SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

JANE DOE, Plaintiff, -against- CORNELL UNIVERSITY, INC. et al, Defendants.	Index No.: 161704/2026 Motion Date: 10/23/2026 Motion Seq. No.: 001 **ORDER WITH NOTICE OF ENTRY**

COUNSELORS/DEFENDANTS:

PLEASE TAKE NOTICE, that annexed hereto, is a true copy of the Decision and Order of the Honorable Phaedra Perry-Bond, Justice of the Supreme Court, New York County, dated October 23, 2026, and duly entered in the office of the Clerk of the Supreme Court, New York County on October 23, 2026.

Dated: New York, New York
October 30, 2026

RHEINGOLD GIUFFRA RUFFO PLOTKIN & HELLMAN, LLP
Attorneys for Plaintiff

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CC: *All Defendants*

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. PHAEDRA PERRY-BOND **PART** 35
Justice

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JANE DOE,

Plaintiff,

- v -

CORNELL UNIVERSITY, INC.,CHI PHI CHAPTER HOUSE ASSOCIATION, CHI PHI FRATERNITY, INC.,CHI PHI EDUCATIONAL TRUST, ALPHA BETA HOUSE CORPORATION OF DELTA DELTA DELTA, DELTA DELTA DELTA SORORITY, ZAREEN ENTERPRISE LLC,MATTHEW INGALLS, JOHNATHAN NEWELL, WINSTON LEE, GILLIO LOPES, DIEGO SARABIA, SCOTT NORRIS, SCOTT KRETZSCHMAR, JOHN DOE, JOHN DOE, JOHN DOES, and ORAZIO PETITO,

Defendants.

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INDEX NO. 161704/2026

MOTION DATE 10/23/2026

MOTION SEQ. NO. 001

DECISION + ORDER ON MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 001) 1 through 85 were read on this motion to/for PROCEED USING PSEUDONYM.

Upon the foregoing documents, there being no opposition, and good cause having been shown, plaintiff's motion seeking to proceed in this action under the pseudonym of "Jane Doe" is granted.

Permission to proceed in litigation using a pseudonym is not granted automatically, and the Court must "exercise its discretion to limit the public nature of judicial proceedings sparingly and then, only when unusual circumstances necessitate it" (*Twersky v Yeshiva Univ.*, 201 AD3d 559, 559 [1st Dept 2022] quoting *Anonymous v Anonymous*, 27 AD3d 356, 361 [1st Dept 2006]). The Court is required to balance the "plaintiff's privacy interests against the presumption in favor of public disclosure and any prejudice to defendant[s]" (*see Doe v Yeshiva Univ.*, 195 AD3d 565, 565 [1st Dept 2021]). Where a plaintiff's privacy interests outweigh the presumption in favor of public disclosure, the use of a pseudonym is preferred over sealing the entire docket because a

grant of anonymity impacts the public's right to open proceedings far less than the closing of a courtroom (*see Doe v Doe*, 189 AD3d 406, 407 [1st Dept 2020]).

Aside from the common law rules, New York has enacted a statutory exception to the general rule of openness and disclosure by enacting Civil Rights Law § 50-b. That statute provides that:

> "the identity of any victim of a sex offense as defined in article one hundred thirty or section 255.25, 255.26, or 255.26 of the penal law…shall be confidential. No report, paper, picture, photograph, court file or other documents, in the custody or possession of any public officer or employee, which identifies such a victim shall be made available for public inspection."

On this application, no defendant has opposed plaintiff proceeding using a pseudonym. Nonetheless, the Court is still required to independently exercise its discretion in balancing plaintiff's privacy rights, the public's interest in open trials, and preventing prejudice to defendants. In support of her application, plaintiff submitted an affirmation claiming she is a victim of sexual abuse, sexual assault, and rape and invoked the protections of Civil Rights Law § 50-b. Plaintiff further claims that being personally identified would result in "retribution and retaliation" against her, will hinder her social life and career, and will cause her family shame and to be placed in danger (*see* NYSCEF Doc. 4). Plaintiff further claims that she has experienced extreme anxiety, depression, and insomnia due to the fear of being identified, and that proceeding anonymously will help her "to remain safe and maintain a sound sense of mind."

