

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

Greensboro Division



Brahmajothi Vasudevan Mulugu

Case No. 23CV957

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) Yes No

Duke University School of Medicine
See attached

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Brahmajothi Vasudevan Mulugu
Street Address	2715 East Shoreham Street
City and County	Durham County, Durham
State and Zip Code	North Carolina, 27707
Telephone Number	919-699-4594
E-mail Address	dr.brahmajothi@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Duke University School of Medicine
Job or Title <i>(if known)</i>	Institutional Employer
Street Address	310 Blackwell Street, 4th Floor, Box 104124
City and County	Durham County, Durham
State and Zip Code	North Carolina, 27701
Telephone Number	(919) 684-3955
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Donald Patrick McDonnell
Job or Title <i>(if known)</i>	Professor of Pharmacology and Cancer Biology - Duke University
Street Address	1002 Gloucester Court
City and County	Orange County, Chapel Hill
State and Zip Code	North Carolina, 27516
Telephone Number	(919) 684-6035
E-mail Address <i>(if known)</i>	donald.mcdonnell@duke.edu

Defendant No. 3

Name	Mary Frances Earley Klotman
Job or Title <i>(if known)</i>	Dean, Duke University School of Medicine
Street Address	3960 Plymouth Road
City and County	Durham County, Durham
State and Zip Code	NC, 27707
Telephone Number	(919) 684-2455
E-mail Address <i>(if known)</i>	mary.klotman@duke.edu

Defendant No. 4

Name	Geeta Krishna Swamy
Job or Title <i>(if known)</i>	Vice Dean and Associate Vice Provost for Scientific Integrity
Street Address	112 Old Larkspur Way
City and County	Orange County, Chapel Hill
State and Zip Code	North Carolina, 27516
Telephone Number	(919) 682-5220
E-mail Address <i>(if known)</i>	swamy002@mc.duke.edu

List of Defendants

Duke University School of Medicine
Institutional Employer
310 Blackwell Street, 4th Floor, Box 104124
Durham, NC, 27710

Donald Patrick McDonnell
Professor - Department of Pharmacology and Cancer Biology
1002 Gloucester Court
Chapel Hill, NC, 27516

Mary Frances Earley Klotman
Dean of the Duke University School of Medicine, Duke University
3960 Plymouth Road
Durham, NC, 27707
mary.klotman@duke.edu
919-684-2455

Geeta Krishna Swamy
Vice Dean and Associate Provost for Scientific Integrity, Duke University
112 Old Larkspur Way
Chapel Hill, NC, 27516
swamy002@mc.duke.edu

Mohamed Bahie Abou-Donia
Former Professor - Department of Pharmacology and Cancer Biology, Duke University
106 Catawba Court
Orange County, Chapel Hill, NC 27514
(919) 967-6136

Colin Stephen Duckett
Former Interim-Chair - Department of Pharmacology and Cancer Biology, Duke University
1308 Markham Avenue
Durham County, Durham, NC, 27705
(919) 684-2455
colin.duckett@duke.edu

Sharon Adele Dowell-Newton
Former Business Manager - Department of Pharmacology and Cancer Biology, Duke University
420 Royal Lane
Caswell County, Semora
North Carolina, 27343
(336)-234-7359

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	Duke University School of Medicine
Street Address	Levine Science Research Center, 308 Research Drive
City and County	Durham County, Durham
State and Zip Code	North Carolina, 27710
Telephone Number	(919) 684-3955

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

Other federal law *(specify the federal law)*:

Relevant state law *(specify, if known)*:

Relevant city or county law *(specify, if known)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- Failure to hire me.
- Termination of my employment.
- Failure to promote me.
- Failure to accommodate my disability.
- Unequal terms and conditions of my employment.
- Retaliation.
- Other acts *(specify)*: Fraud

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

July 19, 2018-Present

C. I believe that defendant(s) *(check one)*:

- is/are still committing these acts against me.
- is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- race Asian
- color Brown
- gender/sex Female
- religion Hindu
- national origin Indian
- age *(year of birth)* 1967 *(only when asserting a claim of age discrimination.)*
- disability or perceived disability *(specify disability)*

E. The facts of my case are as follows. Attach additional pages if needed.

A. Introduction to the plaintiff in this case

- My name is Brahmajothi V. Mulugu, and I have been a research scientist at Duke University for more than 25 years. I am an immunologist by training, having earned my Bachelor's degree in Integrated Biology, Master's in Immunology, a Masters in Health Science from Duke University's Clinical Research Training Program, and PhD in immunogenetics and immunology, and having completed my fellowship and postdoctoral training at Harvard Medical School. I have worked in several departments at Duke University throughout my career, while maintaining focus in immunological processes and gaining an understanding of different organ systems through using an integrated approach. Some of these departments have been the Department of Cardiology, the Department of Gastroenterology, the Department of Pediatrics, the Eye Center, and the Department of Pharmacology and Cancer Biology. During my career, I have trained and mentored several students at various levels, published papers, presented at conferences, conducted scientific research and workshops, and written grants. Ever since I received the Department of Defense (**hereafter known as "DoD"**) grant, I have experienced unequal treatment, discrimination, harassment, and retaliation from Duke University School of Medicine, Drs. Mohamed Bahie Abou-donia, Donald Patrick McDonnell, Geeta Krishna Swamy, Collin Duckett, Mary Klotman, and Ms. Sharon Adele Dowell-Newton, that has affected my scientific career.

B. Introduction to defendants in this case

- Duke University is the institution where the incidents at issue occurred. I was employed by Duke University and worked in the **Department of Pharmacology and Cancer Biology (hereafter known as "PCB")**, which is a department within the Duke University School of Medicine.
- Duke University is a non-profit corporation existing under the laws of North Carolina, operating Duke University School of Medicine in Durham, NC, and doing business in Durham County, North Carolina. It employs more than 500 employees.
- **Dr. Mohamed Bahie Abou-donia (hereafter known as "Dr. Abou-donia")**, a toxicologist and **tenured professor** who had worked in PCB at Duke University, **hired me to work in his lab as a research scientist in July of 2016**, due to my expertise in autoantibodies, since Dr. Abou-donia had a grant from the **DoD** focusing on autoantibodies.
- **Dr. Donald Patrick McDonnell (hereafter known as "Dr. McDonnell")** was the **then-chairman of PCB and a tenured professor who was Dr. Abou-donia's supervisor at the time of these incidents. Dr. McDonnell stepped down from chairmanship on July 31, 2020, but remained a faculty member of PCB.**
- **Dr. Mary Frances Earley Klotman (hereafter known as "Dr. Klotman")** was appointed as the Dean of the Duke University School of Medicine in July 2017 and was the deciding

authority at all times during the incidents that happened in this case. As of 2022, Dr. Klotman is serving her second term as the Dean of the Duke University School of Medicine.

- **Dr. Colin Stephen Duckett (hereafter known as “Dr. Duckett”)** is the Vice Dean for Basic Science and a faculty member of PCB who was appointed as the interim-chair after Dr. McDonnell stepped down from chairmanship.
- **Dr. Geeta Krishna Swamy (hereafter known as “Dr. Swamy”)** is a **tenured professor** who was first appointed as the Dean for Faculty Development and the Chair of Duke University's **Institutional Review Board (hereafter known as “IRB”)**. She taught courses in Research Ethics and Conduct and Research Management in the Clinical Research Training Program, a master's program at Duke University that I graduated from. Later, she became the Vice Dean and Associate Provost for Scientific Integrity.
- **Ms. Sharon Adele Dowell-Newton (hereafter known as “Ms. Dowell-Newton”)** was the then-Business Manager of PCB, who has since retired from Duke University.

C. Background

- When I joined Dr. Abou-donia's lab in July of 2016, although every other lab was fully equipped, Dr. Abou-donia was only provided a room that was used as a dumping area for surplus materials to be picked up. **I had to clean the whole lab even though it was not in my job description to do so**, and since the lab did not have anything, I brought all the supplies I had acquired from my first position at Duke University, where I was a research scientist in the lab of Dr. Harold Strauss in the Department of Cardiology - I have a letter from Dr. Strauss and the letter to the Division Chief of Cardiology that verifies my ownership of these items, and I also purchased multiple items with my personal funds, such as the stool for my back pain, a metal stand, pipettors, water baths, small refrigerator, small freezer, a UV lamp and other types of equipment used for immunohistochemistry.
- In addition, PCB did not provide information technology (IT) support. NetFriends is an outside vendor that PCB used to provide an optional source of IT support, each lab was given the option to pay NetFriends for IT needs, and the labs would submit their invoices to PCB for payment. NetFriends was charging \$89/hr, and every additional minute was charged in increments of \$89. Many labs chose not to use their services, including Dr. Abou-donia's lab.
- There was no standard procedure implemented by PCB for data maintenance or lab space maintenance. Each lab maintained their own system of data and there was a disparity between labs. The labs that had more funds were better equipped. I revised the SOP (Standard Operation Procedure, which describes how the lab is supposed to be maintained) that I prepared when I was at Pediatrics and the Eye Center when I was there and submitted the same with little revision to PCB. At the time of submission, I was not fully aware of Dr. Abou-donia's lab and the work entailed **because I was given incomplete information at the time**

of joining the lab regarding the extent of my responsibilities. I came up with the best possible way to arrange the lab.

- I placed orders for a freezer to fit in our small space since Dr. Abou-donia said I can only spend less than \$5000 at a time for purchase. I negotiated with the vendors and they agreed to prepare invoices splitting the cost of the parts and I consulted with Ms Dowell-Newton and she agreed thus a small -80 freezer was installed in the lab and I equipped the lab with other supplies needed for the experiments.
- **While I established Dr. Abou-donia's lab space, neither PCB nor Dr. Abou-donia provided me with a computer with which to perform my scientific work,** which every other scientist in PCB had access to through the labs they worked in or led. Dr. Richard Auten, my previous employer at Duke University in the Department of Pediatrics, as well as the Department of Pediatrics, had permitted me to take my desktop computer with me to the Eye Center. I had to request permission from the Eye Center to take my desktop computer I brought with me from the Department of Pediatrics to PCB. The Eye Center took a month to release the computer, as they wanted the **Office of Information Technology (hereafter known as, "OIT")** to copy all the files.
- During this time (July-August 2016), Dr. Abou-donia was out of the country. I asked Ms. Dowell-Newton whether there was a server or an H: Drive that I could use to store my forthcoming data and the grant proposals I was writing. Ms. Dowell-Newton told me that each lab does it on their own and I inquired with every lab in the C-Wing (Thiele Lab, Slotkin Lab, Haystead Lab) regarding what their method of storing data was. They told me that they store their data in a hard drive. I informed Dr. Abou-donia, but **Dr. Abou-donia did not purchase a hard drive on which to store research data for the lab and the data generated were printed, kept on file, and emailed to him. All of the files were both stored on my desktop computer and also stored in the room adjacent to Dr. Abou-donia's office, which was in his office suite.**
- **Dr. Abou-donia called me from Egypt and told me to write preliminary proposals, although I still did not have a computer,** which I told him. He informed me that he did not have the funds to buy a computer and told me to use the department computer. When I asked Ms. Dowell-Newton what I should do in this instance, **Ms. Dowell-Newton permitted me to request my computer from the Eye Center and until then, told me to use the imager computer that was kept for common use. I was often bumped out because priority use was given to those who were processing their images.** I had to request permission from Dr. Thiele, a faculty member in PCB, to use the computer in his lab until I got my computer from the Eye Center.
- I was concentrating my efforts in writing pre-proposals and started standardizing experiments. When Dr. Abou-donia came back in the first week of September 2016, **he assigned me to train the students and a research scholar who came from China. As I was balancing my new responsibilities that were not previously indicated in my offer letter, Dr. Abou-donia**

would repeatedly interrupt me while I was doing my work to help him with basic computer questions, which was also not in my job description, and he would become irate if I did not assist him. These interruptions were so frequent that I regularly had to return later in the night to get my work done.

- However, at this time, **Dr. Abou-donia and I had a mostly cordial working relationship and he appreciated my work ethic**, giving me the responsibilities of teaching Mammalian Toxicology and Neurotoxicology, which were graduate-level courses consisting of undergraduates and graduate students, as well as training and mentoring independent study students at the graduate and undergraduate level. I sponsored these students so that they could attend Immunology and Toxicology conferences. All of the students whom I trained and mentored graduated with distinction for their theses and dissertations.
- In October 2016, I submitted a grant proposal to the DoD as a mentored grant, I got an encouraging review.
- In March of 2017, I received a notification that the proposal was not recommended for funding.
- I submitted another proposal pre-application in June 2017 and I was invited to submit a proposal submission. I submitted the proposal in October 2017. I also helped Dr. Abou-donia submit his proposal.
- From November 2016 to March 2018, I standardized and performed experiments and analyzed data, which were used in the grant proposals that we submitted and in various abstracts we submitted to present at conferences. The data I gave Dr. Abou-donia on ELISA were stored, but Dr. Abou-donia did not want to publish it and suggested that we apply for the next grant and he made me prepare paperwork for the patent application. Dr. Abou-donia was also exploring the possibility of how we can make companies pay for using these techniques. During this time, from the experiments I worked on, we submitted 3 abstracts to the Military Health Science Research Symposium (MHSRS), one with Dr. Abou-donia as the first author and me as the second author and two abstracts with myself as the first author and Abou-donia as the second author were accepted for poster presentation at the MHSRS 2018. **The data for these presentations was located both in my desktop computer and in Dr. Abou-donia's office.** Before the submission of the abstracts, I asked Dr. Abou-donia whether we include other collaborators as authors. Dr. Abou-donia said that since we did not use any of their samples we are not obligated to give authorship. Following are the titles that were submitted:
 1. **Mohamed B. Abou-donia, PhD, and Mulugu V. Brahmajothi, PhD.** "Novel Approach for Detecting the Neurological or Behavioral Impact of Physiological Episodes (PEs) in Military Aircraft Crews," MHSRS 2018.
 2. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "PTSD Susceptibility and Challenges: Pathophysiological Consequences of Behavioral Symptoms", MHSRS 2018.

3. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD**, "Monitoring from Battlefield to Bedside: Serum Repositories Help Identify Biomarkers, Perspectives on Mild Traumatic Brain Injury", MHSRS 2018.

