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Part 5: Knouse used her accomplices at MIT to corrupt Sabatini's tenure revocation evaluation at MIT. (Pages 39-42).

Part 6: Even before the HAS report was complete, KK and her accomplices, particularly Nora Kory, interfered with Sabatini's employment at HHMI, relationships with journals, biotech companies, and blocked him from being considered for a Chair position at MSKCC in NYC. (Pages 43-54).

Part 7: Once Sabatini had departed WI, in a recorded phone call Knouse's attorney (Ellen Zucker) threatened and tried to intimidate NYU, which was considering him for a position. (Pages 55-72).

Part 8: Knouse inappropriately redacted offensive, including racist, language from the documents she was forced to produce by the court after Sabatini won a motion requesting all the text messages between himself and Knouse. During the HAS investigation, Knouse was aware that Sabatini no longer had text messages with Knouse from before January 2020 as he had broken his phone. (Pages 73-79).

Part 9: Knouse espoused violence towards Sabatini, even offering to castrate and kill him. (Pages 80-81).

Part 10: Anne Carpenter, who publicly attacked Sabatini via Twitter/X, now claims in a motion to the court that she knows nothing of relevance to the Sabatini vs. Knouse and Lehmann/WI case and thus should not be subpoenaed. (Pages 82-102).

## **Background Information and Important Dates**

Sabatini had 3 employers: Whitehead Institute (WI), MIT, and the Howard Hughes Medical Institute (HHMI). His lab was physically located in the WI and he was paid a small salary by WI. Most of his salary and benefits, and a significant part of his lab budget, were paid by HHMI. He had tenure in the Biology Department at MIT, and he taught classes there but none of his salary was paid by MIT. Ruth Lehmann took over as Director of the WI in July 2020.

The online DEI survey was conducted at the end of 2020 (it was commissioned by Ruth Lehmann and led by Sharon Jones from Jones Diversity, Inc.). In court documents, Director Lehmann claims that the WI Board asked her to run a climate and culture survey when she started as WI Director.

Lehmann has claimed that the results of the DEI survey were what led the WI to hire Hinckley Allen & Snyder (HAS) to conduct an outside investigation of Sabatini's lab. The HAS attorneys who conducted the HAS investigation are William Sinnott, Elizabeth McEvoy, and Tara Singh.

The HAS investigation started at the end of March 2021.

Sabatini was given the HAS report on the afternoon of August 19, 2021. The decision to terminate him from WI and HHMI had been made even before he was given the report. He departed the WI and HHMI on August 20, 2021. Court documents show that HHMI never interacted with him and that Lehmann refused to talk to him during the HAS investigation and even after he was given the report.

Soon after his departure from WI, MIT started an investigation to decide if his tenure at MIT should be revoked. The committee consisted of Nergis Mavalvala (Dean of Science), Alan Grossman (Head of Biology) and Martin Schmidt (Provost). The committee interviewed Sabatini once but did not talk to anyone else from his lab.

Sabatini resigned under pressure from MIT on April 2022

During the MIT investigation Sabatini sued Kristen Knouse and Ruth Lehmann and WI. Knouse countersued Sabatini about a month later.

Sabatini is represented by Arrowood LLP (Lisa Arrowood, Ed Foye, Sara Sousa and Shayne Kinsella).

Knouse is represented by the Zucker Lab Group LLP (Ellen Zucker, Christopher Wurster) and by Nancy Gertner. Gertner is retired Judge and so sometimes still uses this title even though this is not allowed.

WI and Lehmann are represented by Stoneman, Chandler & Miller LLP (Kaye Hoge and John Simon).

Knouse recruited several people to aid her in destroying Sabatini's career and their names appear throughout court documents and this report. They are:

Heather Keys  
Nora Kory  
Danica Rili

Izabella (Iza) Pena

Tina Lopez

Heather Keys, Nora Kory, Danica Rili had been in Sabatini's lab (Heather Keys was a graduate student, Nora Kory a post-doc, Danica Rili his assistant) but all had departed the lab by the time the HAS investigation began (in some cases many years before (Heather Keys)).

Izabella Pena was a post-doc who was still in the lab when the investigation began.

Knouse manipulated these 4 women into complaining to WI and HAS about Sabatini and used them to interfere with the investigation. She manipulated them to the point that Kory, Pena, and Rili eventually joined her in wishing for Sabatini's death.

Tina Lopez is Knouse's own graduate student and became Knouse's main confidant in her crusade against Sabatini. Sabatini never met alone with Tina Lopez.

## Information about the unredacted public documents analyzed in this report

The court website contains many motions from Sabatini seeking documents from Knouse and WI/Lehmann as well as the countermotions in which they argue that the documents should not be produced. In most cases Sabatini won his motions, forcing Knouse and WI/Lehmann to provide documents they wished to keep hidden. However, by stamping these documents as confidential, they made sure that they remain hidden from the public. In a recent hearing, the court expressed its dissatisfaction with this practice and unredacted 3 motions that Sabatini filed in 2024, making public the full motions and their associated exhibits (**6 total PDFs**).

It is clear from the court website that there are several other motions still under consideration by the judges and so it is likely that other documents will become public in the next few months.

To obtain the newly unredacted PDFs follow these directions:

- 1) Using the Chrome browser, access the court docket in Massachusetts at:  
<https://www.masscourts.org>
- 2) Check the "im not a robot" box, and click the button that says "click here to search public records".
- 3) From there, select the "The Superior Court" from the "Court Department" pull down menu.
- 4) A "Court Division" pull down menu will now pop up. From this, select "Suffolk County Civil".
- 5) Then, write "whitehead" in the "Company Name" search box.
- 6) From here, click on case number 2284CV01449 (the most recent case). This will take you the page containing all information about the court case. The most informative is the "docket" section. Click on the "docket" tab. Exhibits are posted as "image" PDF attachments that open upon clicking and can be downloaded.
- 7) If you search (control +F) for the word "unredacted" it will highlight the docket entries containing recently unredacted material. There are 3 files with unredacted documents on the following dates:

04/18/2024 Unredacted Exhibits to P#175

04/22/2024 Unredacted Exhibits to P#181

06/14/2024 Unredacted Exhibits to P#190

Above each of these, there is a PDF for the motion that describes the unredacted exhibits.

Below are screenshots of what the search results look like for each date. You will want to download all of these PDFs (**6 in total**). Unfortunately, they will be numbered “searchresults.page” followed by a number.



8) The files are best renamed as:

04-18-2024 P#175 motion.PDF  
04-18-2024 P#175 unredacted exhibits.PDF

04-22-2024 P#181 motion.PDF  
04-22-2024 P#181 unredacted exhibits.PDF

06-14-2024 P#190 motion.PDF  
06-14-2024 P#190 unredacted exhibits.PDF

*These names are used to refer to these files in this report.*

9) Adobe Acrobat can convert the files into machine searchable PDFs using its Scan & OCR function. However, it does not do a perfect job so not all text is machine searchable, particularly when it is within a text message.

10) The newly unredacted documents are complex and to orient oneself we recommend first reading the motions in the following files:

**04-18-2024 P#175 motion**  
**04-22-2024 P#181 motion**  
**06-14-2024 P#190 motion**

## **Overall conclusions drawn from the unredacted documents and other public documents on the court website**

To prepare this report, we analyzed the newly unredacted documents alongside hundreds of other documents already on the court website, like the HAS report, as well as investigative journalism articles from The Free Press and the Spotlight team at the Boston Globe.

Our analysis is divided into 10 parts described in detail (pages 8-102 of this report). We draw the following overall conclusions:

A. The new documents speak to an aspect of the case that was not extensively covered by the press: the complete disregard for fairness and due process on the part of WI/Lehmann, HAS, and eventually even MIT, in what transpired to Sabatini. Sabatini was never told of the charges against him. The decision to fire and publicly out Sabatini was made in Oct-Dec 2020, which is before the DEI survey (end of 2020) and the HAS investigation even started (April 2021) (Part 1). The DEI survey was planned as a cover up to the HAS investigation (Part 1). Knouse and her student Tina Lopez colluded on what to put into the DEI survey (Part 2). Sabatini was never given the opportunity to respond to the HAS report (Sabatini legal claims). In her counterclaims, Knouse belittles as conspiracy theories assertions by Sabatini that are now obviously true (Knouse counterclaims).

B. Knouse and her attorneys and allies behaved unethically before and during the HAS investigation and threatened WI/Lehmann, the HAS investigators, and even MIT. Knouse and her attorneys cherry picked the documents they gave HAS and tampered with the ones they provided (Part 3). They threatened the WI and Lehmann that they would go to the press and Twitter/X if they did not get their way (Part 4). They intimidated and “smacked around” the HAS investigators (Part 4). Knouse’s main ally at MIT (Professor Sangeeta Bhatia) influenced the composition of the MIT committee evaluating Sabatini (Part 5). Bhatia threatened to go to the MIT President if Knouse did not get her way (Part 5). Thus, Knouse was not just Sabatini’s accuser. She was also his judge and jury and executioner. Ironically, in a time when academic institutions are trying to foster diversity, under Knouse’s influence, WI/Lehmann and MIT destroyed the career of one of the few Hispanic scientists at MIT.

C. Knouse was determined that Sabatini not only lose his position at WI and HHMI and his tenure at MIT but also all his opportunities in the biotechnology industry, his capacity to publish papers, and his potential employment at other institutions (Part 6). She worked with her accomplices, particularly Nora Kory, to deprive him of these opportunities even before the HAS investigation was complete. After he departed WI, Knouse’s attorney interfered with his potential recruitment to NYU by threatening to sue them for defamation because NYU referred to Knouse as a colleague of Sabatini’s and by lying to NYU about the contents of the HAS report (Part 7). NYU recorded her call, so an exact transcript is available (Part 7).

D. Ironically, Knouse engaged in behaviors she accused Sabatini of, including the use of inappropriate and racist language (Part 8) and she misled the court by inappropriately redacting evidence of her behavior (Part 8).

E. Knouse espoused violence against Sabatini, even offering to kill him (Part 9).

F. Anne Carpenter, who trained with Sabatini 18 years ago, attacked him on Twitter/X despite praising him in the past. However, when Knouse’s legal team attempted to depose her, she filed a

motion with the court saying she had no information relevant to the case and asking that the deposition to be quashed (Part 10).

## Detailed analysis in 10 Parts of the newly unredacted documents and other public documents on the court website

Part 1. The decision to fire and publicly out Sabatini was made before the DEI survey and HAS investigation even began. The DEI survey was intended as a cover up.

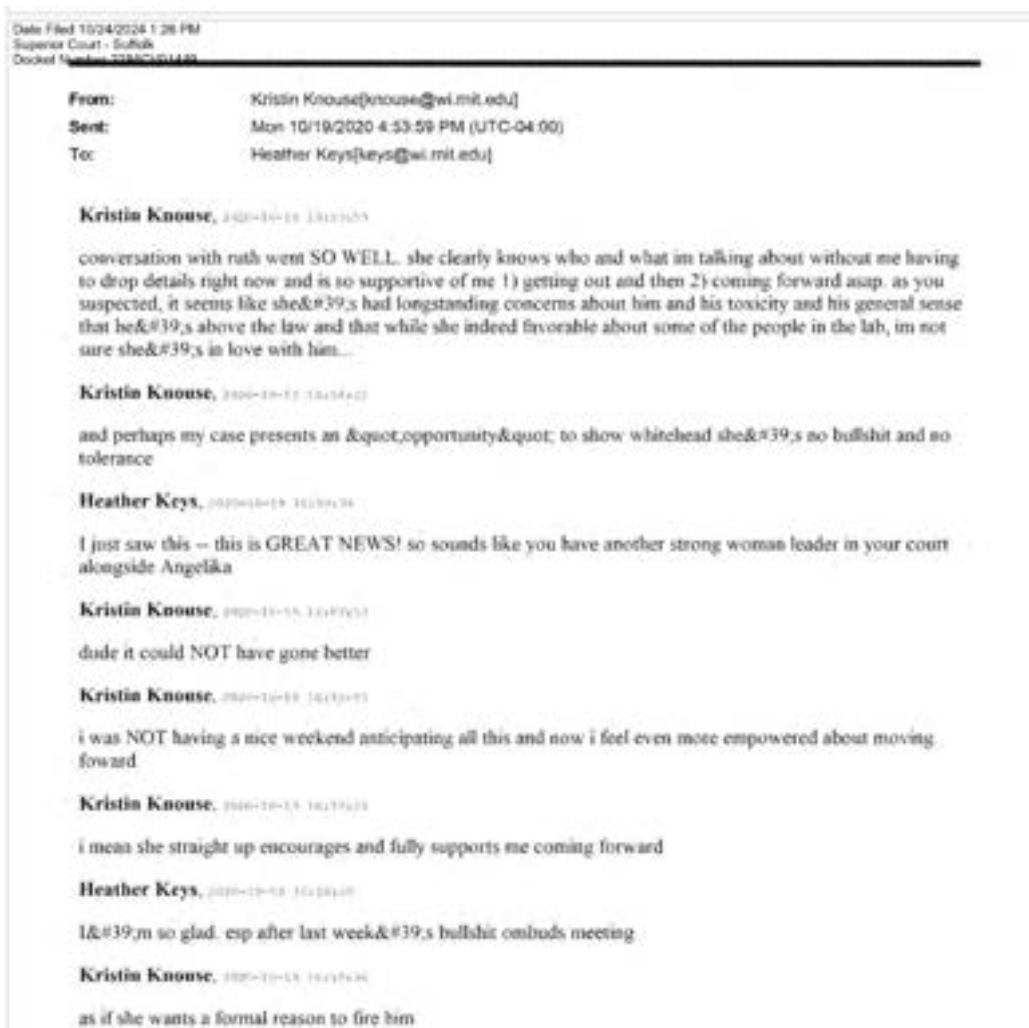
Kristin Knouse (KK) and Whitehead Institute (WI) Director Ruth Lehman (RL) had multiple in person and by phone conversations during Oct-Dec 2020. KK reported these conversations via text messages to her friends (Heather Keys, Nora Kory, Danica Rili, Izabella Pena) and her student (Tina Lopez). Nora Kory also met with RL to plan the investigation and reported her conversations to KK and Izabella Pena.

a. **More than two months before the DEI survey (October 19, 2020)**, KK reported to her friend Heather Keys the conversation she just had with Ruth Lehmann (the entire text exchange is on pages 78-88 of 04-18-2024 P#175 Unredacted Exhibits). (Bates# HAS-WHI-001076985-HAS-WHI-001076995).

