

NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
25CV032781-910

BENJAMIN C. LOCKE, JOHN DOE 1, )  
PARKER CROSS, JOHN DOE 3, )  
JOHN DOE 4, JOHN DOE 5, )  
JOHN DOE 6, JOHN DOE 7, )  
JOHN DOE 8, JOHN DOE 9, )  
JOHN DOE 10, JOHN DOE 11, )  
JOHN DOE 12, JOHN DOE 13, )  
JOHN DOE 14, JOHN DOE 15, )  
JOHN DOE 16, JOHN DOE 17, ) **AMENDED COMPLAINT**  
JOHN DOE 18, JOHN DOE 19, )  
JOHN DOE 20, JOHN DOE 21, )  
JOHN DOE 22, JOHN DOE 23, )  
JOHN DOE 24, JOHN DOE 25, )  
JOHN DOE 26, JOHN DOE 27, )  
JOHN DOE 28, JOHN DOE 29, )  
and JOHN DOE 30 )  
 )  
Plaintiffs )  
 )  
v. )  
 )  
WILLIAM R. WOODSON, in his )  
individual capacity; DEBORAH A. YOW, )  
in her individual capacity; EUGENE )  
CORRIGAN, in his individual capacity; )  
MICHAEL LIPITZ, in his individual )  
capacity; STEPHANIE MENIO, in her )  
individual capacity; MICHELLE LEE, in )  
her individual capacity; LESTER S. )  
CLINKSCALES, in his individual )  
capacity; RAYMOND M. HARRISON, in )  
his individual capacity; and ROBERT M. )  
MURPHY JR., in his individual capacity )  
 )  
Defendants )

Pursuant to N.C.R.C.P. 15(a) and prior to service of any responsive pleadings, Plaintiffs  
Benjamin Locke, Parker Cross, John Doe 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,

19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 (“Plaintiffs”) complaining of Defendants William R. Woodson, Deborah A. Yow, Boo Corrigan, Michael Lipitz, Stephanie Menio, Michelle Lee, Lester S. Clinkscales, Raymond M. Harrison, and Robert M. Murphy, Jr. (“Defendants”), file the following Amended Complaint and allege the following:

## **INTRODUCTION**

1. Plaintiffs bring this action each individually as former student-athletes at North Carolina State University (“NCSU”) who were victims of sexual assaults, sexual exploitation and sexual harassment, perpetrated by NCSU’s Director of Sports Medicine Robert M. Murphy, Jr. (“Murphy”), who violated his position of trust to abuse rather than treat male student-athletes under his tutelage.

2. Murphy’s sexual assaults and harassment of male student-athletes was so widely known within the NCSU Athletics Department that any student-athlete known to be on his way to a treatment or drug testing session with Murphy was said to be on his way to get “a Rob Murphy Special.”

3. During Murphy’s decade-long tenure at NCSU, administrators and staff within the NCSU Athletics Department knew or should have known of the pervasive sexual assaults, sexual harassment, exploitation and grooming Murphy perpetrated on NCSU male student-athletes. NCSU administrators and staff turned a blind eye to the abuse suffered by Plaintiffs and failed to take any reasonable steps to protect Plaintiffs and other male student-athletes from Murphy. Instead, administrators and staff in the Athletics Department chose to protect Murphy and the reputation of the institution by minimizing, condoning, ignoring and/or covering up his sexual assaults and harassment and the abusive culture that existed.

4. Plaintiffs – and potentially hundreds of other male-student athletes – came to NCSU to pursue their dreams of playing NCAA Division I college sports. Instead, Plaintiffs found themselves embroiled in a nightmare of systemic abuse, institutional betrayal, and calculated cover-ups perpetrated by the Defendants.

#### **PARTIES, JURISDICTION and VENUE**

5. All previous paragraphs of this Complaint are incorporated herein by reference.

6. Plaintiff Benjamin C. Locke (“Locke”)<sup>1</sup> is a resident of Tennessee and was a scholarship student-athlete on the NCSU Men’s Soccer Team from 2015 through 2017.

7. Plaintiff John Doe 1<sup>2</sup> (“Doe 1”) is a resident of a state other than North Carolina and was a scholarship student-athlete at NCSU from 2013 through 2015.

8. Plaintiff Parker Cross (“Cross”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2020 through 2021.

9. Plaintiff John Doe 3 (“Doe 3”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2019 through 2024.

10. Plaintiff John Doe 4 (“Doe 4”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2019 through 2024.

11. Plaintiff John Doe 5 (“Doe 5”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2021 through 2024.

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<sup>1</sup> Each Plaintiff’s mailing address is Lanier Law Group, P.A., 6518 Airport Center Drive, Greensboro, NC 27409.

<sup>2</sup> “John Doe” plaintiffs are herein identified individually by number, without stating their sports, home counties, and other PII so as to protect their anonymity as sexual assault victims.

12. Plaintiff John Doe 6 (“Doe 6”) is a resident of a state other than North Carolina and was a scholarship student-athlete at NCSU from 2010 through 2014.

13. Plaintiff John Doe 7 (“Doe 7”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2015 through 2019.

14. Plaintiff John Doe 8 (“Doe 8”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2016 through 2021.

15. Plaintiff John Doe 9 (“Doe 9”) is a resident of a state other than North Carolina and was a scholarship student-athlete at NCSU from 2018 through 2022.

16. Plaintiff John Doe 10 (“Doe 10”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2016 through 2021.

17. Plaintiff John Doe 11 (“Doe 11”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2017 through 2022.

18. Plaintiff John Doe 12 (“Doe 12”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2021 through 2025.

19. Plaintiff John Doe 13 (“Doe 13”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2018 through 2021.

20. Plaintiff John Doe 14 (“Doe 14”) is a resident of a state other than North Carolina and was a student-athlete at NCSU from 2017 through 2019.

21. Plaintiff John Doe 15 (“Doe 15”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2017 through 2020.

22. Plaintiff John Doe 16 (“Doe 16”) is a resident of North Carolina and was a student-athlete at NCSU from 2017 through 2019.

23. Plaintiff John Doe 17 (“Doe 17”) is a resident of North Carolina and was a student-athlete at NCSU from 2017 through 2018.

24. Plaintiff John Doe 18 (“Doe 18”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2018 through 2021.

25. Plaintiff John Doe 19 (“Doe 19”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2015 through 2018.

26. Plaintiff John Doe 20 (“Doe 20”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2018 through 2020.

27. Plaintiff John Doe 21 (“Doe 21”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2017 through 2020.

28. Plaintiff John Doe 22 (“Doe 22”) is a resident of a state other than North Carolina and was a scholarship student-athlete at NCSU from 2015 through 2019.

29. Plaintiff John Doe 23 (“Doe 23”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2013 through 2017.

30. Plaintiff John Doe 24 (“Doe 24”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2014 through 2015.

31. Plaintiff John Doe 25 (“Doe 25”) is a resident of a state other than North Carolina and was a scholarship student-athlete at NCSU from 2015 through 2020.

32. Plaintiff John Doe 26 (“Doe 26”) is a resident of Canada and was a scholarship student-athlete at NCSU from 2020 through 2024.

33. Plaintiff John Doe 27 (“Doe 27”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2016 through 2020.

34. Plaintiff John Doe 28 (“Doe 28”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2016 through 2021.

35. Plaintiff John Doe 29 (“Doe 29”) is a resident of North Carolina and was a scholarship student-athlete at NCSU from 2017 through 2018.

36. Plaintiff John Doe 30 (“Doe 30”) is a resident of Virginia and was a scholarship student-athlete at NCSU from 2015 through 2020.

37. North Carolina State University (“NCSU”) is a state-run public constituent of the University of North Carolina System, with its principal place of business in Wake County, North Carolina. A Complaint against NCSU arising from the allegations contained in this Complaint has been filed in the North Carolina Industrial Commission.

38. All the negligent acts or other acts and/or omissions alleged herein were committed by employees, agents or representatives of NCSU acting and/or failing to act while in the course and scope of their employment or agency, said acts and omissions being carried out at the direction of or on behalf of NCSU.

39. All Defendants were NCSU employees, administrators or staff and the actions and/or failures to act of each occurred while each was acting within the course and scope of his or her NCSU employment or agency.

40. All Defendants were NCSU employees, administrators and/or staff and disregarded, permitted, perpetuated and/or condoned Murphy’s sexual assaults and sexual harassment of the student-athletes entrusted to their care, and NCSU’s betrayal of the student-athletes.

41. Each Defendant – as an NCSU administrator, staff member or employee – had a duty and obligation to provide for the care, safety and supervision of the student-athletes attending NCSU and entrusted to their care, including, but not limited to, the Plaintiffs.

42. On information and belief, Defendant William R. Woodson (“Woodson” or collectively with the other named current and former administrators as “Defendant Administrators”), named in his individual capacity, is a resident of Wake County, North Carolina, and was the NCSU Chancellor.

43. On information and belief, Defendant Deborah A. Yow (hereinafter “Yow” or collectively with the other named current and former administrators as “Defendant Administrators”), named in her individual capacity, is a resident of Wake County, North Carolina and served as NCSU’s Athletic Director from 2011 to 2019. On information and belief, as NCSU’s Athletic Director, Yow was the top administrator in the NCSU Athletic Department until her retirement in 2019. Her duties included oversight of and authority over all athletics department staff and agents, student-athletes, and NCSU intercollegiate sports activities.

44. On information and belief, Defendant Eugene “Boo” Corrigan (hereinafter “Corrigan” or collectively with the other named current and former administrators as “Defendant Administrators”), named in his individual capacity, is a resident of Wake County, North Carolina and has served as NCSU’s Athletic Director since 2019. On information and belief, Corrigan is the top administrator in the NCSU Athletic Department. His duties include oversight of and authority over all athletics department staff and agents, student-athletes, and NCSU intercollegiate sports activities.

45. On information and belief, Defendant Michael Lipitz (hereinafter “Lipitz” or collectively with the other named current and former administrators as “Defendant

Administrators”), named in his individual capacity, is a resident of Arlington County, Virginia, and served as NCSU’s Deputy Athletic Director from 2011 to 2019. On information and belief, Lipitz reported directly to Yow, and briefly to Corrigan in 2019, and was the second in command in the athletic department. Lipitz’s duties included oversight of and authority over athletics department employees and administrators including Clinkscales, Harrison, and Murphy.

46. On information and belief, Defendant Stephanie Menio (hereinafter “Menio” or collectively with the other named current and former administrators as “Defendant Administrators”), named in her individual capacity, is a resident of Wake County, North Carolina, and has served as an NCSU Deputy Athletic Director since 2019. On information and belief, Menio reports directly to Corrigan and is second in command in the athletic department. Menio’s duties include oversight of and authority over athletics department employees including Harrison and Murphy.

47. On information and belief, Defendant Michelle Lee (hereinafter “Lee” or collectively with the other named current and former administrators as “Defendant Administrators”), named in her individual capacity, is a citizen and resident of Wake County, North Carolina and beginning in 2007 served as NCSU’s Assistant Athletic Director for Compliance and also served as the NCSU Athletic Department Deputy Title IX Coordinator during times relevant to the allegations herein with her duties including training members of the NCSU Athletic Department how to recognize and report sex harassment, abuse and/or exploitation.

48. On information and belief, Defendant Lester S. Clinkscales (hereinafter “Clinkscales” or collectively with the other named current and former administrators as “Defendant Administrators”), named in his individual capacity, is a resident of Cook County, Illinois. Clinkscales served as a Senior Associate Athletic Director for Student Services and Sport

Administration from 2012 until 2016. In that role, Clinkscales supervised the Nutrition, Housing, Strength and Conditioning, Psychological Services, and Sports Medicine Departments, including Murphy. At all relevant times, Clinkscales reported to Lipitz and Yow until he left NCSU in 2016. Clinkscales was the direct supervisor of and had direct authority over Murphy and the conditions of his employment.

49. On information and belief, Defendant Raymond M. Harrison (hereinafter “Harrison” or collectively with the other named current and former administrators as “Defendant Administrators”), named in his individual capacity, is a resident of Wake County, North Carolina and has served as the NCSU Senior Associate Athletic Director for Student Services and Sport Administration since 2016. In his role, Harrison supervises the Nutrition, Housing, Strength and Conditioning, Psychological Services, and Sports Medicine Departments. Harrison reported to Lipitz and Yow until 2019, and to Menio and Corrigan after Yow retired and Lipitz left in 2019. Defendant Harrison was the direct supervisor of and had authority over Murphy and the conditions of his employment.

50. On information and belief, Defendant Robert M. Murphy Jr. (“Murphy”), named in his individual capacity, is a resident of Marion County, Florida. Murphy served as NCSU’s Director of Sports Medicine and head athletic trainer from January 4, 2012, until June 2, 2022. Murphy was licensed by the North Carolina Board of Athletic Trainer Examiners (NCBATE) on December 14, 2011. Defendant Murphy’s NCBATE license was permanently revoked on September 12, 2023, based on the allegations of Locke, Doe 1, and Doe 2, that Murphy sexually assaulted and harassed them as an NCSU athletic trainer.

51. This court has subject matter jurisdiction over Plaintiffs’ claims in that the alleged claims arose under the substantive law of North Carolina.

52. Wake County is the proper venue for this.

### **FACTUAL BACKGROUND**

53. All previous paragraphs of this Complaint are incorporated herein by reference.

54. NCSU is a public university and part of the University of North Carolina System located primarily in Wake County, North Carolina.

55. On information and belief, NCSU recruits high school, elite, and college athletes to participate in its men's and women's intercollegiate athletics programs. Each year, NCSU provides scholarships and educational opportunities to more than 550 student-athletes, of which 300 to 350 are male. Between 2012 and 2022, NCSU listed 1,238 different male athletes on its team rosters.

56. On information and belief, on January 4, 2012, Murphy was hired as NCSU's Director of Sports Medicine. Murphy's duties were to provide direct oversight and coordination of day-to-day athletic training, medical service operations, and sports medicine facility management for NCSU's 23 NCAA Division I teams and approximately 550 student-athletes.

57. On information and belief, as a condition of continued participation in NCSU's athletics programs NCSU required NCSU student-athletes, including Plaintiffs, to comply with treatment recommended by Defendant Murphy.

58. On information and belief, Murphy's role granted him broad authority over the medical treatment of student-athletes, and he was the final arbiter over an injured student-athlete's ability to participate in their sport.

59. On information and belief, Murphy had a private office in the training room at NCSU's Weisiger-Brown Athletics Facility ("WBAF") where he would sometimes meet with and treat student-athletes.

60. In 2012, shortly after Murphy's NCSU employment began, male student-athletes began complaining about Murphy's unnecessarily intrusive urine sample collection methods for mandatory drug testing.

61. On information and belief, after the 2012 soccer season, Soccer Head Coach Kelly Findley ("Findley") told Clinkscales that Murphy was engaging in inappropriate and overly familiar conduct with student-athletes on the soccer team. Findley asked Clinkscales to remove Murphy as the designated athletic trainer for the men's soccer team.