- On March 5, 2018, we both received a response. Dr. Abou-donia's proposal was not recommended for funding, but for my proposal, the letter said if there are funds available, my proposal will be recommended for funding. I called the DoD to verify the information and the DoD officer I spoke with mentioned that there is a possibility of getting the funds released since DoD was waiting for government approval to release the funds.
- On May 1, 2018, I received a letter of congratulations from DoD saying that a proposal I had submitted in 2017 was recommended for funding. While DoD was working on the approval for releasing the funds, Duke Office of Research Administration informed PCB to begin the process for budget negotiation and to work on the IRB protocol approval process since this was a human study.
- I approached IRB to help get my study started for approval. Ms. June Waker, IRB compliance specialist, tried to find out who the IRB departmental support person was for PCB, and since she could not find anyone allotted for PCB, she told me to come to the IRB office and introduced me to Ms. Ronna Zimmers, and both of them helped me with initiating the process. Since my position was that of a Research Scientist, they told me that the Department would give me at least a non-tenured Asst Research professor position, which would be needed for a **Principal Investigator (PI)** to start the IRB protocol. When I asked them whether the IRB can be linked to Dr. Abou-donia, they informed me that IRB is now migrating into a new process where it is study-based and they informed that if I could finish the CITI training exam, they could help me get the protocol number for the study, which I did overnight and they were surprised as how quickly I finished the whole requirements. They told me that I should meet with the Chairman of the PCB to request for a position change to fulfill the IRB requirements, which I informed Dr. Abou-donia.
- On May 29, 2018, Dr. Abou-donia took me to Dr. McDonnell (the then Chairman) to recommend me for a position change from research scientist to research assistant professor and inquire about the procedure for obtaining this position change. Dr. McDonnell told us that my grant would be used to pay the salaries of tenured faculties and that I have to request DoD to give me 100% salary because PCB would not provide me 40% of my salary and my base salary was \$47,000, which is the lowest in the department. Dr. McDonnell told me that, if DoD agrees to provide me with a 100% salary, then we can talk about position change, I could do my independent work as a PI of my grant, **that I could take my grant anywhere I go, and that he would release the funds.** Dr. McDonnell also mentioned that he has 5 research assistant professors in his lab and he told me that, ultimately, **the decision to change my position rested with the Dean, Dr. Klotman**, and if I didn't hear from him in 3 months, I was welcome to contact Dr. Klotman directly. **However, in his lab, at that time, all of the scientists (who were lighter-skinned than me) who got a grant were immediately promoted to research faculty positions.**

- Following this, I sent an email to Dr. Swamy, who was the then-Vice Chair for the Research and Faculty Development Program. I requested to meet with Dr. Swamy in order to receive mentorship for my grant since I was a student of hers in the CRTP Master's program offered by Duke University School of Medicine and she taught a class on Clinical Research Management, which I had taken. She told me to reach out to Ms. Kristina Glauber, Research Navigator coordinator, who would help young investigators like me. I called Ms. Glauber and informed her that I had been helped by Ms. June Walker and Ronna Zimmers and she told me that I was in good hands and they would provide me with good advice in preparing my protocol. Ms. Ronna Zimmers and Ms. June Walkers advised me to first submit the IRB proposal for retrospective samples and then submit an amendment to fresh sample collection to expedite the approval process in spite of my saying it is important that I collect the samples. IRB approval of my research required the first page of the submitted version of my grant, which I was not able to obtain at the time of submission. Duke University's Office of Research Administration referred me to my department, PCB, as the source from whom I could obtain the submitted version of my grant since they were responsible for keeping those records. However, **PCB administration, among whom Ms. Dowell-Newton was in charge, failed to keep appropriate records of my submitted grant, although they did this for others in PCB who received grants, all of whom were lighter skinned than me. Further, Dr. Klotman and Duke University failed to ensure that PCB administration maintained appropriate records for all researchers, creating a work environment that facilitated the creation of disparities.**
- I informed **Dr. Swamy that my department Chair, Dr. McDonnell was not willing to change my position to get IRB approval and according to the new IRB requirement,** it is required that all PIs should at least have Research Asst. Professor, she advised me to request Dr. McDonnell to send a letter to the late Dr. Judi Powers, who was the Director of IRB at that time, to provide me with PI status, so I could get the IRB protocol started. I had to provide the Duke University School of Medicine policy on who can be given IRB approval, with much hesitation Dr. McDonnell sent the letter. It was immediately approved by Dr. Powers. I was able to get the protocol number established to share with the DoD.
- I was going through all the rebudgetting and budget negotiation processes, where to ensure that my salary was fully grant funded, Dr. Abou-donia and Ms. Dowell-Newton told me to request if any of the collaborators could assist or suggested that I reduce their involvement. I was not given appropriate support or guidance in this by Dr. Abou-donia and Ms. Dowell-Newton. Dr. Abou-donia clearly stated that he was not interested in reducing his salary support, but informed me to reduce one of the collaborator's efforts (Dr. Cameron Dale Bass). Since Dr. Nandan Lad, who was listed as a collaborator, told me that he does not have samples nor does he see veterans, but asked me about the grant proposal that he wanted to use in submitting his grant to DoD and if I share it with him the grant proposal he could buy me some samples, but I needed fresh samples from veterans, Dr. Abou-donia advised me to tell that since we are in the budget negotiation process, I cannot share the grant proposal with Dr. Lad and once the grant is funded I could provide him, he later wanted his name to be removed and hence I requested

Dr. Burton Scot to serve in his place as a neurologist. **Dr. Abou-donia later blamed this decision on me when we met with Dr. McDonnell on March 9, 2020, in order to wrongfully establish that I had a pattern of excluding our collaborators when I did not.**

- On July 19, 2018, I was asked to meet with Ms. Dowell-Newton to discuss my newly funded grant. Since I had few meetings with other collaborators at VA, after I had returned inside the building from the summer heat, I ran upstairs to the office of Ms. Dowell-Newton to meet her, **when Ms. Dowell-Newton saw me, she asked if I was premenopausal and then she asked me my age.** This was the **first discriminatory statement I had heard directly from an administrator,** and it **occurred 2 months after my grant proposal was recommended for funding, and we were in the budget negotiation process with DoD, in which Ms. Dowell-Newton was representing PCB as the Business Manager.** She gave the termination letter signed by Dr. Abou-donia, when I asked her why she was giving me this letter, she said that I no longer work for Dr. Abou-donia and that I will be given a new appointment letter, once we receive the grants and I could choose to take time off from my accrued vacation time, which I have always donated.
- I sent a letter to my scientific officer at DoD describing my situation and describing the delay in IRB approval because I have to include all the collaborators and since it was migrating to a new system, and the IRB is study specific and I do not have a faculty position, there was a delay in the process. I requested that to have continued service, I would be much obliged if DoD could expedite the process and release the grant by August 2018. My Scientific Officer at DoD responded and stated that the approval is underway and he would do his best to release the funds by August 2018.
- On August 1, 2018, my grant funds were released to Duke University. Since **Ms. Dowell-Newton made an oral statement that I would be given a new appointment letter once the university receives the funds, in spite of my reminding her, however, she did not provide me with an appointment letter, nor did Dr. Abou-donia, Dr. McDonnell, Dr. Klotman, or Duke University address this issue, thus further increasing ambiguity about the terms of my employment.**
- August 20-23, 2018, we presented the three accepted abstracts as posters at the MHSRS conference. During the conference we were encouraged to submit a brief manuscript based on the poster we submitted to the MHSRS symposium proceedings and that it will be published as supplements in the journal, Military Medicine. Dr. Abou-donia told me to prepare the three manuscripts and submit them and he clearly told me to acknowledge in the two of the titles I presented both my grant and Abou-donia's grant and not his grant in the manuscript he was the first author. Since I was being supported in salary by my DoD grant and the titles are related to my grant, I acknowledged my grant in all three manuscripts, and Dr. Abou-donia's grant in the two manuscripts where I am the first author.

1. **Mohamed B. Abou-donia, PhD, and Mulugu V. Brahmajothi, PhD.** "Novel Approach for Detecting the Neurological or Behavioral Impact of Physiological Episodes (PEs) in Military Aircraft Crews", *Military Medicine*, 185, S1:383, 2020.
 2. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "PTSD Susceptibility and Challenges: Pathophysiological Consequences of Behavioral Symptoms", *Military Medicine*, 185, S1:279, 2020.
 3. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "Monitoring from Battlefield to Bedside: Serum Repositories Help Identify Biomarkers, Perspectives on Mild Traumatic Brain Injury", *Military Medicine*, 185, S1:197, 2020.
- In October 2019, I received my IRB approval from Duke, which I submitted to DoD and it was approved by DoD and I shared my protocol with all my collaborators and requested for samples.
 - It is practice in all the departments that when a faculty or scientist receives a grant, they are asked to give a presentation in the departmental seminars, which occur weekly. Despite my request, **I was never allotted a slot to present my study proposal to my fellow scientists to get their feedback, and support and to look for further collaboration, which I believe was discriminatory.**
 - From January 2019, **Ms. Traci McNeil (hereafter, "Ms. McNeil")** was assigned to manage both Dr. Abou-donia's and my grants since Sonya Owens, our previous grant manager, got assigned to a different project for another investigator. We agreed to it. Ms. McNeil wanted to be involved in every detail and was responsible for evaluating and confirming our purchases before payment and was interested in knowing the details of the purchases. I was questioned about the purchase and reimbursement receipts given to Ms. McNeil by Dr. Abou-donia. At that time, I did not suspect and I was answering her questions.
 - On March 15, 2019, Dr. Abou-donia and I received the news from DoD that a grant with Dr. Abou-donia as **Principal Investigator (hereafter known as "PI")** and I as Co-PI was recommended for funding, but **the grant in which I was the PI and Dr. Abou-donia as Co-PI was not recommended for funding because, although it received a good review, I did not have a faculty position, such as a research assistant professor position, at the time.** We had to do all the regulatory work. Once I finished that, Dr. Abou-donia asked me whether I heard from Dr. McDonnell about the possibility of a position change. Dr. Abou-donia said he would talk to Dr. McDonnell about it.
 - In April 2019, Dr. Abou-donia suggested that, since Dr. McDonnell told us to contact the Dean of Duke University School of Medicine, Dr. Klotman, I should send Dr. Klotman a request letter for a position change to Research Assistant professor. I vividly remember him saying, "Hit the iron when it is hot." Dr. Abou-donia also told me that now that I have two grants to my credit, I am in a better position to seek a promotion. Dr. Abou-donia told me that this was the time to contact Dr. Klotman, and he had me show him the email I wrote to Dr. Klotman for his approval before I sent it. I relied on Dr. Abou-donia's support and Dr. McDonnell's suggestion to contact

Dr. Klotman to have the impetus to write the email, but I did not send it to Dean Klotman until almost a year had passed.

- I sent an email to Dr. Klotman on May 12, 2019, on Mother's Day, requesting Dr. Klotman to recommend me for a position change to research assistant professor **since I was a PI in one study and a Co-PI in another study that just got funded. On July 19, 2019, I got an email from Dr. McDonnell's secretary, Trena Martin, that Dr. McDonnell wanted to meet with me regarding my communications with Dean Klotman.**
- During the first week of July 2019, Dr. Abou-donia asked me why Dr. McDonnell hated me so much, and then he narrated an incident in which Dr. McDonnell came into Dr. Abou-donia's office suite, locked the door to the suite, came into Dr. Abou-donia's office, locked the door of the office, and told Dr. Abou-donia that Dr. McDonnell needed help. Dr. Abou-donia further told me that Dr. McDonnell requested Dr. Abou-donia to come up with some reason to accuse me so that I could be fired, and Dr. McDonnell would immediately sign the papers so that the grant could be given to Dr. Abou-donia. Dr. Abou-donia further reiterated that Dr. McDonnell told him to interrupt my work and distract me so I slowed down in doing my research work for my grant. Dr. Abou-donia also said that Dr. McDonnell offered him a bonus if he would do this to help Dr. McDonnell out, and Dr. Abou-donia laughed and remarked to me that he had not received a bonus in many years.
- On July 8, 2019, Dr. Abou-donia told me to prepare a grant proposal on Autoantibodies in Autism for a grant from the National Institutes of Health (NIH) on which I would be the Co-PI if I prepared it. I prepared all the documents necessary for submission and I received an email confirming that I was listed as Co-PI on this grant. On July 14, 2019, I compiled all elements of the grant proposal and was awaiting one support letter before I could submit it. However, on the morning of July 15, 2019, I noticed that my name was removed from the Co-PI slot. When I inquired with Dr. Abou-donia, he told me to ask the "upstairs people" referring to Dr. McDonnell and Ms. Dowell-Newton. When I went to Ms. Dowell-Newton's office, Ms. Dowell-Newton and Ms. McNeil were there, and I informed them that Dr. Abou-donia had sent me to ask why my name had been removed from the Co-PI slot of this grant proposal, which I prepared on the reliance that I would be the Co-PI on this grant proposal. Ms. Dowell-Newton told me that I should ask Dr. Abou-donia. When I went downstairs to ask Dr. Abou-donia, he told me that he had nothing to do with the change and I wanted you to be the Co-PI since you prepared but both Ms. Dowell-Newton and Ms. McNeil made the change, and that I had to ask them. I went upstairs once again to inform Ms. Dowell-Newton and Ms. McNeil that Dr. Abou-donia had told me it was the decision by the "upstairs people", referring to Dr. McDonnell, Ms. Dowell-Newton, and Ms. McNeil. **In response, Ms. Dowell-Newton told me in front of Ms. McNeil, that I am dispensable.**
- Subsequently, I met Dr. McDonnell on July 24, 2019 to discuss the possibility of a position change in connection with my email to Dr. Klotman. During the discussion, Dr. McDonnell told me I am better off moving to the Department of Medicine if I am seeking a faculty position. Dr. McDonnell also mentioned that, if Dr. Abou-donia were to die when he climbs the stairs, or god

forbid, if Dr. Abou-donia was hit by a car, I would not be supported and the lab would be closed. I asked Dr. McDonnell, "Since this is a federal grant, and you gave a support letter, won't that apply?" Dr. McDonnell replied that he could only provide lab space for a year. In addition, Dr. McDonnell also mentioned that my grant funding helps tenured faculties and that he is trying to weed out faculty members by moving them downstairs and reducing their space. During that time, I told him that one of my collaborators told me that my grant does not have my name and that the grant only says that it is a "Pharmacology-administered grant" with a few faculty names. Dr. McDonnell said that he would look into it. Our discussion proceeded into Dr. McDonnell's explanation as to why PCB does not hire senior scientists, which is because it is too expensive. I told him my salary and he was pretty shocked. **After we discussed my salary, Dr. McDonnell also told me that he only talks to faculty and that he would not communicate directly with me in the future.** Throughout the meeting, Dr. McDonnell would remark that I was acting like a faculty. **However, the fact that I was given additional responsibilities beyond my role as a scientist, such as cleaning and establishing the lab, helping Dr. Abou-donia with basic computer issues, teaching, training and mentoring students, running errands for Dr. Abou-donia, and that I was handling all these duties alongside my scientific duties to Dr. Abou-donia's satisfaction and with a level of performance meriting two grants from DoD without the requisite increase in position or pay, was never addressed.**

- On July 29th, 2019, Dr. McDonnell sent me an email saying that he checked with Ms. Dowell-Newton and because I applied and was hired for a job in which the pay was advertised as lower than what I was originally paid, there was nothing he could do to increase my salary in spite of me procuring the grant. I replied to him saying that I didn't raise this as an issue and that I was only interested in a position change so I could write more grants and sustain my position to the benefit of PCB and as Dr. McDonnell said, to provide the needed benefits to the tenured faculty. **Dr. McDonnell also said that he would not allow me to use the discretionary funds (funds allotted to grants that are not necessary for proposed research purposes but may be useful to support research, like office supplies, computer repairs, etc.) allotted to my grant, saying that he would like to keep it for PCB use.**
- Right after this conversation, on August 2, 2019, **Dr. Abou-donia ordered me to compile data for his grant, even though I was not being paid by his grant.** Dr. Abou-donia demanded that I finish compiling in one hour, even though he gave me the data to compile at 4:28 PM on a Friday, ostensibly so that he could go home. He was pretty confused because there was one set of data that I compiled and sent to the collaborators on his grant in July 2019, and he assumed that I had all the data in my possession. I looked at the data and there were a lot of missing values and if I needed to connect them with the provider's samples, it would take longer for me to compile. **I discussed these concerns with Dr. Abou-donia and we talked with Dr. Hagir Sulliman (hereafter "Dr. Sulliman"),** a friend of Dr. Abou-donia who was performing Western blots for him, and who was also one of the collaborators in my grant, but was not listed as collaborator in Dr. Abou-donia's grants. Dr. Sulliman sent additional data at 5:30 PM, and Dr. Abou-donia revised his demand and ordered the compiled data with analyses in 30 minutes. **Proper data processing, analyses, and ensuring that both data**

processing and analyses are accurate takes more than 6 hours if one has to sit at a stretch and do it. Moreover, the verification of all of the above would take even more time. When I told Dr. Abou-donia that I had to pick up my daughter from Greensboro, Dr. Abou-donia insisted that I send him my analyses by midnight. I left work that day at 7:30 PM and got back home only at 11:40 PM. I went back to the lab and continued my analysis. By the time I finished, it was 5:54 AM. Meanwhile, he sent 3 emails at midnight, asking me, "Where is the data?" **I sent him a reply telling him that I was working on it and that once I finished, I would send it to him. I sent Dr. Abou-donia a compilation at 5:54 AM, only to receive an emailed memo from Dr. Abou-donia at 9:30 AM on August 3, 2019, and he called me to tell me that my data compilation and analyses were really good, not to "worry about" or respond to the memo and just to keep doing good work.** I responded to each item of complaint listed in the memo with the work I had done to establish the lab, as well as my commitment demonstrated in doing all the work that was assigned to me, **even though much of that work was above my pay grade.** I also told him that it would be remiss of him to allow "untrue accusations to corrupt our working relationship."