On page 78 (Bates# HAS-WHI-001076985):

KK: *“conversation with ruth went SO WELL. she clearly knows who and what im talking about without me having to drop details right now ...”*

KK: *“as if she wants a formal reason to fire him”*





Later in the same text exchange (page 80; Bates# HAS-WHI-001076987), KK continued:

KK: "...now both angelika AND ruth agree that public outing is critical"

KK: "implied in 2) is that he must be taken down"

KK: "and she was on board with those two parts being equally essential"

**Heather Keys,** 2020-10-19 16:15:49

I think the only way you get totally screwed is if it's kept secret and he stays at WI

**Kristin Knouse,** 2020-10-19 16:16:02

yeaaa and that's seeming less and less of a possibility...

**Heather Keys,** 2020-10-19 16:16:26

077

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HAS-WHI-001076986

Date Filed 10/24/2024 1:26 PM  
Superior Court - Suffolk  
Docket Number 2284CVD1449

I think it's supremely unlikely to be kept secret

**Heather Keys,** 2020-10-19 16:16:31

for one

**Kristin Knouse,** 2020-10-19 16:16:40

no and now both angelika AND ruth agree that public outing is critical

**Kristin Knouse,** 2020-10-19 16:17:04

i told her how this improves the enterprise two ways 1) it gets rid of one source of problems and 2) it shows that noone is too successful to be taken down

**Kristin Knouse,** 2020-10-19 16:17:09

implied in 2) is that he must be taken down

**Kristin Knouse,** 2020-10-19 16:17:15

Focus Mode

and she was on board with those two parts being equally essential

**Kristin Knouse,** 2020-10-19 16:17:46

it tells the community that this is simply not tolerated no matter how many nature papers are in your name

**Heather Keys,** 2020-10-19 16:18:06

yeah that is true, needs to be a shining example of what behavior is/not acceptable and that it doesn't matter who it is

**Kristin Knouse,** 2020-10-19 16:18:20

exactly!

- b. KK reported to Keys another conversation she had with Ruth Lehmann, this time **in early December 2020 (a few weeks before the DEI survey)**. Lehmann proposed remediation for Sabatini instead of firing and KK says “no.” (pages 96-99 in 04-18-2024 P#175 Unredacted Exhibits). (Bates #s HAS-WHI-001069396- HAS-WHI-001069399).

On page 96 (Bates# HAS-WHI-001069396):

KK: *“convo going okay, she's basically wanting more thoughts from me, wondering if it's better for whitehead if he just goes to remediation rather than firing, and i was like um no ..”*

**From:** Kristin Knouse[knouse@wi.mit.edu]  
**Sent:** Tue 12/1/2020 8:15:15 PM (UTC-05:00)  
**To:** Heather Keys[keys@wi.mit.edu]

**Kristin Knouse,** 2020-12-01 17:15:15

convo going okay, she's basically wanting more thoughts from me, wondering if it's better for whitehead if he just goes to remediation rather than firing, and i was like um no.

**Heather Keys,** 2020-12-01 17:19:34

I was just thinking of you and wondering how it's going

Later in the same text exchange KK explained her power over RL (page 98; Bates# HAS-WHI-001069398):

KK: *"I think arguably the reality is"*

KK: *"is if I say no a 30 minute sexual harassment tutorial isn't enough"*

KK: *"she's not gonna do it"*

KK: *"because I can just as easily leave and tell everyone the story"*

KK: *"and then the court of public opinion destroys whitehead"*

**Kristin Knouse**, 2020-12-01 16:01:37

i think arguably the reality is

**Kristin Knouse**, 2020-12-01 16:01:43

is if i say no a 30 minute sexual harassment tutorial isn't enough

**Kristin Knouse**, 2020-12-01 16:01:53

she's not gonna do it

**Kristin Knouse**, 2020-12-01 16:02:06

because i can just as easily leave and tell everyone the story

**Kristin Knouse**, 2020-12-01 16:02:09

and then the court of public opinion destroys whitehead

**Heather Keys**, 2020-12-01 16:21:06

yes that's true. sounds like she just wanted to talk through it a bit though

**Kristin Knouse**, 2020-12-01 16:21:12

096

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HAS-WHI-001069398

c. In a long text exchange between Nora Kory and KK and Izabella Pena, Kory recounted how she and RL planned that the DEI survey as a cover up for the investigation (complete exchange is on pages 37-71 of 06-14-2024 P#190 Unredacted Exhibits) (Bates# KORY0528-0529; 0655-0657; 0663-0667; 0692-0694; 0741-0754; 0767-0773).

On pages 49-50 (Bates# KORY0693-KORY0694):

KORY: *"Although we know the diversity survey was just a cover up and it was planned long before..."*

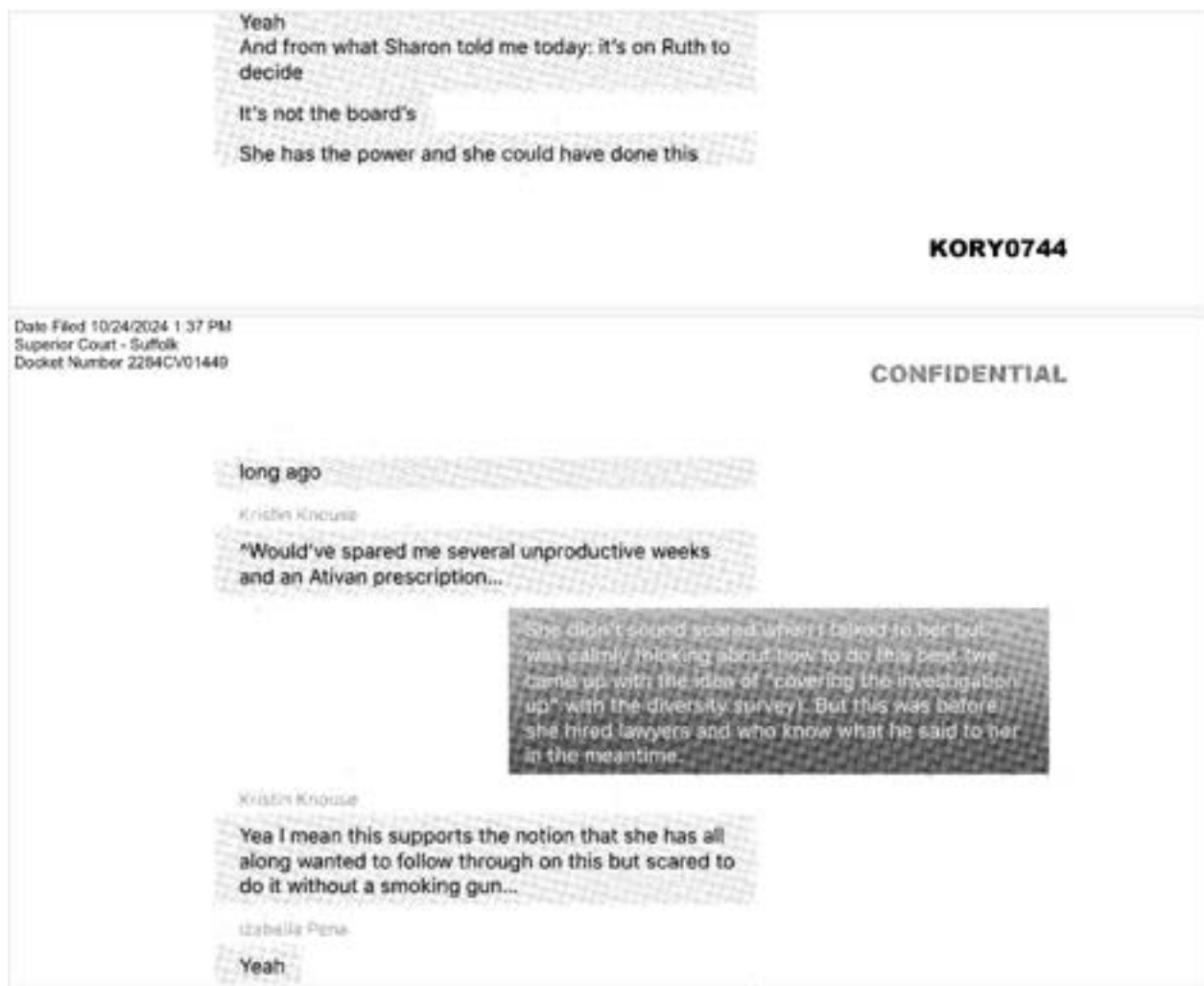
And KK responds, Ruth *"was a little loose lipped early on..."*



Later in the same text exchange Kory continued recounting her meeting with RL (pages 54-55 of 06-14-2024 P#190 Unredacted Exhibits). (Bates# KORY0744-KORY0745).

*KORY: "She didn't sound scared when I talked to her but was calmly thinking about how to do this best (we came up with the idea of "covering the investigation up" with the diversity survey)..."*

*KK: "Yea I mean this supports the notion that she has all along wanted to follow through on this but scared to do it without a smoking gun ..."*



1 Q. Yes. The first blue box, with your  
2 message, says:

3 "She didn't sound scared when I talked to  
4 her but was calmly thinking about how to do this  
5 best. We came up with the idea of, quote,  
6 covering the investigation up with the diversity  
7 survey, but this was before she hired lawyers.  
8 And who knows what he said to her in the  
9 meantime?"

10 What are you talking about there?

11 And feel free to look at the preceding  
12 pages, if you need to, to refresh your  
13 recollection.

14 A. So this is -- was on August 12th; is that  
15 correct?

16 Q. Yeah, I understand these are in  
17 chronological order, so there's no reason to  
18 believe that that is not the correct date.

19 A. She is referring to Dr. Lehmann. Earlier  
20 we had talked about a phone call I had had with  
21 her. I was -- and again, as I mentioned earlier,  
22 I was very concerned during that phone call about  
23 potential retaliation and how Dr. Sabatini would  
24 react to allegations coming out to him.

1           And specifically if he was fired or if he  
2     lost his job or -- you know, if there would be  
3     consequences of the allegations against him and  
4     me coming forward and other people coming  
5     forward.

6           And so this is referring to Dr. Lehmann  
7     wanting to find a way that would protect people  
8     who had spoken out from facing direct  
9     retaliation.

10          Because -- yeah. My concern was that  
11     people would be able -- specifically Dr. Sabatini  
12     would be able to know that I was the person who  
13     spoke out against him to Whitehead HR, came  
14     forward. And I was worried about individual  
15     people being singled out and having to face  
16     retaliation and consequences.

17          Q. What did you mean when you said, "We came  
18     up with the idea of covering up -- covering the  
19     investigation up with a diversity survey"?

20          A. By that I meant -- again, because I had  
21     come forward to Dr. Lehmann before any of this  
22     started, I was really worried about being singled  
23     out and being -- facing retaliation by  
24     Dr. Sabatini.

1           So if there were consequences, what would  
2     the statement say? And again, how to not expose  
3     individual people.

4           Q.   Have you ever been subjected to  
5     retaliation by Dr. Sabatini?

6           MR. SIMON:  Objection.

7           MS. ZUCKER:  Objection.

8           A.   I don't really know.  I -- not that I'm  
9     aware of.

10          BY MS. SOUSA:

11          Q.   And so how was the diversity survey going  
12     to be used, based on your conversation with  
13     Dr. Lehmann?  What did you understand?

14          MR. SIMON:  Objection.

15          MS. ZUCKER:  Objection.

16          A.   I understood that it would be used to  
17     get to -- used as a -- as the event that  
18     precipitated the whole investigation.

19          Q.   Is that something Dr. Lehmann said in the  
20     conversation with you?

21          A.   I don't remember exactly what she said,  
22     but this was -- she said that -- that would be  
23     one possible way of phrasing it.

24          Q.   Turning to 831 on this packet of



2. Knouse and her student Tina Lopez colluded to fill out the DEI survey to implicate Sabatini.

In a long text exchange between KK and her student Tina Lopez, they discussed in mid-December of 2020 what to put in the DEI survey (pages 416-420 in 06-14-2024 P#190 Unredacted Exhibits) (EXHIBIT 35; Bates# KK013693-KK013696).

Tina Lopez made very strong accusations against Sabatini despite never having met with him alone. In the messages KK mentioned Sharon Jones, who is the head of Jones Diversity, Inc., the firm that carried out the DEI survey.

The exchange begins as follows on pages 418-419 (KK013694-KK013695):

KK: *"unleash on Sharon Jones..."*

And continues for many pages afterwards, which is shown below

# Non-Responsive

KK Kristin Knouse [REDACTED]  
unleash on sharon jones

12/10/2020, 11:17 AM

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KK013694

TL Tina Lopez [REDACTED] 12/10/2020, 11:17 AM  
Was gonna consult you to see what you want me to say

KK Kristin Knouse [REDACTED] 12/10/2020, 11:18 AM  
I'd say anything and everything you want to say

KK Kristin Knouse [REDACTED] 12/10/2020, 11:18 AM  
I trust it is indeed confidential so will be presented as anonymous, aggregate concerns

TL Tina Lopez [REDACTED] 12/10/2020, 11:27 AM  
I guess my question was more of should I go balls to the walls with everything or will that look bad

KK Kristin Knouse [REDACTED] 12/10/2020, 11:28 AM  
I plan to say everything

TL Tina Lopez [REDACTED] 12/10/2020, 11:28 AM  
Bc I could go Anna, fraud, general shitty human that im terrified of retaliation so I don't speak up

KK Kristin Knouse [REDACTED] 12/10/2020, 11:28 AM  
Again I would say whatever you want to say

KK Kristin Knouse [REDACTED] 12/10/2020, 11:28 AM  
I personally feel that being fully open and honest about everything that goes on here is the only way to enforce change so I am doing that

TL Tina Lopez [REDACTED] 12/10/2020, 11:29 AM  
Totally valid. Just wasn't sure if it'd come off as a shifting fest and that would take away from what I am saying

TL Tina Lopez [REDACTED] 12/10/2020, 11:29 AM  
If that makes any sense..

KK Kristin Knouse [REDACTED] 12/10/2020, 11:30 AM  
I mean if there are that many concerns there are that many concerns right

TL Tina Lopez [REDACTED] 12/10/2020, 11:30 AM  
you right

TL Tina Lopez [REDACTED] 12/10/2020, 12:50 PM  
Yo bringing these up in an anonymous survey dont require them to report the harassment right..? Idk Wll policy

KK Kristin Knouse [REDACTED] 12/10/2020, 1:04 PM  
I don't believe so as Sharon Jones Co. is not a mandated reporter for MIT faculty.

