

July 30, 2015

Dean Sujit Choudhry
215 Boalt Hall, # 7200

Confidential and Personal

Dear Sujit,

This letter is my response to the Finding of Policy Violation – Sexual Harassment as reported to me on July 7, 2015 by the Office for the Prevention of Harassment and Discrimination (OPHD). I have reviewed the report and discussed it with Chancellor Dirks, Vice Provost Broughton, and Chief Campus Counsel Patti.

OPHD found that your conduct toward one of your subordinates, which included repeated hugging, kissing on the cheek, and touching on shoulders and arms, was unwelcome and violated the UC Policy on Sexual Harassment and Sexual Violence. I regard this conduct as a serious violation of University policy and as demonstrating a significant failure of judgment on your part. I have valued your contributions as our Law School Dean in your first year, yet this behavior shows a troubling lack of leadership and supervisory experience.

Based on the OPHD findings, I have decided on the following course of action, which I believe is warranted and appropriate for this situation:

- Your salary will be reduced by approximately 10% to \$373,500 for one year, effective immediately.
- You will begin a course of one-on-one training and coaching no later than September 1, 2015. You will choose a coach from a list of names of several trusted professionals which we will provide to you. You will work with that person on maintaining appropriate standards of behavior in the workplace, conducting yourself appropriately in your contact with co-workers and subordinate employees, and avoiding sexual harassment. The training must last for 6-12 months, with the mandatory time period determined upon assessment of progress by the coach, who will periodically report to me. You will be financially responsible for the cost of the coaching.
- You will prepare a written apology to [REDACTED] and provide it to me no later than August 17, 2015; I will ensure that it is transmitted to her.
- The Office for the Prevention of Harassment and Discrimination (OPHD) will conduct periodic monitoring of your behavior and will report back to me on its findings.
- If I receive any credible evidence that you have again violated UC Policy on Sexual Harassment and Sexual Violence, you may be subject to immediate further disciplinary action, up to and including your termination as Dean.

Per Presidential policy on Sexual Harassment and Sexual Violence Policy (clarified by memo on August 15, 2014), [REDACTED] is entitled to know the sanctions described in

this letter, and we will communicate this information to her. Also, it is possible that we will need to disclose the investigative findings and contents of this letter to others, and we will do so at our discretion.

Please be aware that University policy strictly prohibits retaliation against either the complainant or anyone else who may have been involved in the investigation and that consequences for violation of that policy would be severe.

Sujit, I hope it is clear how seriously I take this matter, and I sincerely hope that this plan of action immediately alters your behavior. You have a very promising career as Berkeley's Law School Dean with your innovative ideas, high energy, and enthusiastic citizenship, and I trust that you will grow into the kind of leader that we both know you can be.



Claude M. Steele
Executive Vice Chancellor and Provost

Bcc: Chris Patti, Chief Campus Counsel
Janet Broughton, Vice Provost for Faculty

STATEMENT OF SUJIT CHOUDHRY 3/10/16 AT 3:35 PM

Earlier today, I tendered my resignation from the position of Dean of UC Berkeley Law School, effective immediately. I took this step because the pending lawsuit, against the university and me, appears to have become a distraction for the law school, the university and our community, an outcome I had hoped could be avoided.

I have received many requests to respond to, or comment on, the allegations that are the subject of the pending lawsuit. On my counsel's advice – and in order to have this case tried in a court of law, and not in the press – I am refraining from doing so at this juncture. I will defend, in the litigation, against the claims and allegations made against me. I respectfully ask that fair-minded persons understand that there are two sides to every narrative, and that the university and I should have an opportunity to mount a full defense in court, the only forum in which the claims and allegations against us can be fairly adjudicated.

ISSUED BY ATTORNEY Nanci CLARENCE (nclarence@clarencedyer.com)