- In May of 2019, we submitted 4 abstracts to the Military Health Research Symposium and I am thankful that three of my abstracts were accepted and one was selected to give a plenary talk, which is an oral presentation scheduled at a time when no other presentations or events are happening, at the Military Health Symposium, but the abstract with Dr. Abou-donia as the first author was not accepted. Dr. Abou-donia was disappointed that the abstract in which he was designated as the first author was not accepted, even though his name was there in all of my abstracts, so I told him that he could present my posters and come to support my presentation. He agreed, and we both registered. Dr. Abou-donia had me rehearse my plenary talk with him and saw all the posters throughout the development process. However, at the last minute (August 17, 2019), he decided to cancel it and requested a refund of his registration. My presentation went well (August 19, 2019). During this time, I was happy to receive a letter from DoD that my pre-application was approved for proposal submission. I sent an email to the then-department chairman Dr. McDonnell and Dr. Abou-donia that my pre-application was accepted, and that I would like to submit the proposal.
- I realized much later that everything started to change rapidly when I came back from the MHSRS Conference. **I found a trash bag on my chair on August 23, 2019, the student also saw it, as well as Dr. Abou-donia. Many files and items were missing from my desk, including an independent-study student's notebook and file folder, and my desktop computer, on which data was stored, stopped working.** I sent an email to Ms. Dowell-Newton. She sent Mr. Tracy Huber, the Coordinator who is part of Building Support Services. The blame was directed at the custodian, but when I checked with the custodian, he had not been in the room, and he told me that was not his trash bag. **When I reported my concerns repeatedly, no further action was taken by Duke University, Ms. Dowell-Newton, Dr. Abou-donia, or Dr. McDonnell, despite the disappearance of research files, and this set the stage for unfounded allegations against me of data integrity violations as the days proceeded.**

- o Dr. Abou-donia told me to contact other department chairs so I could submit the grant through them since he has a joint appointment with Neurobiology and Cell Biology and that I could tell these department chairs that Dr. Abou-donia will support this venture. I contacted other department chairs and faculty (Dr. Kirk - Department of Surgery; Dr. Krangel - Dept. of Immunology, Dr. Tedder - Immunology, Dr. Nicchitta - Cell Biology, Dr. Laskowitz - Neurology, Dr. Lisberger - Neurobiology, Drs. Cooney and Palmer - Medicine, Dr. Arepally - Hematology and Oncology, Dr. Malek - Eye Center, Dr. Meyers - Nicolas School of Environmental Sciences, Dr. Belamkonda - Biomedical engineering, and Dr. Chilkoti - Biomedical engineering) many were willing to take me at first, but after a few days, I would get similar emails from all of them stating that our interests did not align. When I inquired further regarding their newfound hesitation, **the faculty members I had contacted told me that Dr. McDonnell was not willing to release the grant.**

- o Finally I emailed Dr. Swamy on September 9, 2019, regarding my concerns that Dr. McDonnell would not let me submit another grant and nor would he release the grant I had earned, asking her whether she could be of any help in this process since **Dr. Swamy had assisted me with the IRB process in 2018 when she was an associate professor and the Vice Dean of Faculty Development, and she had been my instructor in the Clinical Research Training Program graduate degree that I was pursuing at Duke University,** where my dissertation was my current study - supervised by Dr. Grambow, one of the collaborators of my study, and Dr. Laskowitz, the thesis committee chair. In November of 2018, Dr. Swamy was promoted to Professor position, associate vice president for research, and Vice-dean for the scientific integrity of the School of Medicine, she replied to me to meet with Drs. McDonnell and Abou-donia. **However, I replied to her on September 12, 2019, that I was surprised to receive a memo immediately thereafter from Dr. McDonnell, especially because he had previously said that he only oversees the department and not individual labs, and although Dr. Swamy suggested that I meet with both Drs. Abou-donia and McDonnell, I never got the chance to meet with them in person to discuss this matter.** Dr. McDonnell's memo raised concerns about the deteriorating scientific relationship between Dr. Abou-donia and the memo also said that I needed to give the data to Dr. Abou-donia. Thereafter, Dr. Abou-donia sent a memo on September 14, 2019, which Dr. Abou-donia told me was per order from Dr. McDonnell, containing stipulations that I must be there by 9 AM, inform him anytime I take off, "hours or days", focus on work, discourage others from coming to the lab and disturbing my work (**no one came into the lab and/or disturbed me except for Dr. Abou-donia**), write specific plans for experiments (**I cannot write plans for experiments before I have received the samples**), supervise and mentor lab staff/students in the laboratory (**I was already doing this**), have up-to-date copies of my experiments, data, and preparations in Dr. Abou-donia's office (**my experiments are sample-dependent and I hadn't received samples yet and all the data that had been obtained up till that point was stored in Dr. Abou-donia's office suite, in a filing cabinet and the shelves located in the office adjacent to Dr. Abou-donia's office**). Dr. Abou-donia would make me take his samples to Dr. Sulliman for analysis, but would then tell me to say I had analyzed the samples. I refused to do this because that work did not reflect on the stringent process, I used to conduct my experiments), and Dr. Abou-donia would write periodic performance reviews (Dr. Abou-donia had not been documenting all

the times that he had interrupted me, preventing me from focusing completely on my work, and yet, I had helped him extensively in scientific management, writing grant proposals, lab management, preparing PowerPoint slides for his talks, and lectures and with errands). **This ensured that “performance review” was used as a threat, not to improve my work as a scientist), but to intimidate me and implement hierarchy.** He would unnecessarily start shouting to destabilize my morale.

- o From September 2019, there were two students signed up that semester for a Neurotoxicology class. PCB had moved the classroom upstairs. Dr. Abou-donia wanted me to buy a 32-inch TV and place it in his room since he had seen a TV used as a monitor in the room of one of our collaborators, Dr. Cameron Dale Bass. I brought the TV and he paid me by his personal check, saying this is for his personal use. Later, I was questioned by Ms. McNeil and I found that this purchase was reimbursed from PCB.
- o On September 17, 2019, Dr. Abou-donia forwarded email communications between himself and Dr. McDonnell. Dr. Abou-donia also forwarded email communications to me that indicated that Dr. Abou-donia’s memo sent to me on August 2, 2019, was approved by Ms. Dowell-Newton and Dr. McDonnell, but Dr. Abou-donia mentioned that he did not send my reply to the memo, which clarified what happened, to Dr. McDonnell or Ms. Dowell-Newton. As I understood, Dr. McDonnell erroneously believed that I made a complaint against him to the Duke University School of Medicine, and was seemingly concerned with acquiring data from me in a way that would not appear to be retaliatory. **However, at this point, I hadn’t even received the samples yet, so the only work I had done was standardization with preliminary data consisting of samples previously stored in the lab and provided by others.** Dr. Abou-donia explained to me that Dr. McDonnell came into his room, locked the door, and told him that, if Dr. Abou-donia could come up with some complaints about my work, Dr. McDonnell would immediately transfer my grant to Dr. Abou-donia’s name and sign the papers necessary to terminate me. **These actions are discriminatory because those who get grants are supposed to be given mentorship, not memos, and indirect threats of termination. Dr. Abou-donia’s behavior alternated between telling me that the “upstairs people” (Duke University administration, including Dr. McDonnell) are bad, and remarking that “tenured faculty stick together,” Dr. Klotman would not talk to me, and that I am unimportant.**
- o During this time, I was repeatedly emailing my collaborators to send me samples. I got permission to use the residual samples from Drs. Nancy Klimas and **Kim Sullivan (hereafter known as “Dr. Sullivan”)**, and Dr. Sullivan shared the demographic details for 25 samples. I had already told Dr. Abou-donia that I was presenting at the Society For Neuroscience Annual Meeting. When I stopped at his office to tell him that I was leaving that afternoon, Ms. Dowell-Newton and Traci McNeil (Dept. of Pharmacology and Cancer Biology’s grant manager) came inside. When Ms. Dowell-Newton heard that I was leaving that afternoon, she asked Dr. Abou-donia, “Did she inform you earlier?” He said, “No, she did not inform me, only now I know.” **I pointed at his calendar, and asked him to turn the page, and it was his writing that showed that he noted I would leave for the SfN conference, and the following month, he**

would leave for the American Toxicological Society meeting. Ms. Dowell-Newton immediately asked, "Do you know where she is going?" Dr. Abou-donia replied, "She is going to Kansas." Chicago was the city that was noted down. Ms. Dowell-Newton asked Ms. McNeill whether I was overspending from my grant. Ms. McNeill told her that I still had lots of funds available. I felt such conversations in front of me were extremely derogatory and discriminatory because I had not observed any other scientists being treated this way.

- o In October of 2019, after preparations for at least 6 months, I started developing a database for my study in collaboration with members of Duke's Department of Computer Science, Dr. Xiaobai Sun (hereafter known as "Dr. Sun"), her student, Dr. Alexandros Iliopoulos (hereafter known as "Dr. Iliopoulos"), Dr. Nikos Pitsianis (hereafter known as "Dr. Pitsianis"), and his student Dimitrios Floros (hereafter known as "Dr. Floros"). I explained and demonstrated the infrastructure of the database to Drs. McDonnell and Abou-donia and Dr. Abou-donia liked it. However, Dr. McDonnell said that he has to approve it along with Dr. Abou-donia. Even though I had given all the data I had, Dr. McDonnell was still demanding more data, even though I kept telling him several times that many of my collaborators had not sent me samples yet (I also kept emailing my 4 external collaborators asking for samples; 2 collaborators sent the first batch of samples only in October of 2019). One of the collaborators, Dr. Kokkotou mentioned, it was strange that Dr. Abou-donia insisted on sending the samples to his name, hence she did not use my name although the samples are for my study. Dr. Abou-donia told Ms. McNeill to stop all payments to the collaborators without telling me, and thus, I didn't receive samples for two years. Meanwhile, as he continued with the sexual harassment, Dr. Abou-donia would also derail scientific conversations, telling me that I should "spend more time with my family" and that I shouldn't "work too hard" which were sexist comments that I believe were discriminatory. During this period, I worked on Dr. Abou-donia's grant doing regulatory work filing for IRB protocols and study approval and got it approved, but although I was also 100% on my grant, in addition to being a co-PI on a newly funded grant, and doing all the work for that grant, my effort on that newly-funded grant was not increased, and neither was my pay or received any payment from that grant. Dr. Abou-donia also asked me to train Dr. Lapadula and to treat her like a technician, in addition to my responsibilities of training and mentoring undergraduate and graduate students, but Dr. Abou-donia failed to manage personnel issues with Dr. Lapadula's attendance in the lab directly. I was periodically monitored in the lab by Ms. Dowell-Newton and Ms. McNeil.
- o From October of 2019, Dr. Abou-donia began sexually harassing me on a frequent basis. I informed Dr. Hagir Sulliman and she told me that she would talk to him. I also shared with her the memo he sent on Aug 2, 2019. I informed my daughter, who told me that I should record during the harassment, lest it would become an issue of "he said, she said." I also informed several other faculties at Duke and I provided the complete list of those faculty members to the investigator in Duke University's Office of the Institutional Equity, Ericka Lewis (hereafter known as "Ms. Lewis"), and interviewed several of them before concluding her investigation. I told Drs. Sun, Pitsianis, and Iliopoulos about the harassment I was experiencing. I also informed Dr. Malek - Eye Center, Dr. Arepally - Hematology and Oncology,

Dr. Kirk, the Chairman of Surgery, Dr. Jackson - Associate Professor of Surgery and integrative immunobiology, Dr. Meyers - Nicholas school of the Environment, Dr. White from Neurobiology, Dr. McMahon, Dept of Medicine, and several other faculties and researchers. Some told me to report to OIE, but others told me to look for another job, as I will be fired.

- During October of 2019 Dr. Abou-donia had hired a new research scientist, Dr. Elizabeth Lapadula, one of his former students. **Like me, Dr. Lapadula was not a faculty member.** She had not worked in a lab for 25 years, came to North Carolina to retire, and subsequently joined the lab with the interest of collaborating with Dr. Abou-donia on their mutual business ventures. She would bring food for Dr. Abou-donia, and both of them used to eat together. **There was one incident when Dr. Abou-donia came to my desk after they had eaten lunch, and threw a sandwich on my desk, and said, "Here, you can have this. This does not contain meat."** Dr. Abou-donia knows that I am a vegetarian due to my religious beliefs. **I found this behavior, accompanied by sexual harassment, to be extremely demeaning.** I was discriminated against compared to Dr. Lapadula because although she had not been in a lab for 25 years, she was hired for the same position that I was but she was not held to the same attendance and compliance standards that I was (she was never there in the lab until February of 2020, and Dr. Abou-donia would constantly ask me if she had come to the lab and where she was, even though I have repeatedly told him not to bring me in between himself and Dr. Lapadula), she was paid more than me at \$52,000 (versus my base salary from the Dept. of Pharmacology and Cancer Biology was \$47,000), and to my knowledge, she was not harassed. Our only difference was our skin color and our religion; she was lighter than I am and she is a Christian. She would provide coffee from her company to Dr. Abou-donia and the administrative staff in PCB.
- The frequency of sexual harassment increased over time and I started recording it. **Dr. Abou-donia would say explicit comments and then say, "Now you go upstairs and tell them."** When he said "upstairs," I asked him who he was talking about and he told me I Dr. McDonnell and Ms. Dowell-Newton, whose offices were located upstairs. In addition, Dr. McDonnell had said many times, "If he goes, you go." I wrote an email to Dr. McDonnell, but I could not send it because I was afraid of retaliation (I have a copy of it that I sent to myself, which I also shared with Duke University Human Resources, Ms. Elizabeth Bergamini (Ms. Bergamini). I was going through tremendous unpredictable harassment and interruptions from Ms. Dowell-Newton and Dr. McDonnell, in spite of explaining and providing proof that the data that was previously obtained were periodically communicated to Dr. Abou-donia by email and I was still waiting for samples to arrive from my collaborators.
- In October 2019, Dr. McDonnell sent emails to Dr. Abou-donia soliciting information about my performance when I still hadn't gotten all the samples for my grant and I was only working with the samples I had, as well as Dr. Abou-donia's work. I received a call from Dr. Michelle Mack, who is the Associate director of Research Operations for Duke Office of Clinical Research (DOCR) to meet with **Dr. Sunita Patil (hereafter known as "Dr. Patil")** to train me in the DOCR system on how to navigate and learn and update our study. I went to discuss Dr. Abou-donia's and my IRB protocols for our respective grants with Dr. Sunita Patil, the Research

Program Leader of the Duke Office of Clinical Research. While I was talking to her, Dr. Abou-donia called, and I told Dr. Patil, "Dr. Abou-donia is calling and you can tell him his protocol needs to be registered in DOCR-Encore." When I picked up the phone and put it on speakerphone, Dr. Abou-donia started yelling, "DO NOT TALK TO IRB PEOPLE, MY PROTOCOL IS APPROVED, THAT IS IT!" Dr. Patil intervened and spoke to Dr. Abou-donia, and he responded, "Who are you?" When she reiterated what I said, he replied loudly, "Okay, where is Brahma?" When I took back the phone, I left it on speaker, and he started yelling more, "DON'T TALK TO IRB PEOPLE! IT IS APPROVED, AND I DON'T WANT TO CHANGE ANYTHING. IT IS MY PROTOCOL. COME BACK TO THE LAB!" Dr. Patil asked me, "Is this the way he talks to you?" She told me that he was "outright rude" and asked me, "Is this the way he treats you?" I told her that, off late, Dr. Abou-donia was making "embarrassing comments." She further questioned, "What kind?" I told her about the incident in which Dr. Abou-donia said "I like your pussy." She told me that I could get help from PAS - the Personnel Assistance Service and that I should report to OIE. She also told me to keep a complete record of events and record his conversations with me. I told her that I believed Dr. Abou-donia has joined with Dr. McDonnell and started this harassment because I requested the Dean for a position change. Dr. Abou-donia called into his office the next morning and told me that Dr. McDonnell informed him that IRB people have complaints, that Dr. McDonnell will protect Dr. Abou-donia, and that Dr. McDonnell told Dr. Abou-donia to take me off of his IRB.