TL Tina Lopez [REDACTED] 12/10/2020, 1:05 PM  
Ok cool just wanted to make sure

KK Kristin Knouse [REDACTED] 12/10/2020, 1:05 PM  
And regardless we already know that the mandated reporters are aware so it's just a holding/collecting game at this point in which any evidence is supportive.

TL Tina Lopez [REDACTED] 12/10/2020, 1:08 PM  
Alright cool I just didn't wanna blow the bomb before you are ready

KK Kristin Knouse [REDACTED] 12/10/2020, 1:10 PM  
I plan to say I've directly experienced and witnessed blatant sexism and sexual harassment from one particular faculty member, one student came to me upset about interest from this person, and I've heard inappropriate things said by this

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KK013695

member to his students

KK Kristin Knouse [REDACTED] 12/10/2020, 1:10 PM  
And that there's been a long-standing culture here that has enabled and turned a blind eye to this above-the-law mentality and that I worry this problem has far more facets than we even know

KK Kristin Knouse [REDACTED] 12/10/2020, 1:11 PM  
And that the worst abusers aren't the ones actively participating in these initiatives

KK Kristin Knouse [REDACTED] 12/10/2020, 1:13 PM  
Oh and that I am certain it is discouraging women and minorities from applying here

TL Tina Lopez [REDACTED] 12/10/2020, 1:14 PM  
Oh I was gonna use his name

KK Kristin Knouse [REDACTED] 12/10/2020, 1:14 PM  
Go for it

KK Kristin Knouse [REDACTED] 12/10/2020, 1:14 PM  
Maybe I will too

KK Kristin Knouse [REDACTED] 12/10/2020, 1:15 PM  
Yea I think I will for the specific instances

TL Tina Lopez [REDACTED] 12/10/2020, 1:16 PM  
I thought it'd be formatted a little different so there'd be a more general open ended part but I kinda just put the different stories where they were most related

TL Tina Lopez [REDACTED] 12/10/2020, 1:16 PM  
I used name so no doubt where issue is

KK Kristin Knouse [REDACTED] 12/10/2020, 1:16 PM  
yea haven't gotten a chance to look at it

TL Tina Lopez [REDACTED] 12/10/2020, 1:16 PM  
I just haven't submitted in case anything else comes to mind

KK Kristin Knouse [REDACTED] 12/10/2020, 1:18 PM  
Clearly based on last week's convo the key messages that I have to convey are 1) it's largely from one source and 2) a simple online class isn't going to change him

TL Tina Lopez [REDACTED] 12/10/2020, 1:19 PM  
Lol at whoever thinks an online class would work for anything

KK Kristin Knouse [REDACTED] 12/10/2020, 1:19 PM  
Ruth

TL Tina Lopez [REDACTED] 12/10/2020, 1:20 PM  
Yes I assumed her I meant like lol how ducking stupid

KK Kristin Knouse [REDACTED] 12/10/2020, 1:20 PM  
Well, Ruth just wishes this problem didn't exist so she didn't have to take the hit

TL Tina Lopez [REDACTED] 12/10/2020, 1:20 PM  
Weak

KK Kristin Knouse [REDACTED] 12/10/2020, 1:20 PM

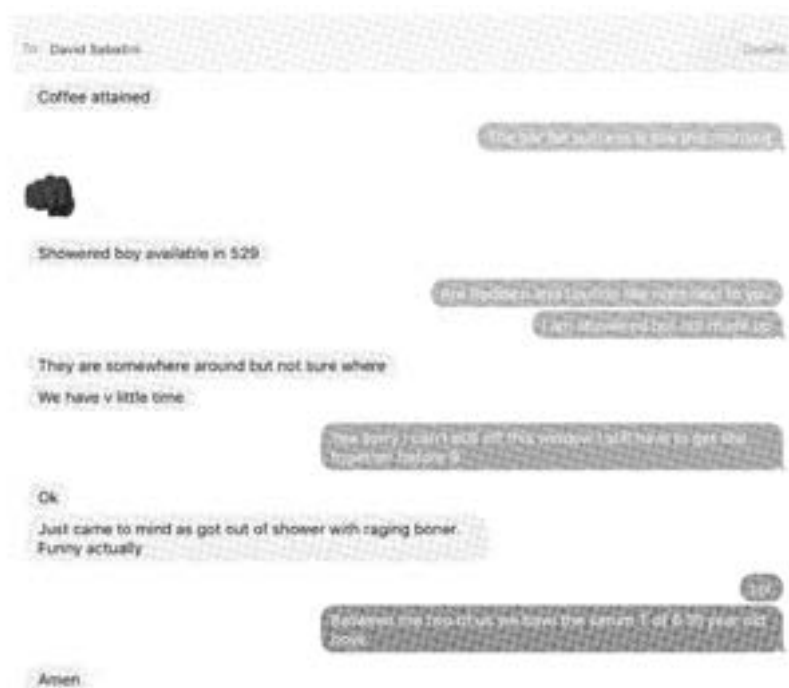
Confidential

KK013696

3. During the HAS investigation, Knouse provided a very selective set of documents to the HAS investigators and even those she gave she tampered with to mislead the investigators.

Knouse did this because she was aware that Sabatini did not have any text messages with her from before Jan 2020 because she knew that he had broken his phone and did not back up messages. The HAS report alleged that Sabatini sexually harassed Knouse at the 2018 WI retreat in New Hampshire based on Knouse's testimony during the HAS investigation and the selective text messages she gave to them. After a ruling from the court, KK was forced to provide all text messages with Sabatini. Only a small fraction of these messages is publicly available (pages 246-262 & 272-289 of 04/18/2024 P#175 Unredacted Exhibits and 115-119 & 272-289 of 04/22/2024 P#181 Unredacted Exhibits), but even this subset reveals a different picture of the relationship than she portrayed. It contradicts her claim that every interaction with Sabatini was coerced.

A good example of how Knouse manipulated the text messages is shown below. She provided the snippet of a text exchange shown below to make it appear that she was at Sabatini's beck and call at the 2018 WI retreat (page 242 of 04/18/2024 P#175 Unredacted Exhibits) (Bates# HAS004390 or KNOUSE-037).



However, in the complete exchange, which is excerpted below and provided in full on pages 23-29 of this report, one can see that KK initiated the sexual interaction with Sabatini and that their relationship was consensual. The snippet Knouse provided is in the middle of a much longer text exchange in which Sabatini was responding to a request for sex that KK had sent in the wee hours of September 23, 2018 (page 256 of 04/18/2024 P#175 Unredacted Exhibits). (Bates# KK004185).

KK: *"Too tired for fun now?"* (9/23/2018 1:42 AM)

DMS: *"Text me in the morning"* (9/23/2018 1:42 AM)

Which she did when she woke up:

KK: *"I am awake"* (9/23/2018 7:19 AM)

Banter follows and then the first message that KK gave to the investigators

DMS: *"Coffee attained"* (9/23/2018 7:40 AM)

The full text exchange begins on the next page and is from pages 256-262 of 04-18-2024 P#175 Unredacted Exhibits. (Bates# KK004185-KK004190).

Messages in chronological order (times are shown in GMT -04:00)

CHAT - KNKR000000001 - 00016 - 2018/09/23

DS David Sabatini [REDACTED] 9/22/2018, 9:41 PM  
I'm going to 1302 first

KK Kristin Knouse [REDACTED] 9/22/2018, 9:43 PM  
I'm going straight for my kilchoman right now after the past 90 minutes

DS David Sabatini [REDACTED] 9/22/2018, 9:44 PM  
Bring to 1302

KK Kristin Knouse [REDACTED] 9/22/2018, 9:44 PM  
I told fellows I'd go to 1205 but perhaps

KK Kristin Knouse [REDACTED] 9/22/2018, 9:55 PM  
How long do people pregame for?

DS David Sabatini [REDACTED] 9/22/2018, 9:55 PM  
Not sure. Just a few of us here laughing

KK Kristin Knouse [REDACTED] 9/22/2018, 10:02 PM  
K gonna stop by 1205 first and then try to come up. Have cups and kilchoman.

DS David Sabatini [REDACTED] 9/22/2018, 10:05 PM  
Ok

DS David Sabatini [REDACTED] 9/22/2018, 10:21 PM  
Going to bar

KK Kristin Knouse [REDACTED] 9/22/2018, 10:22 PM  
Need to drink more

KK Kristin Knouse [REDACTED] 9/22/2018, 10:24 PM  
Will see if I make it Attachment Title: 55936222324\_\_B0BFD775-A2CF-40D1-8442-0CF9931B96A2.JPG




Image: 55936222324\_\_B0BFD775-A2CF-40D1-8442-0CF9931B96A2.JPG (2 MB)

DS David Sabatini [REDACTED] 9/22/2018, 10:26 PM  
Lucky u

KK Kristin Knouse [REDACTED] 9/23/2018, 1:11 AM

What's good OG

KK Kristin Knouse [REDACTED] 9/23/2018, 1:39 AM  
(Cue derision about old man not making it through til end of dance party)

DS David Sabatini [REDACTED] 9/23/2018, 1:40 AM  
Tired kk. Maybe morning fun

KK Kristin Knouse [REDACTED] 9/23/2018, 1:40 AM  
I'm back in my room

KK Kristin Knouse [REDACTED] 9/23/2018, 1:41 AM  
Turned max down

DS David Sabatini [REDACTED] 9/23/2018, 1:41 AM  
👍

KK Kristin Knouse [REDACTED] 9/23/2018, 1:41 AM  
Eating m&ms

KK Kristin Knouse [REDACTED] 9/23/2018, 1:41 AM  
Too tired for fun now?

DS David Sabatini [REDACTED] 9/23/2018, 1:41 AM  
Text me in morning

KK Kristin Knouse [REDACTED] 9/23/2018, 1:42 AM  
Will do. Hank spilled beer all over me but too tired to shower.

KK Kristin Knouse [REDACTED] 9/23/2018, 1:43 AM  
Goodnight 🌙

KK Kristin Knouse [REDACTED] 9/23/2018, 7:19 AM  
I am awake

KK Kristin Knouse [REDACTED] 9/23/2018, 7:20 AM  
Debating whether or not to get out of bed

DS David Sabatini [REDACTED] 9/23/2018, 7:20 AM  
Me too. Tired

KK Kristin Knouse [REDACTED] 9/23/2018, 7:36 AM  
At least we got 2X dose of medicine on Friday. What's your post-return to Cambridge afternoon looking like?

DS David Sabatini [REDACTED] 9/23/2018, 7:36 AM  
Unclear currently. I have to finish hhmi

DS David Sabatini [REDACTED] 9/23/2018, 7:37 AM  
There is the checkout time too

KK Kristin Knouse [REDACTED] 9/23/2018, 7:37 AM  
Tryna pull a retreat hat trick huh

KK Kristin Knouse [REDACTED] 9/23/2018, 7:38 AM  
(if you haven't already)



DS David Sabatini [REDACTED] 9/23/2018, 7:38 AM  
HAHA

KK Kristin Knouse [REDACTED] 9/23/2018, 7:38 AM  
^too much caps for this hour and headache

DS David Sabatini [REDACTED] 9/23/2018, 7:38 AM  
I'm going to get coffee and then shower

KK Kristin Knouse <[REDACTED]> 9/23/2018, 7:39 AM  
I am going to wash the beer out of my hair and body 🍷

DS David Sabatini [REDACTED] > 9/23/2018, 7:39 AM  
🍷

KK Kristin Knouse <[REDACTED]> 9/23/2018, 7:39 AM  
'HAHA'

DS David Sabatini [REDACTED] 9/23/2018, 7:39 AM  
🍷🍷

KK Kristin Knouse [REDACTED] 9/23/2018, 7:39 AM  
Actual lol

DS David Sabatini [REDACTED] 9/23/2018, 7:40 AM  
My only goal

KK Kristin Knouse [REDACTED] 9/23/2018, 7:40 AM  
So selfless

DS David Sabatini [REDACTED] 9/23/2018, 7:40 AM  
Coffee attained

KK Kristin Knouse [REDACTED] 9/23/2018, 7:41 AM  
The bar for success is low this morning

DS David Sabatini [REDACTED] 9/23/2018, 7:41 AM  
🍷

DS David Sabatini [REDACTED] 9/23/2018, 8:12 AM  
Showered boy available in 529

KK Kristin Knouse [REDACTED] 9/23/2018, 8:13 AM  
Are Reddien and Lourido like right next to you

KK Kristin Knouse [REDACTED] 9/23/2018, 8:13 AM  
I am showered but not made up

DS David Sabatini [REDACTED] 9/23/2018, 8:13 AM  
They are somewhere around but not sure where

DS David Sabatini [REDACTED] > 9/23/2018, 8:13 AM  
We have v little time

KK	Kristin Knouse [REDACTED] Yea sorry I can't pull off this window I still have to get shit together before 9	9/23/2018, 8:13 AM
DS	David Sabatini [REDACTED] Ok	9/23/2018, 8:14 AM
DS	David Sabatini [REDACTED] Just came to mind as got out of shower with raging boner. Funny actually	9/23/2018, 8:14 AM
KK	Kristin Knouse [REDACTED] Lol	9/23/2018, 8:15 AM
KK	Kristin Knouse [REDACTED] Between the two of us we have the serum T of 6 16 year old boys	9/23/2018, 8:15 AM
DS	David Sabatini [REDACTED] Amen	9/23/2018, 8:15 AM
KK	Kristin Knouse [REDACTED] Makes for good science among other things	9/23/2018, 8:15 AM
DS	David Sabatini [REDACTED] Will have to take matters into my own hand ☹️	9/23/2018, 8:16 AM
KK	Kristin Knouse [REDACTED] Save it for checkout time and perhaps I can help	9/23/2018, 8:16 AM
DS	David Sabatini [REDACTED] ok, Let's see	9/23/2018, 8:16 AM
KK	Kristin Knouse [REDACTED] Otherwise at least leaves left hand free to write hhm1. I don't afford that efficiency.	9/23/2018, 8:16 AM
DS	David Sabatini [REDACTED] Are u sure u don't want quickie now?	9/23/2018, 8:17 AM
KK	Kristin Knouse [REDACTED] It will require me showing up to talks with wet hair	9/23/2018, 8:19 AM
DS	David Sabatini [REDACTED] Well ok	9/23/2018, 8:19 AM
KK	Kristin Knouse [REDACTED] I can give you 10 minutes	9/23/2018, 8:19 AM
DS	David Sabatini [REDACTED] Ok then come	9/23/2018, 8:20 AM
KK	Kristin Knouse [REDACTED] Leave door open	9/23/2018, 8:20 AM
DS	David Sabatini [REDACTED] Ok	9/23/2018, 8:20 AM