62. On information and belief, after Findley's report, Clinkscales removed Murphy as the designated athletic trainer of the soccer team and assigned him to treat other teams in 2013. On information and belief, Clinkscales spoke with Yow and Lipitz about his decision to reassign Murphy based on Findley's report.

63. On information and belief, in 2014, Murphy resumed treating and "hanging out with" the soccer players.

64. On information and belief, in 2014, following Murphy's self-directed return to treating the soccer team, an employee told Lipitz that Murphy made male soccer players very uncomfortable during deep tissue massage treatments on their groins and during drug test urine sample collections.

65. On information and belief, Lipitz discussed that information about Murphy's conduct with Yow but did not contact Defendant Michelle Lee, the Athletic Department Deputy Title IX Coordinator ("Lee"), did not conduct any investigation, did not speak with any student-athletes, and took no action in response to what he was told.

66. On information and belief, in 2015, an employee told Yow that Murphy was making male student-athletes uncomfortable during massage treatments by touching or massaging

inappropriately close to their genitals. On information and belief, Yow discussed what she was told about the student-athlete's complaints about Murphy with Lipitz, but did not contact Lee, did not conduct any investigation, did not speak with any student-athletes, and took no action in response to what she was told.

67. In 2015 and 2016, Findley came to believe that Murphy was engaging in what he suspected was sexual grooming of several male soccer players. In the spring of 2016, Findley told Clinkscales that he had concerns regarding Murphy's inappropriate sexual behavior towards the soccer players and that he believed Murphy was sexually grooming several student-athletes.

68. On information and belief, Clinkscales then spoke with other athletic department employees about Findley's report but did not contact Lee, did not conduct any investigation, did not speak with any student-athletes, took no action in response to what he was told, and unilaterally decided that Findley's report could not be substantiated.

69. In 2016, Harrison succeeded Clinkscales in his role as Senior Associate Athletic Director. In the fall of 2016, Findley told Harrison that he had concerns regarding Murphy's inappropriate sexual behavior towards male soccer players, and that Murphy seemed to be keeping players in treatment for his own benefit.

70. On information and belief, in the fall of 2016, Harrison directed Murphy to:

- a. Stop treating male student-athletes,
- b. Step away from treating or "hanging out with" the men's soccer team,
- c. Find a third-party vendor to conduct urine sample collections for drug testing, and
- d. Focus on the administrative aspects of his role.

71. Murphy did not comply with Harrison's 2016 directives and continued to sexually assault, harass, exploit and groom male student-athletes, including Plaintiffs, under the guise of

providing medical “treatment,” and he continued collecting urine samples from student-athletes, including Plaintiffs.

72. On information and belief, in 2016, Defendant Harrison shared his concerns about Defendant Murphy’s insubordination and his conduct with student-athletes with Yow.

73. On information and belief, in 2017 and again in 2018, Harrison reiterated his concerns and his four directives with Murphy both in meetings and in writing. On information and belief, Murphy failed to comply with Harrison’s directives and continued to sexually assault, harass, and groom male student-athletes.

74. On information and belief, on August 1, 2018, NCSU hired an Assistant Director of Sports Medicine and consequently elevated Murphy’s title and compensation to the level of Associate Athletic Director and Director of Sports Medicine – despite his two years of non-compliance with Harrison’s directives and reports of inappropriate behavior with student-athletes.

75. On information and belief, in January 2019, Harrison told Yow about some of Murphy’s inappropriate behavior towards student-athletes and his lack of professionalism, including reports that Murphy’s made athletes uncomfortable, and his refusal to follow Harrison’s directives to stop treating student-athletes and focus on the administrative aspects of his Director of Sports Medicine role.

76. On information and belief, Yow told Lipitz about Harrison’s report, and Lipitz told Harrison to handle the situation with Murphy himself.

77. On information and belief, in January 2019, Harrison again spoke with Murphy regarding his unprofessional behavior and renewed his directives for Murphy to stop direct treatment of athletes, step away from the soccer team, stop drug testing, and focus on his administrative role. On information and belief, Murphy again did not comply with Harrison’s 2019

directive and continued to sexually abuse and harass student-athletes from several teams under the guise of providing treatment and conducting “required” drug testing.

78. On information and belief, in 2020 and again in 2021, Harrison reiterated his concerns and directives to Murphy again, both in meetings and in writing. On information and belief, Murphy again failed to comply with Harrison’s 2020 and 2021 directives and continued to sexually assault and sexually harass student-athletes under the guise of medical treatment and drug testing.

79. On information and belief, the effect of Defendant Administrators’ repeated directives on Murphy’s conduct was never reviewed, monitored, or supervised, and as such, gave Defendant Murphy continued free reign and unrestricted access to assault and harass male student-athletes through early 2022.

80. Murphy’s sexual assaults and harassment of male student-athletes was so widely known within the NCSU Athletics Department that any student-athlete known to be on his way to a treatment or drug testing session with Murphy was said to be on his way to get “a Rob Special” or “a Rob Murphy Special.”

81. Murphy’s medically improper treatments – provided for the sole purpose of his own sexual gratification and to the detriment of the student-athletes being “treated” – were well-known within the NCSU Athletics Department, illustrated by common “jokes” among student-athletes and staff, that included: “If you had a headache, [Murphy] was probably going to touch your balls.”

82. Despite persistent reports of Murphy’s sexual assaults and harassment of male student-athletes, Defendant Administrators failed to take *any* meaningful or effective action, granting Murphy, a known sexual predator, unrestricted access to student-athletes who had no choice but to comply with his recommended “treatments.” This utter failure of the Defendant

Administrators enabled Murphy to sexually assault, harass, and groom an unknown number of male student-athletes throughout his decade-long tenure at NCSU.

**FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF LOCKE**

83. All previous paragraphs of this Complaint are incorporated herein by reference.

84. Locke was a recruited scholarship student-athlete for NCSU men's soccer team from 2015 through 2017.

85. Locke started his college athletics career at NCSU in January 2015, when he was 17 years old.

86. Locke executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form in which Locke agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

87. In January 2015, shortly after arriving on campus, Locke experienced recurrent anterior shin pain and reported his condition to Murphy.

88. Murphy attempted to remedy Locke's shin pain with new shoes, orthotics, moist heat pack thermotherapy, active stretching, directions for self-myofascial release, foam rollers, and massage therapy.

89. When the other interventions failed, Locke was seen by a team physician and diagnosed with bilateral compartment syndrome on February 6, 2015, and was scheduled for surgery at Rex Hospital in Raleigh on March 28, 2015. Locke's parents and Murphy were present at Rex Hospital during his surgical procedure.

90. The day following surgery, after Locke was discharged from the hospital, Murphy texted Locke that he was concerned about possible infection at Locke's surgery incisions if they

became wet while bathing, and told Locke that he would take care of him, wrap up his bandages, make sure they didn't get wet, and help Locke shower at WBAF on NCSU's campus.

91. Locke's post-operative instructions from the hospital directed him to keep his legs elevated and to keep the surgical dressings on his two 4" shin incisions clean and dry. Murphy did not tell Locke why taking a shower was essential or even necessary only 24 hours after surgery.

92. Murphy picked Locke up and drove him to WBAF where Locke's parents met them. Murphy instructed Locke's parents to return home and assured them that he would take care of Locke.

93. Locke was in severe physical pain following the surgical procedure, which rendered him unable to walk without the assistance of crutches and physically and mentally compromised by his prescription medication, surgical incision pain, and mobility constraints. Given that Locke was physically and mentally impaired, he trusted that Murphy was acting in his best interests and complied with his instructions.

94. Once inside WBAF, Murphy helped Locke up on a training table and wrapped both of Locke's calves, during which Murphy's face was sometimes within one to two feet of Locke's groin.

95. Murphy then physically assisted Locke with undressing by removing his workout pants, underwear, shirt and workout jacket. Murphy then followed Locke into the open men's communal shower where Locke used his crutches to get to the accessible shower stall and sat on the fold-down seat to shower. Although Locke was seated in the shower stall and in no danger of falling, Murphy watched him shower. Murphy did not ask Locke if he needed him to stay and observe his shower and Locke did not feel as if he could question Murphy or object to his presence.

96. Beginning in August 2015, Locke experienced pain in his groin and reported it to Murphy. Between August 2015 and October 2016, under the guise of treating Locke's pain, Murphy worked on Locke's groin, adductor muscles, hamstrings, and hip flexors by performing sports massages, deep tissue massages, and assisted stretching, and by applying athletic wraps to his groin, torso, and thighs before practices.

97. Locke estimates his groin pain was "treated" with massages by Murphy approximately fifty (50) times between August 2015 and October 2016. During these "treatment" sessions, Murphy often had Locke come into Murphy's private office. Murphy would close the blinds and door to his office and direct Locke to remove his loose-fitting soccer shorts and his compression shorts or underwear so that Murphy could access Locke's groin area to work on it. Murphy would watch Locke as he undressed. Murphy would then make skin-to-skin contact by touching, rubbing, holding, moving, cupping, and "flicking" Locke's penis and testicles with his bare hands or fingers, without asking for or receiving Locke's consent, and without any legitimate medical reason. Some of these massages by Murphy caused Locke extraordinary pain and left him with bruises.

98. Murphy applied wraps around Locke's hips and groin for practices approximately three times a week between August 2015 and October 2016. Murphy would apply these wraps to Locke in his office by directing Locke remove his compression shorts and then kneeling in front of Locke's bare genitals, which were often within mere inches from Murphy's face.

99. While performing massages and applying groin wraps, Murphy regularly touched, held, cupped, or moved Locke's penis and testicles out of his way with his bare hands or fingers, without asking for or receiving Locke's consent, and without any legitimate medical necessity.

100. Murphy would often “flick” Locke’s penis and testicles with his bare fingers while laughing and saying, for example, “Hey, can you get these out of the way?”

101. Locke’s groin pain persisted for 14 months without diagnosis despite almost daily targeted “treatment” by Murphy. According to two other NCSU athletic trainers, standard practice at NCSU was to refer a student-athlete with groin pain to a specialist for evaluation after one to two weeks.

102. Due to his persistent groin pain, Locke was “red-shirted” in order to preserve his year of NCAA eligibility and did not play in any regular season games during the 2015 soccer season.

103. On December 11, 2015, Murphy unexpectedly told Locke to come to WBAF for a prostate exam. Murphy told Locke it was “just something we have to do.” Locke did not feel as if he could question Murphy.

104. During the prostate exam, Murphy remained in the exam room with Locke and the doctor, stood by Locke’s feet facing Locke, and watched the doctor perform the digital rectal exam on Locke. Murphy did not ask Locke or the doctor if he could stay in the room. Locke was uncomfortable with Murphy’s presence in the room during the exam and with Murphy watching the exam take place during but did not feel that he could question Murphy or object.

105. The doctor performing the prostate exam was advised by Murphy that Locke had been evaluated by an orthopedic surgeon who recommended the prostate exam.

106. Locke was never evaluated by an orthopedic surgeon nor is there any record of a recommendation from a doctor that Locke get a prostate exam. Locke’s medical records reflect that the doctor who performed the exam noted no symptoms to justify performing a prostate exam

on Locke and that it was uncommon to do a prostate exam at Locke's age of 18 in the absence of any relevant symptoms or a notable history of concern.

107. Fourteen months after he first reported groin pain to Murphy, Locke was finally referred to a team doctor, had an MRI, was immediately diagnosed with a sports hernia, and was scheduled for repair surgery on October 17, 2016.

108. The 14-month delay in diagnosing Locke's sports hernia while Murphy sexually abused and harassed Locke under the guise of "treating" his groin pain with massage therapy needlessly kept Locke from playing in any games for two seasons, extended Locke's physical pain, exacerbated Locke's muscle damage, and unnecessarily increased the complexity of his surgery.

109. Locke's sports hernia surgery left him with a 5" scar low on his abdomen just above his genitals and provided Murphy with an excuse to sexually abuse Locke further via massage "treatments."

110. Between the November 2016 surgery and April 2017, Locke estimates he received massages to the scar area and his groin from Murphy about every other day, or approximately 90 massages in six months. Murphy performed these massage treatments on Locke in the athletic training room at WBAF, often with other student-athletes, athletic trainers, and coaches present. During these "treatment" sessions:

- a. Murphy told Locke not to wear underwear for the massage treatments so Murphy could access his scar and groin area;
- b. Murphy treated Locke by putting one of his arms through the waistband of Locke's soccer shorts and the other arm up through the leg of the shorts to access Locke's scar and groin area on his bare skin;

- c. Locke believes his genitals were often visible to other student-athletes, athletic trainers, and coaches in the athletic training room when Murphy gave him massage treatments;
- d. Murphy made skin-to-skin contact by touching, rubbing, holding, moving, or cupping Locke's penis and testicles with his bare hands or fingers, without asking for or receiving Locke's consent, and without any legitimate medical reason;
- e. Murphy often leaned over or on Locke, so Murphy's hips, arms, wrists, and legs were touching or leaning on Locke's genitals;
- f. Murphy's massage treatments to Locke's surgical site caused him to experience such extraordinary pain that he often had to bite down on a towel, and was often left with bruising; and
- g. Locke did not feel he could question or object to Murphy's treatments.

111. During one deep tissue massage treatment for hamstring tightness, Murphy directed Locke to raise himself up off the training table. Murphy then placed his fist on the under Locke and directed Locke to lower himself back down onto Murphy's fist while Murphy used his other hand to massage Locke's groin. Locke felt Murphy's hand was very close to his anus. Locke trusted that Murphy had a legitimate medical reason for doing this and did not feel as if he could question Murphy's authority or object to the treatment.

112. During the period of August 2015 to May 2017, Murphy also frequently sexually harassed and exploited Locke by:

- a. Making unsolicited comments about Locke's sex life in front of other athletes;
- b. Throwing condoms at Locke in the men's locker room in front of other athletes;
- c. Putting condoms in Locke's backpack when other athletes were present;

- d. Throwing Locke's compression shorts or underwear at Locke in the men's locker room in front of other athletes;
- e. Joking about masturbation with Locke and other student-athletes;
- f. "Striking," "slapping" or "flicking" other student-athletes' penises with his bare hand or fingers in the men's shower and locker room areas within view of Locke and others; and
- g. Telling a student-athlete he was "pitching a tent" during a treatment to infer the athlete had an erection during his treatment and then slapping that athlete's covered penis while other athletes were present.

113. In August 2017, Locke transferred to another school to complete work for his degree and play soccer.

114. Despite being an elite high school soccer player recruited by NCSU and given an athletic scholarship, Locke never played a single regular season game with the NCSU Men's Soccer team in his five semesters at NCSU.

115. Following the years of sexual abuse and harassment Locke endured at the hands of Murphy, Locke began to suffer feelings of depression, anxiety, anger and sadness, but could not pinpoint a source of those feelings. Locke convinced himself that he was over-reacting about Murphy's conduct given that Murphy was a professional cloaked with the authority and trust of NCSU.

