criticism.

9 39. On January 4, 2024, California State Senator Scott Wiener misrepresented Dr.  
10 Marya's thread on social media, falsely framing her thread as antisemitic and discussing her  
11 employment at UCSF. Upon information and belief Wiener did so intentionally and maliciously  
12 in coordination with others, and as a direct result the website Canary Mission doxxed Dr. Marya,  
13 posting her information online, unleashing a flood of defamatory statements, hate mail, and  
14 threats against Dr. Marya.

15 40. Canary Mission is a website that overwhelmingly targets Palestinian, Arab,  
16 Muslim and other students and faculty of color in bad faith online smear campaigns, and  
17 mainstream Jewish groups have condemned the site for its tactics that include dangerously  
18 conflating valid criticism of the government of Israel with antisemitism. Canary Mission is one  
19 of the websites used by the Trump Administration to target international scholars for deportation,  
20 and to identify scholars and professionals who are citizens for other forms of punishment.

21 41. Canary Mission has received substantial donations from the Helen Diller Family  
22 Foundation which is the largest donor to UCSF and the entire University of California. The  
23 Foundation president is billionaire Jaelyn Safier, who is also on UCSF's Board of Overseers.  
24 Safier is also the Chief Executive Officer of the Prometheus Real Estate Group, which has  
25 donated substantially to the California Apartment Association (CAA) to block rent control in  
26 California. The CAA has financially supported Senator Scott Wiener to advance their agendas.

27 42. In response to the maelstrom of hate mail, defamatory statements, and baseless  
28 accusations hurled at Dr. Marya as a result of the coordinated online attack against her, UCSF

1 issued a statement over its social media platforms on January 6. Although the statement did not  
2 name Dr. Marya, Dr. Robert Wachter acknowledged in an email that it was in direct response  
3 referring to Dr. Marya's social media thread from January 2. UCSF's January 6 statement  
4 accused Dr. Marya of promoting a "racist" and "antisemitic" "conspiracy theory." Less than two  
5 hours later Wiener posted UCSF's statement and thanked UCSF over social media.

6 43. On or about January 8, 2024, Denise Caramagno, a longtime therapist and  
7 violence prevention advocate at UCSF, publicly posted her concern about the coordinated attack  
8 and harassment being waged against Dr. Marya by UCSF and outside actors.

9 44. Dr. Marya was due to return from her medical leave in January 2024, but as a  
10 result of the stress caused by the coordinated online attack against her by her employers, Dr.  
11 Marya's Long Covid symptoms resurfaced, and her physician extended her leave through  
12 February 11, 2024.

13 45. The coordinated effort inside and outside UCSF to disparage, harass, and threaten  
14 Dr. Marya stood in stark contrast to UCSF's lack of public response around the very same time  
15 when UCSF was alerted to the social media activity of Dr. Matt Cooperberg, the Urology co-  
16 Leader for the UCSF Helen Diller Family Comprehensive Cancer Center Prostate Program, who  
17 "liked" blatantly racist and genocidal posts from his social media account that dehumanized  
18 Muslims and called for the eradication of Palestinians.

19 46. Instead of conducting a serious and substantive investigation into the racist  
20 treatment, coordinated harassment, and threats against Dr. Marya, UCSF instead investigated  
21 *her*, for allegedly violating the Faculty Code of Conduct in June 2024, and produced a  
22 substantially redacted "Preliminary Investigative Report" on August 8 which appeared to place  
23 great weight on the number of faculty who were complaining, regardless of whether the Dr.  
24 Marya's statements actually violated the faculty code.

25 47. On April 22nd, 2024, UC Police Department sent a plainclothes police officer to  
26 the Emancipatory Sciences Conference Dr. Marya was invited to speak at, without notifying her  
27 or the conference director. Students who were present asked the officer why he was there. He  
28 claimed to be there for Dr. Marya. The students reported feeling intimidated by the presence of

1 the police officer. After the conference, Dr. Marya asked the UCPD Chief of Police why the  
2 officer was sent. He stated it was for security. Dr. Marya and the conference director asked why  
3 they were not notified before the conference of a security threat if there was one that warranted  
4 police presence.