KK	Kristin Knouse [REDACTED] That was a personal record for me I must admit	9/23/2018, 8:28 AM
KK	Kristin Knouse [REDACTED] Fuck I left my key in your room	9/23/2018, 8:29 AM
KK	Kristin Knouse [REDACTED] It must have fallen out of the envelope on your dresser	9/23/2018, 8:29 AM
KK	Kristin Knouse [REDACTED] I am outside your door	9/23/2018, 8:29 AM
KK	Kristin Knouse [REDACTED] You are in the bathroom this will take forever	9/23/2018, 8:29 AM
KK	Kristin Knouse [REDACTED] I smell like your baby powder shit	9/23/2018, 8:43 AM
DS	David Sabatini [REDACTED] Native deodorant	9/23/2018, 8:44 AM
KK	Kristin Knouse [REDACTED] Those 5 minutes might have alleviated your condition but only exacerbated mine	9/23/2018, 10:33 AM
DS	David Sabatini [REDACTED] Sorry, My bad	9/23/2018, 10:33 AM
KK	Kristin Knouse [REDACTED] Having second awesome science convo with weissman. Big fan based on these few data points.	9/23/2018, 10:34 AM
DS	David Sabatini [REDACTED] Told u. I have good intuition	9/23/2018, 10:42 AM
KK	Kristin Knouse [REDACTED] I'm still shocked all you big deals seemingly want to talk to me about science.	9/23/2018, 10:48 AM
DS	David Sabatini [REDACTED] Well hope it helps with kk insecurity	9/23/2018, 10:51 AM
KK	Kristin Knouse [REDACTED] I must say I had an awesome time this weekend, scientific and otherwise. The science here is incredible and I am so lucky (and shocked) to be part of it. To be reminded next time I break and bitch. Had great convo with Raghu about doing a bunch of well-executed exercise physiology studies on ourselves.	9/23/2018, 7:22 PM
DS	David Sabatini [REDACTED] You see! I'm very happy. It is truly a hard place to beat. Definitely going to call you out next time you whine	9/23/2018, 7:23 PM
KK	Kristin Knouse [REDACTED] The fellow stress manifests in weird ways because I'm usually too high on science to be appropriately conscious of it. But retreat was a really good experience for me. I feel much more a part of the institute rather than some rando in the back room.	9/23/2018, 7:25 PM
DS	David Sabatini [REDACTED] You mean a rando albino in the back?	9/23/2018, 7:25 PM

KK Kristin Knouse [REDACTED] 9/23/2018, 7:27 PM  
Indeed invisible to all eyes except those of the unparalleled Martin Taylor.

KK Kristin Knouse [REDACTED] 9/23/2018, 7:27 PM  
Though Rick and Hazel have yet to say a single word/welcome to me.

DS David Sabatini [REDACTED] 9/23/2018, 7:27 PM  
And max

DS David Sabatini [REDACTED] 9/23/2018, 7:28 PM  
That is odd, Hazel I get As feels threatened but Rick is usually very friendly

KK Kristin Knouse [REDACTED] 9/23/2018, 7:29 PM  
I'll try to be proactive with Rick. I think I'm kk-style scared and intimidated by the voice. Agree Hazel probably lost cause for me. She was my harshest interview.

DS David Sabatini [REDACTED] 9/23/2018, 7:30 PM  
She always. She pontificates and then does the opposite. And by far our worst scientist

KK Kristin Knouse [REDACTED] 9/23/2018, 7:30 PM  
And indeed Max's 2 AM text was borderline Marty.

DS David Sabatini [REDACTED] 9/23/2018, 7:32 PM  
Well you are the hottest smart person at the retreat so kinda of a complement as he really does like people who challenge him

KK Kristin Knouse [REDACTED] 9/23/2018, 7:33 PM  
Poor guy is so unaware of the magnitude and facets of this challenge

DS David Sabatin [REDACTED] 9/23/2018, 7:33 PM  
I know. I always wonder how much is going on behind the scenes in general. Has to be a lot

KK Kristin Knouse [REDACTED] 9/23/2018, 7:38 PM  
The more I know the more I don't know. But to find out that Cheeseman or Reddien were not asexual would cause severe cognitive dissonance.

KK Kristin Knouse [REDACTED] 9/23/2018, 7:38 PM  
Surely Reddien made his babies by cutting off one of his own appendages.

DS David Sabatini [REDACTED] 9/23/2018, 7:39 PM  
Trust me Peter is not. Cheeseman lost his dick in a barbecue accident

KK Kristin Knouse [REDACTED] 9/23/2018, 7:40 PM  
😂😂😂

KK Kristin Knouse [REDACTED] 9/23/2018, 7:40 PM  
Still laughing

DS David Sabatin [REDACTED] 9/23/2018, 7:40 PM  
Once in a while OG still ok

KK Kristin Knouse [REDACTED] 9/23/2018, 7:47 PM  
Hope I came within striking distance of Peter's performance back in the days when you two cohabitated.

DS David Sabatini [REDACTED] 9/23/2018, 7:48 PM  
He is packing a bratwurst

KK

Kristin Knouse [REDACTED]

9/23/2018, 7:49 PM

Never doubted it. Biology typically keeps to scales.

KK did not provide messages between herself and Sabatini, such as the following text exchange, that clearly show two people enthusiastic about seeing each other and includes graphic/violent language from Knouse (pages 115-119 of 04-22-2204 P#181 Unredacted Exhibits (Exhibits A to N). (Bates# KK003725- KK003729).

Date Filed 10/24/2024 1:44 PM  
Superior Court - Suffolk  
Docket Number 2284CV01449

#### Short Message Report

Conversations: 1  
Total Messages: 65

Participants: 2  
Date Range: 12/26/2018 - 12/27/2018

#### Outline of Conversations



CHAT - KNKR000000001 - 00016 - 2018/12/27 - 65 messages between 12/26/2018 - 12/27/2018 -  
David Sabatini [REDACTED] - Kristin Knouse [REDACTED]

Messages in chronological order (times are shown in GMT -05:00)

CHAT - KNKR000000001 - 00016 - 2018/12/27

DS David Sabatini [REDACTED] 12/26/2018, 10:07 PM  
Damn you. Left me crazy

KK Kristin Knouse [REDACTED] 12/26/2018, 10:08 PM  
As you do for me on a daily basis.

DS David Sabatini [REDACTED] 12/26/2018, 10:08 PM  
We should have used Sudan's office. Ugh

DS David Sabatini [REDACTED] 12/26/2018, 10:08 PM  
Susan

KK Kristin Knouse [REDACTED] 12/26/2018, 10:09 PM  
Tuck your parents in and get in an Uber. I can demethylate soft sweet side.

DS David Sabatini [REDACTED] 12/26/2018, 10:09 PM  
Sunday. Or Friday

KK Kristin Knouse [REDACTED] 12/26/2018, 10:10 PM  
God damnit now I'm crazy revved. Been insanely revved the past week. Fuck you too.

DS David Sabatini [REDACTED] 12/26/2018, 10:10 PM  
Yeah me. With a pain down there

DS David Sabatini [REDACTED] 12/26/2018, 10:10 PM  
Did u leave?

KK Kristin Knouse [REDACTED] 12/26/2018, 10:10 PM  
No...

DS David Sabatini [REDACTED] 12/26/2018, 10:11 PM  
Sues office? Third floor?

KK Kristin Knouse [REDACTED] 12/26/2018, 10:11 PM  
I feel like I'll get ovarian cancer karma from the former

KK Kristin Knouse [REDACTED] 12/26/2018, 10:12 PM  
Hold up though I gotta evaluate myself as your prostate inspired my uterus/IUD to cause trouble this past week

DS David Sabatini [REDACTED] 12/26/2018, 10:12 PM  
Ok then I will leave and go home and cool off. Your call

DS David Sabatini [REDACTED] 12/26/2018, 10:12 PM  
Sunday we can convene. Good night kk. Have a good one.

KK Kristin Knouse [REDACTED] 12/26/2018, 10:14 PM  
I was gonna risk the latter location but situation is fully shaved but not super stable. I could ☹ or perhaps we should just formally and mutually decompress Sunday.

DS David Sabatini [REDACTED] 12/26/2018, 10:15 PM  
Sounds good. I want you crazy. Ok heading to garage now.

KK	Kristin Knouse [REDACTED]	12/26/2018, 10:15 PM
	Been having on and off bleeding all week. Mildly concerned but think just messed up cycle vs BG x OG hybrid.	
DS	David Sabatini [REDACTED]	12/26/2018, 10:15 PM
	Sorry to hear. We are shockingly similar boats	
DS	David Sabatini [REDACTED]	12/26/2018, 10:15 PM
	See u tomorrow. We can discuss again	
KK	Kristin Knouse [REDACTED]	12/26/2018, 10:15 PM
	Very painful for past two weeks. I know. At least we coordinated timing.	
DS	David Sabatini [REDACTED]	12/26/2018, 10:15 PM
	Kiss kk	
KK	Kristin Knouse [REDACTED]	12/26/2018, 10:16 PM
	*not how I imagined tonight's conversation would end to be honest.	
DS	David Sabatini [REDACTED]	12/26/2018, 10:16 PM
	Me too but i guess we are goth revved. Gym did not help. That little kiss made me nuts	
KK	Kristin Knouse [REDACTED]	12/26/2018, 10:17 PM
	Me too I can't cool down	
KK	Kristin Knouse [REDACTED]	12/26/2018, 10:17 PM
	We are the worst and the best. I love it.	
DS	David Sabatini [REDACTED]	12/26/2018, 10:17 PM
	Me to 🤔. Goodnight	
KK	Kristin Knouse [REDACTED]	12/26/2018, 10:19 PM
	I can't wait to wake up tomorrow and feel like I've been gang raped. Ice down your perineum mighty one 🤔	
DS	David Sabatini [REDACTED]	12/26/2018, 10:19 PM
	🤔🤔	
KK	Kristin Knouse [REDACTED]	12/26/2018, 10:32 PM
	How thin are your office walls? I wasn't even thinking about that side room... 🤔	
KK	Kristin Knouse [REDACTED]	12/26/2018, 10:32 PM
	Not that I can do anything about it now but hope I wasn't speaking too loud. I am a psycho female.	
DS	David Sabatini [REDACTED]	12/26/2018, 10:33 PM
	No worries. Sounds like Charlie Brown parents. Chill kk. With folks now.	
KK	Kristin Knouse [REDACTED]	12/26/2018, 10:36 PM
	Clearly I have never had any chill. Goodnight 🤔	
DS	David Sabatini [REDACTED]	12/27/2018, 4:34 PM
	Since our little interaction yesterday I have had ridiculous perineal pain. Unclear if squats or anticipation followed by frustration	
KK	Kristin Knouse [REDACTED]	12/27/2018, 4:39 PM
	I'm really sorry it keeps acting up—we did shred hard yesterday so maybe not just squats. For whatever consolation it's worth I remain uncontrollably revved up.	
DS	David Sabatini [REDACTED]	12/27/2018, 4:40 PM



Are u ok? I'm wondering if frustration is actually contributing to issue

KK Kristin Knouse [REDACTED] 12/27/2018, 4:41 PM  
Your frustration or mine?

DS David Sabatini [REDACTED] 12/27/2018, 4:41 PM  
Mine. Prostate doesn't like it

KK Kristin Knouse [REDACTED] 12/27/2018, 4:42 PM  
So you're saying it wants some gentle action?

DS David Sabatini [REDACTED] 12/27/2018, 4:42 PM  
I think so. I'm tempted by third floor. Crazy I know

KK Kristin Knouse [REDACTED] 12/27/2018, 4:42 PM  
I mean I can't imagine no hands no vag for >1 week. Seems lethal.

DS David Sabatini [REDACTED] 12/27/2018, 4:43 PM  
Actually since SD

KK Kristin Knouse [REDACTED] 12/27/2018, 4:43 PM  
How have you not exploded

DS David Sabatini [REDACTED] 12/27/2018, 4:43 PM  
Apparently I am

KK Kristin Knouse [REDACTED] 12/27/2018, 4:45 PM  
Do you want to quick Uber downtown? I need to evaluate my similarly problematic reproductive anatomy but if it acts up on my bed I don't care.

DS David Sabatini [REDACTED] 12/27/2018, 4:46 PM  
No I can't as meeting with kuang later. Would have to be here but that is probably no bueno

KK Kristin Knouse [REDACTED] 12/27/2018, 4:48 PM  
I will evaluate in a sec once back in lab. may or may not have quick run to the mall as running on 3 hours of sleep and brain useless. Interestingly hardly sore which leads me to believe that there is indeed a sleep-dependent mechanism to athletic fatigue.

DS David Sabatini [REDACTED] 12/27/2018, 4:49 PM  
Ok let me know. I'm going again tomorrow morning

KK Kristin Knouse [REDACTED] 12/27/2018, 5:01 PM  
I'm hemodynamically stable and front end of third floor is a ghosttown. Let me know when to report for first aid. Main door locked though...

DS David Sabatin [REDACTED] 12/27/2018, 5:03 PM  
I have key

KK Kristin Knouse [REDACTED] > 12/27/2018, 5:03 PM  
To everything

DS David Sabatini [REDACTED] 12/27/2018, 5:03 PM  
Going now

KK Kristin Knouse [REDACTED] 12/27/2018, 5:04 PM  
Leave it open and I'll trail

DS	David Sabatini [REDACTED] I'm here	12/27/2018, 5:05 PM
KK	Kristin Knouse [REDACTED] I should shut your door?	12/27/2018, 5:19 PM
KK	Kristin Knouse [REDACTED] Planning to shut both...	12/27/2018, 5:19 PM
DS	David Sabatini [REDACTED] Yes	12/27/2018, 5:20 PM
DS	David Sabatini [REDACTED] I found on tissue. U or me?	12/27/2018, 5:20 PM
KK	Kristin Knouse [REDACTED] Blood?	12/27/2018, 5:20 PM
DS	David Sabatini <[REDACTED]> Yes	12/27/2018, 5:21 PM
DS	David Sabatini <[REDACTED]> I don't think me as pee clean	12/27/2018, 5:22 PM
KK	Kristin Knouse [REDACTED] Me. Sorry. I think light trauma re-initiated residual.	12/27/2018, 5:22 PM
KK	Kristin Knouse [REDACTED] I should've scanned wall with phone but my guess is fine. Wasn't much.	12/27/2018, 5:23 PM
DS	David Sabatini [REDACTED] No prob	12/27/2018, 5:23 PM
KK	Kristin Knouse [REDACTED] My horny reproductively aged female bad 😬	12/27/2018, 5:24 PM

Part 4: Before and during the HAS investigation (April 2021-August 2021), Knouse and her lawyer threatened and intimidated the WI and Ruth Lehmann. During the HAS investigation Knouse's lawyers intimidated the HAS investigators. A major threat was that they would make their allegations public through the press, particularly the Boston Globe, and Twitter/X.