116. Locke did not come to terms with the fact that he had been sexually assaulted by Murphy until January of 2022 when he disclosed to his therapist his recollections of being an athlete at NCSU. In response to these disclosures, Locke's therapist said that as a mandatory

reporter, he was required to report these incidents to the police as possible child abuse unless Locke was willing to make the report himself.

117. On January 19, 2022, Locke reported to the NCSU Police Department that Murphy had sexually assaulted him between 2015 and 2017.

118. On or about January 2022, a search warrant for Murphy's electronic devices was executed by detectives with the NCSU Police Department. A search of Murphy's laptop uncovered photographs Murphy had taken of student-athletes without their permission.

119. On or about January 21, 2022, NCSU began a Title IX investigation through the NCSU Office for Institutional Equity and Diversity ("OIED"), now the Office of Equal Opportunity.

120. The 2022 Title IX Investigation Report reflected that thirteen (13) male student-athlete witnesses were interviewed, at least five of which corroborated Locke's claims and reported personally feeling uncomfortable with Murphy making direct or close contact with their genitals.

121. Murphy admitted to Title IX investigators during an interview that he had touched Locke's penis and testicles with his bare hands.

122. The 2022 Title IX Investigation Report also reflected that two NCSU licensed athletic trainers were interviewed and stated that:

- a. Avoiding skin-to-skin contact with a student-athletes' genitals was a key point in their professional training;
- b. Directing student-athletes to remove their underwear without medical necessity was not an acceptable practice;
- c. Applying athletic wraps over student-athletes' underwear or compression shorts was common practice; and

- d. Standard practice is to refer an athlete to a medical doctor if groin pain doesn't respond to treatment after one to two weeks.

123. On or about January 28, 2022, Murphy was suspended with pay from his position as NCSU Director of Sports Medicine.

124. On March 3, 2022, NCSU gave Murphy the option to stay on the payroll for up to 90 days or resign immediately, forfeiting any future pay but qualifying Murphy as a non-employee and enabling him to avoid what was likely to be a poor outcome of the Title IX investigation. Murphy elected to stay on the payroll for 90 days, until he resigned on June 2, 2022.

125. In April of 2022, the Title IX draft investigation report was completed and given to NCSU's Office of Equal Opportunity and Office of the University's General Counsel. The 923-page Title IX Final Investigation Report was completed in May of 2022 and made the following findings and conclusions:

- a. It was "determined by a preponderance of the evidence that Locke's accounts of the events in question [were] more credible than Murphy's and Murphy's conduct towards Locke [was] determined to be unwelcome and of a sexual nature";
- b. "In examining the totality of the evidence gathered in [the Title IX] investigation, Locke's detailed description of the shower incident tends to support that it did occur";
- c. "Facts that tend to show severity in this case include that Locke was not in a position to question the conduct, that Locke relied on Murphy as an authority and professional in administering treatment, and that Murphy's physical contact with Locke's genitalia, based on the treatment he was receiving, would not have been

medically necessary.” And therefore, it was “determined via a preponderance of the evidence standard that Murphy’s conduct was sufficiently severe”;

- d. “A single instance of nonconsensual contact to student-athletes’ genitalia by an athletic trainer without a showing by the athletic trainer that such contact was appropriate under the circumstances is considered severe; for such conduct to continue over the course of two years is also pervasive.” … “Therefore, … it is determined via the preponderance of the evidence standard that Murphy’s conduct was pervasive”;
- e. “[I]t is determined by a preponderance of the evidence standard that Murphy’s conduct limited Locke’s ability to participate in playing soccer which is an NC State activity”;
- f. “[I]t is determined by a preponderance of the evidence standard that Murphy’s conduct created an intimidating, threatening, or abusive educational environment”; and
- g. “[I]t is determined by a preponderance of the evidence standard that Murphy’s conduct was subjectively and objectively offensive.”

126. On June 7, 2022, Locke received a call from Sheri Schwab, NCSU’s Executive Vice Chancellor and Provost and Title IX Coordinator, who told Locke that “Rob [Murphy] is no longer with the University.”

127. On June 23, 2022, Schwab told Locke that Murphy’s departure was an “involuntary separation” that was unrelated to Locke’s case and that “we would have fired him, but he’s no longer an employee so we can’t.”

128. On June 23, 2022, Schwab expressly told Locke that nothing regarding Locke's complaint, the Title IX investigation, or the findings would be reflected in Murphy's personnel file.

129. Through its administration, staff and agents, NCSU and the athletics department sacrificed Locke's mental and physical health by permitting and condoning Murphy's pervasive and repeated sexual abuse, harassment, and grooming of Locke. NCSU failed to protect Locke, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 1**

130. All previous paragraphs of this Complaint are incorporated herein by reference.

131. Plaintiff John Doe 1 ("Doe 1") was recruited as a scholarship student-athlete for the NCSU men's soccer team from 2013 through 2015.

132. Doe 1 joined the NCSU men's soccer team in 2013, when he was 18 years old.

133. Doe 1 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 1 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

134. In 2015, Doe 1 experienced hip pain and reported it to Murphy.

135. Murphy directed Doe 1 to come to his office, where the door and blinds were closed, and told Doe 1 that he would wrap his thigh, hip, and groin area with Ace-type bandages.

136. Once Doe 1 was in Murphy's office with him alone, Murphy then directed Doe 1 to undress, watched as he did so, and commented on the size of Doe 1's penis. Undressing in front of Murphy made Doe 1 feel uncomfortable, but he did not feel that he could question Murphy and complied with his directions.

137. While wrapping Doe 1’s hip area, Murphy used his bare hands to touch and move Doe 1’s genitals without his consent and with no legitimate medical need. Doe 1 subsequently told a friend about his discomfort with Murphy’s treatment.

138. Later in 2015, Doe 1 had back pain and reported it to his coach, who sent him to Murphy. Despite having no groin pain, Murphy diagnosed Doe 1’s back pain as originating from a tendon or muscle in Doe 1’s groin area.

139. To “treat” Doe 1’s back pain, Murphy had Doe 1 meet him at WBAF on a Sunday to perform a sports massage on Doe 1’s groin area. Murphy first directed Doe 1 to remove his shorts for the massage, then Murphy told Doe 1 that he couldn’t reach the problem area and directed him to get on all fours on the training table.

140. Once on all fours, Murphy reached his left hand between Doe 1’s legs from behind and placed it inside his shorts on his groin next to his genitals, and from Doe 1’s right side, Murphy placed his right hand inside Doe 1’s waistband on his groin and very close to his genitals. Murphy then moved his left hand inside Doe 1’s shorts and placed one finger over Doe 1’s anus while his right hand remained on his genitals. Murphy moved his hands in a way that made Doe 1 freeze in shock for a few seconds before he got off the training table, went to the locker room, got dressed, removed everything from his locker, and left the facility.

141. Murphy created no notes in Doe 1’s NCSU medical records regarding either of the aforementioned “treatments” he provided to Doe 1.

142. Additionally, in 2014 or 2015, Murphy made Doe 1 uncomfortable during a urine sample collection for a mandatory drug test as Murphy stood close to Doe 1 and stared at Doe 1’s genitals as he urinated.

143. Following these incidents, Doe 1 only went to the training room for treatment of wrist or ankle injuries, team required ice baths, or chiropractic provider appointments, and avoided the training room as much as possible for the rest of his time at NCSU. Additionally, Doe 1 refused to allow Murphy to treat him when he needed assistance from the Sports Medicine Department athletic trainers for the rest of his time at NCSU.

144. At the time he was subjected to Murphy's sexual assault, Doe 1 did not know or have reason to know, that Murphy's treatment procedures constituted sexual harassment and abuse. Doe 1 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

145. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 1's mental and physical health by permitting and condoning Murphy's pervasive and repeated sexual abuse and harassment of Doe 1. NCSU failed to protect Doe 1, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF PARKER CROSS**

146. All previous paragraphs of this Complaint are incorporated herein by reference.

147. Plaintiff Parker Cross (hereinafter "Cross") was a recruited scholarship student-athlete at NCSU from 2020 through 2021.

148. Cross started his college athletics career at NCSU in 2020, when he was 18 years old.

149. Cross executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared

Responsibility and Assumption of Risk" form on which Cross agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

150. In early 2021, Cross experienced hip and groin pain and reported it to Murphy.

151. Murphy suggested treating Cross's injury with targeted sports massage on his left hip flexor groin area. Murphy met with Cross to perform the massage in the training room at WBAF when no other athletes, athletic trainers, or staff were present.

152. Murphy directed Cross to remove his compression shorts or underwear, so that he was only wearing loose practice shorts, to allow Murphy to reach his groin area better.

153. Murphy then directed Cross to lie down onto his left side on a training table. Murphy then proceeded to use his bare hands to massage the left side of Cross's groin area and while doing so Murphy made continuous skin-to-skin contact with Cross's genitals.

154. Murphy did not warn Cross that he might touch his genitals during this treatment, he did not ask Cross to move or hold his genitals out of the way, he did not offer or ask Cross if he wanted to use a towel to cover or hold his genitals out of the way, nor did he ask or receive Cross's consent to touch his genitals.

155. Cross continued to experience hip and groin pain over the next few days and again reported it to Murphy. Murphy again suggested treating the injury with a targeted sports massage. During this massage, Murphy again told Cross to remove his compression shorts from under his loose practice shorts and made continuous skin-to-skin contact with Cross's genitals as he massaged Cross's groin area by placing his bare hands inside of Cross's shorts.

156. Murphy did not ask Cross to move or hold his genitals out of the way, he did not offer or ask Cross if he wanted to use a towel to cover or hold his genitals out of the way, nor did he ask or receive Cross's consent to touch his genitals.

157. During the massages, Cross complied with Murphy's directions and trusted that Murphy was acting in his best medical interest and for a legitimate medical purpose.

158. Murphy created no notes in Cross's NCSU medical records regarding either of the aforementioned massages he provided to Cross.

159. Following the two aforementioned massages, Cross did not allow Murphy to treat him when he needed assistance from the Sports Medicine Department athletic trainers for the rest of his time at NCSU.

160. At the time he was subjected to Murphy's sexual abuse, Cross did not know or have reason to know, that Murphy's treatment procedures constituted sexual assault and harassment. Cross had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

161. Through its administration, staff and agents, NCSU and the athletics department sacrificed Cross's mental and physical health by permitting and condoning Murphy's pervasive and repeated sexual abuse of Cross. NCSU failed to protect Cross, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 3**

162. All previous paragraphs of this Complaint are incorporated herein by reference.

163. Plaintiff John Doe 3 ("Doe 3") was a recruited scholarship student-athlete at NCSU from 2019 through 2024.

164. Doe 3 started his college athletics career at NCSU in 2021, when he was 19 years old.

165. Doe 3 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 3 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

166. In 2021, under the guise of treatment, Murphy performed a massage on Doe 3. During this massage, Murphy reached his bare hand under Doe 3’s shorts and underwear to Doe 3’s inner hip and thigh and made continuous, medically unnecessary, skin-to-skin contact with Doe 3’s penis and testicles for two to three minutes. Murphy’s contact with his genitals made Doe 3 extremely uncomfortable, yet he did not feel he could question Murphy’s treatment.

167. Murphy created no notes in Doe 3’s NCSU sports medicine records regarding the massage he provided to Doe 3 or any other treatment he provided for Doe 3.

168. Additionally, in 2020 or 2021, Murphy made Doe 3 uncomfortable during a urine sample collection for a mandatory drug test as Murphy stood close to Doe 3 and stared directly at Doe 3’s genitals the entire time he urinated.

169. On one occasion, Doe 3 observed Murphy physically hold the urine sample cup during another student-athletes urine collection.

170. Following the massage, Doe 3 did not allow Murphy to treat him when he needed assistance from the Sports Medicine Department athletic trainers for the rest of his time at NCSU.

171. At the time he was subjected to Murphy’s sexual assaults and harassment, Doe 3 did not know or have reason to know, that Murphy’s treatment procedures constituted sexual harassment and abuse. Doe 3 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

172. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 3's mental and physical health by permitting and condoning Murphy's sexual abuse and harassment of Doe 3. NCSU failed to protect Doe 3, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 4**

173. All previous paragraphs of this Complaint are incorporated herein by reference.

174. Plaintiff John Doe 4 ("Doe 4") was a recruited scholarship student-athlete at NCSU from 2019 through 2024.

175. Doe 4 started his college athletics career at NCSU in 2019, when he was 18 years old.

176. Doe 4 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 4 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

177. In August 2019, Murphy directed Doe 4 to come in for a mandatory drug test. Murphy then directed Doe 4 to tuck the hem of his shirt under his armpits and push his shorts down to his knees, exposing his genitals. Murphy then directed Doe 4 to spin 360 degrees around while Murphy stared at his exposed genitals.

178. Murphy went into the bathroom stall with Doe 4 and stood a foot away from Doe 4 and stared at Doe 4's genitals as he urinated into the sample cup.

179. Murphy repeated this same invasive and intrusive drug testing procedure for two additional urine sample collections for Doe 4 in 2020 and 2021.

180. In 2019, Doe 4 experienced hip pain and was directed by his coach to go see Murphy.

181. To “treat” Doe 4’s hip pain, Murphy directed him to lie down on his back on a training table in the athletic training room at WBAF. Murphy then proceeded to “dig” his hands underneath Doe 4’s shorts and underwear with his hands, placing his hands between Doe 4’s legs to massage the top of his inner thigh, an area which Doe 4 had not experienced any pain in nor expressed feeling any pain in this area to Murphy.

182. In or about 2021, Doe 4 returned to Murphy for treatment. Murphy directed Doe 4 to lie down on his stomach on a training table. Murphy then directed Doe 4 to lower his shorts so he could work on his gluteal muscles. Murphy pushed Doe 4’s shorts even lower so that his entire buttocks were exposed to Murphy and others in the training room. Doe 4 was embarrassed and uncomfortable being exposed but did not feel he could question Murphy’s treatment.

183. Murphy did not ask for or receive Doe 4’s consent, did not apologize, and had no medical necessity for exposing Doe 4’s buttocks to the others in the room.

184. Murphy then proceeded to put his hand under Doe 4’s shorts and underwear and between his legs to massage the top of his inner thigh, in a place where, again, he was not experiencing pain nor had he expressed experiencing any pain. Doe 4 was extremely uncomfortable with Murphy’s conduct and never return to Murphy for pain treatment for the rest of his time at NCSU.

