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SIYU YANG
320 Southwood Cir
Syosset, NY 11791

Receipt #

Book Page

No. Pages: 22

Instrument: EFILING INDEX NUMBER

Control #: Unrecorded #8551255

Index #: Unassigned-1478313

Date:

Time:

YANG, SIYU
Yang, Lu

University of Rochester/Eastman School of Music
Mangelsdorf, Sarah C
Ardizzone, Matthew
Rossi, Jamal J
Fernandez, Mercedes R

Total Fees Paid: \$0.00

Employee:

State of New York

MONROE COUNTY CLERK'S OFFICE
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JAMIE ROMEO

MONROE COUNTY CLERK



**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONROE**

SIYU YANG
LU YANG

Case No.

Plaintiff,
- Against -

COMPLAINT & JURY DEMAND

UNIVERSITY OF ROCHESTER/EASTMAN
SCHOOL OF MUSIC
MATTHEW ARDIZZONE
JAMAL J. ROSSI
MERCEDES RAMIREZ FERNANDEZ
SARAH C. MANGELSDORF

Defendant.

TO THE SUPREME COURT OF THE STATE OF NEW YORK

The plaintiff wishes to have the Judge and Jury instead of the Magistrate Judge to review this case. The complaint of the plaintiff respectfully shows and alleges as follows:

BACKGROUND

SIYU YANG (Plaintiff SY) was a Piano Performance Major Student at the Eastman School of Music of the University of Rochester. LU YANG is his father (Plaintiff LY).

Plaintiff SY has received an email from the office of admissions on 6 July 2020, attached was a “dateless” letter from Matthew Ardizzone (associate dean of the Eastman School of Music) stating that the Eastman’s office of admission has rescinded his offer of admission. We were surprised. Mr. Ardizzone stated back on 12 June 2020 that “certain individuals” reported Plaintiff SY’s Facebook essay, who slandered him as having racial bias and racist views.

The plaintiffs’ family house in Shanghai, China was demolished by the Chinese Communist Party (CCP) back in 1996, and were persecuted by the CCP for more than ten years because of the Plaintiffs unyielding efforts to protest and demonstrate. Over the past ten years, the CCP’s various types of administrative evidence and civil and administrative verdicts in violation of the law at all levels were submitted to certain agencies of the United States government as solidified evidence.

Plaintiff LY’s affront with the CCP began back in China after his house was illegally and forcibly demolished by the CCP. Starting in 2011, Plaintiff LY has been demonstrating along with other persecuted victims against the CCP in front of the Consulate General of China at New York, the United Nations, the White House, etc. On 25 September 2015, to further the demonstration efforts, and to request the CCP to resolve problems that had been lingering for around 20 years which are still not resolved till this day, Plaintiff LY and 25 other victims blocked the official

motorcade of the CCP Central Committee General Secretary JingPing Xi in front of the U.S. Department of State. After that incident, several low-level officials in Shanghai went to Plaintiff LY's parents (around 80 years old) and told them to convince Plaintiff LY to halt his demonstrations in the United States, or else they would extend their persecution to Plaintiff SY as retaliation. This tactic was commonly known as "Unrestricted Warfare". Plaintiff LY's parents were worried and urged Plaintiff LY to stop whatever he was doing in the US, but Plaintiff LY was resolute.

The CCP allegedly colluded with the defendants and transferred their persecution from Plaintiff LY to Plaintiff SY. This case has degrees of criminality and is a malicious civil torts incident.

Plaintiffs gave a more detailed explanation of this situation in a letter to Matthew Ardizzone on 15 June 2020. The purpose of which was to remind the administrators of Eastman to heed special attention to certain Chinese whistleblowers with suspected CCP background who framed Plaintiff SY, but Eastman intentionally ignored the possibility.

Originally, the Plaintiffs hoped this incident would be fairly and properly resolved within the UR administration, so the Plaintiffs have been filing complaints to all administrative levels and anticipated that the administrators would hold a "formal hearing" for this incident. However, Mrs. Sarah

Mangelsdorf, the president of the UR did not support this request. She not only didn't revoke the wrong decision but also upheld the decisions of her subordinate administrators.

The defendants' attempt to maliciously set-up and defame the plaintiffs can be summarized into the below major sections based on the concerning evidence. They feature the facts of the case, the details, reasons, and the events regarding the intentional defamation.

I. Procedural unjust:

The associate dean of the Eastman School of Music, Matthew Ardizzone, has committed multiple unlawful, inequitable, and irrational acts regarding rules, regulations, and procedures. Certain upper level administrators also framed Plaintiff SY (Evidences available).