- In November of 2019, in spite of sending Dr. Abou-donia several emails with the ELISA protocols, he was still repeatedly accusing me of not providing him with the details. **He was using these protocols to create a company with Dr. Lapadula, excluded me from discussions involving my work, and used my work for his business interests with Dr. Lapadula without crediting me, which is discriminatory.** Ms. Dowell-Newton accused me of not sending Dr. Abou-donia the protocols that he asked for, and Ms. Dowell-Newton told me to send the protocols to her email, and she stood behind my chair at my desk to ensure the email was sent to her. I proceeded to show Ms. Dowell-Newton that I had sent Dr. Abou-donia the protocol 19 times, and I had also showed Ms. Dowell-Newton that one of Dr. Abou-donia's and my collaborators, Dr. Sullivan, put my protocol on her grant, and published the protocol online without our consent. Ms. Dowell-Newton shrugged when I told her this, and told me to print out the protocol so that she could give it to Dr. Abou-donia in person. I told Ms. Dowell-Newton that the printer is in Dr. Abou-donia's office and I could send it to the printer to get her a copy. Ms. Dowell-Newton also wanted a copy sent to her email, and I forwarded an email I had sent to Dr. Abou-Donia containing the relevant protocol from 2018. Ms. Dowell-Newton also asked for the data files, and I told Ms. Dowell-Newton that the files were in Dr. Abou-donia's office and that I could show her. When I went to Dr. Abou-donia's office, I looked for these files in the adjacent room and I couldn't find these files. When I asked Dr. Abou-donia in front of Ms. Dowell-Newton, Dr. Abou-donia first claimed that he did not know, but when I reminded him that we had marked those files together, **Dr. Abou-donia admitted in front of Ms. Dowell-Newton that he took the files home with him. Ms. Dowell-Newton did not say anything to Dr. Abou-donia about this behavior, and just gave him the protocol, asking him if the protocol was what he was looking for.**

- On November 27, 2019, I received an email from Dr. Michelle Mack, Associate Director of the Duke Office of Clinical Research (DOCR). She reached out to me to see whether I was okay, and asked about my availability to meet. She gave me her cell phone number.
- On November 28, I sent an email to Dr. McDonnell about storing my data in a database in the process of being developed exclusively for my grant with the collaborative effort of the computer science team of Drs. Sun, Pitsianis, and Iliopoulos. Dr. McDonnell replied that he had to discuss this with Dr. Abou-donia and obtain his approval, and Dr. Abou-Donia replied that it was a good start and that he would be in touch.
- Dr. Mack followed up with me again on November 29, saying that even if it was a holiday, she would like to drive to come and meet me. On December 2, I met Dr. Mack. Dr. Mack wanted to know what harassment I was experiencing, and I described how Dr. McDonnell was repeatedly asking for data to be handed over to Dr. Abou-donia, even though I had already given all the data pertaining to his grant and I hadn't received most of my own samples yet, other than a few experiments I had performed on the samples I had received.
- On December 6, 2019, Dr. Abou-donia mentioned that Dr. McDonnell had communicated with him that IRB contacted Dr. McDonnell about Dr. Abou-donia and that he [Dr. Abou-donia] had to be careful. Dr. Abou-donia wanted to know what I told IRB. I reminded him that he talked to them directly. He wanted to know about the samples I received on Alzheimer's. I had to tell him the researcher who sent me the samples wanted me to hold off working on the samples as there were new regulations in NIH of what samples could be given out. On December 7, 2019, **I sent him an email identifying that he had misunderstood who the samples were sent for and that the samples were sent specifically for my project.**
- On the morning of December 7, 2019, he walked into the lab along with Dr. Lapadula and demanded the keys to the -80 freezer, telling me that he had lost his keys and that he wanted to duplicate my keys so each one of us could have the key. Since I had left the bunch of keys in the car and when I told him I would get it later in the afternoon, he started shouting. I had to remind him how he lost his keys all of a sudden. He came into the lab, stood close to my chair touched my shoulders, and said, "Come on, let me take you to your car since I am going to the bank." He also said he would be leaving for Egypt the next day. I told him that I was in the middle of an experiment and that I would go later and fetch the keys. At 3:50 pm, I got repeated calls from Dr. Lapadula demanding the keys to the -80 freezer. I responded that I was walking to my car to get the keys and I would be bringing them shortly. I brought the keys and gave them to him and he immediately gave Dr. Lapadula the keys and said that she could duplicate them and bring him the receipt for reimbursement. That evening I was working in the culture room. He seems to have looked for me at the lab and came to the culture room and told me that he was leaving for Egypt. He told me that everything will be alright when he returns back and he made me touch his penis although I was wearing gloves and refused but insisted. I was fearful of pushing him away as he was an older man. He blocked the door to stop me from getting out. Thus, he assaulted me.

- On December 10, 2019, the freezer had a new lock and I found a key tapped to a torn piece of cardboard with a writing that said new key. I asked Dr. Lapadula why there is a new lock, she said she bought a new lock instead and when I asked her for the old lock and the key, she told me that she had taken it to Dr. Abou-donia. When I asked Dr. Abou-donia to return my old lock, he said that he never received the old lock from Dr. Lapadula as he was left on December 8, 2019. **I suspected the act of Dr. Lapadula.**

- On December 17, 2019, I was applying for an AAI travel award, since I am a member of the American Association of Immunologists, in order to attend the Immunology Conference. The form required disclosure of the amount of money in the grant allotted for research. I sent emails twice to Ms. Traci McNeil asking for the amount. She never replied. I met Ms. McNeil, and I asked her the same. She said she would do it tomorrow, but that was the last day. When I went to her office, she was not there. I asked Ms. Sonya Owens, and she looked up the amount, which she gave me. I submitted the form to Dr. McDonnell's secretary, Ms. Trena Martin for his review and signature. It was forwarded to Ms. McNeil and she sent an email to me asking me whether I was even eligible and asked for the proof of eligibility and the notification. I forwarded Ms. McNeil the notification email I was sent, and I also told her that I called AAI, they confirmed my eligibility, and I gave Ms. McNeil their contact number to further verify. I applied a year before and I told her I was still eligible. At about 9:30 PM on the last day for applying for the travel grant, Ms. McNeil sent me the form with Dr. McDonnell's electronic signature of Dr. McDonnell on it, which I submitted. I received the travel grant, but due to COVID, the conference was canceled. **I was not asked to do this much of verification when I first applied for a travel grant in 2018, which Dr. McDonnell signed in front of me immediately after I requested, and I was concerned about the disparate treatment I received from year to year.**

- On Dec 31, 2019, Dr. Abou-donia called from Egypt around 7 pm and was surprised that I was still in the lab. He said that he would be coming early since the classes are commencing soon. **He asked specific questions about Dr. Lapadula whether she is coming to the lab and how long she stays. When I told him, he has to verify all the information directly from her and not through me, he got very angry and started shouting. I had to tell him that I am not a gatekeeper for others.**

- On January 7, 2020, Dr. Abou-donia came into the lab and said that I should treat Liz (Dr. Lapadula) as my friend and teach her everything. He said, let us not fight and consider this a new year and a new beginning so we start everything well. Then again, he started saying, "I really like you and no woman has said no to my offering. They all like what I do for them. I like your pussy," and then he said he was very wet even talking to me. I had to gently tell him, please don't do this. Some of the conversations made me laugh because I have never come across such a conversation in my life, and if I am rude, he will make my life miserable and, since I have never experienced such behavior from him for the past three years, I once again told Dr. Sulliman, and she mentioned that she will talk to him. Dr. Sulliman also asked about how things were going in the department, and I told her that Dr. Abou-Donia and Dr. McDonnell are extremely friendly with each other off late, for which she laughed.

- On January 7, 2020 evening, Dr. Abou-donia wanted the ELISA methodology manuscript paper to be written and suggested that the authorship would be only me and him. I told him that I am comfortable writing about GWI because the only significant difference is GFAP. However, I have some data on RA, and SLE and since my computer is damaged, I have to look for it in the email before I can write the manuscript. He threatened me and said if you are not doing it, I will give the data to Liz (Dr. Lapadula) to write and publish. **Still, I refused to write the paper despite his insistence because I knew we did not have enough data to support the methodology details.**
- On Jan 8, 2020, Dr. Abou-donia came to my desk and said that he wanted to talk with me about the progress I have made. He was saying that he is trying to get samples for my study. Then he went on to say that he likes to talk to me and every time he sees me, he gets aroused and wet. **He did not say this to Dr. Lapadula, who was working in the same lab, is also a married woman, but she is a Christian and lighter than me.** When I told Dr. Abou-donia, let us please be focused on the work, he quickly changed his voice and started demanding data. From there, he told me to walk with him to his car so he could drop me at my parking garage. He always has someone accompanying him when he walks back to his car in the late evening. Even though I told him I could go later, he insisted. I went with him to his car, he sat in the driver's seat and I sat in the front seat next to him. He said he had never seen the garage and I told him the 7th floor has a solar panel, which he wanted to see. He went to the 7th floor, then I told him my car is on the 3rd floor and he wanted to take me right near the car. When I was about to get down, he put his hand on my left thigh and said that he wanted to retire, but he liked this job. He also said that he really liked me and that I was his type. At that point, I told him that I wanted to stay professional and got out of the car. When I got home, I told my daughter what happened and that he was behaving erratically.
- On January 21, 2020, Dr. Abou-donia sent an email to inform me that I "have a commitment" to finish the ELISA manuscript and give all data from his grant, where he is the PI, and my grant, where he is a co-PI, to him. On January 26, Dr. Abou-donia sent 7 emails consecutively demanding data. Dr. Abou-donia would reiterate that it is my responsibility to give him data **when I had not gotten samples yet to be able to generate data**, and I told Dr. Abou-donia that it is his responsibility as Co-PI to help acquire samples, **which he had not done.** Dr. Abou-donia had been telling our collaborators to either delay sending samples, or if the collaborators insisted on sending the samples, to send it to Dr. Abou-Donia directly and not in my name, although the money was going from the grant in which I was the PI.
- On January 27, 2020, one of the collaborators, Dr. Sullivan started sending me a legal agreement for sample dispersal called a **Material Transfer Agreement (hereafter known as "MTA")**, dating it to January 6, 2019, and calling it "her" grant - the date was supposed to be the date it was prepared, which was only in 2020 despite the 51 previous requests I had emailed Dr. Sullivan over a two year period, and weekly calls of requesting for samples that she was being paid for. I had already filled out the forms they had given multiple times by email, but they did not send the samples and every form had a new date. Since Dr. Abou-donia

and Ms. McNeil had stopped payments due to Dr. Sullivan's non-delivery of samples, Dr. Sullivan sent an email to Ms. McNeil and copied me, saying that she was preparing to send the samples once the MTA was approved, so she wanted the payments to be uninterrupted and I agreed because I did not want to burn any bridges. Dr. Curtis Bradney from the Office of Research Contracts (ORC) knew of the difficulties I had in acquiring samples and the treatment by Dr. McDonnell and he understood my situation and suggested alternatives. He also told me that Boston University's biorepository frequently delays sending samples to researchers.

- o In addition, from January 27, 2020, every second or third day, Dr. Lapadula would leave notes that were written on torn pieces of paper or pieces torn from a cardboard box saying, "We need to run samples. Get everything ready" and "Did you order?" Dr. Lapadula would not make these statements directly to me but left notes instead. Ms. Dowell-Newton would repeatedly come and ask me if I was training Dr. Lapadula, and **given that Ms. Dowell-Newton was the Business Manager for the whole department, individual lab affairs were not in her jurisdiction.** Dr. Lapadula revealed in an email sent on January 28 that Dr. Abou-donia had already received samples for Dr. Abou-donia's grant (which started at the end of 2019) from the same collaborators, who had not sent samples to me for two years, **I believe, partly because Dr. Abou-donia and Ms. McNeil had stopped payments to them on my grant without informing me. In addition, Dr. Abou-donia was not subjected to the same regulatory hoops that I was through signing multiple MTAs, and Dr. Abou-donia and Duke University failed to be conscious of this difference, with Dr. Abou-donia even asking me, "What is an MTA?" a question that he should have been able to answer as a tenured faculty member who has had multiple grants.** During the whole month of January, Dr. Abou-donia would alternate between demanding data, and speaking nicely at first, then leading into sexually explicit comments. He would also alternate between speaking kindly in private, and if I didn't entertain his conversation, he shouted, asked for data, and also uttered sexually explicit comments that were out of context. Dr. Abou-Donia would also yell at me in front of others, saying, among other things, that I was just a technician. The PCB administration who witnessed this behavior from Dr. Abou-Donia, including Dr. McDonnell, Ms. Dowell-Newton, and Ms. McNeil did not act to protect me.
- o For example, when Dr. Sun, who was submitting a grant with me as Co-PI through the Department of Computer Science (with a request for an inter-departmental collaboration) came to my lab looking for me, I was in Dr. Abou-donia's office. Dr. Abou-donia was asking me for samples from patients with Alzheimer's Disease that I received from an NIH researcher. The NIH researcher sent the samples without departmental clearance, which was a new regulation instituted after 2020 and told me to hold onto the samples until proper approval could be obtained. Dr. Abou-donia insisted that he wanted to use the samples for data he was acquiring for a preliminary report to further his business and patent interests. **When I told Dr. Abou-donia that we had to wait until the samples were cleared for use, Dr. Abou-Donia got angry and he shouted at me that he could fire me.** I saw Dr. Sun standing outside his office, and I told Dr. Abou-donia that Dr. Sun had come to see me and that I would be back in a minute. I explained the incident to Dr. Sun, who knew of the harassment I was going through, and Dr. Sun wanted to come into Dr. Abou-donia's office to meet him. **Dr. Abou-donia**

immediately changed the tone of his voice when speaking to Dr. Sun, who is lighter than I am. Dr. Sun told Dr. Abou-donia that I am very intelligent and that we were writing a proposal together, and explained what the proposal was, as well as the details behind the database that I was creating with them. Dr. Abou-donia expressed his interest in taking their help. I left Dr. Abou-donia's office along with Dr. Sun to continue working on the project.