185. Murphy created no notes in Doe 4’s NCSU medical records regarding any treatments he provided to Doe 4.

186. At the time he was subjected to Murphy’s sexual abuse and harassment, Doe 4 did not know or have reason to know, that Murphy’s treatment procedures constituted sexual

harassment and abuse. Doe 4 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

187. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 4's mental and physical health by permitting and condoning Murphy's repeated sexual assault and harassment of Doe 4. NCSU failed to protect Doe 4, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 5**

188. All previous paragraphs of this Complaint are incorporated herein by reference.

189. Plaintiff John Doe 5 ("Doe 5") was a recruited scholarship student-athlete at NCSU from 2021 through 2024.

190. Doe 5 started his college athletics career at NCSU in 2021, when he was 19 years old.

191. Doe 5 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 5 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

192. In 2021, on information and belief, over the course of approximately seven massage treatments, Murphy sexually groomed and assaulted Doe 5.

193. During the first massage treatment, Murphy reached his bare hands inside Doe 5's shorts to work on Doe 5's inner and upper thigh, an area where Doe 5 was experiencing no pain and had no muscle knots that needed attention. During the first massage, Murphy did not make

direct contact with Doe 5's genitals but massaged very closely to Doe 5's genitals in a way that made Doe 5 begin to feel uncomfortable.

194. During the second massage treatment, Murphy again reached his bare hands inside Doe 5's shorts to work on his inner and upper thigh, an area where Doe 5 was experiencing no pain and had no muscle knots that needed attention. During this massage, Murphy made direct skin-to-skin contact with Doe 5's penis and testicles, which Doe 5 believed may have been a "fluke" and dismissed.

195. Murphy performed approximately five more massage treatments on Doe 5, again reaching his bare hands inside Doe 5's shorts to work on his inner and upper thigh, an area where Doe 5 was experiencing no pain and had no muscle knots that needed attention. During each massage, Murphy escalated his inappropriate touching by making contact with Doe 5's genitals for an increased amount of time and with increased intensity.

196. Murphy created no notes in Doe 5's NCSU sports medicine records regarding any massage treatments he provided to Doe 5.

197. Additionally, in 2021, Murphy made Doe 5 uncomfortable during a urine sample collection for a mandatory drug test as Murphy ogled Doe 5's genitals during the sample collection.

198. At the time he was subjected to Murphy's sexual abuse and harassment, Doe 5 did not know or have reason to know, that Murphy's treatment procedures constituted sexual harassment and abuse. Doe 5 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

199. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 5's mental and physical health by permitting and condoning Murphy's repeated

sexual abuse and harassment of Doe 5. NCSU failed to protect Doe 5, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

**FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 6**

200. All previous paragraphs of this Complaint are incorporated herein by reference.

201. Plaintiff John Doe 6 (“Doe 6”) was a recruited scholarship student-athlete at NCSU from 2010 through 2014.

202. Doe 6 started his college athletics career at NCSU in 2010, when he was 19 years old.

203. Doe 6 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 6 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

204. In 2013, Murphy made Doe 6 uncomfortable during a urine sample collection for a mandatory drug test as Murphy stood close to Doe 6 and stared directly at Doe 6’s exposed genitals as he tried to urinate.

205. In 2015, Murphy again made Doe 6 uncomfortable during a urine sample collection for a mandatory drug test as Murphy stood close to Doe 6 and stared at Doe 6’s exposed genitals as he tried to urinate under close observation.

206. On information and belief, Murphy created no notes in Doe 6’s NCSU sports medicine records regarding the drug tests he performed for Doe 6.

207. At the time he was subjected to Murphy’s sexual harassment, Doe 6 did not know or have reason to know, that Murphy’s drug testing procedures constituted sexual harassment and

abuse. Doe 6 had no medical training, and he relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

208. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 6's mental and physical well-being by permitting and condoning Murphy's repeated sexual harassment of Doe 6. NCSU failed to protect Doe 6, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 7**

209. All previous paragraphs of this Complaint are incorporated herein by reference.

210. Plaintiff John Doe 7 ("Doe 7") was a recruited scholarship student-athlete at NCSU from 2015 through 2019.

211. Doe 7 started his college athletics career at NCSU in 2015, when he was 18 years old.

212. Doe 7 executed and submitted the paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 7 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

213. In 2015, Doe 7 had performance issues related to hip tightness and sought treatment from Murphy.

214. Between 2015 and 2019, Murphy performed approximately 20 to 30 deep tissue massages on Doe 7 during which Murphy sexually abused Doe 7 by touching Doe 7's genitals without consent or medical necessity.

215. During the deep tissue massage treatments, Murphy would direct Doe 7 to remove his underwear underneath his loose shorts and then lie down on his left side on a training table. Murphy told Doe 7 that he would have “better access” to the treatment area if Doe 7 removed his underwear. Doe 7 felt uncomfortable removing his underwear for treatment but did as he was told by Murphy.

216. Murphy would then stand behind Doe 7 and reach through the waistband of Doe 7’s shorts and between his legs to massage the top of his hamstring below his buttocks. Throughout the entire massage, lasting approximately ten (10) minutes, Murphy touched Doe 7’s genitals with his bare hands.

217. Doe 7 often felt a need to look around the training room to see if his private areas were being exposed to the other athletes or staff present. Doe 7 feared that he would suffer public humiliation if anyone saw Murphy massaging his groin area and believed Doe 7 was acquiescing to Murphy groping his private parts.

218. Although Doe 7 was shaken by Murphy’s repeated direct contacts with his genitals during the approximately 20 to 30 deep tissue massages, he convinced himself to rely on NCSU’s upstanding reputation and Murphy’s expertise, training, and authority as the Director of Sports Medicine to provide him with appropriate medical treatment for his injuries. Moreover, Doe 7 did not believe he was in a position to tell Murphy to stop or to complain.

219. In 2019, Murphy traveled out of state with Doe 7’s team. During the trip, Doe 7 required treatment for an injury. Murphy chose to treat Doe 7 alone in Murphy’s private hotel room on his bed. Without offering or discussing any other location options for treatment.

220. Between 2015 and 2019, Murphy conducted mandatory drug testing of student-athletes, including Doe 7, at the beginning of each school year, as well as conducting random tests at other times of the year.

221. Murphy made Doe 7 uncomfortable during the urine sample collection for each of the aforementioned drug tests, as Murphy would stand close to Doe 7 and stare at Doe 7's exposed genitals as he urinated.

222. On information and belief, Murphy created no notes in Doe 7's NCSU medical records regarding the approximately 20 to 30 massage treatments he performed on Doe 7 or any of the aforementioned drug tests performed for Doe 7.

223. At the time he was subjected to Murphy's 20 to 30 sexual assaults and harassment, Doe 7 did not know or have reason to know, that Murphy's treatment procedures constituted sexual assault. Doe 7 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

224. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 7's mental and physical health by permitting and condoning Murphy's repeated sexual abuse and harassment of Doe 7. NCSU failed to protect Doe 7, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 8**

225. All previous paragraphs of this Complaint are incorporated herein by reference.

226. Plaintiff John Doe 8 ("Doe 8") was a recruited scholarship student-athlete at NCSU from 2016 through 2021.

227. Doe 8 started his college athletics career at NCSU in 2016, when he was 18 years old.

228. Doe 8 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 8 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

229. From 2016 to 2021, Doe 8 had performance issues related to low back pain and sought treatment from Murphy.

230. Between 2016 and 2021, Murphy performed multiple deep tissue massages on Doe 8 during which Murphy sexually abused Doe 8 by touching his genitals without consent or medical necessity.

231. During the aforementioned deep tissue massage treatments, Murphy would make skin-to-skin contact with Doe 8’s testicles with the back of his bare hand, in that Murphy “back-handed it down there,” while Murphy massaged the top of Doe 8’s hamstring.

232. Although Doe 8 felt “awkward and weird” and was shaken and by Murphy’s repeated direct contacts with his genitals during the deep tissue massages, he convinced himself to rely on NCSU’s upstanding reputation and Murphy’s expertise, training, and authority as the NCSU Director of Sports Medicine to provide him with appropriate medical treatment for his injuries. Moreover, Doe 8 did not believe he was in a position to tell Murphy to stop or to complain.

233. Doe 8 was aware that other student-athletes frequently referenced Murphy’s inappropriate touching during treatments as the “Rob Murphy Special,” and recalls other “jokes,” that included “If you had a headache, [Murphy] was probably going to touch your balls.”

234. On information and belief, Murphy created no notes in Doe 8's NCSU sports medicine records regarding the numerous massage treatments he performed on Doe 8 between 2016 and 2021.

235. At the time he was subjected to Murphy's sexual assaults and harassment, Doe 8 did not know or have reason to know, that Murphy's treatment procedures constituted sexual assault. Doe 8 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

236. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 8's mental and physical health by permitting and condoning Murphy's repeated sexual abuse and harassment of Doe 8. NCSU failed to protect Doe 8, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 9**

237. All previous paragraphs of this Complaint are incorporated herein by reference.

238. Plaintiff John Doe 9 ("Doe 9") was a recruited scholarship student-athlete at NCSU from 2018 through 2022.

239. Doe 9 started his college athletics career at NCSU in 2018, when he was 19 years old.

240. Doe 9 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 9 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

241. From 2018 through 2022, Doe 9 had performance issues related to back pain and sought treatment from Murphy.

242. Between 2018 and 2022, Murphy performed approximately 10 to 15 deep tissue massages on Doe 9 to “treat” his back pain.

243. On at least two of these deep tissue massages, Murphy sexually assaulted Doe 9 by touching his genitals without consent or medical necessity.

244. During each of the incidents, Murphy directed Doe 9 to remove his shirt and lie down on his stomach on a training table. Murphy then rolled the waistband of Doe 9’s shorts down “uncomfortably low,” and the legs of Doe 9’s shorts were also rolled up, causing Doe 9 to be concerned that he may have been exposed to others present in the training room.

245. During each of the incidents, Murphy would make multiple skin-to-skin contacts with Doe 9’s testicles, for approximately fifteen (15) to twenty (20) seconds each time, with the back of Murphy’s bare hand while Murphy massaged the top of Doe 9’s hamstring.

246. Doe 9 was shaken by Murphy’s repeated direct contacts with his genitals during the incidents, and felt “uncomfortable in the moment,” “vulnerable,” and “taken advantage of.” Despite these feelings, Doe 9 convinced himself to rely on NCSU’s upstanding reputation and Murphy’s expertise, training, and authority as the Director of Sports Medicine to provide him with appropriate medical treatment for his injuries. Doe 9 did not believe he was in a position to tell Murphy to stop or to complain.

247. Between 2018 and 2022, Murphy conducted mandatory drug testing of student-athletes, including Doe 9, at the beginning of each school year, as well as conducting random tests at other times of the year.

248. Murphy made Doe 9 uncomfortable during the urine sample collection for the drug tests, as Murphy would direct Doe 9 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy would then stand in the bathroom stall next to Doe 9 and stare at Doe 9's exposed genitals as he urinated.

249. On information and belief, Murphy created no notes in Doe 9's NCSU medical records regarding the massage treatments he performed on Doe 9 or any of the aforementioned drug tests performed for Doe 9.

250. At the time he was subjected to Murphy's sexual assaults and harassment, Doe 9 did not know or have reason to know that Murphy's treatment procedures constituted sexual abuse. Doe 9 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

251. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 9's mental and physical health by permitting and condoning Murphy's repeated sexual assault and harassment of Doe 9. NCSU failed to protect Doe 9, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 10**

252. All previous paragraphs of this Complaint are incorporated herein by reference.

253. Plaintiff John Doe 10 ("Doe 10") was a recruited scholarship student-athlete at NCSU from 2016 through 2021.

254. Doe 10 started his college athletics career at NCSU in 2016, when he was 19 years old.

255. Doe 10 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 10 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

256. Between 2016 and 2021, Murphy conducted mandatory drug testing of student-athletes, including Doe 10, at the beginning of each school year, as well as conducting random tests at other times of the year.

257. During Doe 10’s second year at NCSU, in 2017 through 2018, during the urine sample collection for a drug test, Murphy stood next to Doe 10 in the bathroom and stared at Doe 10’s exposed genitals as he urinated. Murphy then made Doe 10 produce a second urine sample, again standing next to Doe 10 and staring at his exposed genitals as he urinated.

258. On information and belief, Murphy created no notes in Doe 10’s NCSU medical records regarding the drug tests.

259. At the time he was subjected to Murphy’s harassment, Doe 10 did not know or have reason to know that Murphy’s conduct was inappropriate and sexual in nature. Doe 10 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

260. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 10’s mental and physical health by permitting and condoning Murphy’s sexual harassment of Doe 10. NCSU failed to protect Doe 10, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

## **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 11**

261. All previous paragraphs of this Complaint are incorporated herein by reference.

262. Plaintiff John Doe 11 (“Doe 11”) was a recruited scholarship student-athlete at NCSU from 2017 through 2022.

263. Doe 11 started his college athletics career at NCSU in 2017, when he was 19 years old.

264. Doe 11 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 11 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

265. From 2017 through 2022, Doe 11 had performance issues related to musculoskeletal pain and sought treatment from Murphy.

266. Between 2017 and 2022, Murphy performed approximately ten deep tissue massages on Doe 11 to “treat” his musculoskeletal pain.

267. During six of the aforementioned massages, Murphy sexually assaulted Doe 11 by touching his genitals without consent or medical necessity.

268. During each of the six incidents, Murphy “treated” Doe 11 on a training table in the athletic training room. Murphy told Doe 11 lay on his side on the table and Murphy stood to the side of the table. There were typically 10 to 20 other people present in the training room during these incidents.

269. During each of the six incidents, Murphy made multiple skin-to-skin contacts with Doe 11’s testicles with his bare hands while Murphy massaged Doe 11’s hamstring.

270. Murphy commonly spoke with others in the room during the “treatments” on Doe 11. These open conversations made Doe 11 unwilling to “call him out” in front of others in the moment.

271. During some of the six incidents, Murphy placed a towel over top of Doe 11’s groin area while he worked, and yet Murphy still made skin-to-skin contact with Doe 11’s genitals under the towel and under his underwear. Doe 11 feels the towel was not used to prevent inadvertent contact, but to hide Murphy’s contacts with his groin area under his underwear from the view of others in the room.

272. Doe 11 specifically recalls one incident during one of Murphy’s “treatments” when Murphy stood on Doe 11’s right side next to the table and “reached up under his right pantleg and then reached over from the right to the left to massage the area near his groin on the left.”

273. Doe 11 was disturbed by Murphy’s direct contacts with his bare genitals during the treatments, feeling that the contacts “crossed a line” and were not professionally appropriate. However, he continued to rely on NCSU’s upstanding reputation and Murphy’s expertise, training and authority as the Director of Sports Medicine to provide appropriate medical treatment for his injuries. Doe 11 did not believe he was in a position as a student-athlete to tell Murphy how to do his work, to stop, or to complain.

274. On information and belief, Murphy believed “referred pain”<sup>3</sup> in disparate body parts often emanated from an injury in an athlete’s groin.