1. Plaintiff SY has submitted a student undergraduate admissions response letter form back in 31 March 2020, and has paid a \$500.00 admission deposit, signed the student contract, and rejected the admission offer of other colleges and conservatories. His official student number is 31841801. On 26 June 2020, Dr. Donna Fox, the deputy dean of the Eastman School of Music also wrote an email confirming the piano professor Plaintiff SY was assigned to. Based on the above points, Plaintiffs procedurally determined that Plaintiff SY is of "student" status

and is no longer under the jurisdiction range for the “revocation of admission notice” to take effect.

2. Mr. Ardizzone did not specify the date in his letter of the so-called “rescission of admission”. The purpose was to confuse and smokescreen the fact that Plaintiff SY already submitted the response form for admission back on 31 March, 2020. Similarly, after we submitted an appeal letter to the University of Rochester president Sarah Mangelsdorf on 24 July, 2020, however, she purposely misrepresented that date to 27 July, 2020 on her confirmation letter.

3. Plaintiffs requested the Eastman School of Music and the University of Rochester to hold a hearing in order to obtain a fair decision, but this request was always refused. The Eastman dean, JAMAL ROSSI, replied via email that the reason for refusing the hearing is because this case falls into the jurisdiction range of “Admission rescission”. However, Mr. Rossi did not provide any evidence to school rules and/or regulations to support this reason - it was absurd.

4. In the “Letter of Admission Rescission”, the decision was not based on any United States laws, codes, and/or school regulations. The only reference was made to the “MELIORA visions & values”, MELIORA stands for equity, leadership, integrity, openness, respect, and accountability. Yet in turn highlighted the School & the University officials’ inequitable, malfeasant, hypocritical, exclusive, disrespectful, and unaccountable qualities. They are ones who should face

consequences for this intentional slander. Plaintiff SY not only shouldn't have been expelled, he should be awarded for speaking the truth. The university's officials are incorporating tactics akin to the Chinese Communist ways of convicting people of speeches as well as using methods akin to a Medieval Literary Inquisition.

5. The School intentionally avoided the University of Rochester Standards of Student Conduct, page 28, article 4 regarding the protection of the freedom of speech. See below:

[Academic Freedom and Free Speech. The success of the University of Rochester depends on an environment that fosters vigorous thought and intellectual creativity. It requires an atmosphere in which diverse ideas can be expressed and discussed. The University seeks to provide a setting that respects the contributions of all the individuals composing its community, that encourages intellectual and personal development, and that promotes the free exchange of ideas. This Policy is not intended to regulate the content of speech, discussion and debate in the classroom, on campus or in any University forum reasonably related to academic activity or political, artistic and visual arts expression. The University will protect academic freedom and artistic expression in administering this Policy. However, using speech or expression to discriminate against those protected by this Policy or using

speech that creates a hostile learning, working or campus living environment for those protected by this policy is prohibited.]

6. In accordance with the University of Rochester regulations, all notifications involving disciplinary action should be sent to the specified mail or email address of the parents of students under the age of 21 immediately. However, Eastman School of Music intentionally ignored such requirements.

7. University of Rochester President Ms. Mangelsdorf not only didn't revoked Mr. Ardizzone's "Rescission of Admission" decision letter, but also concurred with Mr. Ardizzone's decision and shielded his actions. Moreover, to reiterate, we sent a complaint to Ms. Sarah Mangelsdorf by registered mail and E-MAIL on 24 July 2020, but Ms. Sarah Mangelsdorf sent us a letter of review decision on 31 July 2020, and intentionally changed the date on which we sent the complaint to her to "27 July 2020".

8. To expel or cancel the so-called "admission offer", the school's financial aid office must be present and be acknowledged at the very first instance. However, after Matthew Ardizzone made the expulsion decision, the financial aid office continued to process the financial aid and loan procedures for Plaintiff SY and confirmed the completion of the procedure. During the review by Jamal Rossi, the dean of Eastman School of Music, Plaintiff SY's financial aid scholarship reward page has been taken down. When Plaintiff SY asked the financial aid office about

the reason for the situation, the office staff told him it was because they were told by the higher-ups that Plaintiff SY himself is no longer planning to attend the Eastman School of Music, therefore, they shut down the page. This intentional “move” and behaviour was outrageous and slanderous.

9. Based on the School’s handling of the above matters, Plaintiffs concluded that the claim that Matthew Ardizzone of described how he discussed this decision with other members of the administrators in the Eastman School of Music and the University of Rochester is a lie, since if it was in fact a joint decision, Eastman wouldn’t have expressed such disorderly, and wrong information. And since Eastman and the UR are world-renowned, Plaintiffs don’t think their management would produce such disorder.