Putting aside the applicability of Civil Rights Law § 50-b, as no defendant has yet been charged under any of the applicable sections of the penal code, the Court finds that plaintiff's affirmation, coupled with the lack of any opposition from defendants, provides sufficient cause to allow plaintiff to proceed under a pseudonym.

Particularly instructive is the First Department's decision in *N.S. v. Frankenhoff*, 215 A.D.3d 592 (1st Dept. 2023). In *N.S.*, the plaintiff sued defendant for allegedly raping her. The First Department affirmed the trial court's decision allowing the plaintiff to proceed using a pseudonym, finding "the presumption in favor of open trials and any potential prejudice to the defendant was outweighed by plaintiff's privacy interest," particularly her concern that "her teenaged child would be traumatized if he or his peers were to discover information about the alleged rape online" (*id.* at 593). In this case, there are equally if not more compelling circumstances to allow plaintiff to maintain anonymity, especially given the notoriety of the allegations and widespread reports of certain malicious actors' behavior in attempting to threaten and retaliate against anyone tangentially involved in this case.

Moreover, the public's interest in open proceedings is better served by allowing plaintiff to proceed via pseudonym as opposed to sealing the entire docket and closing the courtroom, and defendants have not demonstrated prejudice by allowing plaintiff to proceed by pseudonym, as they have not even opposed this application (*see, e.g. Doe v KIPP New York, Inc.*, 238 AD3d 447, 448 [1st Dept 2025]). Therefore, plaintiff's application to proceed using a pseudonym is granted (*see also Doe v Bloomberg L.P.*, 200 AD3d 410 [1st Dept 2021]).

While the Court is cognizant that some members of the public have made it their mission to try and identify Jane Doe, and have likewise tried to use what they believe to be Jane Doe's identity to harass and threaten certain individuals allegedly tied to her, the Court issues the following words of caution: cyberstalking and engaging in or encouraging threats across state lines, whether it be of Jane Doe, any of the named defendants, or their attorneys, can be considered a federal crime and perpetrators of those acts may be subjecting themselves to prosecution.

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Moreover, the public's interest in open proceedings is better served by allowing plaintiff to proceed via pseudonym as opposed to sealing the entire docket and closing the courtroom, and defendants have not demonstrated prejudice by allowing plaintiff to proceed by pseudonym, as they have not even opposed this application (*see, e.g. Doe v KIPP New York, Inc.*, 238 AD3d 447, 448 [1st Dept 2025]). Therefore, plaintiff's application to proceed using a pseudonym is granted (*see also Doe v Bloomberg L.P.*, 200 AD3d 410 [1st Dept 2021]).

While the Court is cognizant that some members of the public have made it their mission to try and identify Jane Doe, and have likewise tried to use what they believe to be Jane Doe's identity to harass and threaten certain individuals allegedly tied to her, the Court issues the following words of caution: cyberstalking and engaging in or encouraging threats across state lines, whether it be of Jane Doe, any of the named defendants, or their attorneys, can be considered a federal crime and perpetrators of those acts may be subjecting themselves to prosecution.

Individuals who engage in the above-mentioned behavior can also be subjected to prosecution under state law.

While not expressly sought in her order to show cause, in the motion papers submitted plaintiff seeks an "attorneys' eyes only" designation as to plaintiff's sensitive personal information, including her date of birth, social security number, residential address, phone number, and e-mail address. Defendant Cornell University, Inc. ("Cornell") argues this designation should also be broadened to non-parties who may fear coming forward with evidence for fear of retaliation and harassment. The Court believes this designation should likewise be extended to the individually named defendants in this action. The Court welcomes the parties presenting a proposed stipulation, to be so ordered, providing all involved parties with some degree of protection regarding their sensitive personal information. To the extent the parties believe a conference would be helpful in drafting a stipulation, the parties may contact the Court to request that a conference be calendared.

To that end, and considering plaintiff is granted leave to proceed anonymously, the Court and the parties must determine the appropriate restrictions regarding disclosure of plaintiff's name and other information for purposes of discovery and investigation. The First Department has held that "[w]hile a defendant may be restrained from publishing a plaintiff's name who has been granted anonymity" an "order enjoining [defendants] from disclosing plaintiff's identity to anyone other than [their] attorneys, insurers, and expert witnesses" is overbroad (*see N.S. v Frankenhoff*, 215 AD3d 592, 593 [1st Dept 2023]).