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<sup>3</sup> “Referred pain is when you have an injury in one area of your body but feel pain somewhere else. This happens because all the nerves in your body are part of a huge, connected network. Referred pain can occur anywhere, but it is most common in your neck, shoulders, back, teeth and jaw.” <https://my.clevelandclinic.org/health/symptoms/25238-referred-pain> (last retrieved on September 10, 2025).

275. Doe 11 feels Murphy used the referred pain concept as an excuse to touch student-athlete's genitals under the guise of "treatment."

276. Doe 11 was aware that the student-athletes on his and other NCSU teams commonly referenced and joked about getting a "Rob Special" or a "Rob Murphy Special" when an athlete was going to get treatment from Murphy. Doe 11 understood those references to mean that inappropriate and nonconsensual physical contact between Murphy and male student-athletes' genitals as the source of an athlete's "referred pain" should be expected and that "no matter what injury you had, he'd be treating you where your glute and hamstring met."

277. Doe 11 was aware that before he arrived at NCSU, it was common knowledge among student-athletes and their friends that Murphy invited student-athletes to come to his downtown Raleigh home for social encounters.

278. Doe 11 was aware that Murphy was known for not creating medical encounter notes for any of his treatments with student-athletes.

279. On information and belief, Murphy created no records in the NCSU medical record system reflecting any of his treatments on Doe 11 between 2017 and 2022, as standard medical practice requires or for the benefit of Doe 11 and his other treatment providers.

280. Doe 11's sports team was not expected to be on the NCSU campus in the summer. However, in the summer of 2021, Doe 11 made a trip to NCSU and ran into Murphy on campus. That night, Murphy texted Doe 11 and told him he had been "randomly selected for a drug test" and should come in for testing at 8:00 a.m. the next morning. Doe 11 was unaware of any NCAA or NCSU drug testing protocol in which a legitimate random drug testing scenario could be triggered by a chance off-season encounter on campus with the Director of Sports Medicine.

281. In Doe 11's experience, drug test urine sample collections were all conducted by Murphy.

282. Between 2017 and 2022, Murphy conducted mandatory drug testing of student-athletes, including Doe 11, at the beginning of each school year, as well as conducting random tests at other times of the year. Doe 11 was tested once and sometimes twice a year during his time at NCSU.

283. During each drug test Murphy performed on Doe 11, Murphy would require Doe 11 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy would then stand in the bathroom approximately five feet away from Doe 11 and stare at Doe 11's exposed genitals as he urinated.

284. Doe 11 heard and participated in conversations with fellow student-athletes from other NCSU teams about Murphy's unsettling and undignified drug testing urine sample collection procedures. Until he had those conversations, Doe 11 "didn't realize how common [Murphy's sexual harassment] was, [and] thought it was just me."

285. Doe 11 was aware that "guys will laugh about [Murphy's sexual assaults], but everybody knew it was wrong, it was known department wide."

286. At the time he was subjected to Murphy's conduct, Doe 11 did not know or have reason to know that Murphy's conduct was inappropriate and sexual in nature. Doe 11 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

287. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 11's mental and physical health by permitting and condoning Murphy's sexual

abuse and harassment of Doe 11. NCSU failed to protect Doe 11, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

**FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 12**

288. All previous paragraphs of this Complaint are incorporated herein by reference.

289. Plaintiff John Doe 12 (“Doe 12”) was a recruited scholarship student-athlete at NCSU from 2021 through 2025.

290. Doe 12 started his college athletics career at NCSU in 2021, when he was 19 years old.

291. Doe 12 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 12 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

292. Shortly after Doe 12 arrived at NCSU in 2021, other male student-athletes warned him about Murphy’s conduct by saying, “if your quad is tight, he’s going to massage your balls.”

293. Between 2021 and 2022, Murphy conducted mandatory drug testing of student-athletes, including Doe 12.

294. In 2021, Murphy made Doe 12 uncomfortable during a urine sample collection for a drug test, as Murphy directed Doe 12 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest so Doe 12 was fully exposed from his calves to his chest. Murphy then stood approximately three feet away from Doe 12 in the single bathroom stall and stared at Doe 12’s exposed genitals as he urinated.

295. After Murphy sexually harassed Doe 12 during the aforementioned drug test, Doe 12 avoided going to the training room and estimated he only went for treatment approximately five to ten times during his first year at NCSU. Following Murphy's termination from NCSU in 2022, Doe 12 estimates that he began to see athletic trainers two to three times a week for treatment that was notably beneficial to his athletic performance.

296. At the time he was subjected to Murphy's conduct, Doe 12 did not know or have reason to know that Murphy's conduct was inappropriate and sexual in nature. Doe 12 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

297. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 12's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 12. NCSU failed to protect Doe 12, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 13**

298. All previous paragraphs of this Complaint are incorporated herein by reference.

299. Plaintiff John Doe 13 ("Doe 13") was a recruited scholarship student-athlete at NCSU from 2018 through 2021.

300. Doe 13 started his college athletics career at NCSU in 2018, when he was 18 years old.

301. Doe 13 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared

Responsibility and Assumption of Risk" form on which Doe 13 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

302. Between 2018 and 2021, Murphy conducted mandatory drug testing of student-athletes, including Doe 13.

303. In 2018, Doe 13 was required to provide a urine sample for a drug test conducted by Murphy. Doe 13 stood in line with the other student-athletes until it was his turn. Doe 13 then went into the single stall bathroom with Murphy who handed Doe 13 a cup and said, "go ahead and pee." Doe 13 unzipped his pants and noticed that Murphy was staring at his exposed groin area. Doe 13 had not had a drug test at NCSU before and thought "maybe that's just how it is." Murphy casually leaned against the bathroom wall and continued to stare at Doe 13's now bare genitals, surprising Doe 13 at Murphy's lack of respect for his privacy.

304. Murphy made Doe 13 extremely uncomfortable such that he was unable to urinate. Murphy told him to sit on the toilet. As Doe 13 sat on the toilet, Murphy leaned in to look at Doe 13's penis.

305. During the sample collection, Doe 13 looked up at Murphy multiple times, but Murphy never made eye contact because he was so focused on staring at Doe 13's genitals.

306. Doe 13 was finally able to produce a sample, and Murphy mocked him about the quantity in the cup.

307. Doe 13 felt uncomfortable and believed that Murphy's conduct was weird. Doe 13 tried to justify Murphy's conduct, telling himself he did not know what the NCAA drug testing protocols were or how drug tests were normally administered. Doe 13 deferred to Murphy's education, training and authority over student-athletes and trusted that NCSU would only hire

professionals who knew how to do their jobs appropriately. Doe 13 did not report his discomfort, concluding that “it is what it is.”

308. After the aforementioned drug testing incident, Doe 13 distanced himself from Murphy and worked with other athletic trainers.

309. On one occasion, while working out with his team, another male student-athlete approached Doe 13 and other student-athletes and said “I don’t know if this is weird to you guys, but I got a massage from [Murphy] today and he grazed my testicles.” Another student-athlete in the group responded “Are you serious? I was getting a massage, and [Murphy] grabbed my balls too.” Doe 13 recalls that three or four other male student-athletes shared similar stories. The general consensus in the group was that they would try not to get treatment from Murphy anymore.

310. In 2018 and 2019, Doe 13 recalls that Murphy was often in the WBAF weight room, on the floor below the training room, leaning against the wall and watching Doe 13 and the other male student-athletes work out while Pat Murphy (no relation), the NCSU Strength and Conditioning Coach, was working with them.

311. On one occasion, Doe 13 recalls that, without any conversational prompting from the athletes, Pat Murphy said “I don’t like that guy [Murphy]. He creeps me out.”

312. Doe 13 was aware that the student-athletes on his and other NCSU teams commonly referenced and joked about getting a “Rob Special” or a “Rob Murphy Special” when an athlete was going to get treatment from Murphy. Doe 13 understood those references to mean that Murphy “was going to touch your penis or testicles.”

313. At the time he was subjected to Murphy’s harassment, Doe 13 did not know or have reason to know that Murphy’s conduct was inappropriate and sexual in nature. Doe 13 had no

medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

314. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 13's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 13. NCSU failed to protect Doe 13, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 14**

315. All previous paragraphs of this Complaint are incorporated herein by reference.

316. Plaintiff John Doe 14 ("Doe 14") was a student-athlete at NCSU from 2017 through 2019.

317. Doe 14 started his college athletics career at NCSU in 2017, when he was 20 years old.

318. Doe 14 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 14 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

319. Between 2017 and 2019, Murphy conducted mandatory drug testing of student-athletes, including Doe 14.

320. In 2018, Murphy made Doe 14 uncomfortable during the urine sample collection for a mandatory drug test. Murphy directed Doe 14 to drop his pants below his knees, exposing his genitals, and raise the hem of his shirt above his chest such that Doe 14 held his shirt up by

tucking it behind his neck. Murphy told Doe 14 it was “policy” that athletes had to have their “pants below their kneecaps,” “shirt over their head,” and that “he (Murphy) had to watch.”

321. After Murphy examined Doe 14’s exposed genitals, Doe 14 then entered a bathroom stall in the WBAF locker room to produce his sample. The stall door remained open, and Murphy stood three to five feet away from Doe 14 and stared at Doe 14’s exposed genitals as he tried to produce a urine sample.

322. Murphy’s staring made Doe 14 extremely uncomfortable, such that he was unable to urinate and left to get some water. After Doe 14 returned, he started the testing process again by, at Murphy’s direction, dropping his pants and raising his shirt – leaving him completely exposed. Murphy again stood three to five feet away from Doe 14 and stared at Doe 14’s exposed genitals as he tried to produce a urine sample. Murphy’s invasive conduct again made Doe 14 so uncomfortable that he had to make several attempts before he was able to produce a urine sample. Throughout the entirety of the drug test, Murphy stood closely to Doe 14 and stared directly at his exposed genitals.

323. Following the aforementioned drug test, Doe 14 spoke with other student-athletes and asked whether they also felt Murphy’s process was “weird,” and they agreed it was.

324. On information and belief, Murphy created no notes in Doe 14’s NCSU medical records regarding the aforementioned drug test he performed.

325. At the time he was subjected to Murphy’s harassment, Doe 14 did not know or have reason to know that Murphy’s conduct was inappropriate and sexual in nature. Doe 14 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

326. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 14's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 14. NCSU failed to protect Doe 14, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

**FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 15**

327. All previous paragraphs of this Complaint are incorporated herein by reference.

328. Plaintiff John Doe 15 ("Doe 15") was a recruited scholarship student-athlete at NCSU from 2017 through 2020.

329. Doe 15 started his college athletics career at NCSU in 2017, when he was 19 years old.

330. Doe 15 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 15 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

331. Between 2017 and 2020, Murphy conducted mandatory drug testing of student-athletes, including Doe 15.

332. Between 2017 and 2020, Murphy made Doe 15 uncomfortable during approximately eight to ten urine sample collections for mandatory drug tests.

333. During each incident, Murphy directed Doe 15 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest so Doe 15 was fully exposed from his calves to his chest. Murphy would then direct Doe 15 to spin 360 degrees around while Murphy stared at his exposed genitals.

334. Murphy would then stand approximately two to three feet away from Doe 15 and stare directly at Doe 15's exposed genitals as he urinated.

335. Following the aforementioned incidents, Doe 15 left feeling embarrassed, humiliated, and vulnerable, as he found Murphy's conduct "weird" but did not feel he could object to or question Murphy. Doe 15 knew that Murphy had the power to control whether an athlete participated in their sport and feared that he might endanger his spot on the team if he did not comply with Murphy during the drug tests.

336. On information and belief, Murphy created no notes in Doe 15's NCSU sports medicine records regarding the drug tests he performed for Doe 15.

337. Doe 15 was aware that the student-athletes on his and other NCSU teams commonly referenced and joked about athletes getting a "Rob Special" or a "Rob Murphy Special" when Murphy provided them treatment or administered drug testing. Doe 15 understood those references to mean that Murphy was going to stare at or touch the athlete's genitals.

338. At the time he was subjected to Murphy's harassment, Doe 15 did not know or have reason to know that Murphy's conduct was inappropriate and sexual in nature. Doe 15 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

339. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 15's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 15. NCSU failed to protect Doe 15, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

## **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 16**

340. All previous paragraphs of this Complaint are incorporated herein by reference.

341. Plaintiff John Doe 16 (“Doe 16”) was a student-athlete at NCSU from 2017 through 2019.

342. Doe 16 started his college athletics career at NCSU in 2017, when he was 19 years old.

343. Doe 16 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 16 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

344. Between 2017 and 2018, Murphy conducted mandatory drug testing of student-athletes, including Doe 16.

345. In 2017, Murphy made Doe 16 uncomfortable during the urine sample collection for a mandatory drug test, as Murphy directed Doe 16 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy then stood in the bathroom stall with Doe 16, less than three feet behind him, and stared over Doe 16’s shoulder at Doe 16’s exposed genitals as he tried to urinate.

346. Murphy’s invasive conduct made Doe 16 so uncomfortable that he was unable to produce a urine sample, even after consuming three Diet Cokes, such that Doe 16 had to return the next day to repeat the same invasive process.

347. Murphy repeated this same invasive and intrusive drug testing procedure for two additional urine sample collections for Doe 16 in 2018.

348. Although Doe 16 was left feeling embarrassed and violated after the aforementioned drug tests, he did not feel he could question Murphy's behavior. Doe 16 relied on NCSU's upstanding reputation and Murphy's expertise, training, and authority as the Director of Sports Medicine to utilize appropriate drug-testing procedures.

349. Following the aforementioned drug tests, Doe 16 talked with other student-athletes who shared that Murphy's urine sample collection procedures made them also feel strange and uncomfortable, yet none of the student-athletes felt they could report this behavior.

350. On information and belief, Murphy created no notes in Doe 16's NCSU sports medicine records regarding the drug tests he performed for Doe 16.

351. At the time he was subjected to Murphy's harassment, Doe 16 did not know or have reason to know that Murphy's conduct was inappropriate and sexual in nature. Doe 16 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

352. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 16's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 16. NCSU failed to protect Doe 16, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 17**

353. All previous paragraphs of this Complaint are incorporated herein by reference.

354. Plaintiff John Doe 17 ("Doe 17") was a student-athlete at NCSU from 2017 through 2018.

355. Doe 17 started his college athletics career at NCSU in 2017, when he was 19 years old.

356. Doe 17 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 17 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

357. Between 2017 and 2018, Murphy conducted mandatory drug testing of student-athletes, including Doe 17.

358. In or about 2017 and 2018, Murphy made Doe 17 uncomfortable during three separate urine sample collections for mandatory drug tests.

359. During each of the three urine sample collections, Murphy directed Doe 17 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy then stood within three to five feet of Doe 17 and stared at Doe 17’s exposed genitals as he urinated.

360. Doe 17 felt that Murphy’s conduct of standing in such close proximity to him and staring at his genitals throughout the sample collection was inappropriate and left Doe 17 feeling humiliated.

361. Following one of the aforementioned drug tests, Doe 17 talked with other student-athletes who recounted having similar humiliating experiences during Murphy’s urine sample collections.