5 48. In August and September, several UCSF medical students approached Dr. Marya  
6 and shared that they were concerned for their safety around a new classmate who told them he  
7 had just come from Israel. Because of the mandatory military service there and the fact that  
8 Israel allows non-citizens to serve in its military, the students were concerned that this person  
9 may have been directly involved in the ongoing genocide of the Palestinian people. UCSF  
10 provided no transparency or process to bring this student into the community respecting the  
11 safety of others. By that time some UCSF faculty, students and staff had lost upwards of 60  
12 family members in the genocide in Gaza. Remarkably, there is now no record of a first-year  
13 medical student who had just come from Israel, leaving those involved to wonder whether this  
14 entire contretemps had been manufactured.

15 49. Although the student may have been fabricated, the fears about the student were  
16 objectively reasonable since earlier that year Israeli military veterans who were enrolled at  
17 Columbia University had sprayed pro-Palestinian students with a toxic chemical so severe that  
18 several demonstrators required medical attention. Additionally, at Emory University, a professor  
19 of surgery Dr. Joshua Winer who teaches medical students shared online in an opinion piece  
20 published by *The Times in Israel* about serving in the IDF in combat in Gaza during the  
21 genocide, which is a violation of the Geneva Convention, International Humanitarian Law and  
22 medical professional ethics. He continues to teach and practice at Emory to the alarm of Arab,  
23 Palestinian and Muslim people in that community.

24 50. On September 21, 2024, Dr. Marya posted about the medical students' concern on  
25 social media and asked her community of medical professionals, medical ethicists, and public  
26 health scholars how this concern should be addressed. Very shortly thereafter Wiener again  
27 misrepresented Dr. Marya's post on his social media, publicly accusing her of wrongdoing and  
28 mentioning her employment at UCSF.

1           51.     The following day on September 22, 2024, UCSF placed Dr. Marya on leave  
2     citing the same social media post as Wiener.

3           52.     Upon information and belief, a UCSF official, or someone with whom they were  
4     coordinating outside of UCSF, illegally provided notification of Dr. Marya's suspension—  
5     confidential personnel information to journalist Nanette Asimov, who then published Dr.  
6     Marya's confidential personnel information in the *San Francisco Chronicle* on September 23,  
7     2024, stating that she had been suspended, using Scott Wiener's narrative framing.

8           53.     On September 26th, after Dr. Marya informed the investigation committee that  
9     she would cooperate in any investigation and would make herself available to any proceedings  
10    but that she was unavailable October 11th-31st due to prior engagements, her lawyer received a  
11    notice from UCSF General Counsel that stated that it was inappropriate for Dr. Marya to engage  
12    in any professional activities while under an investigation. It is important to note that Dr. Marya  
13    is only employed 65% FTE in a purely clinical role. Her engagements in this October time  
14    period were public talks about her book, farming, and food as medicine work in Ireland, topics  
15    that UCSF had refused to host in the past. UCSF appeared to use the mechanics of this  
16    investigation as an attempt to block Dr. Marya having a platform for her speech.

17          54.     Barely a week later, on October 1, 2024, the UCSF Executive Medical Board  
18    (EMB) suspended Dr. Marya's clinical privileges claiming she was a "possible imminent  
19    danger" forcing Dr. Marya to engage in a legal battle to contest the EMB's abuse of its authority,  
20    before the EMB reinstated Dr. Marya's privileges on October 15. Had the suspension remained  
21    in effect for just one more day UCSF would have been legally required to report the suspension  
22    to the Medical Board of California, and it would have become a permanent record regarding her  
23    licensure, rendering it virtually impossible for her to get staff privileges at another hospital, or to  
24    get malpractice insurance.

25          55.     Around this same time, Dr. Marya's direct supervisor attempted to solicit one of  
26    Dr. Marya's colleagues at UCSF to file an incident report against Dr. Marya to claim that she  
27    was posing a threat to patient safety. The colleague declined because there was no threat to  
28    //

1 patient safety. An impeccable senior physician with over 23 years of service, Dr. Marya has not  
2 had a single patient safety report.