- On January 29, 2020, Dr. Sun sent the proposal she and I wrote together to Ms. McNeill, the Grants and Contracts Manager, assigning me as Co-PI. Ms. McNeill sent me an email the same day saying that I could not apply for any effort on more grants, **despite having significant downtime due to not receiving samples in a timely fashion.** When Ms. McNeill was in the process of understanding when my effort in the proposal was going to start, Dr. Sun sent an email to Ms. McNeill stating that the proposal includes my contribution, and thus, no inter-departmental (administrative) involvement is required at this stage.
- In January 2020, all faculty and staff members of PCB received an email from Ms. Kannisha Madison (the HR Departmental Manager) that IT support would be provided by Dave Parrish, from NetFriends.
- On January 31, Dr. Abou-donia sent an email that he wanted the ELISA manuscript. I **had already told him that the paper was not ready for publication because we needed to limit the proteins we were comparing. In that email, Dr. Abou-donia threatened that, if I did not send him the manuscript and give him all the preliminary and final data, he would tell Dr. McDonnell.** I explained to him that, **having lost my desktop computer in the aftermath of the incident that occurred following my return from the MHSRS meeting on August 21, 2019, I lost a considerable amount of data,** I would need to reduce the number of proteins used for comparison in order to resolve significant data variabilities, and we had enough time to do this during the course of our scientific investigation. Dr. Abou-Donia said that he would report my refusal to write the ELISA manuscript to Dr. McDonnell.
- On February 3, 2020, at 10:26 AM I sent Dr. Abou-donia the list of what I had accomplished during my time in the lab. From 2016 to 2020 I wrote 16 grants (3 got funding), mentored 7 students, conducted 4-5 lectures for mammalian toxicology class and conducted neurotoxicology classes, did 4 publications, 1 plenary talk, 1 guest lecture at the VA, 9 conference presentations, and 14 pre-applications, we procured grant applications not only for us but also for our collaborator Dr. Henry Tseng. At 2:41 PM I received an email from **Dr. Don Fox (hereafter known as Dr. Fox),** an Associate Professor who was appointed as a Research Quality Control Officer. Dr. Abou-Donia said he did not know when Dr. Fox was appointed, despite being a tenured faculty member who was a voting member on the faculty appointment committee, and researchers in PCB were unaware of Dr. Fox's appointment - there had never been any oversight or inspections that I know of prior to this series of incidents, beyond the Occupational Safety inspections. Dr. Fox stated in his email that all data must be rendered accessible to the PI (**I was the PI of my grant**), I had to have a detailed and legible lab notebook (**I had a folder with the relevant notes, which disappeared when I came back from the MHSRS conference**), and I had to have electronic versions of presentations for lab

meetings (**we had a meeting every day**) and national meetings in the server (**we didn't have a server, so I took a printout of all the PowerPoints, and provided it to Dr. Abou-donia**), all of which Dr. Fox asked to be made available to Dr. Abou-donia by February 7, 2020, at 9 AM. On February 4, I sent Dr. Fox the list that I sent to Dr. Abou-donia regarding what I had accomplished during my time in the lab, and I told him I'd be happy to talk to Dr. Fox. Dr. Fox replied to me the same day saying that the email he sent was not a formal accusation, but that my email was not responsive to his request for data. However, the data was already made available to Dr. Abou-donia in September of 2019, when Dr. McDonnell gave me a deadline to provide all the data, during which time I moved all the day to day files and folders to the office adjacent to Dr. Abou-donia's office, within Dr. Abou-donia's office suite. **I have an email sent by Dr. Abou-donia to Dr. McDonnell indicating that all the data was received**, and no further data had been obtained since September of 2019, which I told Dr. Fox. That day, Dr. Sun forwarded me Duke's Non-Discrimination Policy.

- o On Feb 6, 2020, Dr. Abou-donia said that DoD sent a warning email to submit the final report for his grant. He would not show me the data, as he was working with Dr. Lapadula. He promised that he did not mention anything to Dr. Fox and appeared surprised as to why Dr. Fox was contacting me. He would then send me a contradicting email asking for data. I had pressure from the admin Ms. Dowell-Newton, who came to my desk and demanded the ELISA protocol, which I had sent Dr. Abou-donia several times by email. She also came to check on whether we had a server, in spite of me telling her that we never had a server, that I asked several times for the server, the NetFriends (IT support) did not know about the existence of a server, and all the labs in PCB were using their hard drives. Only labs that were under Duke's Office of Information Technology (OIT) system had a server. Dr. Abou-donia stated that all the Western blots were done by me and I had to repeatedly remind him that all the western blot experiments were done by Dr. Sulliman. He was constantly getting angry and told me to tell the "upstairs people" (Dr. McDonnell and Ms. Dowell-Newton) that I did the work and I told him that if I am asked, I will not lie. All these incidents were happening during the start of my second year when I had not fully received samples from the collaborators for my grant and I had been planning, standardizing, and selecting reagents to order throughout, while balancing these tasks with the high level of work I was given and improving my abilities as a scientist, all of which others in PCB were paid far more for than I was.
- o On Feb 5th, 2020, I received an email from **Ericka Lewis (hereafter known as Ms. Lewis)** - an investigator from the **Office of Institutional Equity (hereafter known as "OIE")**, who offered an appointment on February 10 to discuss the matter of the harassment I was experiencing in PCB. I gave Dr. Abou-donia all the data I had, printed out. At this time, we did not have a server to store data. On February 7, I wrote an email to Dr. McDonnell regarding the regular sexual harassment that I was experiencing in the department, interspersed with demands for data that he initiated. I did not send the email because I was afraid of retaliation, because Dr. McDonnell had told me on many occasions that he only speaks through and to faculty, and because **Dr. Abou-donia had referred to the relationship between himself and Dr. McDonnell as an "old boys club."** I met Dr. Steven Grambow, one of my collaborators, on February 9, and told him about the harassment. He told me that if I didn't pursue an

investigation with OIE, he would tell them on my behalf, and that “it would be bad” for me if I declined to report it myself. Thus, I kept my appointment with OIE on February 10, which is when I met with Ms. Lewis. I gave her a glimpse of what was happening; then I told her to keep it in her file and not start an investigation for fear of retaliation.

- On February 12, when I went to Dr. Abou-donia’s room, Ms. Dowell-Newton and Ms. McNeill were inside. I told Dr. Abou-donia that I would be leaving for the AAAS meeting the next day. Ms. Dowell-Newton wanted to meet me the next day and I told her that I was leaving for the AAAS meeting. Ms. Dowell-Newton asked me whether my attendance at the conference was pertaining to my grant and how I was going to allocate money for it. I told her that I had travel funds, and if it exceeded the limit, I would pay out-of-pocket. Ms. Dowell-Newton immediately asked Ms. McNeill whether I was overspending. **This incident was very similar to what happened when I mentioned that I was going to the Society for Neuroscience conference on September 17, 2019.** Dr. Abou-donia had an article on his desk where he was interviewed in the 1990s by a science reporter about Gulf War Illness. Ms. Dowell-Newton asked where I was going, and I told her that I was going to Seattle, WA. Dr. Abou-donia once again said I never told him. I showed him the diary in which he had written “AAAS Conference-Brahma.” Dr. Abou-donia acknowledged that the writing in the diary was his, and began talking about his achievements. Ms. Dowell-Newton asked Dr. Abou-donia whether he knew where I was going. Dr. Abou-Donia replied, “Cincinnati.” The room went silent. Ms. Dowell-Newton then quickly remarked, “Bahie (referring to Dr. Abou-donia), she said she is going to Seattle.” Ms. Dowell-Newton turned to me and confirmed that I had discussed going to the conference with him in advance. **Ms. Dowell-Newton also said, “All your data should be on the server.” I told her, “We have never had a server” and I reminded her that, when I joined the department, I asked her where to store my data, and she said that each lab has its own hard drive.** I told her that Dr. Abou-donia had not purchased a hard drive and did not like to use NetFriends because there was a time, they charged him \$7000 for his personal tablet. Thus, he preferred and established a system where I would send him the data by email and provide printed copies. **On Dr. Abou-donia’s computer, I showed Ms. Dowell-Newton that we did not have a server. Ms. Dowell-Newton said she would find out how she could establish a server for our lab. However, Ms. Dowell-Newton did not follow up with this issue, and by the beginning of March 2020, after I reported sexual harassment, she said that the server was placed and I had to transfer all of the data - at that time, Dr. Abou-donia had access, but I did not.**
- On February 17, Dr. Abou-donia showed me how one of our collaborators, Dr. Sullivan, was applying for promotion, so she wrote a letter of recommendation for Dr. Abou-donia to sign and requested that I give her last authorship, which is normally given to the senior-most author so that she could use the manuscript as support for her promotion. I informed Dr. Abou-donia that she had previously requested the last authorship after giving me permission to use her residual samples, and I obliged. I sent Dr. Sullivan a letter of congratulations, I attached a copy of the accepted abstract and the poster presented at the Neuroscience conference which had Dr. Sullivan’s name as the last author, and I informed Dr. Sullivan that I am in the process of writing the manuscript in which Dr. Sullivan will be given last authorship, and requested an

estimate as to when Dr. Sullivan could send the samples, since Dr. Sullivan had not sent samples for my grant, which was paying Dr. Sullivan.

- o On February 18, Ms. Dowell-Newton sent me an email asking for a meeting between Ms. Dowell-Newton, Dr. Abou-donia, and me in order to discuss job expectations. Ms. Dowell-Newton rescheduled the meeting to February 21.
- o On February 19, while I was working in the lab late at night, my friend in Duke's HR Department called me to seek a referral. I referred her to a specialist and then she asked me how I was doing. I explained to her what I was experiencing in the Department of Pharmacology and Cancer Biology. She told me to send Dr. Abou-donia an email notifying him that Duke has a zero-tolerance policy against abusive behavior and at 2 AM on February 20, I sent Dr. Abou-donia that email. On the morning of February 20, she reported what I had told her and I received a call from Ms. Elizabeth Bergamini at 8:30 AM. She told me that she wanted to talk to me, and I told her that I would rather come and meet her. She sent me an email to meet with her at 1 PM. Dr. Abou-donia replied at 11:30 AM that he never treated me unprofessionally, that I was hired to standardize a technique called ELISA, and that I have to write a manuscript and train the new hire. Within the email, he also demanded that I "stop my accusations that never happened." I had sent him the protocol for ELISA several times (to be precise 19 times), I had not done any modifications needed, and I had informed him that the work was still in progress and that we had 3 years to accomplish our objectives. I met Ms. Bergamini at 1 PM and shared how I felt completely alienated in the lab and that the environment was becoming toxic by the day. Ms. Bergamini told me that the moment I make the decision to report, "your email will be taken away." And, "the department will complain about compliance issues." She was shocked at what I was going through and that I had tolerated it for this long. I told Ms. Bergamini to hold on to the information I had shared with her and not create a formal report. She wanted me to send the recordings of Dr. Abou-donia's sexually explicit comments to her so that she could pass them along to Dr. Antwan Lofton, president of HR. I replied on Feb 23, 2020, that I was in the middle of my project, I just wanted everything to be kept on file, and I would be able to release everything once my project was completed as I did not want any interruption in doing my research for fear of retaliation.
- o On Feb 24, 2020, Ms. Dowell-Newton had a meeting with Dr. Abou-donia and I. She was trying to talk about my role in the lab. I explained my position and the additional responsibilities I had taken on, that I am a PI of the research project and I am trying to get everything to do the work to the best of my ability and I asked how the department could assist me to perform my duties uninterrupted. However, there were times she indicated that I am just a technician, for which I said, in that case, I should be working from 9 am to 5 pm, and I should be paid for overtime work, and she said immediately that it wasn't like that, changing her statement once again to repeat what I had said, that I am a scientist and PI of the grant. Dr. Abou-donia raised his voice several times, and he said that I should teach everything to his new hire and he would like to fire me (I have the recording). Ms. Dowell-Newton told me that I should provide the ELISA protocol. I told her the protocol had been given to him several times, that I even gave it to Dr. Abou-donia in front of Ms. Dowell-Newton, forwarded Ms. Dowell-Newton the protocol and one

of our collaborators inserted my protocol on the web, which I showed to Dr. Abou-donia and he even several times said that people take away others' hard work easily without giving any credit.

- On Feb 25, 2020, I sent Ms. Dowell-Newton my email response and included the emails I sent Abou-donia of zero-tolerance and my performance report that I sent Don Fox. I went to PAS on Feb 27, 2020, and met Dr. Blue. She listened to me and suggested that I directly make an appointment to meet with Dr. Klotman to explain my situation. I told her that I believed Dr. Abou-donia was behaving based on the instructions given by Dr. McDonnell and Ms. Dowell-Newton since Dr. McDonnell several times mentioned that he would only talk through faculty, and that every time I tried to request to meet with Dr. Klotman, I was experiencing additional incidents of harassment thereafter.
- On Feb 28, 2020, I received an email from Duke's Office of Licensing & Ventures, the Invention Disclosure Form. I had to send a reply to Dr. Tseng that the work was performed only once and that we need to confirm the results before we can go into licensing.
- On Mar 02, 2020, after briefly speaking with Ms. Dowell-Newton that I had some concerns about harassment I was experiencing at PCB, she informed me that she did not have time to speak with me and to send her an email, so I sent an email to Ms. Dowell-Newton where I informed her that Duke University has a zero-tolerance policy for harassment, which I was experiencing, and that I wanted Ms. Dowell-Newton to keep my email on file, so that I could contact her if I needed help from HR, due to my fear of retaliation. I also emailed Dr. McDonnell about sexual harassment, the letter I kept on hold and shared with Ms. Bergamini per her advice to send it from my personal email. I also told Ms. Dowell-Newton that I have already informed OIE and to keep everything on file and not take any action but she went ahead and complained, which I learned from the final report of OIE, which Ms. Lewis shared with me.
- On Mar 03, 2020, Dr. Abou-donia came to my desk and asked me about my welfare, and said he would protect me from upstairs people. He gave me an open packet of Sun-Maid pitted dates and I told him I didn't need it. He replied, "next time I will bring some from Egypt." He insisted I get it, so I went and stored it in his refrigerator later. At around 5:20 pm Dr. Lapadula called to me in a loud voice and said "Brahma are you there," and said I am going to move the cabinet to make room for the freezer, and then Dr. Abou-donia came in. I told them that they can take the help of Mr. Traci Huber, but Dr. Abou-donia said that the upstairs people told us to hire a moving company. Dr. Lapadula asked the student to help but he said he had a bad back and cannot lift. I was expected to help with this task even though it was not in my job description to do so.
- On March 6, 2020, the three manuscripts that were submitted in 2018 were finally published in the supplement issue of Military Medicine as MHSRS 2018 proceedings after it took two years for processing.

1. **Mohamed B. Abou-donia, PhD, and Mulugu V. Brahmajothi, PhD.** "Novel Approach for Detecting the Neurological or Behavioral Impact of Physiological Episodes (PEs) in Military Aircraft Crews", *Military Medicine*, 185, S1:383, 2020.
2. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "PTSD Susceptibility and Challenges: Pathophysiological Consequences of Behavioral Symptoms", *Military Medicine*, 185, S1:279, 2020.
3. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "Monitoring from Battlefield to Bedside: Serum Repositories Help Identify Biomarkers, Perspectives on Mild Traumatic Brain Injury", *Military Medicine*, 185, S1:197, 2020.

One of the collaborators, Dr. Sullivan, was disappointed that her name was not included and I had to tell her that since none of her samples were used and did not contribute to the idea or preparation of the manuscript, she did not get authorship and the authorship was decided by Dr. Abou-donia. She also wanted to know about how Dr. Abu-donia's grant was acknowledged. I told her that since the manuscript was submitted during the time I was being paid by Dr. Abou-donia's grant and subsequently, my grant, both were acknowledged.

