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D. MILLER & ASSOCIATES FILES NEW LAWSUITS AGAINST USC ON BEHALF OF SEXUAL ABUSE SURVIVORS OF TWO FORMER CAMPUS DOCTORS

The new filings precede a visit to the California state capitol to support legislation that would expand the statute of limitations on civil actions for sexual assault claims, allowing survivors more time to seek justice in civil court

Los Angeles, CA (April 22, 2019) – Today, [D. Miller & Associates, PLLC](#) filed two new additional lawsuits against the University of Southern California in Los Angeles Superior Court on behalf of plaintiffs alleging that former campus physicians – gynecologist Dr. George Tyndall and men’s sexual health physician Dr. Dennis Kelly – sexually abused student-patients, while USC systematically ignored and covered up complaints and concerns expressed by survivors.

A total of 33 women were part of the new filing against USC and Dr. Tyndall, bringing the total number of plaintiffs represented by D. Miller & Associates to 131. There are 11 male plaintiffs in the lawsuit against USC and Dr. Kelly.

According to the lawsuit against Dr. Tyndall, USC received scores of complaints regarding his sexually abusive behavior, and systematically ignored and deliberately concealed his criminal actions for nearly 30 years. USC’s negligence and recklessness compromised the health and wellbeing of the student-patients, many of whom were unfamiliar with the normal protocol and practice of gynecological visits. Furthermore, several complaints allege that some instances of sexual abuse, harassment, molestation, and violation were committed by Dr. Tyndall under the supervision of a medical chaperone employed by USC, who was responsible for the student-patients’ wellbeing and safety while enrolled at the university.

“As more survivors continue to emerge in groundbreaking numbers, USC has yet to exhibit any responsibility or accountability for exposing generations of women to sexual abuse and harassment by Dr. Tyndall,” said **Andy Rubenstein**, Head of Litigation at D. Miller and Associates, PLLC and lead attorney in the case. “USC’s inadequate and tone-deaf response that has centered on symbolic change rather than true reform, such as the appointment of new president, Carol Folt, is not surprising as this institution has a history of protecting itself rather than its students.”

According to the lawsuit against Dr. Kelly, the complaint alleges that Dr. Kelly targeted male patients who identified as gay and proceeded to sexually abuse and harass them. As Dr. Kelly was the only men's sexual health physician at the University, these male student-patients could not seek sexual health treatment or guidance from any other campus resource – putting their health at risk. In several instances, the complaint alleges that Dr. Kelly would not leave the office during patients' disrobing and would inappropriately touch patients. Survivors of Dr. Kelly also claim he made lewd comments about the number of sexual partners his patients had and demanded to know if and how often his patients viewed pornography. Akin to the handling of complaints against Dr. Tyndall, USC ignored all grievances from student-patients regarding Dr. Kelly's behavior. Following numerous accusations of sexual misconduct brought to the University administration, USC failed to provide proper supervision with attendants in the room, explore these allegations against Dr. Kelly, or provide any general oversight of patient visits and care.

"It is jarring that USC had not one, but two physicians on their payroll who sexually abused student-patients. And just as in the handling of complaints against Dr. Tyndall, the University failed to act on any reports made against Dr. Kelly – the only men's sexual health physician students could seek care from at the University," said **Rubenstein**, of D. Miller & Associates. "USC allowed for members of the LGBTQ+ community to be targeted and discriminated against in one of the most offensive and damaging ways, as they were sexually violated by a trusted doctor in their beloved school community."

The new filing of lawsuits against USC and the doctors precedes a trip to Sacramento on April 23, which several survivors of Dr. Tyndall will take. The purpose of their visit to the state capitol building is to support AB 1510, legislation that would expand the statute of limitations on civil actions for sexual assault or other sexual misconduct claims giving survivors more time to file complaints. Last year, the California Legislature enacted Code of Civil Procedure Section 340.16, which extended the statute of limitations for civil action for recovery of any damages incurred resulting from sexual assault to ten years from the date of the last act or within 3 years from the date survivors discovered an injury or illness had taken place. However, Section 340.16 is limited in scope and is expressly restricted to acts that are "commenced on or after January 1, 2019," and does not consist of revival language for time-barred claims. Due to the limitations of this Code, AB 1510 is of importance to D. Miller & Associates, PLLC and their clients, as many survivors of both Dr. Tyndall and Dr. Kelly were sexually abused decades ago. The filing of additional lawsuits and visit to Sacramento to lobby for AB 1510, underscores the need for legislative change in California, institutional reform at USC, and justice for survivors of Dr. George Tyndall and Dr. Dennis Kelly.

Click [here](#) for the complaint filed by D. Miller & Associates, PLLC on behalf of survivors of Dr. Tyndall. Click [here](#) for the complaint filed by D. Miller & Associates, PLLC on behalf of survivors of Dr. Kelly.

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About D. Miller & Associates, PLLC

[D. Miller & Associates, PLLC](#) is a unique state-of-the-art law firm focusing on civil litigation. The USC Litigation Group has more than 90 years of combined experience. The firm has successfully represented clients in sexual harassment, personal injury, wrongful death, product liability, and pharmaceutical related cases. Hundreds of women have already taken a stand against USC and Dr. George Tyndall. For more information about D. Miller & Associates, PLLC and the USC/sexual assault claim, please click [here](#).