3 56. As a direct result of the coordinated campaign of harassment against Dr. Marya  
4 online from Scott Wiener, in the press through the leaked confidential information of her  
5 suspension and at UCSF, Dr. Marya again began receiving a flood of hate mail and threats  
6 causing her immense psychological and emotional suffering that continues to this day. At that  
7 time, she also received threats to her livelihood with pro-Israel accounts claiming they were  
8 going to get her fired.

9 57. Over the course of 2025, UCSF continued to subject Dr. Marya to the ongoing  
10 campaign of harassment and retaliation, subjecting her to multiple rounds of baseless  
11 investigations and interviews. This campaign has included demanding that Dr. Marya respond to  
12 hundreds of pages of accusations with much of the material entirely blacked out so she can  
13 neither evaluate what she has been accused of or the credibility of any evidence alleged against  
14 her.

15 58. UCSF has refused to promote Dr. Marya's research and scholarship as it routinely  
16 does for all other faculty. Worse yet, UCSF has actively thwarted Grand Rounds and other  
17 prestigious lecturing opportunities.

18 **The University's Disparate Treatment of Anti-Palestinian,**  
19 **Anti-Arab, and Islamophobic Speech**

20 59. In January 2024 UCSF further contributed to a hostile work environment for  
21 Jews, Palestinians, Arabs, and Muslims, and those associated with them, when UCSF's  
22 Associate Vice Chancellor of Climate and Belonging Eddie Ruiz emailed the Office of Diversity  
23 and Outreach (ODO) staff instructing them not to support an event organized by a Jewish student  
24 Registered Campus Organization that included a screening of the film "Israelism" featuring the  
25 experience of anti-Zionist Jews followed by a discussion with Erin Axelman the Jewish,  
26 transgender director and co-writer of the film, and Palestinian-American UCSF Professor Dr.  
27 Jess Ghannam. In the email exchange ODO staff expressed confusion about why they would not  
28 support an event that was being put together by eight different Registered Campus

Organizations, all of them composed of students of color and Jewish students. Later, on May 21, 2024, ODO supported and promoted an event featuring Elan Carr (a speaker well-known for his anti-Black and anti-Palestinian racism, Islamophobia, and transphobia) over the objections of dozens in the UCSF community, including Jews, Palestinians, Arabs, Muslims, LGBTQI+ people, and other minorities, who reported to ODO and UCSF leadership that ODO's platforming of Elan Carr contributed to an unsafe learning and working environment. Of particular concern to UCSF community members was the fact that Elan Carr spoke at a pro-Israeli rally that directly preceded the violent pro-Israeli mob attack on pro-Palestinian UCLA students on April 28th, 2024. Three days after Carr's lecture at UCSF later, on May 24, 2025, the Executive Vice Chancellor and Provost, Dr. Catherine Lucey hosted and promoted a public event with Ron Hassner, the Helen Diller Family Chair in Israel Studies at UC Berkeley, again over the objections of dozens of UCSF students, faculty, and staff. Hassner published the book *Anatomy of Torture*, in which examines the effective use of torture. During his talk, Hassner equated advocating for a ceasefire in Gaza to being antisemitic, promoted Islamophobic ideas, and used anti-Palestinian racist language. Despite his discriminatory talk that also included multiple factual inaccuracies, Dr. Lucey endorsed the talk as "grounding and factual."

60. The treatment Dr. Marya has been subjected to also contrasts greatly with the kid-gloves treatment that those supporting the genocide or defending racist or Islamophobic violence. Matthew Cooperberg, M.D., Justin Karlin, M.D., and Judea Pearl, Ph.D., are just some of the University of California employees who have posted racist, Islamophobic, and anti-Palestinian material with impunity.

### **First Cause of Action – 42 U.S.C. § 1983 and First Amendment**

#### **Suppression of Constitutionally Protected Speech**

#### **Against All Defendants**

61. Dr. Marya repeats and repleads all of the allegations in Paragraphs 1-60 and incorporates them as though fully set forth herein.