- o On Mar 6, 2020, Dr. McDonnell sent an email, with the subject "urgent" that he needed to meet both Dr. Abou-donia and me to discuss challenges in our working relationship and data management, and Abou-donia said he would like to talk to me after he drops off his wife and son. We had a meeting on Mar 9th, 2020, and I have the recording. The members of the meeting included Dr. McDonnell, Donna Kessler from DOSI, Ron Viles from NetFriends, Dr. Abou-donia, and myself. Dr. McDonnell introduced everyone and started saying that he needed all the data. I asked him how that could be possible after he sabotaged my computer and the instrument computer. I have been searching for it. I told him that the department did not have a server until last week. NetFriends were not providing servers, they were charging for every minute, and each lab in PCB had its own hard drive. Dr. McDonnell was angry. Abou-donia was also angry and he said he needed to talk to his lawyer. But Dr. McDonnell told him not to worry, this is just an internal investigation, and that Dr. McDonnell will protect Dr. Abou-donia. After the meeting, he said he was going to meet the Dean and wanted Dr. Abou-donia to stay back and Dr. Kessler walked with me to the lab. I gave her the files, and she collected them and asked for my laptop. When I told her this is my personal laptop, she insisted that I give Dr. Kessler, my laptop. Dr. Kessler went and gave it to Dr. McDonnell. When I went to collect my Laptop, I met with Dr. Kessler and told her that my lawyer informed me that you are not supposed to take my personal laptop and I request that my personal laptop be returned. Dr. Kessler informed Dr. McDonnell, who told me to wait outside and not enter his room. Dr. McDonnell immediately called Duke University attorney, Kate Hendricks (**hereafter known as "Ms. Hendricks"**), **then came to me and said "I can take your laptop, I have executive powers and I can destroy you". He was giving me a verbal threat and slammed the door on me.** He was shaking with anger, which Dr. Kessler also noticed. They would not give me my laptop. I went to OIE and reported it to Ms. Lewis. She told me to send another email to Ms. Hendricks and Dr. McDonnell to return my personal laptop. Ms. Hendricks' assistant called and said, "since the office is closed Ms. Hendricks will meet you outside." I met Ms. Hendricks and Mr. Elengold outside the building pavement. They introduced and Ms. Hendricks apologized

and told me that I will receive an email from Donald (Dr. McDonnell) as to where I can collect my laptop and that my laptop was not imaged. However, Dr. Kessler indicated in documents relating to the investigation against me that the laptop was, in fact, imaged. The laptop no longer worked properly after this confiscation and I sent an email both to Drs. McDonnell and Kessler asking them what they did to my laptop, but I never got a reply.

- On Mar 12-19th 2020, Dr. Abou-donia and I were getting prepared for the labs to be closed down. Dr. Abou-donia told me that Dr. McDonnell informed Dr. Abou-donia not to be alone with me. However, I noticed that Dr. Abou-donia would constantly come to the lab or call me to his office to help him with his computer. Dr. Abou-donia was copying all his files. While doing so Dr. Abou-donia would continue to make sexual comments and Dr. Abou-donia would say “now you can go tell Donald (Dr. McDonnell)” and Sharon (Ms. Dowel-Newton) and would laugh. Dr. Abou-donia told me, that if you report, “Donald (Dr. McDonnell) will use that woman (indicating Dr. Swamy) to destroy your scientific career and you will be homeless.” He also said, “no matter where you go and complain, faculties stick together and help each other and if you don’t listen to me, you will be on the streets.” He also said that in order to fight Duke, you have to have a lawyer and he will ask his lawyer to represent me. I was fairly confused as to why Dr. Abou-donia was talking like that when Dr. Abou-donia is a tenured professor and that professors help each other. Dr. Abou-donia also told me that tenured faculties can nominate individuals for promotion to junior faculty positions, but in my case, Dr. Abou-donia said that Dr. McDonnell hated me and told Dr. Abou-donia to come up with something to blame me about, distract me from doing my work or slow me down in not accomplishing my work and that Dr. McDonnell would take it from there. Dr. Abou-donia told me that Dr. McDonnell also told him that he will make him the PI of my grant and this triggered him to join Dr. McDonnell in his campaign to blame me.
- On Mar 17, 2020, they reported a theft from Dr. Kuhn’s lab. I have several times reported the theft of files from my desk in Dr. Abou-donia’s lab, but **emails were never sent out. Dr. Kuhn is a White female.**
- On Mar 30, 2020, I received an email from Ms. Lewis’ notification of no-contact order and that the investigation was underway. I provided evidence of voicemails, emails and voice memos relating to the incidents described on a flash drive. Repeatedly providing the evidence greatly affected my mental status. Since Ms. Lewis was very obliging, I did not mind providing all the evidence.
- From March and April of 2020, I was trying to transfer my position to Dr. Patty Lee (**hereafter known as “Dr. Lee”**) who was introduced by one of the scientists from a company, who had worked with Dr. Lee when she was at Yale. She joined as a Chief of Pulmonary division at Duke. I presented 3 seminars. One was on the database I developed and the other was on COVID-19 and the third one was the national meeting organized by NAVBO to present a journal article on April 26, 2020. I participated in all her lab meetings and she was very kind. She told me to write a grant on COVID and she also provided an appointment to VA - but I had to tell her my position privately that Dr. McDonnell was not allowing me to submit any grants

and that investigation was going on for sexual harassment and data integrity. She contacted the chairman of Medicine and the Duke ombudsman sent the following email.

"Brahma M., PhD, a Research Scientist, Dept of Pharmacology & Cancer Biology has reached out to me about joining my lab but there appear to be significant political issues that should be clarified before I can even consider such a move from Brahma. I have already been in contact w/K Cooney and S Palmer - and it appears to extend beyond what they are able to navigate for now."

- o I continued to attend Dr. Lee's lab meeting. She assigned me to write grants along with Dr. Sangeeta Joshi MD. She also said I could register at VA and be part of the study. However, I had to disclose that Dr. McDonnell was against most of my career possibilities. I communicated with Dr. Patty Lee and she encouraged me to submit an LOI to DoD, which was open to all and I had downtime. When I requested Ms. McNeil to provide me the name of the liaison who handles external grants and contracts, Dr. McDonnell intervened and blocked the submission when he had earlier asked whether Dr. Lee could provide 3% of my effort. Since my transfer to the Department of Medicine was contingent upon procuring another grant pertaining to Lung biology, nearly 60% of GW veterans and the veterans who have been exposed to burn pit were diagnosed with several complications. This would have been an ideal opportunity for me to move into another lab without interference. But Dr. McDonnell insisted that I work for Dr. Abou-donia and Dr. McDonnell said he would not allow me to switch to another lab without Dr. Abou-donia's approval. **I was not getting paid by Dr. Abou-donia's grant and as a PI of my grant, from which I was getting my salary, Dr. McDonnell had previously told me that I could take my grant if I wish to move to another lab.**
- o I reached out to Dr. Burton Scott, one of my collaborators, to help me with a suggestion of finding a position in the Department of Neurobiology, he forwarded my resume and **Dr. Laurie Sanders (hereafter known as "Dr. Sanders")** contacted me. She suggested that we submit a proposal to DoD and if I did not mind, she could be the PI and I as Co-PI. I agreed and when I was about to submit the pre-application, I was blocked at the eBRAP portal, which is used to submit proposals to the DoD. She was able to quickly connect and we submitted it on time. I was willing to transfer to her lab and she was welcoming the possibility.
- o I suggested to Dr. McDonnell that I would like to move to Dr. Laurie Sanders' lab at Neurobiology. Dr. McDonnell did not know that we submitted a grant for my research plan with Dr. Sanders as PI and me as CoPI to work on mitochondrial dysfunction in Gulf War veterans. When the application came for submission, she was not willing to proceed further and would not give me any reason, but wished me good luck instead, which I informed Dr. Burton Scott.
- o On June 25, 2020, Ms. Madison sent an email to the faculty and staff that from July 1st, 2020 the IT support will be provided by the Duke OASIS (Office of Academic Solutions and Information System) team from the School of Medicine. And the official note read as follows:

"After much analysis and consideration, it has been determined that the department's IT

support will be transitioning from NetFriends to the Duke University School of Medicine OASIS Computing team starting July 1, 2020. This service transition will provide for all current departmental IT desktop support and all other departmental IT services and will allow us to take advantage of a broader number of resources. The support team is currently located in the Hock building and RP4, so there is close proximity to all of our areas in LSRC, MSRBIII and AERI buildings.”

However, when I had originally asked Ms. Dowell-Newton upon joining PCB, Duke University provided no such IT support to PCB, it was each lab’s responsibility, and Dr. Abou-Donia failed to provide me with IT support. Dr. McDonnell failed to appropriately supervise Dr. Abou-Donia in making sure that this IT support was provided so that I could maintain my data securely, and initiated an unjustified investigation against me, which Drs. Klotman, Swamy, and Duckett supported, even though it was PCB’s own lack of security and enabling of harassment perpetrated by a tenured faculty member that led to the loss of our lab’s data and my research files.

- o I mentioned to Ms. Lewis that all the researchers have gone back to the lab and I have not been given the return-to-work plan. I also told her, that although I submitted the required symptom monitoring forms throughout quarantine, unless a return to work plan is given, I cannot get back. On July 1, 2020, on the advice of Ms. Lewis, I sent an email to PCB-HR manager Kanisha Madison requesting how I could get back and I got a reply from Dr. McDonnell, who copied me on an email to Dr. Abou-donia, asking Dr. Abou-donia to provide me with a return plan. However, I could not communicate with Dr. Abou-donia due to the no-contact order instituted by OIE, which either Dr. McDonnell failed to adhere to or Duke University failed to duly inform all relevant parties of. The return plan allowed me to work only for about three and a half hours, when I asked for clarification Dr. McDonnell replied, is there a reason you are not working full time, which concerned me. Later, he sent an email as to what rooms I will be accessing and that the email be sent to him (Dr. McDonnell) and Dr. Duckett. When I was about to go back, I received the report from Dr. Kessler that they did not find any misconduct on my part **from the same investigation that continues to be ongoing today.**
- o On July 20, 2020 Monday I received an email from Ms. Lewis (OIE) to provide my iPhone for forensic analysis and the appointment was on July 23. She requested that I provide my mobile for forensic validation, I was reluctant at first but she said OIE is only interested in the voice memos, but the forensic specialist copied my whole iPhone after which many of the applications did not work and I had to take my iPhone to Apple store and call OIT (Office of Information Technology) to reinstate my account, which took them three days. **I thought they were copying only the voice memos, but they copied my whole iPhone. After it was copied, the iPhone did not function properly and I had to take it to the Apple store to reset my iPhone and reinstall many apps and emails and I lost many functionalities.** The staff at the Genius bar told me not to give my iPhone for copying as it messes up the IOS system. It was a frustrating process and mirrored what happened after the laptop confiscation. Even the Duke OIT system staff had difficulty in restoring emails and advised me not to give the phones for forensic analysis, The OIT staff members I spoke with told me that it is illegal for

Duke University to copy iPhones and that it can be done only by the court order and that I might have to change the phone as it may not work well. I informed Ms. Lewis, but she once again reiterated that they only copied voice memos as they needed the timing of recording for a legal case with Dr. Abou-donia.

- On July 17, 2020, we received an email from Dr. Klotman that Dr. McDonnell was stepping down as chair, and subsequently on July 20, we received an email from Dr. Duckett that Dr. McDonnell decided to step down from the chair position and that Dr. Duckett would be an interim-Chair from September 1, 2020.
- On July 20, 2020, I received an email from Dr. Kessler with the following message:

We have completed a review of the data integrity and publication concerns raised and determined **an inquiry under the research misconduct process is not warranted** at this time. The Dean, Dr. Klotman, concurred with this assessment but has determined corrective actions are needed. The assessment and corrective actions were communicated to the Chair, Dr. McDonnell, for follow-up.

It was never made clear to me why corrective actions were needed by the chair, Dr. McDonnell if no research misconduct was found, for the same data I had already provided.

- But on July 23, 2020, Drs. Duckett and McDonnell sent me an email inquiring about the whereabouts of experiments notebooks for the three manuscripts and they needed documentation of Dr. Abou-donia's approval by July 31. I provided all the information that I had. **The email sounded like an accusation, and it seemed like an artificial barrier for going back to work was presented, especially because the investigation ended. And, the retaliation began.**
- On September 1, 2020 I went back to work. Even with access to the laboratory, I was not able to conduct experiments because the necessary freezers where my samples were stored were locked and I did not have access to the crucial samples within. The freezers were not unlocked until October 19, 2020, even though I sent requests. I noticed that many of my files and personal accessories were missing and still have not been returned, nor has the disappearance of my files and belongings been investigated or accounted for by either PCB or OIE, or DOSI, even though I reported it to Ms. Lewis. I informed Ms. Lewis that when I went back to work, Dr. Lapadula would complain whenever I turned on the lights in the lab that it bothered her eyes, and I had to lift the window screen up to let in outside light. Additionally, all the packages addressed to me were opened by Dr. Lapadula, leaving a note that it was for her project. Eventually, I had to start working outside the lab, to avoid unnecessary conflict. To my knowledge, a possible motivation for Dr. Lapadula's behavior may have been that she was interviewed during OIE's investigation of my sexual harassment and assault; she is also a personal family friend of Dr. Abou-donia and **both Dr. Lapadula and her husband were former students of Dr. Abou-donia, who made it a point during his informal introduction**

of Dr. Lapadula to me that both Drs. Lapadula and Abou-donia are White because they had married White people, which I thought was an unnecessary conversation and a discriminatory statement to say, She was the contact person for Dr. Duckett and Ms. Dowel-Newton. Duke University never took action to remedy the previous, and continuing indignities I was facing as I attempted to return to work.

- **On October 5, 2020, Ms. Dowell-Newton sent an email that I was non-compliant in checking in to the SymMon (Symptom Monitoring) app that Duke was using for employees to check in to work every day. She sent me an email that said that my usage of SymMon would be monitored for compliance and if I did not submit on time, my card access would be revoked. I had been completing it every single day I went to work. I verified my daily compliance with Dr. Charley Kneifel, who is the Chief Technology Officer at Duke University's OIT. He confirmed that I was entering it correctly and he was confused as to why the department manager sent a non-compliance email. I forwarded my report of this incident to Ms. Lewis (OIE-investigator), because it constituted another attempt to interfere with my right to work without a legitimate reason, which I consider retaliatory.**
- **In addition, Ms. Dowell-Newton instructed Mr. Huber to discard anything upon Dr. Lapadula's orders, because Dr. Abou-donia was the boss, so, many of my things were discarded, including the two failed computers that I had kept, which could have been used to show that I had properly stored the data with the resources I had available, and possibly, that these computers may have also revealed tampering.**
- **November 5, 2020, I received the Duke OIE report from Ms. Ericka Lewis that the investigation concluded with the preponderance of evidence showing sexual harassment and harassment occurred in the Department of Pharmacology.**
- **Immediately thereafter retaliation intensified, and no remedial action was given. I was subjected to various retaliatory incidents as part of the ongoing unjustified investigation against me. When I communicated this to Ms. Lewis who was the investigator, she told me that she was promoted to Deputy Director and that I had to go through a completely new process of case intake for retaliation and I was assigned to Ms. Nikki Stovall, a case intake staff member, who told me that my case was assigned to Ms. Ashley Edwards, Esq. (hereafter known as "Ms. Edwards"), who was newly appointed in OIE as an investigator. I had to re-explain the whole process of what happened and forward evidence I had already sent to Ms. Lewis multiple times. I believe this practice was done to slow down the process and delay me from working towards my grant proposal and even my scientific officer at DoD was confused. He emailed me to send him the list of samples I have so far procured and I sent him the list of what I could remember and informed that I would give the exact list once I inventoried the freezer.**
- **In November of 2020, I received samples for my grant for the first time after repeatedly requesting the collaborators to send me samples and after Dr. Abou-donia had canceled payments to the collaborators without my consent or knowledge, which caused further delay**

(which was an interference in my work that did not happen to other scientists in PCB who were working on grants, who were lighter skinned than I was). This was the month in which the OIE report revealed that I was determined to be the victim of Dr. Abou-donia's harassment and assault. Although I gave all the evidence of harassment by Dr. McDonnell, only a brief mention was made of his actions. **However, what they did not investigate was the departmental involvement in exacerbating and perpetrating a separate form of harassment and retaliation against me, which involved Dr. McDonnell and Ms. Dowell-Newton (who was acting in a dual capacity as a Business Manager and HR representative for PCB, which I believe presented a conflict of interest when Dr. Abou-donia's employment at Duke was threatened, especially as a tenured faculty).** On November 16, Dr. Duckett sent me an email that Dr. Abou-donia had been relieved of his duties at Duke. On November 25, I met with Dr. Duckett, who clarified his previous statement that Dr. Abou-donia had been "relieved of his duties" by telling me Dr. Abou-donia had resigned, but that there was a legal case that he was not at liberty to discuss.