KK revealed to her student Tina Lopez that her lawyer Ellen Zucker is manhandling Ruth Lehmann. She says that "*Ruth's carcass is on the corner and Ellen's hands covered in blood?*" (Page 428 of 06-14-2024 P#190 Unredacted Exhibits) (Bates# KK013629):

KK Kristin Knouse [REDACTED] 6/30/2021, 3:17 PM  
Things are looking UP

KK Kristin Knouse [REDACTED] 6/30/2021, 3:17 PM  
and Ruth's carcass is on the corner and Ellen's hands covered in blood?

Right after her second HAS interview, KK wrote to her friend:

*"Just did my follow up. Ellen smacked them around hard at the beginning it was glorious. They now have all of my documents and said "now we can take action"... (Page 39 of 06-14-2024 P#190 Unredacted Exhibits) (Bates# KORY0655):*

Ellen demanded she come with me to my follow-up interview tomorrow so I'm just envisioning me sitting there watching her verbally shame the investigators.

Lo!

Nancy: "I have a Supreme Court hearing but send my word that I'm happy to send this all to the Globe"

7/1/21, 10:40 AM

Just did my follow up. Ellen smacked them around hard at the beginning it was glorious. They now have all of my documents and said "now we can take action"...seems like David denied everything up til 2020 so didn't have any of the texts that now incriminate him.

This is big

I like to think they're on my side and Ellen thinks so

**KORY0655**

KK recounted to Nora Kory how her lawyer Ellen Zucker treated the lead HAS investigator (Liz McEvoy): "*Ellen (Zucker) has smacked her around a few times for assorted failures*" (Page 12 of 04-22-2204 P#181 Unredacted Exhibits)(Exhibits A to N).

7/17/21, 4:47 PM

Still can't believe how naive the lawyer running the WI investigation is...

Ellen has smacked her around a few times for assorted failures

There are many examples in the newly unredacted documents of KK, her attorneys, and her friends of threatening to make KK's allegations public via the press or Twitter/X, presumably to intimidate Lehmann/WI into quick action against Sabatini.

Page 39 of 06-14-2204 P#190 Unredacted Exhibits)(Bates# KORY0655):

Nancy: "I have a Supreme Court hearing but send my word that I'm happy to send this all to the Globe"

7/1/21, 10:40 AM

Page 42 of 06-14-2204 P#190 Unredacted Exhibits)(Bates# KORY0657-658):

7/7/21, 3:23 PM

Keep the parties, especially if they do not take action very soon.

Will do. So hard to trust/believe/keep the faith but they indicated they may actually take action in advance of providing the final report.

**KORY0657**

Date Filed 10/24/2024 1:37 PM  
Superior Court - Suffolk  
Docket Number 2294CV01448

**CONFIDENTIAL**

7/7/21, 10:13 PM

Surprised WI/HR didn't tell me about this so as to abort Nancy's preliminary rage-drafts to The Globe...

Isabella Pena

Honestly I just want to be out. I'm happy my kids are not scared to follow me and we will be able to work in peace with Myriam. Then either WI does the right

**KORY0743**

Date Filed 10/24/2024 1:37 PM  
Superior Court - Suffolk  
Docket Number 2284CV01449

**CONFIDENTIAL**

thing or I'm ready to use the twitter/new york times strategy. I have friends at the Boston Globe and NYT waiting for a story

played through this scenario with her already and she rightfully said "he'll yell at me and be super angry"

Isabella Pena

She said this to you??

Kristin Knouse

She said the same to me...she was scared about how he and the other male faculty will react...

To which I said something along the lines of well how the FUCK do you think I feel?!

Isabella Pena

**KORY0741**

Date Filed: 10/24/2024 1:37 PM  
Superior Court - Suffolk  
Docket Number: 22B4CV01449

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And I'm happy with Myriam who is ramsuc and will be the mentor I need

Yeah

But they should fear me and my 10,000 followers on Twitter

What does Iain have to say on this topic?

Kristin Knouse

Tell Dilly you need confirmation from Ruth that will happen if you are going to stick it out under their orders.

**Kristin Knouse**, 2023-03-30 11:16:51

but from a public view perspective, my sense is this is not gonna blow up publicly at all or anytime soon

**Kristin Knouse**, 2023-03-30 11:17:24

because the initial process is all bound by confidentiality unless we're unhappy with their decisions at which point we can break agreement and put it on front page of the Globe

Part 5: Knouse used her accomplices to corrupt Sabatini's tenure revocation evaluation at MIT.

MIT formed a committee of Nergis Mavalvala (Dean of Science), Allan Grossman (Head of Biology), and Marty Schmidt (Provost) to consider the case for revoking Sabatini's tenure, which they ultimately decided to do.

It turns out that the composition of this committee was influenced by Sangeeta Bhatia (Professor of Health Sciences and Technology and Electrical Engineering and Computer Science at MIT) who is KK's main ally at MIT. KK reported to her friend Izabella Pena that Bhatia was asked who to place on the committee that would evaluate Sabatini and KK also boasted that Bhatia would protest to MIT President Rafael Reif if the decision did not go her way. Clearly, given her personal friendship with KK and her advocacy for KK against Sabatini, Bhatia should have recused herself

Relevant excerpts from page 367 of document 06-14-2024 P#190 Unredacted Exhibits (Bates # KK014913).

KK: *Sangeeta just called (9/27/2021, 6:38 PM)*

Pena: *Woww (9/27/2021, 6:38 PM)*

There are then a few redacted texts marked as ACP (Attorney Client Privelege).

KK: *But she said 'expect it to take a while' but they even asked for insight into who to put on the committee (9/27/2021, 6:39 PM)*

Pena: *Omg wtf (9/27/2021, 6:39 PM)*

KK: *AND she said she will go to Rafael Reif's office and protest the decision if and when needed. (9/27/2021, 6:39 PM)*

Pena: *At least they are asking her insight (9/27/2021, 6:40 PM)*

KK: *Exactly (9/27/2021, 6:40 PM)*

KK: *This is good (9/27/2021, 6:40 PM)*



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I had a dentist at the same time aaghrr  
Wish I had joined

KK Kristin Knouse [REDACTED] 9/27/2021, 6:38 PM

Loi it was loud

KK Kristin Knouse [REDACTED] 9/27/2021, 6:38 PM

Sangeeta just called

JP Izabella Pena [REDACTED] 9/27/2021, 6:38 PM

Woww

JP Izabella Pena [REDACTED] 9/27/2021, 6:38 PM

Wanna chat about it?

JP Izabella Pena [REDACTED] 9/27/2021, 6:38 PM

I'm free

ACP

KK Kristin Knouse [REDACTED] 9/27/2021, 6:38 PM

Sorry have to run to mouse room right now so not safe

ACP

JP Izabella Pena [REDACTED] 9/27/2021, 6:38 PM

No worries

JP Izabella Pena [REDACTED] 9/27/2021, 6:38 PM

Wtf

JP Izabella Pena [REDACTED] 9/27/2021, 6:39 PM

What's wrong with ml Jesus

KK Kristin Knouse [REDACTED] 9/27/2021, 6:39 PM

But she said "expect it to take a while" but they even asked her for insight into who to put on committee

> JP Izabella Pena [REDACTED] 9/27/2021, 6:39 PM

Omg wtf

KK Kristin Knouse [REDACTED] 9/27/2021, 6:39 PM

AND she said she will go to Rafael Reif's office and protest the decision if and when needed

JP Izabella Pena [REDACTED] 9/27/2021, 6:39 PM

Liked "AND she said she will go to Rafael Reif's office and protest the decision if and when needed"

JP Izabella Pena [REDACTED] 9/27/2021, 6:40 PM

At least they are asking her insight

KK Kristin Knouse [REDACTED] 9/27/2021, 6:40 PM

Exactly

KK Kristin Knouse [REDACTED] 9/27/2021, 6:40 PM

This is good

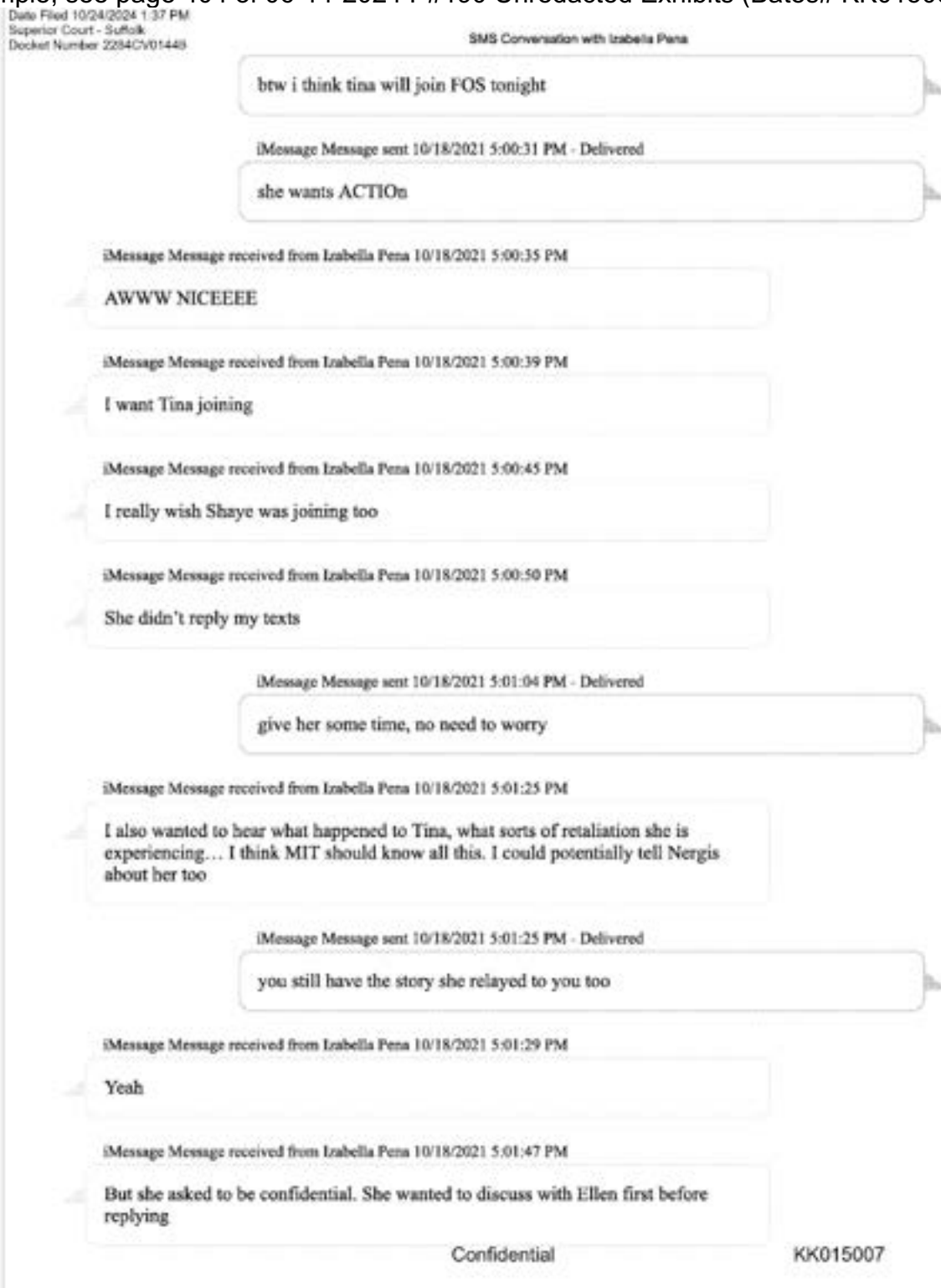
Confidential

KK014913



In addition, it appears that KK had a direct line of communication to Nergis Mavalvala (Dean of Science at MIT), the leader of the committee. While the committee spoke to Sabatini once and did not speak to any members in the Sabatini lab, KK was having direct conversations with Mavalvala and pushing her accomplice Izabella Pena to do the same.

For example, see page 404 of 06-14-2024 P#190 Unredacted Exhibits (Bates# KK015007):



Another example is suspiciously surrounded by redacted text: page 413 of 06-14-2024 P#190 Unredacted Exhibits (Bates# KK015018):

**ACP**

iMessage Message received from Izabella Pena 10/19/2021 7:16:07 PM

**ACP** Nergis had an availability tomorrow and asked if I could come to her office to chat

iMessage Message sent 10/19/2021 7:16:13 PM - Delivered

Damn girl!

iMessage Message sent 10/19/2021 7:16:16 PM - Delivered

The underground is rising!

iMessage Message received from Izabella Pena 10/19/2021 7:16:19 PM

But I'm not 100% ready yet so practicing

iMessage Message received from Izabella Pena 10/19/2021 7:16:29 PM

I will just disconnect a bit to focus! Talk to you tomorrow after it!

iMessage Message received from Izabella Pena 10/19/2021 7:16:35 PM

This is important

iMessage Message received from Izabella Pena 10/19/2021 7:16:40 PM

And scary as f\*\*\*

**ACP**

Part 6: Even before the WI/HAS report was complete and Sabatini was terminated, KK and her accomplices, particularly Nora Kory, were successfully interfering with Sabatini's employment at HHMI, relationships with journals, biotech companies, and blocking him from being considered for a Chair position at MSKCC in NYC.

This information comes from a long text exchange (pages 7-16 of 04-22-2204 P#181 Unredacted Exhibits (Exhibits A to N)) between KK and Nora Kory. Below are some excerpts that illustrate some of the themes in the exchange.

