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Contact: [aSugg@ActumLLC.com](mailto:aSugg@ActumLLC.com) (314) 471-5284

## **FORMER STUDENT FILES LAWSUIT AGAINST FORDHAM UNIVERSITY OVER MULTIPLE SEXUAL ASSAULTS; MILESTONE CASE FOR NEW YORK'S ADULT SURVIVORS ACT**

*Former Fordham University student Francis Austin seeks justice for university's negligence leading to his rape and subsequent attack*

NEW YORK (JUNE 5<sup>th</sup>, 2023) -- Former Fordham University student Francis Austin today filed suit against the university for ignoring repeated warnings and allowing a roommate with a violent history to rape him in his dorm room and sexually assault him at another campus building.

The [lawsuit](#) details the repeated warnings Fordham officials ignored from Mr. Austin and others and describes the violent assaults he endured on two separate occasions, which resulted in years of trauma and physical and psychological damage.

Mr. Austin's lawsuit marks one of the first cases of its kind under the New York Adult Survivors Act. Passed in May of 2022, the law provides a one-year period for survivors of sexual assault to file civil suits and seek the justice they were previously denied. Mr. Austin's previous attempt to sue the university was dismissed under statute of limitations grounds.

"Francis Austin and every survivor of sexual abuse deserves a chance at justice, which includes holding their abusers accountable," said State Senator Brad Hoylman-Sigal, Chair of the Senate Judiciary Committee and sponsor of the Adult Survivors Act. "The New York State Legislature passed our Adult Survivors Act for survivors like Mr. Austin, and I encourage all survivors to come forward with claims before the one-year period under the law expires on November 23, 2023."

"An arbitrary statute of limitations should not stand in the way of a survivor's opportunity to seek justice," said Assemblymember Linda B. Rosenthal (D/WF - Manhattan). "We passed the Adult Survivors Act in 2022, to give people like Francis Austin, who have been kept silent for far too long, an opportunity to finally have their voices heard and hold their abuser or the institution that harbored them accountable. Our laws should not be written to protect abusers and shield them from prosecution. I am proud the Adult Survivors Act has helped to rebalance the scales of justice. I applaud Mr. Austin for his brave decision to speak publicly and remind others that the lookback window to file a previously time-barred case will remain open through November 23, 2023."

The facts of the case as detailed in the lawsuit are as follows: The university assigned Patrick Sweeney to live with Mr. Austin in a dorm room in their sophomore year. The year before, Mr. Sweeney assaulted his previous roommate. Mr. Austin endured months of violent threats from him, including graphic threats of rape, assault, and murder.

The lawsuit goes on to state that the school, already aware of his roommate's violent history, ignored repeated warnings of his escalating threats. The university also ignored a request from the campus Navy ROTC, to which both students belonged, to move Mr. Austin to another dorm room after Mr. Sweeney attacked him. On February 11, 2011, the roommate carried out his threats and violently raped Mr. Austin.

The lawsuit details the university's continued negligence after Mr. Austin reported the rape to officials. No disciplinary action was taken, and Mr. Sweeney continued to roam free about campus, resulting in another sexual assault on May 18, 2012.

"I warned the university over and over that my roommate was threatening to rape and kill me," said Mr. Austin. "But instead of prioritizing my safety, Fordham chose to ignore his behavior, leaving me to suffer the horrible consequences of their inaction. I want to make sure no other student has to go through the hell that I endured due to Fordham's lack of concern."

Mr. Austin is represented by Lesley Brovner and Mark Peters of [Peters and Brovner LLP](#).

"As alleged in the lawsuit, Fordham University already knew Patrick Sweeney was a danger to other students, and they were told time and time again of his violent and threatening behavior toward Frank Austin," said Lesley Brovner. "Fordham had every opportunity to prevent these attacks and inexcusably failed to do so."

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