- In December of 2020, I placed orders for gels and reagents to begin my work on the grant. I was doing intense searches and planning to complete the work since it is a combinatorial screening that involves sequential processing of the samples. My desktop computer had all the sequences of the peptides that I designed, but after the incidents following my return from the MHSRS conference, this was lost. Thus, I was in the process of redoing the peptide designs and planning for my study regarding how best I could accommodate all the experiments within one year for the grant.
- On December 7, 2020, I received an email from **Dr. Kindra King (hereafter known as "Dr. King")** that Dr. Duckett has determined that the Duke Office of Scientific Integrity should work with me to discuss my research practices around data management, sample management, lab mentorship, SOPs, and anything else that is relevant. The overall goal was to work with me to create a comprehensive research plan that outlines and addresses any current and/or anticipated research challenges. Dr. King had copied **Ms. Jenny Ariansen (hereafter known as "Ms. Ariansen")** on that email. Ms. Ariansen is the Director of the ASIST group within the Office of Scientific Integrity, which is a team whose stated focus is on connecting the Duke community with resources and tools to support scientific integrity and accountability.
- On December 17, 2020, I had a Zoom meeting with Dr. King and Ms. Ariansen to discuss. Since Dr. King graduated from PCB, she is well aware of the challenges researchers face. I discussed the method I developed with the computer science researchers and I told them that I would be able to present it at our next meeting. The meeting was a mutual sharing of difficulties and challenges in basic clinical research and we had planned a follow-up meeting, which never happened, but a new investigation started once Dr. Abou-donia resigned.
- December 22, 2020, I received an email from Dr. Duckett that Abou-donia submitted his resignation and effectively this means that his research projects will be terminated and we are in the process of informing his funding agency (DoD) of this development and termination of his grants. He also mentioned that there will be many complexities to coordinate as we wind down

Dr. Abou-donia's laboratory and the most appropriate course of action is to send back the biospecimens he received as a PI and that he has asked Dr. Lapadula to begin the process.

- I replied to Dr. Duckett that I would like more clarification on my role going forward and that I have gotten permission to use some residual plasma samples from the completed study and having received the consent of our shared collaborators, I would like to know how I can arrange to continue to use them.
- On December 23, 2020, Dr. Duckett sent an email saying that he had asked Dr. Lapadula to retrieve all the samples since one of the collaborators wanted all her samples back. He also said I should show Advancing Scientific Integrity, Services and Training (ASIST), one of Duke's Scientific Integrity offices, all documentation I had that I was given permission to use the samples I had, or I could not use the samples. I was able to send an email to all the collaborators and get documented permission to use their samples, and they told me that they would help me finish the grant objectives within a year.
- On December 24, 2020, I reached out to all my collaborators and I communicated with all four of them but only three of them communicated with me. I met with Dr. Efi Kokkotou and Dr. Lisa Conboy from Harvard University, at a Zoom meeting. They informed me that they would support me fully. I also received an email from Dr. Nancy Klimas that she will support me going forward and that we will have a mutual discussion with her research group and I will be given a chance to present to her group. However, Dr. Sullivan did not reply and asked for her samples back.
- On January 5, 2021, I was ordered to pause all my work, including writing papers and presenting at conferences. I received another batch of samples the next day. Dr. Duckett sent me an email on January 7, 2021, asking me whether I knew the whereabouts of samples that were stored in the lab's -80 freezer, which Dr. Lapadula reported. I told him that I did not, and when he showed me the box, I identified it as my box because I have a unique system of labeling the freezer boxes. Thus, the samples were not only taken from me (as opposed to me taking someone else's samples), **those samples were tampered with, which was retaliatory.**
- Drs. Duckett and Swamy had started a data integrity investigation once again based upon the spurious allegations of Drs. Abou-donia and McDonnell - the allegations were based on documentation supporting my research that was under their possession as my supervisors, but to my knowledge, Duke's Office of Scientific Integrity did not ask them to turn over the documents they had in their possession, and if they were asked to turn these documents over, I was not informed of what the committee already had because the process of the investigation was not transparent and they informed me that it was confidential and that I was not allowed to discuss what was going on.
- On February 9, 2021, after I was asked to pause all my work and not to enter the PCB building, Ms. Dowel-Newton sent an email, which was copied to Dr. Duckett, stating that I was spotted in

the building and that I had not completed the symptom monitoring report. I had not been in the building after January 6, 2021.

- On February 10, 2021, Drs. Swamy and Kessler met with me on Zoom and I was asked to either retract three of my papers and relinquish my grant otherwise, Duke would take the initiative to notify the publications to retract the manuscript and DoD to terminate my grant. **This was a coercive and disproportionate corrective action to demand, considering that I had not received samples for two years (such that I could start my actual experiments), I had only gotten preliminary data, and PCB's own inability to maintain a secure work environment jeopardized the status of my physical files.** I was only going to various conferences to meet veterans from whom I could directly request samples, because my collaborators weren't sending the samples, Dr. Abou-donia and Ms. Dowell-Newton stopped payments to them without my knowledge and consent, and the few samples that were sent were historical or arrived right before I was stopped from working. I explained this to them, and during the meeting I was wrongly accused as being disrespectful, when they were the ones who were making mistakes not only in the interpretation of my data, but also in basic information regarding the manuscripts and my study (they even told me that I was the first author of all three manuscripts, when I was not, and in fact was able to prove that I was not). During the conversation on Zoom, Dr. Swamy even remarked to Dr. Kessler subtly to make a note of it, without admitting it is their fault.

1. **Mohamed B. Abou-donia, PhD, and Mulugu V. Brahmajothi, PhD.** "Novel Approach for Detecting the Neurological or Behavioral Impact of Physiological Episodes (PEs) in Military Aircraft Crews", *Military Medicine*, 185, S1:383, 2020.
2. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "PTSD Susceptibility and Challenges: Pathophysiological Consequences of Behavioral Symptoms", *Military Medicine*, 185, S1:279, 2020.
3. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "Monitoring from Battlefield to Bedside: Serum Repositories Help Identify Biomarkers, Perspectives on Mild Traumatic Brain Injury", *Military Medicine*, 185, S1:197, 2020.

- During the month of February 2021 (although I was reporting retaliation to Ms. Lewis from October 2020 formal meeting with Ms. Edwards occurred only in February of 2021), I was in a Zoom meeting with **Ms. Ashley Edwards (hereafter known as "Ms. Edwards")**, OIE. She asked for bullet points to give her leads on what needs to be investigated. I sent her the bullet points and I forwarded all the emails all over again, which were already shared with Ms. Lewis in the OIE investigation and communicated with her all that I was subjected to and throughout some of the meetings, **she referred to me as Geeta in many of the meetings. Dr. Swamy, whose first name is Geeta, and I are both Indian, but given the nature of the concerns I was having, I found this behavior to be discriminatory on top of the retaliation I was experiencing.**
- On March 10, 2021, **Dr. Swamy went ahead and suspended my grant, which she stated was done with the deciding authority Dean Klotman's approval.** On April 29th, I was

allowed 2 hours to go into the lab to discard samples that were on the shaker, and the whole time, I was monitored by Ms. Dowell-Newton who told me that I was taking too long. I could not get all the data that are still at large, but I was able to get some of the notes I had made, some of which I was able to give to the committee that was established to investigate my data. I noticed mostly what I collected was journals and booklets. It is strange that, despite giving all the explanations, Duke University's Office of Scientific Integrity, **Drs. Swamy, Kessler, and Duckett refused to provide a detailed report of the investigation in progress. Instead, they forced me to keep everything confidential.**

- On April 22, 2021, I met the committee members along with an attorney who was in the room with Drs. Kessler and King. I was not informed beforehand that an attorney would be present in the meeting. I met the following members on Zoom:
 - Leonard Spicer Ph D - Professor of Radiology
 - Sid Simon Ph D - Emeritus Professor - Neurobiology
 - Michael Relf Ph D - Associate Professor in Nursing
 - Ann Bradley Esq - Duke Council
 - Donna Kessler, Ph D - investigator
 - Kindra King Ph. D - Asst to Dr. Kessler
- Right at the beginning of the interview, one of the committee members asked me about my previous professor (Dr. Harold Strauss) with whom I had worked since 1994. I described the situation that when he moved to SUNY Buffalo, he had offered me a position but due to family circumstances I could not move to Buffalo but continued working for him since Dr. Keith Reimer, a cardiac pathologist at Duke provided me a space in his lab. When he asked about Dr. Strauss, I told him that he was diagnosed with early dementia and he retired and moved to Durham and had just passed after I received my grant communication. Even Dr. Abou-donia and Dr. Strauss knew each other very well. I also mentioned that one of my dear collaborators, Dr. Provenzale had just passed away and I could not control my tears as I had just learned of the news right when I looked at my email for connecting to the Zoom meeting with the committee members. The discussion went on and I told them the difficulties I faced at PCB and that there were significant losses of my files and my computers were taken. I also told them that the three papers that I wrote and submitted were conference proceedings that were published as supplements in the Military Medicine Journal. I did all the work on 2 papers and for one paper Dr. Abou-donia provided the data and told me, since this is a conference proceeding, it would help me if it gets published. Dr. Abou-donia and I presented the three as posters at the MHSRS symposium. I also told them that I recently found Dr. Abou-donia's note page of our discussion, which I had a picture of (the notebook, which he mentioned he had lost) and also the Military Medicine instruction sheet in which he wrote 'paper'.
- The meeting lasted for an hour and after the meeting, I sent the committee members a letter explaining the reason I was emotional that morning. I was not told that I should not contact them. They are all Duke professors. But the report letter sent by Dr. Kessler noted that my decision to contact the committee members directly was inappropriate.

- It was surprising that the outcome of their decision was the same as Dr. Kessler's. They interviewed Dr. McDonnell, but Dr. Abou-donia refused to meet with them. And, the answers given by Dr. Abou-donia also purposefully included false statements, which I tried to explain and provide all the evidence I could to refute - though so much evidence had been lost by the lack of security provided by Dr. McDonnell, Ms. Dowell-Newton, and Duke University. **Dr. Klotman refused to meet with me at any point, even though she was the deciding authority from the very beginning when I was seeking promotion.**
- On August 9, 2021, I requested from the Duke Office of Research Administration the process on how to request no-cost extension of my project and the director replied to me to contact Drs. Swamy and Kessler. When I sent an email to Dr. Swamy, I only received an email from her on August 26, 2021, that, on behalf of Duke, **Dr. Swamy notified the DoD of their research misconduct inquiry finding of a need for an investigation to start** and requested unilateral termination of my grant that was due to end on August 31, 2021, **after I had already sent Dr. Swamy a request to do a no-cost extension of my grant on August 9, 2021.** Dr. Swamy further sent the matter to an internal Ad Hoc committee.
- On August 19, 2021, I filed my complaints to the EEOC.
- On September 14, 2021, I requested Ms. Lewis, the OIE investigator that according to the Duke Policy, I did not receive any remedial measure and that I would be obliged if she could share with me the Remedial measure and she replied that **the OIE did not issue any remedial measures, which was discriminatory.**
- I was sent an email by Ms. McNeil to sign the FY21 effort certification and I sent her a reply with the quote, "The federal government requires an effort report when an individual is compensated by, or has agreed to contribute time to, a federally sponsored project. **All faculty and staff who work** on federal grant-related projects are personally responsible for certifying the amount of effort that they spend on sponsored activities" and that I was not allowed to work on my project, which I proposed, which was funded and that it was an investigator-initiated award. I later received an email from Ms. Traci that they used a Proxy to sign for my effort. I was not paid from November, while the investigation was ongoing unilaterally, which I consider was discriminatory because **the administrators involved in sabotaging me were neither investigator nor penalized and I was retaliated.**
- On September 15, 2021, Dr. Duckett sent me a letter that I am under investigation, and since I was paid by the grant, he is terminating my employment at Duke as of November 2021 and I had to turn in my ID card, parking permit, and my email would be shut down (my email has all the information regarding their communications and my data).
- On October 21, 2021, I sent an email to the Editor of Military Medicine and to the MHSRS committee as to what was happening and I did receive a reply. When I informed the DoD Scientific officer, he advised me to get help from the council and told me to submit the final report with the difficulties I faced.

- On November 8, 2021 under the guidance of Dr. Swamy, Dr. Donna Kessler sent an email requesting the Military Medicine journal editorial office to retract the three manuscripts, which contained preliminary findings that were presented as posters at the MHSRS conference in August 2018 that were published in Military Medicine supplemental issue as proceedings of the MHSRS, which took 2 years for the MHSRS publishing committee to finally have it in print. **It is important to note that no concerns about data were raised at the time these publications were originally published, and that supposed data integrity accusations, which were unfounded, were only made in parallel to the harassment I began to experience after receiving a grant.**
 1. **Mohamed B. Abou-donia, PhD, and Mulugu V. Brahmajothi, PhD.** "Novel Approach for Detecting the Neurological or Behavioral Impact of Physiological Episodes (PEs) in Military Aircraft Crews", Military Medicine, 185, S1:383, 2020.
 2. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "PTSD Susceptibility and Challenges: Pathophysiological Consequences of Behavioral Symptoms", Military Medicine, 185, S1:279, 2020.
 3. **Mulugu V. Brahmajothi, PhD and Mohamed B. Abou-donia, PhD,** "Monitoring from Battlefield to Bedside: Serum Repositories Help Identify Biomarkers, Perspectives on Mild Traumatic Brain Injury", Military Medicine, 185, S1:197, 2020.
- On November 18, 2021, I sent an email to the Military Medicine editorial office describing my situation, and the editor, **Dr. Stephen Rothwell (hereafter, "Dr. Rothwell")** replied on November 19, 2021 to Dr. Kessler's email requesting the retractions, copying me on the email, saying that there appeared to be some evidence of retaliation occurring and that Dr. Rothwell would wait until the institution made the final determination, as it was the institution's decision.
- The retaliatory actions were initiated by Drs. Duckett and Swamy after Dr. McDonnell stepped down from chairmanship and Dr. Abou-donia resigned.
- Since my Duke University email was discontinued as of November 2021, I was completely shut off from all communications and finally the manuscripts were retracted in June 2022. When I inquired, the Journal forwarded the email they sent inquiring about whether I had any objections, and Duke University had given the Journal my Duke email for communications, which was discontinued by Duke during the termination process, even though Duke had my private email (Dr. Swamy and her associates Drs. Kessler and King were communicating with me through my personal email) and even though they had given Military Medicine Dr. Abou-donia's personal email. Military Medicine had also expressed concerns that the allegations of data integrity violations against me were founded in harassment and retaliation, though they noted that it was Duke University's decision to retract, which they could not contest. Throughout the process of investigation both by Dr. Swamy and the first committee, they clearly reflected inadequacy in interpreting my data. Whatever the evidence I was able to explain, it was in vain as they have already decided the outcome.