KK's motivation (page 5):

*KK: It would kill me if he just slinks off to biotech and is never held publicly accountable for this*

*Kory: I know*

*KK: That eliminates so much of the lesson here ...*

*KK: not letting him get away with this*

Blocking potential position at MSKCC in NYC (page 6):

*KK: I think I and my colleague successfully nipped the MSKCC chair position in the bud too.*

Interfering with Sabatini's relationships with journals (page 8):

*Kory: Editor is fine with me writing the review on my own/with my grad student. He hadn't heard any rumors about David whatsoever.*

*KK: Well victory that you were able to cut the cord*

*KK: Perhaps this can now make its way around the editorial circles ...*

Interfering with his position at a new biotech he was starting (pages 8-9):

*KK: Got a favorable update from my friend at the VC firm ...*

*KK: Apparently they want to cut ties but also legally might have to wait for signal from Whitehead/HHMI...*

KK then pastes in the message her friend sent her:

*"they likely need to put in some due processes to take any action but have strong propensity to kick*

*him out if they can especially if the Whitehead investigation flags him or he resigns of his own accord. Ppl are sure Marion Dorsch (CSO) has no idea and would be disgusted. David is just a name no IP - Jarred and Ralph are the main founders and people love them. There has been no talk of David joining the startup. All agree a big company a la Jay Bradner would be more likely. Bob Tjian was on vacation but I'll schedule time to talk with him later when he returns. My bet is HHMI will definitely have stuff to say (Tij used to head HHMI for 9 years and still has huge influence"*

Later KK pastes in another update from her friend who reached out to the CSO of the biotech and Bob Tjian, the ex-president of HHMI (page 16):

*Brief update (nothing solid but a start). As expected people need some type of substantiation to take solid action, but at least some actions are being made. For the company, press releases are being held off. The CSO Marion is appalled and checking the globe every day. She has no issue letting David go (but again an investigation being opened is not enough in itself to do so contractually). She is thinking about how to inform her team of the investigation, many team members have scientific ties to his lab and still interface scientifically with sabatini lab members. To clarify there are no qualms about interfacing with lab members, she is just thinking through how her team should hear it (ie not just through the grapevine)*

*I also told Bob Tjian. He didn't know about it. His reaction was one of disgust/surprise but also (like many ppl) "yeah I can see it". He obviously isn't president at Hughes anymore but says he is sure they will take it super seriously. I also mentioned that the main goal was accountability and prevention of having this happen to others. So if the Whitehead just does a slap on the wrist naming him will still be a priority. Hopefully that will urge huge to be very thorough.*

*Wish I had more to say! Please keep me updated if u hear more!"*

Nora Kory says that Sabatini has many other companies, but that they will deal with all of them:

KORY: "Ok, just about 20 other likely companies left. We'll get them all though."  
(page 7):

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any further positions

I hate that Whitehead is keeping such a tight lip on this

It makes it so easy for him to slither out

So here we are playing whack-a-mole with his exit strategies 🐸

Yeah, unbelievable not more is coming from the top. And we've also had to figure out our own strategies for how to even move forward and make sure things happen accordingly. So much mental space...

And time

Speaking of which, best wishes with your nature metabolism convo tomorrow 🐸

Thank you!

One interesting tidbit she shared was that they (David et al.) first pitched it to 5 AM Ventures which includes Weissman and Vamsi on the board and they were totally on board scientifically and then dropped it at the last minute a month or two ago...

7/12/21, 10:49 PM

Jesus I should really leave science and join law enforcement/national security...anyway Alba's company is Toran and he's on the SAB there, but this is distinct from the one my friend's VC firm (The Column Group) is running with him and Rutter called Atavastik. But Alba said he's barely present at Toran meetings so presumably not going there.

NS

Ok, just about 20 other likely companies left. We'll get them all though.

"You will be successful because you do not give up"  
- David Sabatini to me, 2018

Eat those words!

One true statement

Yea, persistence pays off

005

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I've been thinking about, if his career ends now, it will have peaked pretty early. The way he was going was literally not sustainable.

It's kind of comforting in a way to know that being an asshole doesn't get you that far after all.

Indeed he made a 100 yard dash out of a marathon. And managed to slip a handful of infractions into that short distance.

I agree I think honestly trying to convince myself that isn't true is a huge part of why I feel so emotionally invested in this.

7/13/21, 12:19 PM

Editor is fine with me writing the review on my own with my grad student. He hadn't heard any rumors about David whatsoever.



Well victory that you were able to cut the cord.

Perhaps this can now make its way around the editorial circles...

I think COVID and lack of people congregating/drinking at happy hours and conferences is an unfortunate blessing for his reputation rn

Im so curious if any of the science news reporters got wind of this but presumably if so if they reached out to WI for comment they got shut down.

Yeah possible

7/13/21, 2:57 PM

Got a favorable update from my friend at the VC firm...

Nice!

Apparently they want to cut ties but also legally might have to wait for signal from Whitehead/HHMI...

Wow

006

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"they likely need to put in some due processes to take any action but have strong propensity to kick him out if they can especially if the Whitehead investigation flags him or he resigns of his own accord. Ppl are sure Marion Dorsch (CSO) has no idea and would be disgusted. David is just a name no IP - Jarred and Ralph are the main founders and people love them. There has been no talk of David joining the startup. All agree a big company a la Jay Bradner would be more likely. Bob Tjian was on vacation but I'll schedule time to talk with him later when he returns. My bet is HHMI will definitely have stuff to say (Tij used to head HHMI for 9 years and still has huge influence"

It's truly amazing what a handful of 30-something women committed to doing what's right can accomplish...

no one else will...

Sadly I mean the previous generation

At least the ones currently in charge of the procedures

HA  
HA

Can't wait til Jared finds out from his investors that the buddy he brought on to amplify the sex appeal of his newco is weighing them down with sexual misconduct.

I know, wish I could see his face in that moment

Wow even Marty is standoffish and cold with me.

I didn't think that was humanely possible.

Silver lining of this whole mess?

Marty should be happy that he is not the target of this investigation himself.

I'm waiting for the moment where this stuff can be openly mentioned and all the time lost to this BS will somehow be credited. I'm so upset that not more

007

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senior scientists have spoken out against such behavior in the past and have not created a system where this would be prevented. 🙄🙄🙄

Especially in my filing department, where half of the Pis call themselves friends of David's

I know...I mean here we are feeling victorious when he's banned from the building after months of interference and retaliation and acting like we were so lucky...we should've never had to deal with this in the first place...

And I know I feel sorry for you...you're still so much in that orbit 🙄

But I suspect at least half of them will promptly jump off his ship when it's public in the interest of appearing woke

Not that it at all speaks anything to the depth or strength of character but will still make your life easier.

For sure. But right now I just want to yell at all of them and be like why are you not helping us instead of inviting him for more talks, almost hiring his girlfriend and praising him????!?

Venting much needed

Dude I feel every bit of rage and more

I can only imagine

Every day I have to sit on my hands to not air it all out on Twitter

You're not alone

I'm curious if that relationship is surviving the simultaneous failure of job acquisition plus legal troubles

Yeah hard to imagine tbh

But who knows

Especially since she no doubt has/will find out from

008



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someone who isn't him

Does Brendan know yet?

Not that I know, no idea though, I haven't talked to any of them really in a while

Will be interesting to see where he falls. I feel like MVH is trying so hard to be the politically unbiased director he is but deep down I can hear him rooting for the downfall.

Oh totally, I think MVH probably hates David

HA  
HA

Angelika said those exact words minus "probably"

I think few men actually react to these kind of news in a very empathic way. They're either uncomfortable, fail to acknowledge the gravity of the situation/consequences what people have been through, or seem to show some kind of weird sympathy with the offender.

Yea I mean even Sebastian has fallen into those categories on multiple occasions. It's pretty sad.

Omg he of all people

Apparently Iain Cheeseman told Zak Swartz he should think twice before he retweets Tweets speaking out against sexual harassment

What??

I lost it

"Best not to be vocal about these things" or something like that was said

Oh fuck this

Dude

Those words go straight to the fingers lying on the nuclear codes

This kind of silence is exactly what enables the offenders

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I think I evolved a new reflex pathway where comments like that trigger an immediate rage there's not even a time for processing

Same

EXACTLY

7/17/21, 1:43 PM

Cuomo to Be Questioned in Sexual Harassment Inquiry

[nytimes.com](https://nytimes.com)



"The monthslong wait for the attorney general's report has left the State Capitol in suspense, but it has also given Mr. Cuomo time to mount an effort to rehabilitate his image, stabilize his poll numbers and shore up support..."

Could just as well be written about someone else



7/17/21, 4:47 PM

Still can't believe how naive the lawyer running the WI investigation is...

Ellen has smacked her around a few times for assorted failures

7/20/21, 8:54 PM

I've heard nothing from above other than an insulting "David has decided to take care of his kid and will work remotely" e-mail from Dilly on Saturday but per Heather now all meetings with him are canceled and lab members were instructed to "go and have some fun for the summer" 🙄

Oh my gosh, I can't even. Their communication... go have some fun for the summer, what the hell.

I keep stalking him on Twitter to get a sense of his next move and he's certainly denying/covering his imminent cancellation quite well.

010

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"Fun" doesn't exactly capture the gravity of situation.

Is that what we're going to tell the world too? David is no longer employed here because he wants to take some time for fun and family. Great guy!

Yeah, that would for sure call for a "tweetorial" on what actually happened. I was toying with this idea yesterday. Could easily be organized by getting a group of women together and then one posts something and the others retweet with comments - boom, can't take it back.

Have you heard anything from Iza? Have been wondering what people in the lab say to this announcement.

Oh you can count on me for team tweetorial

Yea she told me about it too and how it was sketchy and she wondered if he was lying. She even said at this point she secretly hopes he's fired because then she could fully move to Myriam's lab no questions asked. She seems SO much happier now. And the rest don't talk to me—even Marty is cold and Jess won't even make eye contact.

Yeah, she should have left for real months ago. Oh man, can't believe you still have to face them...

It's not ideal but now that he's on house arrest my inner "I'm on the right side of this" helps it wash off my back.

7/21/21, 9:52 AM

Merideth Wadman is a news writer for Science. Clearly feminist as she's written about all the fallen harassers and gender disparities in NIH funding. If Whitehead really does try to cover this up I think we just tip her off and can presumably remain anonymous.

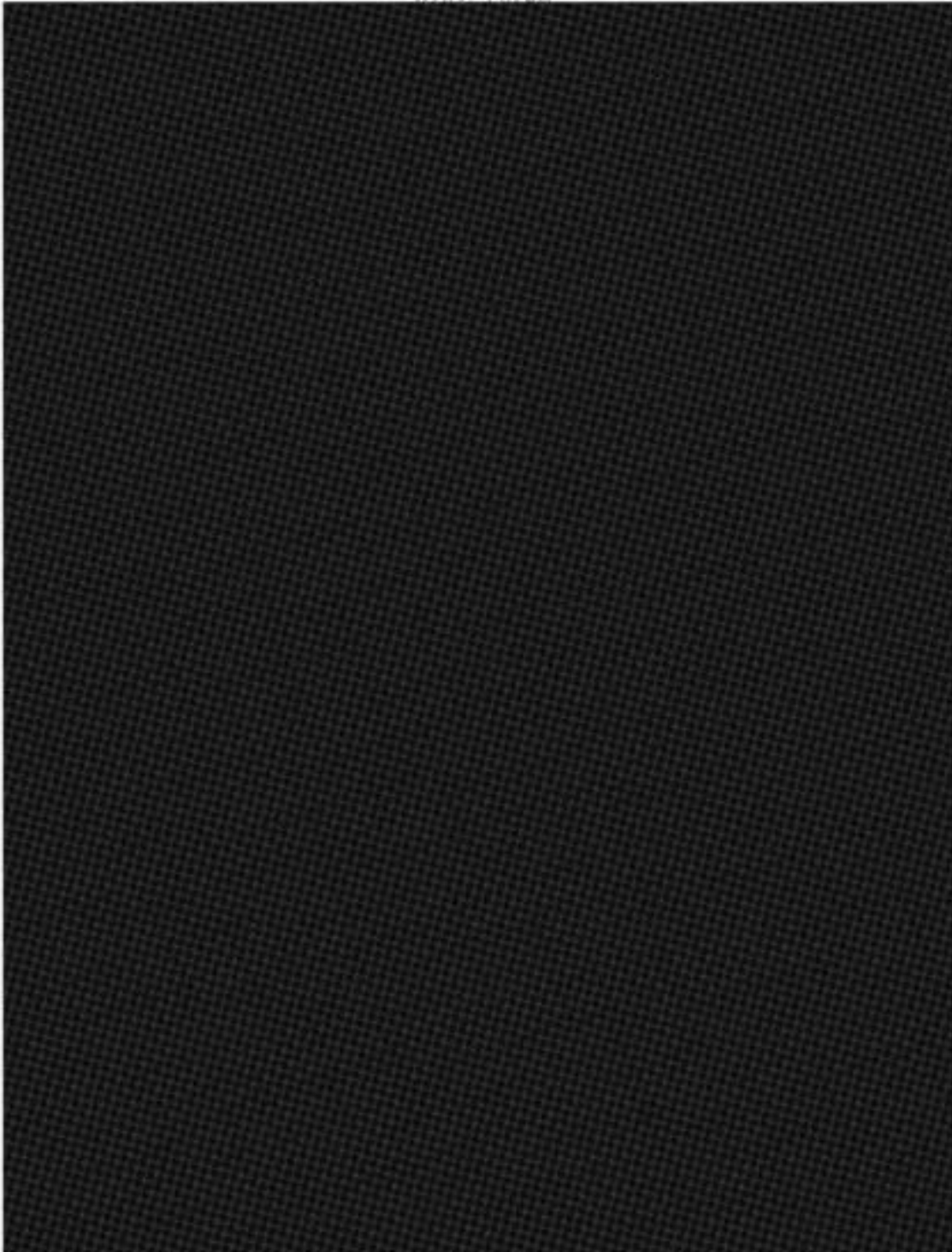
Great idea. Dilly's WH management of the situation is ridiculous and dangerous. This should be part of the article.