362. On information and belief, Murphy created no notes in Doe 17’s NCSU sports medicine records regarding the drug tests he performed for Doe 17.

363. At the time he was subjected to Murphy’s harassment, Doe 17 did not know or have reason to know that Murphy’s conduct was inappropriate and sexual in nature. Doe 17 had no

medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

364. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 17's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 17. NCSU failed to protect Doe 17, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 18**

365. All previous paragraphs of this Complaint are incorporated herein by reference.

366. Plaintiff John Doe 18 ("Doe 18") was a recruited scholarship student-athlete at NCSU from 2018 through 2021.

367. Doe 18 started his college athletics career at NCSU in 2018, when he was 18 years old.

368. Doe 18 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 18 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

369. Between 2018 and 2021, Murphy conducted mandatory drug testing of student-athletes, including Doe 18.

370. In February 2019, Murphy made Doe 18 uncomfortable during the urine sample collection for a mandatory drug test. Murphy directed Doe 18 to drop his pants below his knees, exposing his genitals, and raise the hem of his shirt above his chest such that Doe 18 held his shirt up by tucking it under his chin.

371. Murphy then told Doe 18 that he had to be in the bathroom stall with Doe 18 as he produced his sample. Murphy followed Doe 18 into a bathroom stall, stood two to three away from Doe 18, and stared at Doe 18's exposed genitals as he urinated.

372. Although Murphy's invasive urine sample collection procedures made Doe 18 feel uncomfortable and vulnerable, he did not feel he could object to or question Murphy's behavior. Doe 18 relied on NCSU's upstanding reputation and Murphy's expertise, training, and authority as the Director of Sports Medicine to utilize appropriate drug-testing procedures.

373. At the time he was subjected to Murphy's harassment, Doe 18 did not know or have reason to know that Murphy's conduct was inappropriate and sexual in nature. Doe 18 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

374. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 18's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 18. NCSU failed to protect Doe 18, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 19**

375. All previous paragraphs of this Complaint are incorporated herein by reference.

376. Plaintiff John Doe 19 ("Doe 19") was a recruited scholarship student-athlete at NCSU from 2015 through 2018.

377. Doe 19 started his college athletics career at NCSU in 2015, when he was 19 years old.

378. Doe 19 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 19 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

379. Between 2015 and 2018, Murphy conducted mandatory drug testing of student-athletes, including Doe 19.

380. In 2018, Murphy made Doe 19 uncomfortable during the urine sample collection for a mandatory drug test, as Murphy directed Doe 19 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy then stood over Doe 19 and stared at Doe 19’s exposed genitals as he urinated.

381. Although Murphy’s invasive urine sample collection procedures made Doe 19 feel uncomfortable, he did not feel he could object to or question Murphy’s behavior. Doe 19 knew that Murphy had the power to control whether an athlete participated in their sport and feared that he might endanger his spot on the team if he did not comply with Murphy during the drug tests.

382. At the time he was subjected to Murphy’s harassment, Doe 19 did not know or have reason to know that Murphy’s conduct was inappropriate and sexual in nature. Doe 19 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

383. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 19’s mental and physical health by permitting and condoning Murphy’s sexual harassment of Doe 19. NCSU failed to protect Doe 19, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

## **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 20**

384. All previous paragraphs of this Complaint are incorporated herein by reference.

385. Plaintiff John Doe 20 (“Doe 20”) was a recruited scholarship student-athlete at NCSU from 2018 through 2020.

386. Doe 20 started his college athletics career at NCSU in 2018, when he was 22 years old.

387. Doe 20 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 20 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

388. In the summer of 2019, Doe 20 tore his quadricep muscle and received rehabilitation treatment for this injury at NCSU during the 2019–2020 school year.

389. In or about 2019, Doe 20 went to the locker room at WBAF for rehabilitation treatment on his quadricep. Doe 20 normally received this treatment from athletic trainers other than Murphy, as Murphy was not the assigned athletic trainer for Doe 20’s team. However, on this occasion, Murphy performed Doe 20’s treatment.

390. During the aforementioned treatment, Murphy sexually abused Doe 20 by groping and touching Doe 20’s genitals without consent or medical necessity.

391. During his time at NCSU, Doe 20 had heard other student-athletes discuss how Murphy’s behavior was weird and uncomfortable, and that Murphy paid special attention to the male student-athletes.

392. At the time he was subjected to Murphy’s sexual abuse, Doe 20 did not know or have reason to know, that Murphy’s treatment procedures constituted sexual abuse and

harassment. Doe 20 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment necessary for him to participate in NCSU athletics.

393. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 20's mental and physical health by permitting and condoning Murphy's sexual abuse of Doe 20. NCSU failed to protect Doe 20, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 21**

394. All previous paragraphs of this Complaint are incorporated herein by reference.

395. Plaintiff John Doe 21 ("Doe 21") was a recruited scholarship student-athlete at NCSU from 2017 through 2020.

396. Doe 21 started his college athletics career at NCSU in 2017, when he was 18 years old.

397. Doe 21 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 21 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

398. In 2017, Doe 21 suffered from a hamstring injury and received treatment from Murphy.

399. In or about 2017 through 2020, Murphy performed a massage on Doe 21 for his hamstring injury, during which Murphy sexually abused Doe 21 by touching Doe 21's genitals without consent or medical necessity.

400. During the aforementioned massage treatment, Murphy made skin-to-skin contact with Doe 21's penis and testicles with the back of his bare hand and knuckles while Murphy massaged Doe 21's hamstring and groin area.

401. At the time he was subjected to Murphy's sexual abuse, Doe 21 did not know or have reason to know that Murphy's treatment procedures constituted sexual abuse and harassment. Doe 21 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment necessary for him to participate in NCSU athletics.

402. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 21's mental and physical health by permitting and condoning Murphy's sexual abuse of Doe 21. NCSU failed to protect Doe 21, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 22**

403. All previous paragraphs of this Complaint are incorporated herein by reference.

404. Plaintiff John Doe 22 ("Doe 22") was a recruited scholarship student-athlete at NCSU from 2015 through 2019.

405. Doe 22 started his college athletics career at NCSU in 2015, when he was 18 years old.

406. Doe 22 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 22 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

407. In 2017, Doe 22 injured his Achilles tendon and received rehabilitation treatment for this injury at NCSU during the 2017–2018 school year.

408. Doe 22 normally received treatment for this injury from an athletic trainer other than Murphy. However, on one occasion in 2017, Doe 22 was sent to Murphy for treatment.

409. On this occasion, Murphy performed a massage treatment on Doe 22's Achilles tendon, which is located at the back of the leg above the ankle. Doe 22 had previously received numerous Achilles massages from other trainers, who always focused solely on the lower leg and calf.

410. Murphy began massaging Doe 22's lower leg, as previous athletic trainers had. However, throughout the massage, Murphy, without consent or medical necessity, progressively massaged higher and higher up Doe 22's leg until eventually he was massaging Doe 22's groin near his genitals.

411. Doe 22 felt uncomfortable with Murphy massaging near his groin and asked Murphy to stop. Following this incident, Doe 22 avoided Murphy and refused to allow Murphy to treat him again.

412. At the time he was subjected to Murphy's sexual abuse, Doe 22 did not know or have reason to know that Murphy's treatment procedures constituted sexual abuse. Doe 22 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

413. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 22's mental and physical health by permitting and condoning Murphy's sexual abuse of Doe 22. NCSU failed to protect Doe 22, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

## **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 23**

414. All previous paragraphs of this Complaint are incorporated herein by reference.

415. Plaintiff John Doe 23 (“Doe 23”) was a recruited scholarship student-athlete at NCSU from 2013 through 2017.

416. Doe 23 started his college athletics career at NCSU in 2013, when he was 18 years old.

417. Doe 23 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 23 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

418. Between 2013 and 2017, Murphy conducted mandatory drug testing of student-athletes, including Doe 23.

419. During Doe 23’s time at NCSU, he was required to submit to monthly drug testing. Murphy administered many, but not all, of the urine sample collections for Doe 23’s drug tests. During each urine sample collection administered by Murphy, Murphy would direct Doe 23 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy would then stand closely to Doe 23 and stare at Doe 23’s exposed genitals as he urinated.

420. Other NCSU faculty who administered Doe 23’s drug tests would stand farther away and not stare or look at his genitals as he urinated, instead allowing him to turn his back to them as he produced his urine sample. Murphy, however, required Doe 23 to face him, fully exposed, and would stare at his genitals the entire time Doe 23 produced his urine sample.

421. At the time he was subjected to Murphy’s harassment, Doe 23 did not know or have reason to know that Murphy’s conduct was inappropriate and sexual in nature. Doe 23 had no

medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

422. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 23's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 23. NCSU failed to protect Doe 23, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 24**

423. All previous paragraphs of this Complaint are incorporated herein by reference.

424. Plaintiff John Doe 24 ("Doe 24") was a recruited scholarship student-athlete at NCSU from 2014 through 2015.

425. Doe 24 started his college athletics career at NCSU in 2014, when he was 18 years old.

426. Doe 24 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 24 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

427. Between 2014 and 2015, Murphy conducted mandatory drug testing of student-athletes, including Doe 24.

428. Murphy made Doe 24 uncomfortable during the urine sample collection for Doe 24's drug tests, as Murphy would direct Doe 24 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy would then stand close to Doe 24 and stare at his exposed genitals as he urinated.

429. During one of the urine sample collections, Murphy told Doe 24 that he was “going to see 30 dicks today.”

430. While in the weight room at WBAF, Doe 24 witnessed Murphy frequently watch and comment that male student-athletes would “pop tents” while lifting weights, inferring that the athlete had an erection.

431. Doe 24 subsequently transferred to a different University to play his sport. At this new school, Doe 24 realized how invasive Murphy’s urine sample collection methods were. When Doe 24 shared what he experienced with Murphy at NCSU with his new teammates, they all told him that Murphy’s methods were abnormal and weird.

432. At the time he was subjected to Murphy’s harassment, Doe 24 did not know or have reason to know that Murphy’s conduct was inappropriate and sexual in nature. Doe 24 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

433. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 24’s mental and physical health by permitting and condoning Murphy’s sexual harassment of Doe 15. NCSU failed to protect Doe 24, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 25**

434. All previous paragraphs of this Complaint are incorporated herein by reference.

435. Plaintiff John Doe 25 (“Doe 25”) was a recruited scholarship student-athlete at NCSU from 2015 through 2020.

436. Doe 25 started his college athletics career at NCSU in 2015, when he was 19 years old.

437. Doe 25 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which John Doe 25 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

438. During his time at NCSU, Doe 25 recalls numerous locker room discussions among him and his teammates about how Murphy was very “handsy” with several male student-athletes.

439. Between 2015 and 2020, Murphy conducted mandatory drug testing of student-athletes, including Doe 25.

440. Murphy made Doe 25 uncomfortable during the urine sample collection for a drug test, as Murphy directed Doe 25 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy then directed Doe 25 to face him while he provided his sample, and Murphy stood closely to Doe 25 and stared at his exposed genitals as he urinated.

441. In or about 2017 or 2018, Doe 25 had a lump in his pelvic area and suspected he had an inguinal hernia. Despite experiencing extreme pain, Doe 25 avoided getting this lump checked out because he didn’t want to be examined by Murphy. Eventually, the pain became unbearable, and Doe 25 was forced to see Murphy, as he was told Murphy was the only athletic trainer available.

442. In or about 2017 or 2018, Murphy performed an examination of Doe 25’s suspected inguinal hernia, during which Murphy sexually abused Doe 25 by touching Doe 25’s genitals without consent or medical necessity.

443. During the aforementioned incident, Doe 25 was sent to see Murphy in an examination room at WBAF. Murphy directed Doe 25 to pull down his pants so that the waistband laid across his genitals. Murphy then proceeded to forcefully palpate and touch Doe 25's groin and genitals for approximately 45 seconds. This caused Doe 25 extreme physical pain and made him feel uncomfortable and confused, as he did not know what the proper procedure was for diagnosing a hernia but felt that Murphy's actions were inappropriate.

444. Although Doe 25 was uncomfortable during the aforementioned drug testing and examination, he relied on NCSU's upstanding reputation and Murphy's expertise, training, and authority as the Director of Sports Medicine to provide him with appropriate medical treatment and testing. Moreover, Doe 25 did not feel there was anyone he could report Murphy's inappropriate behavior to, as Murphy was the authority. Doe 25 knew that Murphy had the power to control whether an athlete participated in their sport, and he feared that speaking out against Murphy would only endanger his spot on the team.

445. At the time he was subjected to Murphy's sexual abuse, Doe 25 did not know or have reason to know that Murphy's conduct constituted sexual abuse and harassment. Doe 25 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

446. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 25's mental and physical health by permitting and condoning Murphy's sexual abuse and harassment of Doe 25. NCSU failed to protect Doe 25, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

## **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 26**

447. All previous paragraphs of this Complaint are incorporated herein by reference.

448. Plaintiff John Doe 26 (“Doe 26”) was a recruited scholarship student-athlete at NCSU from 2020 through 2024.

449. Doe 26 started his college athletics career at NCSU in 2020, when he was 18 years old.

450. Doe 26 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 26 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

451. Between 2020 and 2022, Murphy conducted mandatory drug testing of student-athletes, including Doe 26.

452. In the Spring of 2012, Murphy made Doe 26 uncomfortable during the urine sample collection for a drug test. During the aforementioned drug test, Murphy followed Doe 26 into the bathroom stall, directed Doe 26 to face him while he provided his sample, and stood within three to four feet of Doe 26 and stared at him while he urinated.

453. During his time at NCSU, Doe 26 recalls numerous discussions among him and his teammates about how Murphy would touch male student-athletes’ genitals while treating them on the WBAF training table.

454. Additionally, Doe 26 recalls discussions among himself and other male student-athletes that Murphy’s urine sample collection procedures were “weird” and made them feel uncomfortable, but they did not feel they could object to or question Murphy.

455. At the time he was subjected to Murphy's harassment, Doe 26 did not know or have reason to know that Murphy's conduct was inappropriate and sexual in nature. Doe 26 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

456. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 26's mental and physical health by permitting and condoning Murphy's sexual harassment of Doe 26. NCSU failed to protect Doe 26, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 27**

457. All previous paragraphs of this Complaint are incorporated herein by reference.

458. Plaintiff John Doe 27 ("Doe 27") was a recruited scholarship student-athlete at NCSU from 2016 through 2020.

459. Doe 27 started his college athletics career at NCSU in 2016, when he was 19 years old.

460. Doe 27 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 27 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

461. In 2019, Doe 27 had a serious tendon injury in one of his feet. During his time at NCSU, Doe 27 also experienced frequent injuries in his hips, groin, and hamstrings. Doe 27's injuries required frequent treatment from NCSU athletic trainers, including Murphy.