If this case proceeds to discovery or trial, and depending on the damages sought, defendants may need to privately disclose plaintiff's name to a variety of different institutions or individuals, including potential medical providers, employers, social workers, government

agencies, or potential witnesses. Therefore, the restraints imposed on defendants from disclosing plaintiff's identity in this case are designed to be narrowly tailored to allow defendants to engage in the necessary discovery and investigation to adequately defend this case. The restraints issued today may be considered a "placeholder" and can be modified, reduced, or expanded as part of any future protective order applying in equal force to defendants and non-party witnesses. To that end, if any party believes the restrictions on the disclosure of plaintiff's identity should be reduced, expanded, or otherwise modified, or expanded to protect other defendants' or non-party witnesses' personal identifying information, the parties may submit a stipulation or request a conference.

Accordingly, it is hereby,

ORDERED, that plaintiff is permitted to proceed in this action using the pseudonym "Jane Doe" instead of her legal name; and it is further

ORDERED that the caption in this action shall remain the same as the caption set forth in plaintiff's original complaint and proposed order to show cause (*see* NYSCEF Doc. 2); and it is further

ORDERED that the parties, their counsel, the parties' agents, and the New York County Clerk's office shall refrain from publicly disclosing plaintiff's identity, and is further

ORDERED that all papers filed in this action, including pleadings, motions, judgments, orders, decisions, notices, discovery demands and responses, letter correspondence, exhibits, or any other document relating to the action, shall refer to plaintiff by the pseudonym "Jane Doe" and shall not be filed by anyone unless plaintiff's sensitive personal information, including her name, date of birth, social security number, residential address, phone number, and e-mail address are omitted or redacted from those documents, and to the extent necessary, the original unredacted

document shall be retained by the party who has filed the redacted document for an *in-camera* inspection by the Court; and it is further;

ORDERED that plaintiff shall disclose to defendants and their attorneys Jane Doe's identity, to the extent they have not done so already; and it is further

ORDERED that defendants and their agents are permitted to disclose plaintiff's identity and pertinent identifying information privately for purposes of discovery and investigation to any third-party doctor, social worker, medical/health care provider, governmental agency, employer, insurer, or potential witness who has or may have knowledge related to the parties' claims or defenses in this action, conditioned on the agreement to keep plaintiff's sensitive personal identifying information confidential by the third-party being disclosed such information; and it is further

ORDERED that the parties may submit a proposed stipulation limiting, expanding, or otherwise modifying the restraints and protections ordered herein, or, if unable to agree to the terms of a proposed stipulation, may request a conference with the court for the purposes of crafting a more comprehensive protective order which expands protection against the disclosure of defendants' and certain non-party witnesses' sensitive personal identifying information; and it is further

ORDERED that within ten days of entry, counsel for plaintiff shall serve a copy of this Decision and Order, with notice of entry, on all appearing parties via NSYCEF and via first-class mail on all non-appearing parties at their last known address(es); and it is further

ORDERED that within ten days of entry, counsel for plaintiff shall serve a copy of this Decision and Order upon the Clerk of the Court in accordance with the procedures set forth in the *Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases* (accessible

at the "E-Filing" page on the court's website) and the Clerk of the General Clerk's Office (60 Centre Street, Room 119), who, upon service of such a copy of this Decision and Order, shall ensure plaintiff's anonymity is maintained and shall cooperate with the parties and the Court to ensure any future filings which may inadvertently disclose plaintiff's identity or sensitive personal identifying information is expeditiously removed from the public record.

This constitutes the Decision and Order of the Court.

10/23/26
DATE

HON. PHAEDRA PERRY-BOND, J.S.C.

CHECK ONE:		CASE DISPOSED			x	NON-FINAL DISPOSITION	
	x	GRANTED		DENIED		GRANTED IN PART	OTHER
APPLICATION:		SETTLE ORDER				SUBMIT ORDER	
CHECK IF APPROPRIATE:		INCLUDES TRANSFER/REASSIGN				FIDUCIARY APPOINTMENT	REFERENCE