10. During the Plaintiffs’ discussions between Eastman and “UR”, the officials intentionally avoided our proposition about the background regarding how the Chinese communists have set us up. They also refused to disclose any of the identity of the reporters, who had Chinese communist background. The UR intentionally shielded and protected those who reported the essay to the “Music School” with ulterior motives. The Chinese Student and Scholars Association (CSSA) at the UR have Chinese communists background, and they are controlled and financially supported by the Consulate General of the People’s Republic of China in New York City. Moreover, since the “UR”/ Eastman officials had

extensive academic connections with the schools of Chinese communists, Plaintiffs affirm that they chose to be collectively blind to this matter. Since these so-called academic connections produce monetary incentives, UR and Eastman made decisions with their bottoms instead of their heads. It is due to these financial involvements & incentives that caused these UR officials to obliterate their sense of justice as well as betraying the fundamental values of America, and ultimately, their humanness.

The Chinese communists are infamous for brainwashing their citizens, so it's not surprising that they have infiltrated American institutions like Universities to brainwash malleable officials - cooperating with them to carry out these similar acts of abhorrent nature that is anti-human. As a side note, in China, all their music conservatories and universities are run and controlled entirely by government officials as part of the party. It is well-known that the Chinese communists have also bribed and infiltrated US institutions over the years, universities are just one of the points of interest, yet the "UR" is a classic example.

Despite the "UR" being a private institution, it still receives financial support from the federal government and the state. Therefore, their right of discretion should be stringently reviewed, limited by federal, state laws and cannot be abused.

II. Historical evidence of the CCP on how they colluded with the University of Rochester and Eastman School of Music.

1. On the 18th of September, 2014. Eastman School of Music Dean Jamal J. Rossi was invited by the Shanghai Music College Party Committee to tour the city of Shanghai and have his picture taken with multiple corrupt CCP officials.
2. On the 16th of November, 2015. University of Rochester Vice President Peter Lennie and Eastman School of Music Jamal J. Rossi were invited by the China Central Conservatory of Music to visit the school, tour the city of Beijing and have their pictures taken with multiple corrupt CCP officials (Published on the CCP Propaganda Department website).
3. From 12-16th of June, 2018. The China Central Conservatory of Music Party Secretary Min Zhao visited and held a meeting between the University of Rochester, the Stony Brook University, and the University of Rochester Global Engagement Vice Provost Dr. Jane Gatewood. Min Zhao also discussed establishing the “Confucius Institute” to the Eastman School of Music vice dean Dr. John Hain and they signed a Memorandum of Cooperation. Soon after, Min Zhao went to the General Consulate of China at New York to report to Diplomatic Officer YongJi Xu about the collusion result of the establishment of the “Confucius Institute” at two American universities. This piece of evidence was also published on the CCP Propaganda Department website. (The American government has already

defined the nature of the Confucius Institute and made clear statements regarding the true intentions of the “Confucius Institutes”).

4. The previous president of the University of Rochester, Joel Seligman was invited by the Shanghai Jiao Tong University (This university places great importance on Technology and STEM subjects) to visit and tour the city of Shanghai. These events were published by the Shanghai Jiao Tong University on its official website.

The CCP uses low-level and wicked means to attract, corrupt, and bribe America and the world’s elites of multiple disciplines, the universities are the main areas of this disaster. The CCP uses the weakness of human psychology to infiltrate and despicably uses “blue, gold, and yellow” techniques to control the various elites. To clarify, “blue” represents using the internet to spread propaganda, control speech, misrepresent speech, to reach the state of full monitoring; “Gold” represents using money or other financial incentives to attain their goals; “Yellow” represents using women to attract certain elites. In all, the purpose was to weaken and ultimately destroy America. The goal by using the “blue, gold, and yellow” techniques was to metamorphosize certain elites into bootlicking pigs and dogs for the CCP, immoral and unethical, and lawless, cultivating an environment hostile and nonchalant to human rights and democracy.

The main purpose of CCP trying to “introduce” the Confucius Institute was to dilute the American culture by instilling the Corrupt CCP Communistic Culture. The Confucius Institutes are undercover espionage organizations directed by the CCP. Their roles include but are not limited to stealing technological and other scientific data and information from multiple universities. The fact that the Shanghai JiaoTong University is in partnership with the University of Rochester speaks volume about the trap set by the CCP to steal its critical scientific data. The CCP also transferred its own universities’ infamous power-bribery system to the American University systems, for example, using corrupt practices to admit students to an institution.