462. In or about 2019 to 2020, Murphy performed numerous massage treatments on Doe 27 during which Murphy sexually abused Doe 27 by touching Doe 27's genitals without consent or medical necessity.

463. During the aforementioned massage treatments, Murphy would always focus on Doe 27's groin, glutes, and/or hips – despite Doe 27 being treated predominantly for a foot injury. On approximately two occasions, Murphy made skin-to-skin contact with Doe 27's penis, testicles, and/or anus during these massage treatments.

464. Doe 27 was aware that the student-athletes on his and other NCSU teams commonly referenced and joked about Murphy's inappropriate conduct during drug testing and Murphy's tendency to linger in the locker room showers. Doe 27 never witnessed or heard of coaches or other athletic trainers entering the locker room showers; yet he witnessed and heard of Murphy doing so frequently.

465. At the time he was subjected to Murphy's sexual abuse, Doe 27 did not know or have reason to know that Murphy's treatment procedures constituted sexual abuse and harassment. Doe 27 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

466. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 27's mental and physical health by permitting and condoning Murphy's pervasive and repeated sexual abuse and harassment of Doe 27. NCSU failed to protect Doe 27, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 28**

467. All previous paragraphs of this Complaint are incorporated herein by reference.

468. Plaintiff John Doe 28 (“Doe 28”) was a recruited scholarship student-athlete at NCSU from 2016 through 2021.

469. Doe 28 started his college athletics career at NCSU in 2016, when he was 18 years old.

470. Doe 28 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 28 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

471. In or about August or September of 2017, Doe 28 was sent to Murphy as he suspected he had an inguinal hernia. Murphy personally performed the hernia screening on Doe 28 rather than refer Doe 28 to a physician. During the aforementioned hernia screening, Murphy forcefully touched, squeezed, and grabbed Doe 28’s testicles without consent or medical necessity.

472. Following Murphy’s hernia screening on Doe 28, Doe 28 was referred to a physician and underwent surgery on his inguinal hernia in or about September of 2017. Following his surgery, Doe 28 was sent to Murphy for post-operative treatment.

473. In or about September of 2017, Murphy performed a deep tissue massage treatment on Doe 28 during which Murphy sexually abused Doe 28 by touching his genitals without consent or medical necessity.

474. During the aforementioned massage treatment, Murphy directed Doe 28 to remove his underwear so that he was only wearing loose-fitting shorts. Murphy then proceeded to massage Doe 28’s upper thigh, and while doing so, Murphy repeatedly touched with Doe 28’s genitals with his bare hands.

475. In March of 2020, Doe 28 had a tweak in his lower back and saw Murphy for treatment. Murphy performed a massage treatment on Doe 28's lower back, during which he continuously touched Doe 28's buttocks with his bare hands without consent or medical necessity.

476. Between 2016 and 2021, Murphy conducted mandatory drug testing of student-athletes, including Doe 28.

477. Murphy made Doe 28 uncomfortable during the urine sample collection for approximately five drug tests he administered for Doe 28, as Murphy would direct Doe 28 to drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy would then follow Doe 28 into the bathroom stall and stare at Doe 28's exposed genitals as he urinated.

478. At the time he was subjected to Murphy's sexual abuse and harassment, Doe 28 did not know or have reason to know that Murphy's treatment procedures constituted sexual abuse and harassment. Doe 28 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

479. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 28's mental and physical health by permitting and condoning Murphy's sexual abuse and harassment of Doe 28. NCSU failed to protect Doe 28, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 29**

480. All previous paragraphs of this Complaint are incorporated herein by reference.

481. Plaintiff John Doe 29 ("Doe 29") was a recruited scholarship student-athlete at NCSU from 2017 through 2018.

482. Doe 29 started his college athletics career at NCSU in 2017, when he was 18 years old.

483. Doe 29 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the “Shared Responsibility and Assumption of Risk” form on which Doe 29 agreed that it was the athlete’s responsibility to “comply with directions” of coaches and Sports Medicine staff.

484. In or about September or October of 2017, Doe 29 developed a sports hernia and was sent to Murphy for treatment. Murphy treated Doe 29’s hernia by performing approximately forty (40) massages on Doe 29, during which Murphy sexually abused Doe 29 by touching his genitals without consent or medical necessity.

485. After Murphy’s aforementioned massage treatments failed to heal Doe 29’s hernia, Doe 29 was referred to a physician and underwent surgery in or about September or October of 2017.

486. Following the aforementioned surgery, Doe 29 was sent to Murphy for post-operative treatment which consisted of “ultrasound treatments.” Murphy performed numerous ultrasound treatments on Doe 29, at least five (5), during which Murphy sexually abused Doe 29 by touching and grabbing his genitals without consent or medical necessity.

487. On one occasion, during one of the aforementioned treatments, Murphy told Doe 29 not to “get too excited.”

488. Between 2017 and 2018, Murphy conducted mandatory drug testing of student-athletes, including Doe 29.

489. Murphy made Doe 29 uncomfortable during the urine sample collection for approximately two drug tests, as Murphy directed Doe 29 to drop his pants to his ankles, exposing

his genitals, and raise the hem of his shirt above his chest. Murphy would then follow Doe 29 into the bathroom stall and stare at Doe 29's exposed genitals as he urinated.

490. At the time he was subjected to Murphy's sexual abuse and harassment, Doe 29 did not know or have reason to know that Murphy's treatment procedures constituted sexual abuse and harassment. Doe 29 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

491. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 29's mental and physical health by permitting and condoning Murphy's sexual abuse and harassment of Doe 29. NCSU failed to protect Doe 29, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

#### **FACTUAL ALLEGATIONS SPECIFIC TO PLAINTIFF JOHN DOE 30**

492. All previous paragraphs of this Complaint are incorporated herein by reference.

493. Plaintiff John Doe 30 ("Doe 30") was a recruited scholarship student-athlete at NCSU from 2015 through 2020.

494. Doe 30 started his college athletics career at NCSU in 2015, when he was 19 years old.

495. Doe 30 executed and submitted to the NCSU Athletic Department paperwork required of incoming student-athletes participating in NCSU athletics, including the "Shared Responsibility and Assumption of Risk" form on which Doe 30 agreed that it was the athlete's responsibility to "comply with directions" of coaches and Sports Medicine staff.

496. Between 2015 and 2020, Murphy conducted mandatory drug testing of student-athletes, including Doe 30.

497. In or about 2017 to 2018, Murphy made Doe 30 uncomfortable during the urine sample collection for approximately two drug tests, as Murphy followed Doe 30 into a small bathroom stall in WBAF and directed Doe 30 to face Murphy and drop his pants to his ankles, exposing his genitals, and raise the hem of his shirt above his chest. Murphy then directed Doe 30 to provide his sample and stood directly behind Doe 30 and stared at Doe 30's exposed genitals as he urinated.

498. During Doe 30's time at NCSU, it was a well-known "joke" among the male student-athletes that Murphy would touch the male student-athletes' genitals during massage treatments. Doe 30 recalls other male student-athletes discussing Murphy's tendency to come into the locker room showers, watch male student-athletes as they showered, and stare at their genitals. Additionally, Doe 30 recalls that the consensus among the male student-athletes was that Murphy was a "weird guy" and made them uncomfortable.

499. In 2019, Doe 30 had a hip injury. Doe 30 avoided any massage or other treatments from Murphy for this injury out of fear that Murphy would touch him inappropriately, as some of Doe 30's teammates told Doe 30 that Murphy had touched their genitals during massage treatments.

500. At the time he was subjected to Murphy's sexual harassment, Doe 30 did not know or have reason to know that Murphy's conduct was inappropriate and sexual in nature. Although Murphy's conduct made Doe 30 extremely uncomfortable and felt inappropriate, Doe 30 had no medical training and relied on NCSU and its employees and agents to determine the medical treatment and testing necessary for him to participate in NCSU athletics.

501. Through its administration, staff and agents, NCSU and the athletics department sacrificed Doe 30's mental and physical health by permitting and condoning Murphy's sexual

harassment of Doe 30. NCSU failed to protect Doe 30, a dedicated student-athlete, opting instead to protect Murphy, a known sexual predator.

**CLAIMS AGAINST DEFENDANT WOODSON, YOW, CORRIGAN, LIPITZ, MENIO, LEE, CLINKSCALES, AND HARRISON (HEREINAFTER, "DEFENDANT ADMINISTRATORS"), NAMED IN THEIR INDIVIDUAL CAPACITIES**

**FIRST CLAIM FOR RELIEF:**  
**NEGLIGENCE and NEGLIGENT RETENTION AND/OR SUPERVISION**  
**AGAINST DEFENDANT ADMINISTRATORS**

502. All previous paragraphs of this Complaint are incorporated herein by reference.

503. Defendant Administrators, when they knew and/or should have known of the repeated and pervasive sexual abuse, harassment, and grooming perpetuated by Murphy against male student-athletes, specifically Plaintiffs, had a duty to take reasonable and necessary actions to protect Plaintiffs and other student-athletes from foreseeable harm when Plaintiffs were in their care, custody, control and under their supervision as student-athletes attending NCSU and participating in NCSU's athletic program.

504. When retaining and/or supervising employees, agents and/or representatives of NCSU, specifically the NCSU Athletics Department, Defendant Administrators – when they knew or should have known of the repeated and pervasive sexual assaults, abuse, harassment, and grooming perpetuated by Murphy against male student-athletes, specifically Plaintiffs – owed Plaintiffs a duty to act as an ordinary, prudent and reasonable employer or supervisor of the employees, staff and administrators, specifically Murphy, with whom Plaintiffs and other student-athletes would be interacting with and relying on for required medical treatment and training.

505. Defendant Administrators – when they knew or should have known of the repeated and pervasive sexual assaults, harassment, and grooming perpetuated by Murphy against male student-athletes, specifically Plaintiffs – had a duty and an obligation to take reasonable actions to

prevent any and all members of NCSU's Athletic Department employees, staff, and administration from using their tasks, premises, job title, and/or job responsibilities of their position to target, groom, and/or sexually abuse and exploit student-athletes in their care. Specifically, Defendant Administrators had a duty and obligation to take reasonable actions to prevent Murphy from using his position as NCSU's Assistant and later Associate Athletic Director and Director of Sports Medicine and head athletic trainer to sexually assault, abuse, harass, and groom Plaintiffs and other male student-athletes under the guise of providing medical treatment.

506. Defendant Administrators negligently and recklessly breached each of their foregoing duties by failing to exercise reasonable care and by failing to take any action of any kind to prevent Murphy from repeatedly sexually assaulting, abusing, harassing, and grooming male student-athletes entrusted to their care and supervision, including breaching this duty as to one or more of the Plaintiffs, despite Defendant Administrators having received numerous reports throughout Murphy's decade long tenure of his inappropriate and abusive conduct towards male student-athletes.

507. Defendant Administrators specifically breached their duty to use reasonable care in the retention and supervision of Murphy in that Defendant Administrators:

- a. Failed to properly train and instruct Murphy regarding appropriate interaction with and appropriate treatment of student-athletes at NCSU;
- b. Failed to properly supervise Murphy, specifically as to his interactions with and treatments of Plaintiffs, when Defendant Administrators knew or should have known that Murphy was acting inappropriately with and towards Plaintiffs, and was sexually assaulting, sexually abusing, sexually harassing, and sexually grooming Plaintiffs, as alleged above;

- c. Failed to properly supervise Murphy and his interactions with and care of the young student-athletes, specifically Plaintiffs, who were required to submit to the purported medical treatments rendered by Murphy and whose health and athletic participation was dependent upon their cooperation with Murphy's purported medical care;
- d. Failed to properly train athletic staff and employees at NCSU regarding identifying and reporting inappropriate sexual abuse, harassment, and grooming between staff and/or employees and student-athletes;
- e. Failed to intervene or appropriately respond when Defendant Administrators knew or should have known of Murphy's persistent and repeated sexual abuse, harassment, and grooming of numerous male student-athletes, specifically Plaintiffs;
- f. Retained Defendant Murphy and allowed him to continue to treat male student-athletes, specifically Plaintiffs, after one or more of its employees, agents, and/or representatives knew or should have known that Murphy was sexually abusing, harassing, and grooming numerous male student-athletes, specifically Plaintiffs; and
- g. In other respects, to be established through discovery and proved at trial.

508. Defendant Administrators by acting and/or failing to act when they knew and/or should have known of Murphy's conduct and the culture of sexual abuse and exploitation that this conduct created – as illustrated by male student-athletes commonly referencing Murphy's pervasive sexual abuse of male student-athletes as the "Rob Murphy Special" – negligently and recklessly breached each of their foregoing duties by condoning and/or enabling an institutional

culture that permitted the sexual abuse and exploitation of the student-athletes entrusted to their care and supervision, including Plaintiffs.

509. In breaching their aforementioned duties, Defendant Administrators failed to create a safe and secure environment for Plaintiffs and other student-athletes entrusted to their supervision and in their care, custody, and control, and instead created, allowed, ignored and/or perpetuated a dangerous culture and environment that ignored and condoned the sexual abuse, harassment, and grooming of its student-athletes at the hands of Murphy throughout his decade long tenure. In breaching these duties, Defendant Administrators created a real and foreseeable risk that Plaintiffs and other student-athletes at NCSU would be sexually abused, harassed, and groomed by Murphy.

510. As a direct and proximate result of the acts and omission of Defendant Administrators, Plaintiffs have each individually suffered and/or continue to suffer physical, mental and/or emotional injuries, loss of enjoyment of life and other damages all in an amount to be determined by a jury, but in any event, in an amount in excess of twenty-five thousand dollars (\$25,000.00).

511. The conduct of Defendant Administrators as alleged herein was willful, wanton and/or reckless, and done in conscious and flagrant disregard of and indifference to the rights and safety of others, specifically including the rights and safety of the Plaintiffs.

512. As a consequence of the above-described willful and wanton conduct, Defendant Administrators, each individually, are liable to each individual Plaintiff for punitive damages in an amount sufficient to punish Defendants for their willful and wanton conduct and to deter Defendants and others similarly situated from engaging in such willful and wanton misconduct in the future.

## **CLAIMS AGAINST DEFENDANT MURPHY NAMED INDIVIDUALLY**

### **SECOND CLAIM FOR RELIEF:**

#### **BATTERY AGAINST DEFENDANT MURPHY**

**(Plaintiffs Locke, Cross, John Doe 1, 3, 4, 5, 7, 8, 9, 11, 20, 21, 22, 25, 27, 28, and 29)**

513. All previous paragraphs of this Complaint are incorporated herein by reference.

514. Murphy's conduct as alleged above constituted a battery upon Plaintiffs Locke, Cross, John Doe 1, 3, 4, 5, 7, 8, 9, 11, 20, 21, 22, 25, 27, 28, and 29, in that Murphy intentionally and in wanton disregard for the safety and well-being of Plaintiffs Locke, Cross, John Doe 1, 3, 4, 5, 7, 8, 9, 11, 20, 21, 22, 25, 27, 28, and 29, touched Plaintiffs inappropriately and without their consent, as specifically and individually alleged above, in an egregiously harmful and offensive way. This egregious touching served no medical purpose and was below any applicable standard of care.