That and his egregious obstruction of justice, in part

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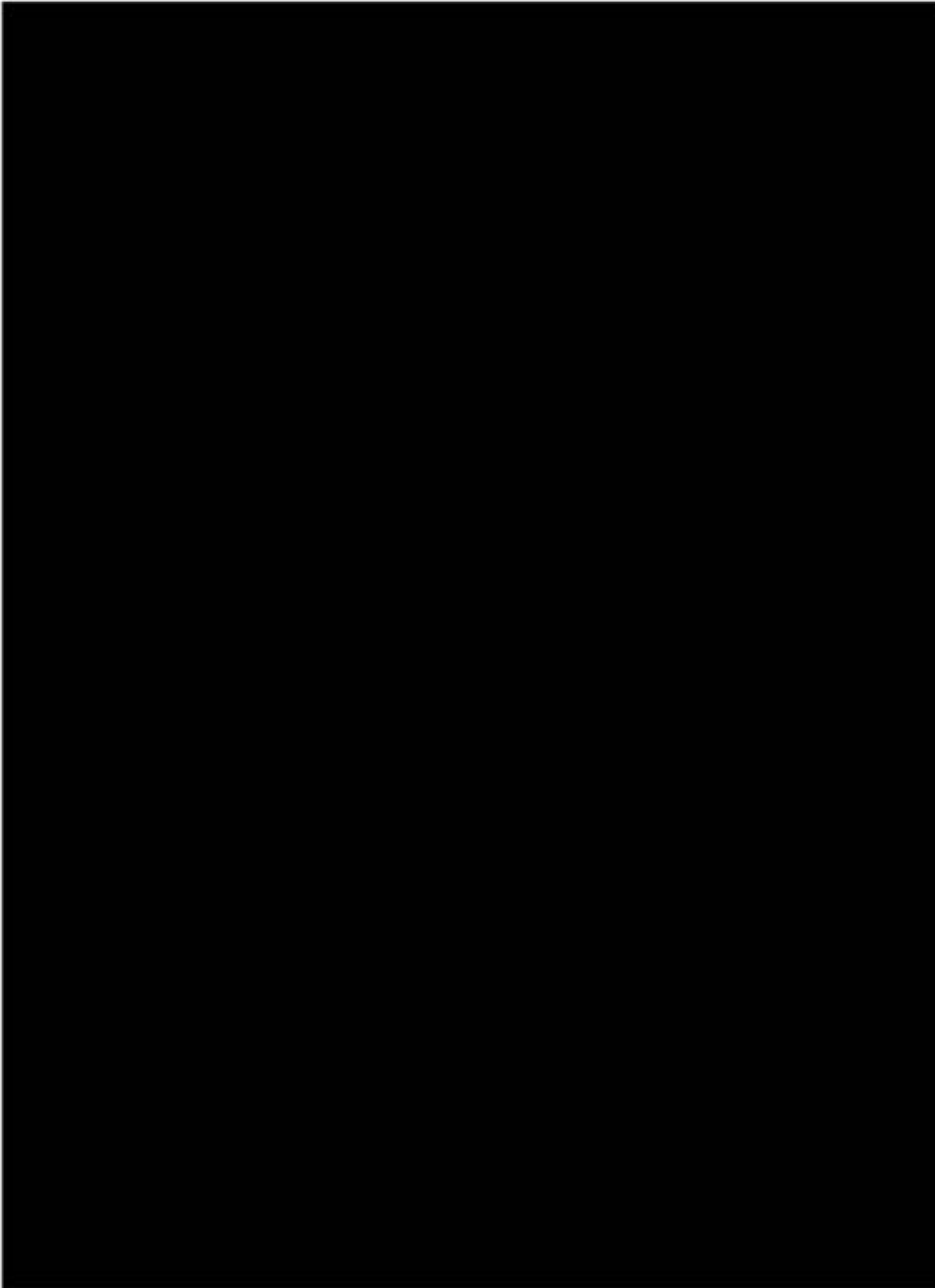
enabled by the former.

7/21/21 7:01 PM



012

**CONFIDENTIAL**



**013**

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7/22/21, 8:24 AM

Well, they better get their ducks in a row till then.

7/22/21, 9:58 PM

Brief update (nothing solid but a start).

As expected people need some type of substantiation to take solid action, but at least some actions are being made. For the company, press releases are being held off. The CSO Marion is appalled and checking the globe every day. She has no issue letting David go (but again an investigation being opened is not enough in itself to do so contractually). She is thinking about how to inform her team of the investigation, many team members have scientific ties to his lab and still interface scientifically with sabatini lab members. To clarify there are no qualms about interfacing with lab members, she is just thinking through how her team should hear it (ie not just through the grapevine)

I also told Bob tjian. He didn't know about it. His reaction was one of disgust/surprise but also (like many ppl) "yeah I can see it". He obviously isn't president at Hughes anymore but says he is sure they will take it super seriously. I also mentioned that the main goal was accountability and prevention of having this happen to others. So if the Whitehead just does a slap on the wrist naming him will still be a priority. Hopefully that will urge huge to be very thorough.

Wish I had more to say! Please keep me updated if u hear more!

\*Favorable update from my friend in VC (her words not mine)

Part 7. Even once Sabatini had departed WI, KK, through her lawyer (Ellen Zucker), continued to interfere with his job opportunities.

A particularly dramatic example of KK's interference comes from a recorded phone conversation between Zucker and attorneys in the NYU office of general counsel when NYU was considering him for a position. Motions on the court website show that despite the recording of her voice and her stating her name, Zucker refused to acknowledge it was her on the call and asked the court to prevent the recording from being included as evidence in the case. She lost these motions and the call transcript was added to the court website as part of 04-22-2024 Unredacted Exhibits to P#181.

Ellen Zucker called an attorney in the NYU general counsel's office (Dan Driesen) and threatened NYU with a defamation suit because NYU had called Knouse "a colleague" of Sabatini's. In addition, Zucker repeated and grossly misrepresented, many of the allegations leveled against Sabatini in KK's counterclaim and referenced in the HAS Report. For example, Zucker told Driesen that Dr. Sabatini had asked a woman (Postdoc 11) at a whiskey tasting, "Do you want to fuck my brother?" (Page 5 of 04-22-2024 P#181 motion). However, neither Dr. Knouse's counterclaims, nor the HAS report, alleges that Sabatini used those words. Indeed, in his motions Sabatini alleges that almost everything that Zucker claimed in the call is false and was intended to intimidate and mislead NYU.

Below is the entire transcript of the conversation between Zucker and Driesen, which was recorded by NYU (Pages 75-91 of 04-22-2204 P#181 Unredacted Exhibits (Exhibits A to N). (Bates# SABATINI 005245-005261).

Volume: I  
Pages: 1-17

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT

\* \* \* \* \*  
\*  
DR. DAVID M. SABATINI,  
Plaintiff \*  
\*  
v. \*  
\*  
DR. KRISTIN A. KNOUSE,  
Defendant and \*  
Counterclaim Plaintiff \*  
v. \*  
\*  
DR. RUTH LEHMANN, AND \*  
WHITEHEAD INSTITUTE FOR \*  
BIOMEDICAL RESEARCH \*  
Defendants \*  
\* \* \* \* \*

Docket No. 2284CV01449

AUDIO RECORDED  
TELEPHONE CALL WITH  
MR. DAVID DRIESEN  
AND MS. ELLEN ZUCKER

Caitlin M. Sheils  
Approved Court Transcriber

073

**SABATINI 005245**



1 P R O C E E D I N G S

2 - - -

3 (Proceedings begin at 10:09:55 a.m.)

4 MR. DRIESEN: I'm initiating my call to Ellen Zucker and  
5 Judge -- retired Judge, Nancy Gertner on the Sabatini matter.

6 RECORDING: Welcome to the Burns and Levinson conference  
7 center. Please enter your pin. 617-353-367 is not a passcode  
8 that I can confirm. Please try entering your passcode again  
9 followed by the pound or hash key.

10 Thank you for joining Global Meet. Please wait for the tone  
11 and then say your name and press the pound or hash key.

12 MR. DRIESEN: Dan Driesen.

13 RECORDING: Everyone will hear music until the host joins  
14 the meeting.

15 (Brief pause.)

16 RECORDING: Joining the meeting.

17 MS. ZUCKER: Ellen. Hello. This is Ellen Zucker.

18 MR. DRIESEN: Hi, Ellen. Dan Driesen. How are you doing?

19 MS. ZUCKER: I'm good, Dan. Judge Gertner, are you on? She  
20 may be joining us a little late.

21 MR. DRIESEN: Okay.

22 MS. ZUCKER: Ms. Gertner?

23 MR. DRIESEN: No, I don't think anyone joined us.

24 MS. ZUCKER: Okay. So is it just you on your side, Dan?

25 MR. DRIESEN: Just me.

074

1 MS. ZUCKER: How are you doing, by the way?

2 MR. DRIESEN: I'm good. It's been about 30 years since  
3 we've said, hello, so, how are you? How has it been?

4 MS. ZUCKER: Oh, don't even say it.

5 MR. DRIESEN: Yeah. No. Thirty. Or a little less but  
6 close.

7 MS. ZUCKER: So have you been in New York the whole time?

8 MR. DRIESEN: More or less, yeah, pretty much. I worked for  
9 the city for a while. I worked for the plaintiff's firm, and  
10 I've been with NYU Langone for probably about 14 years now.

11 MS. ZUCKER: So let me -- let me sort of jump in and get  
12 started about where we are.

13 MR. DRIESEN: Sure.

14 MS. ZUCKER: We represent Kristin Knouse. And I just -- I  
15 want to be clear about what in some ways this isn't, right.  
16 Langone will do what Langone wants to do, deal with its own  
17 demons on that, about whether it wants to give David Sabatini a  
18 soft landing and a spot, you know.

19 So you can hire whoever you want. But what -- what is a  
20 little outrageous is that NYU Langone and it's -- particularly in  
21 Twitter responds, in its NYU responds piece, you know, went into  
22 detail and suggested that it has -- that it is (indiscernible  
23 13:56:16) inaccuracies, that Kristin Knouse was merely a  
24 colleague, that he walked away voluntarily from MIT, no  
25 indication that he faced a recommendation, that -- for tenure

075

SABATINI 005247

1 revocation, that the process, the investigation was quote, "in  
2 secret", as though you all have never read the NAS report on  
3 sexual harassment and the importance of confidentiality within  
4 any investigation in sexual harassment in the sciences, in  
5 engineering and in medicine.

6       There are a number of (inaudible 13:57:03) in you've already  
7 -- what NYU has already put out and are downright defamatory.  
8 And having conferred with my colleagues at Whitehead, who are  
9 also representing Professor Lehmann, it is their view as well  
10 that you can hire whoever you want, but to keep defaming  
11 Whitehead, its director and Professor Knouse in order to -- some  
12 boloney justification for what you're doing, is beyond repeal.

13       And in fact, my good colleague at Whitehead is counsel for  
14 Whitehead said, the (indiscernible 13:57:44) ratifying the  
15 retaliation that the lawsuit itself is part of.

16       MR. DRIESEN: Now, I'm not really sure about what  
17 publications you're talking about --

18       MS. ZUCKER: I don't -- I do not -- pardon?

19       MR. DRIESEN: I'm not sure about what communications or  
20 statements that you're referring to, maybe if you want to send  
21 those --

22       MS. ZUCKER: Have you seen -- have you seen the Twitter  
23 account called Langone responds?

24       MR. DRIESEN: I thought I saw what was out there. I'm not  
25 sure if there is anything in particular that I found to be

1 defamatory or anything. I'm not sure about the one you're  
2 reporting at the moment. If you want to send me -- I'm sure  
3 you've taken screenshots if you want to shoot that over to --

4 MS. ZUCKER: I'm not going to send you -- I mean -- you  
5 know, news reports are incomplete, so NYU suggested it and NYU  
6 suggested its conducting a thorough due diligence of its own.

7 MR. DRIESEN: Okay.

8 MS. ZUCKER: And I want it to straighten out inaccuracies.

9 MR. DRIESEN: Okay.

10 MS. ZUCKER: Sabatini -- this is a quote. "Sabatini left  
11 MIT voluntarily."

12 MR. DRIESEN: Okay.

13 MS. ZUCKER: There's no sense that he faced a recommendation  
14 from the Provost, the Dean of Science and by the (indiscernible  
15 13:58:56) it wouldn't have gotten to him unless the president had  
16 told him that he was going to accept that recommendation.

17 MR. DRIESEN: Okay. Again, I'm not --

18 MS. ZUCKER: You don't see anything about that.

19 MR. DRIESEN: I don't know that any --

20 MS. ZUCKER: Okay.

21 MR. DRIESEN: -- every statement would have to include the  
22 details that you would like it to include. If he left  
23 voluntarily --

24 MS. ZUCKER: If the implication is defamatory otherwise, it  
25 does, Dan.

1 MR. DRIESEN: If the implication is defamatory --

2 MS. ZUCKER: Then you describe -- you describe the woman,  
3 who he coerced her to have sex with him, as a colleague.

4 MR. DRIESEN: Okay.

5 MS. ZUCKER: As a colleague.

6 MR. DRIESEN: Okay.

7 MS. ZUCKER: Right. Hold on one sec.

8 MR. DRIESEN: Yeah. I don't have the post in front of me,  
9 but if you want to send it to me, I'll take a look at it.

10 MS. ZUCKER: And she was not his colleague. She was a  
11 graduate student when he coerced her to have sex with him. He  
12 had MIT sound career influence role in her life. He was her  
13 (indiscernible 13:59:55) listed as a mentor on an NIH grant.

14 MR. DRIESEN: Okay.

15 MS. ZUCKER: And he would become the director of the fellows  
16 program in which she was enrolled.

17 MR. DRIESEN: Okay.

18 MS. ZUCKER: He was obliged to comment on her annually. And  
19 in fact, as late as February 2021, he wrote her a text, which by  
20 the way is one of things that Whitehead relied on, saying, "I am  
21 obliged to comment on you at the annual faculty (inaudible  
22 14:00:25.)

23 He then wrote her again in April as the investigation was  
24 starting, to remind her of his potential role and her application  
25 for a faculty appointment.

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SABATINI 005250

1 Now, I've looked up NYU's rules, and they prohibit that kind  
2 of relationship, just as MIT does.

3 So calling her merely a colleague is a flat out lie.

4 MR. DRIESEN: Okay.

5 MS. ZUCKER: It's a lie.

6 MR. DRIESEN: I think like minds can differ, but --

7 MS. ZUCKER: By MIT's own definition, if you write letters  
8 of recommendation, if you stand in a (inaudible 14:01:04)  
9 indirectly to exert any influence over someone's career, these  
10 relationships are deemed per se coercive. And what you say is  
11 just a colleague. That's it.

12 You also have nothing in there about the fact that this was  
13 not about a single relationship. Whitehead's report is far  
14 ranging. It contains information about a sexualized work  
15 environment, where among other things -- I mean this is the story  
16 that I find completely egregious, among so many. He walked up to  
17 women, not my client, asked him who they wanted to fuck in the  
18 lab. One woman was talking to his brother at a whiskey tasting,  
19 he walked up to her and said, "Do you want to fuck my brother?  
20 Do you want to fuck my brother? This is the guy."