- o During this period, Dr. Swamy took it upon herself to inform DoD to relinquish the DoD grant awarded to me (Combinatorial screening of Neurotrophic factors, Neuropoietic cytokines, Matrix Metalloproteinase, and complement in relevance to autoantibodies in Gulf War illness - Log#GW170103, Award#W81XWH-18-1-0454), which she was coercing me to do from the time Dr. Abou-donia resigned and Dr. McDonnell stepped down from chairmanship, despite the concerns I had raised regarding the integrity of the investigation given the events that surrounded it and the theft of data I had reported that had been disregarded. The scientific officer of my study at DoD was well aware of the situation as I had kept him informed throughout and he advised me to get help from a lawyer. **When I approached an attorney, we filed a claim with EEOC, and their investigation took more than 2 years, during which period, Duke University failed to provide the remedies I was entitled to after having experienced harassment since 2018, and failed to prevent the retaliation I experienced through use of institutional hierarchy perpetrated by Drs. Abou-donia, McDonnell, Swamy, Duckett and Klotman. I believe this was the retaliation Dr. Abou-donia was referring to on Mar 12, 2020 when he said that Dr. Swamy would destroy my scientific career. I was never given an opportunity to repeat the experiments.**
- o When Dr. Abou-donia resigned, Dr. Mack from DOCR contacted me by email to close Dr. Abou-donia's IRB protocol, however, the system did not enable me to do so and the IRB was active for more than two years with Dr. Abou-donia as PI. When I inquired about my IRB, Dr. Swamy did not reply to my email, in spite of me telling her that my email was discontinued and requesting her to send the copy of the email she sent to Military Medicine, DoD and IRB closure. **Dr. Mack noted that Dr. Abou-donia's IRB protocol experienced a delayed closure in comparison to my IRB protocol, due to political reasons.**
- o While all these damages were done, the second committee was assigned to investigate the allegations of data integrity violations against me, and during their process of investigation, they continuously misinterpreted the data and were supported in doing so by the deciding authority, Dr. Klotman. My concerns about the lack of security in PCB, as well as the data practices of Dr. Abou-donia, and the hostile behavior by both Dr. McDonnell and Ms. Dowell-Newton in response to the concerns I had raised early and often were disregarded.
- o May and June, 2022 - right after I communicated with Dr. Swamy, I received an email from Ms. Edwards containing a formal letter stating that OIE determined that the processes that Drs. McDonnell, Klotman, Swamy, Abou-donia, and Ms. Dowell-Newton initiated against me were not retaliation and that OIE will not initiate a formal investigation. This happened after I was engaged with Ms. Edwards on Zoom meetings defending my scientific integrity from the time, I was given the sexual harassment report, which was from Nov 2020 to May 2022 meeting with Ms. Edwards on a weekly basis, who was allowed to engage me and I believe Dr. Edwards was influenced by Dr. Swamy as Ms. Edwards also frequently addressing me as Geeta during our conversation. When I asked her in one of my meetings with her whether she has been talking with Dr. Swamy, she was shocked and asked me whether I was recording the Zoom meetings. I was also accused by Ms. Dowell-Newton of entering PCB when I did not, which Duke OIT substantiated, and I shared the email and my reply to Ms. Lewis and Ms. Edwards.

During this course of time, my emails were accessed by someone else and I contacted Duke OIT, although one staff member told me that it is illegal, I was contacted after 3 days by OIT and told that I should use the web version of my email, as it would be more secure. I informed all my concerns, after I received the letter from Ms. Edwards, when I tried to call her back I was informed she does not work at Duke anymore. I sent her response email to Dr. Lofton who is the Vice President of Human Resources.

- o On Aug 19, 2022, Dr. Kessler scheduled a meeting of me with the second committee, since I told her that I was never given a chance to meet with the committee, while the report incorrectly said she tried to contact me and I did not receive any emails and I wanted to defend my role as a scientist when I was subjected to various harassments by Drs. McDonnell, Abou-donia, and involving other members of the faculty and staff of the PCB. Dr. Kessler sent out two meeting requests, one in the morning and one in the afternoon. Since they didn't start the meeting on time, I waited for a while. I sent an email to Dr. Kessler that I did not realize the meeting was scheduled in the afternoon instead of the morning since my attorney was also scheduled to be present and she got only the afternoon Zoom link. Although the Duke committee showed up late, it had to be rescheduled to the afternoon as I could not reach out to my attorney. The committee consisted of:

- Virginia Byers Kraus MD PhD - Professor of Medicine
- Francis Chan PhD - Adjunct Professor of Immunology
- Svati Shah MD - Asst Dean of Genomics
- Judy Faubert Esq - Duke attorney
- Donna Kessler - Investigator
- Kindra King - Asst. to Donna Kessler

My attorney Janet Lennon - she was instructed only to observe

The committee members said that most of the concerns I addressed by email and told me to provide a brief note on what I wanted. I told them the following:

I'd like to ensure that the committee has reviewed all my documents I have submitted and understands that the inherent discrimination, harassment, and retaliatory behavior that led to this investigation, which is in bad faith and ensure that the committee understands the negative effects of the bad faith in this investigation on my career as the victim of a wrongful misconduct of Drs. Donald McDonnell and Abou-donia, both of whom initiated the previous investigation and this investigation respectively. In fact, both Drs. Donald McDonnell and Abou-donia who initiated the initial and the current investigation respectively were motivated to retaliate against me through this bad-faith research misconduct investigation. Dr. Donald McDonnell wanted to retaliate against me because I requested a non-tenured faculty position and construed that I was reporting about him to the officials and Dr Abou-donia wanted to retaliate against me to help out Dr. McDonnell and because of my allegation of sexual harassment. **I was assaulted by both Drs. McDonnell and Abou-donia. The Department of Pharmacology failed to ensure my safety and the safety of my work area despite my repeated requests and the**

evidence I have provided to negate the allegations, not being considered and the allegations I believe are false.

On Oct 31, 2022: In spite of meeting with the committee and providing all the evidence, the deciding authority Dr. Klotman made a determination of misconduct and assigned Dr. Lodge, who was appointed in 2022 as Vice President of Research Innovation to send me the letter. When I replied to her that there are **three reasons I would like to appeal the decision: conflict of interest from the authorities who have been involved thus far, lack of good-faith consideration of the evidence provided, and the implementation of retraction as a corrective action prior to the completion of the appeals process and that these grounds called into question the integrity of the misconduct review process, for which I could provide additional details and evidence on request, Dr. Lodge told me no appeal was possible and that the decision was final.**

I forwarded these emails to Dr. Lofton, Vice President of Human Resources, and Dr. Klotman, Dean of School of Medicine.

I have evidence in the form of emails, transcripts and voice memos to support every major statement I made. The workplace became very toxic, which affected both my productivity, trust and my sense of safety at Duke University. I believe Drs. McDonnell and Abou-donia colluded to interfere with my research, the latter harassing me sexually and otherwise, the former utilizing his institutional authority to protect Dr. Abou-donia and subject me to additional harassment and retaliation through Ms. Dowell-Newton, who failed to act responsively to evidence that demonstrated Dr. Abou-donia's mismanagement of data and misbehavior, Dr. Swamy, who proceeded to demand corrective action despite an unsubstantiated and often ambiguous investigatory process, Dr. Duckett, whose replacement of Dr. McDonnell only served to continue where Dr. McDonnell left off rather than resolving the issues at hand, and Dr. Klotman, whose actions as the deciding authority led to my harassment, retaliation, and eventual termination from Duke University, the institution responsible for enabling this behavior despite the fact that I elevated my concerns through the proper channels, and **even continuing this behavior through the ongoing investigation**, even though I am no longer employed and my livelihood and reputation as a research scientist is challenged.

D. Claims

- o **Unequal terms and conditions of employment:**
 - i. I was not given support throughout the research process, but only investigated upon and accused of misconduct unfoundedly, though other lighter-skinned researchers were given support in the research process, such as Dr. Lapadula. I had to work in an under-resourced space that I established with my belongings, and my belongings were taken from me, and this theft was not investigated by PCB or Duke University, despite constituting a serious security breach, instead, it was used against me even though I reported the loss first. In addition, I lost many of my items when I was not allowed to return to work.

- ii. I was held to ambiguous standards in regard to my departmental role - I was given more responsibilities than a research scientist, accused of acting like a faculty by Dr. McDonnell, but was held to compliance standards that were disproportionate to my role while being underpaid despite my grant, as demonstrated by Ms. Dowell-Newton's attempt to have me come at specific times, when Dr. Lapadula did not have to do that, and Dr. Abou-donia also did not have to do that, while Dr. Abou-donia and Ms. Dowell-Newton expected me to work until late night, as well as Ms. Dowell-Newton and Dr. Abou-donia's erroneous statements that I was a technician. Additionally, I was asked to account for data that Dr. Abou-donia had taken home with him and Ms. Dowell-Newton and Dr. McDonnell were not responsive to the fact that Dr. Abou-donia had taken data home with him, which I had already given him. Dr. McDonnell was using his executive powers to appoint Dr. Fox and send out Ms. Dowell-Newton and Traci McNeil to constantly disturb me during working hours, and scrutinize me when neither Duke University officials nor Dr. Abou-donia did not provide a secure data storage system or an equipped lab with which research could be properly conducted.
 - iii. Even when I cooperated with the investigation Drs. Swamy, McDonnell Duckett levied against me, I was not told that there would be an attorney in the room, my data was being misinterpreted, I was deemed as disrespectful when I would correct incorrect statements, and I was to submit information according to their deadlines, but I was never communicated with in a timely and transparent fashion. Multiple times after the no-contact order was instituted, I was ordered to only communicate with Dr. Abou-donia, even though I was not allowed to communicate with him, nor did he with me. Further, this no-contact order instituted by Duke University further obstructed any attempt on my part to clear my name of the allegations against me because I was unable to contact Dr. Abou-donia to verify what data he had.
- o **Failure to promote me**
 - i. Scientists who prove their grantsmanship are normally promoted to an assistant or associate professor position. In my 25 years at Duke University, I have continued scientific contributions and I worked independently and trained and mentored students and junior faculties. I have not only been a PI on one grant and a Co-PI on another grant, I have also written grants for many faculty members that were successfully awarded.
 - ii. Instead, when I merely asked about the possibility of being promoted, I was subjected to increased scrutiny, professional discipline through memos, a pattern of harassment, and retaliation when I reported it that resulted in an unjustified investigation against me that is still ongoing and open-ended, and loss of my scientific career. During this time, there was no one with my skin tone or ethnic background who were faculty members.
 - o **Termination of my employment**
 - i. Given the extensive harassment and retaliation I went through, as well as the loss of property and the difficulty in acquiring samples from collaborators due in part to Dr. Abou-donia's and

Ms. Dowell-Newton's interference, I faced unavoidable challenges in completing the objectives of my grant. I was not allowed to get back into the lab. DoD offered an opportunity to do a no-cost extension of my grant, but when I informed Dr. Swamy, she terminated my grant instead, thus terminating my employment, before an investigation had even found any wrongdoing on my part. Even though there were determinations made during the investigation that no further investigation was warranted, the corrective actions involved terminating my grant and retracting my papers, which were not only unjustified, these actions were disproportionate, given that I had not even received samples with which to start my research, only preliminary data had been collected.

- ii. In addition, I have not been allowed to apply to any positions at Duke University due to the ongoing investigation, despite having offers from faculty members, but Dr. Duckett said that Duke University administration had to decide. I have also not been successful in applying to other institutions, likely because of the unjustified retractions on my scientific record.

- o **Retaliation**

- i. A week after I asked Ms. Dowell-Newton not to report the harassment I was experiencing due to my concerns about retaliation, my laptop was confiscated by Dr. Donna Kessler and given to Dr. McDonnell, and Dr. McDonnell told me that he was going to destroy me and that he has executive powers is a verbal abuse and a threat. There is a conflict of interest with Dr. McDonnell being a scientist, having his own research lab, and being an administrator of the department at that time as the Chairman of PCB. He remarked during our meeting that I have good grantsmanship and that scientists working in his lab had scientific discussions with me. On March 12th, 2020. Dr. Abou-donia told me, "Dr. McDonnell will use that woman (indicating Dr. Swamy) to destroy your scientific career and you will be homeless." This started the chain of investigation against me that was unjustified, unwarranted, and continues on today, affecting my ability to have a career in science and remain employed.

- o **Fraud**

- i. The following are illustrative examples of behavior supporting this claim.
 1. Ms. Dowell-Newton made representations to me that I would be given a new appointment letter after I received my grant and Dr. Abou-donia's grant period ended, but I was never given this appointment letter. Further, even the previous appointment letter did not contain all the duties I was expected to do in Dr. Abou-donia's lab.
 2. Dr. McDonnell made representations to me that, if I did not hear from him within a month regarding promotion to a non-tenured faculty position, that I was welcome to contact Dr. Klotman. Right after I contacted Dr. Klotman, the incidents of harassment began against me.
 3. Dr. McDonnell also said that I could take my grant and move to another department, but he stopped two opportunities for me to do that with Dr. Lee and Dr. Sanders, thus

jeopardizing my ability to escape from the harassment I was experiencing in PCB, as well as my future employment and promotion opportunities.

Attached

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*
08-23-2021

B. The Equal Employment Opportunity Commission *(check one)*:

has not issued a Notice of Right to Sue letter.

issued a Notice of Right to Sue letter, which I received on *(date)* 08/10/2023.

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

60 days or more have elapsed.

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Relief Requested

I would like the court to issue an injunction against Duke University to stop the investigation against me and reverse any determinations they have made about my guilt, because I have evidence to support that the investigation continued even after I provided the evidence that would have cleared my name, and the investigation is preventing me from applying to any jobs at Duke University. I would also like Duke University to give notice to the journal Military Medicine, that

I was not at fault for their allegations and to arrange the reversal of the retractions in order to rebuild my reputation, since the evidence I have already provided substantiates my claims of both this investigation being in bad faith, and the sufficiency of the available data to support the research conducted.

I would like my job at Duke University back, given that I was not guilty of the allegations of data integrity violations levied against me. I would also like to be promoted to a position of Assistant Research Professor, have my own lab space, and be supported by Duke University such that I can conduct independent research and write grants to support my position, which was a promotion I was denied, despite the caliber of work I was doing.

I would like Duke University to provide funding for 3 years so that I can complete the research related to the grant I was working on, before it was wrongfully relinquished by Duke University and Dr. Swamy.

I would also like to recover compensatory damages greater than the amount of \$25,000 in order to recoup the loss of my salary for 3 years, as well as punitive damages greater than the amount of \$25,000, given the extent and pervasiveness of the harassment and retaliation perpetrated by all parties.

I would like my attorney's fees to be remunerated, given that I had to retain the services of an attorney to file a charge with the EEOC, plus remuneration of the costs of this action.

Attached

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/17/23

Signature of Plaintiff 
Printed Name of Plaintiff Brahmajothi V. Mulug

B. For Attorneys

Date of signing: _____

Signature of Attorney _____
Printed Name of Attorney _____
Bar Number _____
Name of Law Firm _____
Street Address _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____