Despite the seemingly great might of the CCP, it is still no match to the United States even in one hundred years. However, the CCP has extensively infiltrated within and corrupted some of the American elite class - and turned slowly into termite-like traitors and deceivers. They are the greatest threat to America. The scariest thing in this world is not the CCP Virus, it is the ghostly influences of CCP ideologies poisoning the minds of certain elites in the US that is robbing them of their conscience.

The CCP is a genocidal, anti-human and anti-nature criminal rogue organization. If the UR have collaborated with the CCP for a short period of time, then they are simply foolish and ignorant. However, if the UR have collaborated

with the CCP for a long period of time, then they belong to the same group. So it would not be surprising that the defendants do things that are anti-human and anti-nature: to intentionally and maliciously setting-up a young-adult. It is therefore now not surprising that the past UR president Joel Seligman protected and connived a sexual assault criminal. The root cause is that the UR administration has been corrupted and their morals have been eroded. It is of the same nature as this case, to try to cover-up one anti-human and anti-nature criminal action using a hundred other despicable excuses!

Plaintiffs used specific and conclusive evidence and statements to uncover and illuminate the defendants' two illegal and criminal intent. (1) Racial discrimination towards Chinese Americans and (2) The UR colluded with the CCP and have followed the CCP's commands to transfer their domestic persecution upon the plaintiffs into the UR to further their persecution. The UR unreasonably expelled Plaintiff SY and during the correspondence phase, not following the laws, not following the school regulations, not affording him due-process (i.e. hearings procedures); The defendants intentionally defamed Plaintiff SY.

Based on the defendants' actions - dishonesty, taking things out of context, answering irrelevant questions, and not following the law and school regulations, Plaintiffs believe the defendants are akin to the chinese communist party.

The case essentially reflected the fact that the plaintiffs did not receive fair treatment and equal protection under the federal law nor the school's legal procedures & regulations. This case concerns State, federal laws and constitutional concepts. Plaintiff SY's freedom of speech is a natural right, endowed by the Creator, it is a human right that no one can abridge, yet the University of Rochester and its Eastman School of Music to use the so-called "racial bias" as an excuse to recklessly exercise racial discrimination against Chinese Americans. A private university is an educational facility, it is not a Professional Subjective Racism Definitions Institute. Plaintiff SY's speech is fully protected by the U.S. Constitution 1st Amendment. From the combination of the abridgment of his human rights, the limitations on his freedom of speech, the defamation upon his character, and the expulsion of his college attendance, the UR have caused substantial damages upon Plaintiff SY.

From the UR's use of illegal procedural processes, Plaintiffs can point out another major problem: the "evil effect" of the long term collusion between certain institutions within the Chinese Communist Party and the Eastman School of Music/University of Rochester. It is public knowledge that Eastman/UR had extensively cooperated with certain institutions within the Chinese Communists, it is an "open secret", and also has been reported by the media, and we have gathered

evidence that could directly prove the actions and motive of the certain defendants to allegedly set-up the plaintiffs.

III. This case can be summarized into two major causes of action.

1. Based on contract laws and the concerning evidence, defendants have maliciously breached their contract between the Plaintiffs.

Plaintiff SY did not receive proper due process in the process of expulsion. Even for a private University, they have the duty and responsibility to follow their own rules and regulations within their “Student Code of Conduct”.

From the day when Plaintiff SY accepted the Offer of Admission, both he and the University should follow the “Student Code of Conduct”, including regulations concerning the protection of the freedom of speech and the providence of a fair hearing. The defendants thus have the duty to follow these regulations mandated by Contract Laws.

However, the defendants failed to do so. Not only that, the defendants intentionally avoid following their own “Student Code of Conduct”, and maliciously spread misinformation about how Plaintiff SY himself “no longer [plans] to attend the [university].” In addition, when Plaintiffs requested the University President Sarah Mangelsdorf for a fair hearing, she manipulated the date in which the Plaintiff sent her the request letter.

The “Student Code of Conduct” was meant for all students and its producer, the University. Plaintiff SY was met with differential treatment from the defendants, from their negligence to follow the rules and regulations, and the breakage of their contract, they can be summarized as the motive of racially discriminating Chinese Americans and colluding with the Chinese Communist Party.

2. Based on all previous noted evidence and historical defamation cases, the defendants have committed intentional, malicious defamation.

a. The Incidents are Defamatory and Untrue.

Plaintiffs have evidence to prove that all of the decisions regarding the expulsion from the Eastman School of Music/University of Rochester are defamatory. These decisions are malicious in nature. The defendants used their labeling of “racial discrimination” as a ruse to “cancel”, defame and racially discriminate against the plaintiffs. Their motive to defame stem primarily from their racial discrimination and their collusion with the Chinese Communist Party.

