

# Yale Accused Of Ignoring Sex Abuse Claims Against Top Doc

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By **Kevin Stawicki**

Law360 (March 12, 2020, 9:01 PM EDT) -- Yale University ignored complaints about a Yale New Haven Hospital supervisor who allegedly sexually harassed six female doctors, then made him the anesthesiology department's vice chair of diversity, equity and inclusion after accusations mounted, according to a lawsuit filed Thursday in Connecticut federal court.

The elite university ignored repeated complaints about anesthesiologist Manuel Lopes Fontes sexually harassing his female subordinates, which included forcibly kissing an attending physician and groping a resident at a graduation party that was documented on video, the doctors said in their lawsuit.

Instead of seriously handling the women's complaints, the university failed them at every level in violation of Title IX, the lawsuit said, adding that it was "Yale's official policy and/or custom to permit and display deliberate indifference towards the grave risks of sexual harassment and assault."

"Behind Yale University's veneer of prestige and privilege lies a troubling pattern and history wherein the voices of women within its student body, professor and employee ranks who courageously come forward with complaints of sexual harassment against men in positions of power are suppressed and ignored," the women said.

Heidi Boules, an attending physician and assistant professor in the anesthesiology department at Yale, said her professional interactions with Fontes quickly turned into sexual harassment when they met at a cafe in 2018 to discuss work. Boules said Fontes touched her in a sexual manner, grabbed her face and kissed her over her objections.

Another attending physician, Ashley Eltorai, claimed in the lawsuit that she was subjected to discriminatory comments from Fontes about her pregnancy and that she wouldn't be able to get patients due to maternity leave, even though it was seven months away at the time. After she gave birth, Fontes made unwanted comments about her appearance and attempted to spoon-feed her, grope and massage her on multiple occasions, according to the complaint.

Elizabeth Reinhart, a third-year anesthesiology resident, said she was grabbed and fondled by Fontes at her residency graduation in 2019. Upon providing video evidence of the alleged assault to the anesthesiologist department chair Roberta Hines, Reinhart said no serious investigation happened and that Hines merely told attending physicians not to attend parties with residents.

After their complaints were lodged and effectively ignored, the women said Yale appointed Fontes to vice chair of diversity, equity and inclusion in the anesthesiology department.

"To say that the bestowal of this honor and promotion was a direct slap to the face of plaintiffs and other women Dr. Fontes has victimized would be a gross understatement," the complaint said, which also includes Mia Castro, Jodi-Ann Oliver and Lori-Ann Oliver, who claimed similar experiences of unwanted touching and comments.

Yale spokesperson Karen Peart said in an email that the university "takes charges of sexual harassment seriously" and offered three of the women named in the lawsuit with its Title IX resources and guidance for filing a university complaint in 2019.

"None of the plaintiffs chose to file a formal complaint," Peart said. "Yale has nonetheless been working to resolve the issues raised. As in all such cases, Yale is working to ensure that the processes we use to find and act on facts are fair to all involved parties."

In addition to the Title IX discrimination and retaliation charges against Yale University and Yale New Haven Hospital, three counts of assault, battery and invasion of privacy were lodged against Fontes. The lawsuit seeks damages for economic and emotional damages.

Michael J. Willemin of Wigdor LLP, who represents the women, said in a statement that Yale is "not above being held accountable for its alleged history of protecting powerful male doctors at the expense of its female employees and students."

"It is truly shocking that Yale would promote Dr. Fontes to lead the Anesthesiology Department's diversity and inclusion efforts after it received multiple complaints about his sexually harassing behavior and other misconduct towards female subordinates," Willemin said.

Fontes did not respond to requests for comment.

The women are represented by Douglas H. Wigdor, Michael J. Willemin and Tanvir H. Rahman of Wigdor LLP, and Todd D. Steigman of Madsen, Prestley & Parenteau LLC.

Counsel information for the defendants was not immediately available.

The case is Castro et al. v. Yale University et al., case number 3:20-cv-00330, in the U.S. District Court for the District of Connecticut.