62. All of Dr. Marya's social media posts and other statements described above, including without limitation those regarding Israel and Palestine, were posted in her capacity as a



1 citizen, and not pursuant to any official university duties. These posts and statements never  
 2 impeded the performance of her duties as a physician or faculty member, or the regular operation  
 3 of the University. The subject matter of the postings and statements, including without limitation  
 4 Israel and Palestine, is a matter of public concern, and all of Dr. Marya's comments were made in  
 5 an effort to contribute to the public debate. Such speech is protected by the First Amendment of  
 6 the United States Constitution.

7 63. Dr. Marya further alleges that to the extent that her social media posts and  
 8 statements, were First Amendment-protected speech made in connection with her duties as a  
 9 physician and faculty member at Defendant UCSF, but these statements did not disrupt operation  
 10 of UCSF, and did not constitute good cause to investigate her, ban her from the campus, or to  
 11 suspend her medical privileges.

12 64. Dr. Marya's protected speech, and the viewpoints she expressed, greatly distorted  
 13 and misconstrued by Defendant, were motivating factors in Defendant's decision to suspend or  
 14 harass Dr. Marya.

15 65. Defendants' investigations, harassment, and suspension of Dr. Marya were all  
 16 actions taken in retaliation for her First Amendment-protected speech.

17 66. The University's retaliatory actions in response to Dr. Marya's protected speech  
 18 have had a chilling effect that acts as a deterrent to free speech.

19 67. The retaliation against Dr. Marya resulted in substantial and irreparable harm to  
 20 Dr. Marya, including lost income, out of pocket expenses and severe emotional distress.

21 **Second Cause of Action – 42 U.S.C. § 1983 and 42 U.S.C. § 1985**

22 **Conspiracy**

23 **Against All Defendants**

24 68. Dr. Marya repeats and repleads all of the allegations in Paragraphs 1-60 and  
 25 incorporates them as though fully set forth herein.

26 69. Dr. Marya repeats and realleges all of the paragraphs in this complaint as if fully  
 27 set forth herein.

28 //

70. All of the Defendants and other co-conspirators, known and not yet known to Dr. Marya, reached an agreement amongst themselves to suspend and then terminate her, all in violation of Dr. Marya's constitutional rights, as described above.

71. In this manner, the Defendants, acting in concert with other known and unknown co-conspirators, conspired to accomplish an unlawful purpose by an unlawful means.

72. In furtherance of the conspiracy, each of the co-conspirators committed overt acts and was an otherwise willful participant in joint activity.

73. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally with willful indifference to Dr. Marya's constitutional rights.

74. As a direct and proximate result of the illicit agreement referenced above, Dr. Marya's rights were violated and she suffered substantial and irreparable harm, including lost income, the loss of her position at the University, out of pocket expenses, and severe emotional distress.

#### **PRAYER FOR RELIEF**

Plaintiff respectfully requests this Court to enter judgement for the Plaintiff for:

- (1) A declaratory judgement that Plaintiff's constitutional rights have been violated;
- (2) An order prohibiting the Regents from denying or otherwise infringing upon Plaintiff's medical staff privileges for her speech touching upon issues of public concern;
- (3) An order prohibiting the defendants from publishing to any other hospital, medical center, or organized body of the medical staff any comments about Dr. Marya based upon anything other than her clinical competence;
- (4) Nominal damages;
- (5) The costs of litigation, including reasonable attorneys' fees; and
- (6) Such other relief as this Court deems appropriate and necessary to protect Plaintiff from interference with her civil and constitutional rights.

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1 DATED: June 4, 2025

KLEIMAN / RAJARAM

2  
3 By: 

Mark Kleiman

4  
5 DATED: June 4, 2025

6 By: /s/ Jonathan D. Wallace

Jonathan D. Wallace (SBN 1733537)  
*pro hac vice admission forthcoming*

7  
8 DATED: June 4, 2025

9 By: /s/ Wade McMullen

Wade McMullen (SBN 5308747)  
*pro hac vice admission forthcoming*

10  
11 Attorney for Plaintiff  
RUPA MARYA, M.D.

12  
13 **DEMAND FOR JURY TRIAL**

14 Plaintiff RUPA MARYA, M.D., hereby demands a jury trial.

15  
16 DATED: June 4, 2025

KLEIMAN / RAJARAM

17  
18 By: 

Mark Kleiman

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26 Attorney for Plaintiff  
RUPA MARYA, M.D.