

Press Releases

O'Melveny And The ACLU Settle Two Civil Rights Lawsuits

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RENO, NV - O'Melveny & Myers LLP and the American Civil Liberties Union of Nevada jointly represented Jana Elhifny and Stephanie Hart, who formerly attended North Valleys High School in the Washoe County School District (the "District"), in separate civil rights lawsuits against the District. Maupin, Cox & LeGoy represented the District and the individually named District employees ("Individual Defendants") in both actions.

Ms. Elhifny is an American-Egyptian who openly displayed her Islamic faith and Egyptian heritage by wearing a traditional head scarf while attending school. In her lawsuit, she alleged that while she was a student, she was harassed because of her religion, race, and national origin; that she reported this harassment to teachers and administrators; and that her harassment claims were not properly investigated or resolved. Ms. Hart maintains that she was harassed because she befriended and supported Ms. Elhifny. The District and the Individual Defendants maintained throughout the litigation that the actions they took in response to Ms. Elhifny's complaints were entirely reasonable and appropriate under the circumstances. The District alleged that Ms. Elhifny rejected all offers of educational alternatives that were made in an attempt to address her complaints. The District and the Individual Defendants further maintained that they never received any report of harassment from Ms. Hart and were unaware of her support for Ms. Elhifny. Throughout both cases, the District and the Individual Defendants also maintained that religion, race, and national origin were not factors in any decisions by them with respect to their interactions with Ms. Elhifny and Ms. Hart.

In January 2009, the parties in both cases, titled *Jana Elhifny v. Cinda Gifford, et al.* and *Stephanie Hart, v. Cinda Gifford et al.*, reached out-of-court settlements in which none of the parties admitted any wrongdoing. Among other things, the settlement agreement in Ms. Elhifny's case will result in the District paying a settlement amount of \$350,000, through its insurance carrier, and will require the District to work with Ms. Elhifny's counsel over the next several months to develop a best-in-class series of discrimination and harassment policies and regulations.

Among other things, the settlement agreement in Ms. Hart's case will result in the District paying Ms. Hart a settlement amount of \$50,000, through its insurance carrier, and will require the District to provide her with services in order to assist her in obtaining her General Equivalency Diploma and furthering her career.

The District emphasizes that the payments required by the settlement agreements in both cases will be made by its insurance carrier.

"Ms. Elhifny and Ms. Hart had the courage to stand up for themselves and defend their right to a safe education. Because of their bravery, we hope that no other student in Washoe County will have to endure what they did," said Peter Obstler, partner at O'Melveny & Myers LLP and lead attorney for Ms. Elhifny and Ms. Hart. Obstler was assisted by counsel Nora Puckett, and associate David Almeling.

Lee Rowland, attorney for the ACLU of Nevada, noted that "The ACLU of Nevada is proud to have co-counseled such an important case with O'Melveny & Myers. We look forward to working collaboratively with the Washoe County School District to develop policies that will help to ensure that every child has a safe and secure learning environment regardless of race, sex, or ethnicity."

C. Robert Cox, member of the Maupin, Cox & LeGoy law firm, and lead attorney for the District and the Individual Defendants, stated: "The District welcomes the end to the expensive litigation created by these cases, especially in light of its insurance company's willingness to fund a resolution. More importantly, the District affirms its support for the North Valleys High School and the exemplary efforts by its administration and staff in their professional and thorough handling of the educational and personal issues raised by Ms. Elhifny, recognizing the many education opportunities offered to her and rejected during the Fall of 2003 before withdrawing from the District."

About O'Melveny & Myers LLP

With more than 1,000 lawyers in 14 offices worldwide, O'Melveny & Myers LLP helps industry leaders across a broad array of sectors

manage the complex challenges of succeeding in the global economy. We are a values-driven law firm, guided by the principles of excellence, leadership, and citizenship. Our commitment to these values is reflected in our dedication to improving access to justice through pro bono work and championing initiatives that increase the diversity of the legal profession. For more information, please visit www.omm.com.

About The ACLU of Nevada

The American Civil Liberties Union is the nation's guardian of liberty, and the ACLU of Nevada is an affiliate of the national organization, working to protect the rights and liberties of all Nevadans. The ACLU of Nevada works daily in courts, legislatures and communities to defend and preserve the individual rights and liberties that the Constitution and laws of the United States guarantee everyone in this country. The ACLU of Nevada also works to ensure the protection of civil liberties for segments of the population that have traditionally been denied their rights, including people of color; women; students; lesbians, gay men, bisexuals and transgender people; prisoners; and people with disabilities.

About Maupin, Cox & LeGoy

Maupin, Cox & LeGoy is one of Nevada's most respected law firms. Our attorneys adhere to the highest legal and ethical standards and are well known for superior client service. We are widely respected for our broad experience and for being responsive, efficient, dedicated, and personable. The firm handles matters requiring the resolution of complex civil disputes, whether through mediation, arbitration or litigation. The firm has an extensive tax practice, and handles all phases of tax matters. The firm handles corporate and public finance matters, real property, health care, educational law, including representation of institutional and governmental entities. The firm is active in the community, both locally and statewide. The members of the firm actively participate in continuing legal education programs, professional association activities, pro bono programs and civic affairs. For more information, please visit www.mclrenolaw.com.