515. As a direct and proximate result of the above-described actions of Murphy, Plaintiffs Locke, Cross, John Doe 1, 3, 4, 5, 7, 8, 9, 11, 20, 21, 22, 25, 27, 28, and 29 have each individually suffered and/or continue to suffer physical, mental and emotional injuries, loss of enjoyment of life and other damages all in an amount to be determined by a jury, but in any event, in an amount in excess of twenty-five thousand dollars (\$25,000.00).

### **THIRD CLAIM FOR RELIEF:**

#### **ASSAULT AGAINST DEFENDANT MURPHY**

**(All Plaintiffs)**

516. All previous paragraphs of this Complaint are incorporated herein by reference.

517. The actions of Murphy were willful and wanton, were done with a conscious disregard of and indifference to the rights and safety of Plaintiffs, were deliberately designed to harass Plaintiffs and to create in Plaintiffs the fear of being touched in a harmful or offensive

manner. As a result of Murphy's conduct, Plaintiffs each had a reasonable apprehension of and expected further imminent harmful or offensive contact, including Plaintiffs concerns that their genitals would be touched or groped by Murphy.

518. As a direct and proximate result of the above-described actions of Murphy, Plaintiffs have suffered and continue to suffer physical, mental and emotional injuries and have incurred and continue to incur medical and other expenses all in an amount to be determined by a jury, but in any event, in an amount in excess of \$25,000.00.

**FOURTH CLAIM FOR RELIEF:**  
**INTRUSION UPON SECLUSION AGAINST DEFENDANT MURPHY**  
**(All Plaintiffs)**

519. All previous paragraphs of this Complaint are incorporated herein by reference.

520. Defendant Murphy's conduct, as alleged above, constitutes an intrusion upon the seclusion of Plaintiffs in that Murphy intentionally, knowingly, or with reckless indifference to the consequences of such conduct, physically and mentally intruded upon the seclusion and private affairs of each Plaintiff in a manner that would offend a reasonable person under the same or similar circumstances.

521. Specifically, Murphy's conduct constitutes an intrusion upon the seclusion of Plaintiffs in that Murphy, as alleged above, during urine sample collections for drug tests would stand uncomfortably close to Plaintiffs, require them to completely expose their genitals and buttocks, and stare at their genitals as they urinated. Additionally, Murphy's pervasive sexual harassment and inappropriate sexual inquiries into the private sexual affairs of Plaintiffs constitutes an intrusion upon the seclusion of Plaintiffs. This egregious conduct served no medical purpose and was below any applicable standard of care.

522. As a direct and proximate result of the above-described actions of Murphy, Plaintiffs have suffered and continue to suffer severe mental and emotional injuries, loss of enjoyment of life, and other damages, all in an amount to be determined by a jury, but in any event, in an amount in excess of twenty-five thousand dollars (\$25,000.00).

**FIFTH CLAIM FOR RELIEF:**  
**CONSTRUCTIVE FRAUD AGAINST DEFENDANT MURPHY**  
**(All Plaintiffs)**

523. All previous paragraphs of this Complaint are incorporated herein by reference.

524. Plaintiffs, as male student-athletes at NCSU at all times relevant to Defendant Murphy's tenure as Associate Athletic Director and Director of Sports Medicine and head athletic trainer, were required to comply with and submit to the purported medical care and treatment of Murphy.

525. At all times relevant to the allegations herein, a confidential relationship of physician and patient existed between Murphy and Plaintiffs, as student-athletes under the care of the NCSU Athletics Department and Murphy through his position as NCSU's Director of Sports Medicine and head athletic trainer.

526. Murphy utilized his position of trust and confidence to sexually assault, abuse, harass, and/or groom Plaintiffs as student-athletes entrusted to him for required medical care and treatment. Murphy violated his position of trust and confidence to perpetuate the aforementioned abuses on Plaintiffs for his own personal benefit and gratification and to Plaintiffs' physical, emotional and/or psychological detriment.

527. Murphy, in fact, benefitted from this abuse of the Plaintiffs trust and confidence and the fiduciary relationship then existing.

528. Plaintiffs did not consent to the wrongful conduct of Murphy alleged herein, nor did they have knowledge that Murphy would utilize the fiduciary relationship to take advantage of Plaintiffs physically. Moreover, Plaintiffs did not believe they had a choice but to submit to Murphy's purported treatments, as Murphy was given the authority to determine whether Plaintiffs were fit to compete in their given sport.

529. As alleged above, Plaintiffs have suffered extreme harm as a result of Murphy's willful and wanton actions.

530. As a direct and proximate result of Murphy's constructive fraud, Plaintiffs suffered compensatory damages in an amount to be determined by a jury.

531. The conduct of Murphy, as alleged herein, was willful, wanton and/or reckless, and done in conscious and flagrant disregard of and indifference to the rights and safety of others, specifically including the rights and safety of the Plaintiffs.

532. As a consequence of the above-described willful and wanton conduct, Murphy is liable to each individual Plaintiff for punitive damages in an amount sufficient to punish Murphy for his willful and wanton conduct and to deter Murphy and others similarly situated from engaging in such willful and wanton misconduct in the future.

### **EQUITABLE ESTOPPEL**

533. Article I, § 15 of the North Carolina Constitution provides as follows: "The people have a right to the privilege of education, and it is the duty of the State to guard and maintain that right."

534. Article IX, § 1 of the North Carolina Constitution provides as follows: “Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools, libraries, and the means of education shall forever be encouraged.”

535. For years the administrators and staff at NCSU permitted, condoned, ignored, encouraged and/or participated in widespread sexual assault, abuse, harassment and exploitation of the male student-athletes recruited to their school and entrusted to their care.

536. During those same years, the administrators and staff at NCSU permitted, condoned, ignored, and/or encouraged widespread physical, mental, emotional and psychological abuse that made the male student-athletes attending the school and entrusted to the school’s care vulnerable to the sexual advances of the predator in their midst.

537. Instead of guarding and maintaining the right to the privilege of education as required under the North Carolina Constitution, these administrators and staff, through NCSU, betrayed many of the student-athletes attending the school and entrusted to its care.

538. The North Carolina Constitution also establishes that religion, morality, and knowledge are necessary to good government and the happiness of the people. For years the administrators and staff at NCSU permitted, condoned, ignored, encouraged and/or participated in sexually abusive and exploitative conduct that was immoral and/or amoral with such conduct directed toward many of the student-athletes attending the school and entrusted to its.

539. For years, the NCSU administrators and staff willfully turned a blind eye to the immoral and/or amoral conduct, continually failing to meaningfully address the conduct, to intervene on behalf of the student-athletes being victimized or to discipline the predator despite full knowledge of the immoral and/or amoral conduct being carried out in plain sight.

540. For years, NCSU continued to recruit student-athletes to its college athletic programs and to promise those students that NCSU would guard and maintain their privilege to receive an education, knowing all the while that while recruiting students to its college programs, it would be subjecting those students to a culture of sexual, physical, emotional, mental and/or psychological abuse.

541. For years, NCSU and its administrators and staff perpetuated and condoned a culture that led many of the student-athletes entrusted to their care to believe that abnormal was normal. In so doing, NCSU and its administrators and staff ensured that the student-athletes who were victims of sexual abuse and exploitation would not realize what happened to them for many years. NCSU and its administrators and staff, by failing to take any steps to intervene to protect the student-athletes under their care, led many students to believe that the immoral was moral and that the students were expected to endure the abuse inflicted upon them.

542. Under North Carolina law, equitable estoppel may be invoked in a proper case to bar defendants from relying upon the statute of limitations.

543. Under North Carolina law, “[t]he doctrine of equitable estoppel is based on an application of the golden rule to the everyday affairs of [people]. [Equitable estoppel] requires that one should do onto others as, in equity and good conscience, [he/she] would have [them] do unto [him/her], if their positions were reversed....Its compulsion is one of fair play.” *Hamilton v. Hamilton*, 296 N.C. 574, 577 (1979) (quoting *McNeely v. Walters*, 211 N.C. 112, 113 (1937)).

544. Under North Carolina law, equitable estoppel will deny a defendant the right to assert a statute of limitations defense when the plaintiff’s delay in bringing his claims “has been induced by acts, representations, or conduct” of the defendant, “the repudiation of which would amount to a breach of good faith.” *Id.*

545. It was grossly unfair of NCSU and its administrators and staff to openly recruit and encourage student athletes to attend NCSU when those administrators and staff knew of the immoral and/or amoral culture that permeated the school's athletic department. NCSU and its administrators and staff knew and/or should have known that the student-athletes subjected to the immoral and/or amoral sexual abuse could suffer emotionally and psychologically for years before they could even consider attempting to hold NCSU and its administrators and staff accountable.

546. NCSU and its administrators and staff betrayed so many innocent, naïve and vulnerable male student-athletes who came to the school to pursue their dream. NCSU and its administrators and staff knew that many of these young male student-athletes would be subjected to the grossly inappropriate culture that existed in the athletics department.

547. NCSU administrators and staff did nothing meaningful to stop the sexual abuse and exploitation from occurring and instead actively recruited high school student athletes to attend the school all the while knowing the students had no concept of the culture to which they would be subjected.

548. For the foregoing reasons and based on the allegations herein, Defendants named herein are estopped from asserting any statute of limitations as a defense to any claim brought by any victim.

549. It would violate the most basic concepts of decency, fair play, justice and the golden rule to permit the individually named former administrators and staff to assert any statute of limitations and thereby attempt to dodge liability and accountability for their decade of knowingly failing to protect the school's student athletes.

## **NCRCP 9(j) CERTIFICATION**

550. To the extent the care in question falls under the requirements of N.C. R. Civ. P. 9(j), counsel for Plaintiffs provides the following information to comply with the requirements of Rule 9(j): the medical care rendered by Defendant Murphy and all medical records pertaining to the alleged negligence that are available to Plaintiffs after reasonable inquiry have been reviewed before the filing of this complaint by a person who is reasonably expected to qualify as an expert witness under Rule 702 of the North Carolina Rules of Evidence and who is willing to testify that the care provided by Defendant Murphy did not comply with the applicable standard of care. If the Court later determines that Plaintiff's 9(j) expert does not meet the requirements of Rule 702(b) or Rule 702(c), Plaintiff will seek to have that person qualified as an expert witness by motion under Rule 702(e) of the Rules of Evidence, and Plaintiff hereby moves the Court, pursuant to Rule 9(j)(2), to so qualify that person.

**The Plaintiffs respectfully request a trial by jury on all issues of fact so triable.**

## **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully pray the Court as follows:

1. That the Plaintiffs have and recover directly of the individual Defendants named in their individual capacities, jointly and severally when applicable, an amount to be determined by a jury and in excess of the jurisdictional limit of this Court as provided by law;
2. That Plaintiffs individually each have and recover from the individual Defendants named in their individual capacities punitive damages as allowed by law and determined by a jury;
3. That Plaintiffs be awarded pre-judgment interest as by law allowed beginning

from the date of the filing of this action;

4. That Plaintiffs be awarded costs as allowed by law; and
5. For all such other and further relief as the Court may deem just and proper.

This is the 30<sup>th</sup> day of January, 2026.

**KERSTIN WALKER SUTTON PLLC**

*/s/ Kerstin W. Sutton*

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Kerstin Walker Sutton  
N.C. State Bar 30008  
3215 Deerchase Wynd  
Durham, NC 27712-3020  
(919) 698-9555  
[kws@kwsutton.com](mailto:kws@kwsutton.com)

**LANIER LAW GROUP, P.A.**

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Lisa L. Lanier  
NC State Bar No. 19119  
Robert O. Jenkins  
NC State Bar No. 19102  
Allison L. Heitchue  
NC State Bar No. 63958  
6518 Airport Center Drive  
Greensboro, NC 27409  
Tel: 919-314-3356  
[rjenkins@lanierlawgroup.com](mailto:rjenkins@lanierlawgroup.com)  
[llanier@lanierlawgroup.com](mailto:llanier@lanierlawgroup.com)  
[aheitchue@lanierlawgroup.com](mailto:aheitchue@lanierlawgroup.com)  
[service@lanierlawgroup.com](mailto:service@lanierlawgroup.com)

*Attorneys for Plaintiffs*

## CERTIFICATE OF SERVICE

Pursuant to Rule 5 of the North Carolina Rules of Civil Procedure, the undersigned hereby certifies that a copy of the foregoing **AMENDED COMPLAINT** was duly served upon counsel of record for all parties by efile and by sending an electronic copy to the email addresses listed below:

Alex J. Hagan  
Dixie T. Wells  
ELLIS & WINTERS LLP  
[alex.hagan@elliswinters.com](mailto:alex.hagan@elliswinters.com)  
[dixie.wells@elliswinters.com](mailto:dixie.wells@elliswinters.com)  
*Counsel for Defendants William R. Woodson, Eugene Corrigan, Stephanie Menio and Michelle Lee*

Joshua D. Neighbors  
Daniel Burke  
HEDRICK GARDNER KINCHELOE & GAROFALO LLP  
[jneighbors@hedrickgardner.com](mailto:jneighbors@hedrickgardner.com)  
[dburke@hedrickgardner.com](mailto:dburke@hedrickgardner.com)  
*Attorneys for Defendant Deborah A. Yow*

Patrick H. Flanagan  
Joseph R. Holguin  
CRANFILL SUMNER LLP  
[phf@cshlaw.com](mailto:phf@cshlaw.com)  
[jholguin@cshlaw.com](mailto:jholguin@cshlaw.com)  
*Attorneys for Defendant Michael Lipitz*

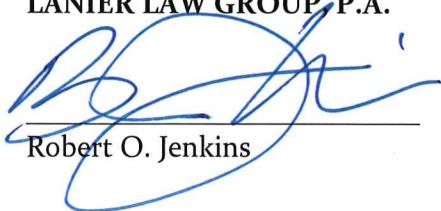
Katie Weaver Hartzog  
Scott Daubenspeck  
HARTZOG LAW GROUP LLP  
[khartzog@hartzoglawgroup.com](mailto:khartzog@hartzoglawgroup.com)  
[sdaubenspeck@hartzoglawgroup.com](mailto:sdaubenspeck@hartzoglawgroup.com)  
*Attorneys for Defendant Clinkscales*

Armina A. Manning  
MCGUIREWOODS LLP  
[aamanning@mcguirewoods.com](mailto:aamanning@mcguirewoods.com)  
*Counsel for Defendant Raymond M. Harrison*

Jared Hammett  
KURTZ & BLUM  
[j.hammett@kurtzandblum.com](mailto:j.hammett@kurtzandblum.com)  
*Attorney for Defendant Murphy*

This the 30<sup>th</sup> day of January, 2026.

LANIER LAW GROUP, P.A.

  
Robert O. Jenkins