The claim that Plaintiff SY’s words are racist are untrue, the defendants intentionally took his words out of context, but even if these words are taken out of context and stand on their own, they are not racist either, they are factual and common sense.

Plaintiff SY's Facebook post was an "investigative political opinion article", and it consisted of quotes and summarized viewpoints from others. In the article, Plaintiffs have not found a voice of a 19-year-old high school kid with his own so-called "racist" thoughts, since the cited person does not harbour any "racist" tendencies but expresses rational and advanced thinking. However, the school has arbitrarily taken it out of context and went with its own interpretation.

In addition, over the span of several months, there's only been 25 comments on Plaintiff SY's Facebook feed, the post was also liked and shared by two people. All other logistics were neutral. Facebook can be said to be a Social opinions polling place, and judging from this logic, Plaintiff SY's essay cannot attain the status of "racism".

b. This defamatory incident was made known to other parties.

Plaintiffs have evidence that the defendants' malicious defamation was made known to third parties, currently, there are certain individuals spreading such defamation. The societal distribution has negatively affected the reputation, and harmed the physical wellbeing, emotional trauma, and spiritual offense of Plaintiff SY and his parents.

In addition, the decision letter that expelled Plaintiff SY was not "Confidential". As of right now, multiple people have knowledge of the incident,

including many students and teachers within the University and the Syosset Central School District (Plaintiff SY's high school district).

As time progresses, it is inevitable that more people will also discover this incident. A person armed with basic logic and common-sense will understand the reason behind this phenomenon.

c. Substantive Damage.

Plaintiffs affirm that the Eastman School of Music's actions have directly impacted the potential and rights of Plaintiff SY to reapply to another music institution. This absurd decision is equivalent to a publicly professed and written notice that Plaintiff SY was a racist. Which carries the same weight in destroying his potential to continue his musical studies, while at the same time, creating enormous barriers to his lifelong career.

We conclude that the intentional and substantive set-up conspired by the Music School has significantly damaged SIYU YANG's legitimate potential to receive a well-deserved university education. The absurd decision made by the Music School is equivalent to them publicly announcing in writing to all music schools and universities across the nation that Siyu is a racist. This curse destroyed his opportunity to continue his musical studies, and by the same token, this action created enormous barriers to his lifelong career. Siyu's talent was in piano performance, and this action also made it impossible for Siyu to be accepted into

another prestigious music school. As a result, we will demand the defendants for a general monetary compensation on the basis of but not limited to: mental anguish, future loss of wages and loss of opportunity. We will also demand punitive compensation on the basis that the University's intentions and infringements toward Siyu are substantially malicious. Since the financial earnings from a renowned pianist is inestimable and priceless, we will follow the standard earnings from a bachelor of Music graduate from a famous music school, which totals around an average of \$80,000/yr. And for a pianist, the time spent performing/retirement cutoff is lifelong, but for ease of calculation, we will set the retirement cutoff at 80 years old. Since Siyu is currently 19 years of age, the general compensation will be 61 years x \$80,000/yr = \$4,880,000. Plaintiff SY shall be compensated \$1,000,000 for mental distress. Plaintiffs will then apply a nine time multiplier to the total amount as punitive compensation, which amounts to \$52,920,000. Plaintiff LY himself shall be compensated \$1,000,000 for mental distress. The grand total is \$59,800,000.

IV. According to the above statements, the defendants have violated their own rules and regulations set in their "Student Code of Conduct". The defendants also violated the contract between the Plaintiffs and carried out malicious defamation. Therefore, Plaintiffs respectfully motion the court to:

1. Reinstate the student status of Plaintiff SY and revoke the decision of the 06 July 2020 Eastman School of Music dateless letter regarding the so-called “rescinding the admission” of Plaintiff SY as well as the 24 July 2020 Jamal Rossi and the 31 July 2020 Sarah Mangelsdorf’s affirmation letters.
2. Request the Eastman School of Music and the University of Rochester to compensate for
 - General: \$4,880,000
 - Plaintiff SY Mental Distress: \$1,000,000
 - Plaintiff LY Mental Distress: \$1,000,000
 - Punitive: \$52, 920, 000
 - Grand total: \$59, 800,000
3. Request the defendants to make a formal apology letter on Facebook as well as all mainstream media and newspapers in both online and printed form.
4. Request the defendants to fund all litigation costs.

Dated: 14 June 2021

SIYU YANG & LU YANG

Plaintiffs

VERIFICATION

_____, being duly sworn, deposes and says:

I am the plaintiff in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The same are true to my knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.

Sworn to before me this

____ day of _____ 200__

Signature

Print Name

Notary Public