21 And then there's a picture that he snapped, that he snapped,  
22 where he has women in his lab (indiscernible 14:02:11) guy, he  
23 was a post-doc -- I think he was a post-doc, he might have been a  
24 graduate student, he was a devout Christian, and he created a lie  
25 and said we're going to carry you from (indiscernible 14:02:21);

1 it was a lie. He snapped the picture and sent it around, because  
2 he thought this was so funny.

3 You guys say you're doing -- what I find offensive is you  
4 say you're doing a deep dive, you say you're gaining actual  
5 evidence, that you are reviewing all the evidence, but you  
6 haven't you called us. You haven't called Whitehead. You  
7 haven't called Lehmann.

8 MR. DRIESEN: Okay. I'm -- yeah, again, I'm not --

9 MS. ZUCKER: It's bullshit, and it's defamatory, and it's  
10 implication, because you don't know these stories. You haven't  
11 seen the text messages where he says he has a raging boner and so  
12 he wanted the girl to come to an empty office, the empty office  
13 of a woman who died, so that he could have a quickie.

14 MR. DRIESEN: Yeah, Ellen, I mean honestly --

15 MS. ZUCKER: I mean I'm sorry to be so graphic. Those are  
16 his words.

17 MR. DRIESEN: You can be as graphic as you'd like. Again,  
18 you're saying defamatory by implication. I mean I'm pretty sure  
19 that's not how defamation works. I mean if there's something --

20 MS. ZUCKER: Well, it's defamatory to call her a colleague.  
21 She was not his colleague.

22 MR. DRIESEN: That's defamatory? I don't -- I don't -- you  
23 know, I really don't find that to be, in my definition,  
24 defamatory --

25 MS. ZUCKER: Okay. If you don't think so, then you'll get

1 dragged into this and we'll deal with it then. If you don't  
2 understand why that's defamatory, Dan --

3 MR. DRIESEN: I'm missing the depth of the implication --

4 MS. ZUCKER: -- then they'll have to teach you.

5 MR. DRIESEN: -- you're making.

6 MS. ZUCKER: So they'll have to teach you. Because a part  
7 of what they're trying to do -- this is a, you know -- this is a  
8 -- it's a ridiculous case. There are reasons in science why  
9 powerful men like Sabatini are not supposed to be able to coerce  
10 women in training into sex. And so one of the ways he tries to  
11 get around that is by styling her as a quote, "friend, peer and  
12 colleague."

13 Then if you read his own account, she was in the MIT  
14 graduate program. She got her PhD in whatever it was, 2016,  
15 2017; she got her joint degree of May 2018. In March of 2018,  
16 she learned that her great mentor, Angelika Amon, was going to  
17 die. David said, Don't worry, I gotcha. And then he coerced her  
18 into sex at a time when he was listed as her mentor on an NIH  
19 grant, where she was coming to -- where he had, you know, set up  
20 while he was grooming her, to get to Whitehead, where he would  
21 then in the summer, take over as director of her program.

22 So in that context, I mean he came to the graduation  
23 ceremony at MIT in May of 2018, so he was just full of lies.  
24 That's fine; you want to hire that guy, hire him. But in the  
25 process, do not buy that this is just a he said/she said and



1 she's just a scorned colleague, which is his nonsense story, that  
2 three institutions had not bought upon real investigation. That  
3 you are directing people his website as though you're vouching  
4 for its veracity, is crazy, and that you are suggesting  
5 (indiscernible 14:06:00) the the NYU Langone responses legal  
6 action was initiated by Sabatini, you know, to vindicate his  
7 rights.

8 It was initiated by Sabatini during a confidential process  
9 at MIT, where according to MIT policy, the filing of such  
10 litigation is deemed retaliatory, as a matter of policy. He was  
11 instructed by MIT to keep things confidential during its process.

12 I mean hire him if you want.

13 MR. DRIESEN: Okay. I --

14 MS. ZUCKER: But don't try to vindicate him or pretend that  
15 NYU considered judge and jury, when it hasn't bothered to gather  
16 any facts; it just wants to hire him for whatever its reasons.

17 (indiscernible 14:06:52) wants it. (indiscernible 14:06:53)  
18 wants it. You know, you're run by a right wing, you know,  
19 zealous who believes that women having equal rights amounts to  
20 cancel culture, blah, blah, blah, Trump, the whole thing.

21 Do it. If you want to become Trump's institution, do it.  
22 But don't defame her in the process, and don't pretend you've  
23 done an investigation you haven't done.

24 MR. DRIESEN: Okay. So -- I just again --

25 MS. ZUCKER: Take down the response.

1 MR. DRIESEN: Take down -- you're telling us --

2 MS. ZUCKER: Take the response. Take it off. Stop just,  
3 you know, referring people to his page as though it's valid, as  
4 though you know whether it's valid.

5 MR. DRIESEN: I see --

6 MS. ZUCKER: We don't want to fight with NYU. I mean I've  
7 got my own kinda -- I find it pretty curious that you could  
8 reduced the whole (indiscernible 14:07:44) Ruth Lehmann's emails  
9 without ever reaching out to her to see if it was acceptable to  
10 her. I now understand why.

11 MR. DRIESEN: Okay --

12 MS. ZUCKER: It's outrageous, it really is.

13 MR. DRIESEN: All right.

14 MS. ZUCKER: So are you going to do anything? Back off the  
15 response at all?

16 MR. DRIESEN: I just -- I was calling back to try to  
17 understand the position you're taking and why you say we were,  
18 you know, misstating facts or defaming your client. So I just  
19 wanted to gather --

20 MS. ZUCKER: So I hope you now understand.

21 MR. DRIESEN: I guess. I mean I heard what you've had to  
22 say. I appreciate it --

23 MS. ZUCKER: Oh, so you think it's all fine. You think it's  
24 okay to pretend you're doing an investigation when you don't know  
25 the facts?

1 MR. DRIESEN: Ellen, I'll --

2 MS. ZUCKER: To call --

3 MR. DRIESEN: -- Ellen, I'll --

4 MS. ZUCKER: -- her a colleague when she was in training.

5 MR. DRIESEN: I'll pass your position on. You've been going  
6 -- you know, you've been stating it rather vociferously and, you  
7 know, that's fine. And I will pass it on to the powers that be  
8 and let them know where you stand.

9 MS. ZUCKER: Well, Dan, I would like something more than you  
10 working as the mailman.

11 MR. DRIESEN: At this point, you're not going to get  
12 anything more than --

13 MS. ZUCKER: I mean, you know --

14 MR. DRIESEN: -- me working as the mailman --

15 MS. ZUCKER: -- we've just established you've been a lawyer  
16 for 30 years.

17 MR. DRIESEN: Mm-hmm.

18 MS. ZUCKER: Is NYU going to do anything to back off it's  
19 current -- I don't care whether you hire him or not; I want to be  
20 very clear. I mean, you know, you'll get what you get with that,  
21 but.

22 MR. DRIESEN: Ellen, you know, if you're looking for some  
23 sort of commitment or statements --

24 MS. ZUCKER: I'm (indiscernible 14:09:24) anything.

25 MR. DRIESEN: If you're looking for some sort commitment or

1 statement from me today, that's not forthcoming. I just wanted  
2 to hear what --

3 MS. ZUCKER: So when --

4 MR. DRIESEN: -- your position was.

5 MS. ZUCKER: -- am I going to hear back from you?

6 MR. DRIESEN: I will talk to Annette and we'll see what  
7 response we can provide to you. But I was just trying to  
8 understand where you're coming from and what you're basing your  
9 statements on in your email to her.

10 I now understand what you're saying or I think I understand  
11 what you're saying and I will share that with Annette and we'll  
12 get back to you.

13 MS. ZUCKER: Do you understand how important this is?

14 MR. DRIESEN: Yeah, I think I --

15 MS. ZUCKER: This is a young man who came forward, and there  
16 are other people who came forward who are horrified by the fact  
17 that coming forward means that they get named in lawsuits, and  
18 you guys choose to describe that lawsuit as, you know, in the  
19 most generous of terms, when all it did -- what it did was attack  
20 people who dared to abide by the law. Whitehead. Ruth. And  
21 Kristin. And you (indiscernible 14:10:38) on this dispute.

22 MR. DRIESEN: Okay. And you're --

23 MS. ZUCKER: As I said -- as I said, it is okay to hire him.  
24 It is not okay to do that.

25 MR. DRIESEN: To show support as you view it.

1 MS. ZUCKER: No. Do you really know what happened? Did you  
2 sit in (indiscernible 14:11:06) through 53 interviews? Did you  
3 weigh over a million pages of documents?

4 MR. DRIESEN: Ellen, I'm just trying --

5 MS. ZUCKER: And did you watch him lie in interviews. No.  
6 No, you didn't. And so do you know the numerous stories have  
7 nothing to do with Kristin Knouse? No. Do you know that the  
8 president was set to revoke his tenure. And that was the context  
9 of his resignation, to suggest that it was purely voluntary is  
10 just insane.

11 MR. DRIESEN: Okay. Look, I think you've -- you've --

12 MS. ZUCKER: I mean are you so willing to lie on his behalf  
13 of an institution that you are willing to smear Kristin, smear  
14 Whitehead and smear Lehmann?

15 MR. DRIESEN: Ellen, I don't think anyone has lied. I don't  
16 think anyone smeared anybody --

17 MS. ZUCKER: Then hire him.

18 MR. DRIESEN: -- it's --

19 MS. ZUCKER: (indiscernible 14:12:05) lie. I mean they're  
20 lies in those school statements. They're lies. She's not a  
21 colleague. It was not only about her. Those are lies. You are  
22 not engaging in a thorough review of (indiscernible 14:12:22) all  
23 evidence, which is what has been said, by public statements;  
24 that's a lie. That's a lie. All of them are lies that damaged  
25 my client, Whitehead and Ruth Lehmann.

1           That's fine; you can hire him. I wish you the best of luck.  
2 You say that 47 women -- 47 people find a letter, that is  
3 anonymous letter, we don't know -- and if you read Ann  
4 Carpenter's Tweet, that letter would permit one percent to sign  
5 anonymously twenty times. You don't know whether there's 47  
6 individuals. You can't know.

7           And you should read Ann Carpenter's tweets. I don't know  
8 Ann Carpenter from a hole in the wall, but she felt so strongly  
9 about this that she put out the long statement on Twitter, and  
10 she's very, very serious and a well regarded occupational  
11 biologist of the Broad, who takes tremendous issue with the  
12 notion that David is claiming for success (indiscernible  
13 14:13:39.) So that's also a misstate or an overstatement.

14           You didn't talk, I assume, to the undergraduates who he  
15 groomed, whom he would, you know, bring into his office for long  
16 meetings where he would ask her who she wanted to fuck and who  
17 she thought other people were fucking.

18           And then when she was in England, offered for her to stay  
19 overnight an extra night and he would pay for her hotel room and  
20 the extra cost for her flight back so they could hang out. She  
21 was an undergraduate. This is a guy, this is your guy, that you  
22 say this is all about an affair he had with a colleague. That's  
23 a lie. And it's defamatory.

24           So do what you're going to do, but please stop lying. And I  
25 expect a response by tomorrow. Thank you.

1 MR. DRIESEN: Mm. Okay. Good talking to you, Ellen.

2 MS. ZUCKER: Yeah. Bye.

3 (End of recorded call.)

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CERTIFICATE

I, Caitlin M. Sheils, an approved court transcriber, do hereby certify that the foregoing is a true and accurate transcript from the audio recording provided to me of the proceedings in the above-entitled matter. I further certify that the foregoing is in compliance with the Supreme Judicial Court Transcript Format.

I, Caitlin M. Sheils, further certify that the foregoing is in compliance with the Administrative Office of the Trial Court Directive on Transcript Format.

I, Caitlin M. Sheils, further certify that I neither am counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not financially nor otherwise interested in the outcome of the action.

Caitlin Sheils

Caitlin Sheils

July 26, 2023

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089

SABATINI 005261



Part 8: Knouse tried to cover up her extensive use of inappropriate language by inappropriately redacting offensive, including racist, language from the documents the court forced her to produce after Sabatini won 1.5 years of motions filed by Sabatini.

The motions included with this analysis cover this topic extensively and carefully compare redacted and unredacted messages (see pages 6-13 of 06-14-2024 P#190 motion for a discussion of what KK did and many examples).

For example, pages 9-10 show how KK tried to hide that she called her Mexican graduate student (Tina Lopez) the “flawed Hispanic” (Bates# KK2512 and KK3075), something she wrongfully accused Sabatini of doing despite there being zero evidence that he did. Sabatini is a first generation Hispanic with US citizenship.

At a hearing on February 21, 2024, Dr. Sabatini again raised the issue. Dr. Knouse's counsel continued to object, insisting that the redactions were limited in scope: We've left in names where there were third party – third party are directly at issue in this case. This is an example. There's been a discussion about Dr. Knouse's graduate student. Texts about her supervision of her. We left those in . . . . And they also have messages related to the third parties where those incidents are directly at issue.

**Exhibit 17** (Excerpt of Feb. 21, 2024 Tr.) at 14:12-16, 15:20-22 (C. Wurster). Dr. Knouse's counsel also claimed that they had been "surgical" about the redactions. *See Id.* at 21:7-10 (Zucker). The Court ordered that the documents be produced in unredacted form by February 26, 2024, so Dr. Sabatini's counsel could review them before Dr. Knouse's February 29 deposition. Docket at #160, Ex. 17, at 26:3-26:16.

When the documents finally arrived (around 9:30PM on February 26, 2024), it became evident that the redactions went far beyond the scope that Dr. Knouse had acknowledged, and were entirely unsupportable on any legitimate grounds. For example, Dr. Knouse redacted the following:

Kristin Knouse [REDACTED] 8/1/2019 10:10 PM  
[REDACTED] her harvest cardiomyocytes yesterday!

Kristin Knouse [REDACTED] 8/1/2019 10:11 PM  
[REDACTED] can thread a needle in an orifice of any size. She's pulled off injections into the left anterior descending artery of a neonatal mouse. Truly amazing

*See Exhibit 18* (KK2512). In the unredacted version, it is clear that Dr. Knouse refers to her graduate student, a subordinate, in a particularly unflattering way:

Kristin Knouse [REDACTED] 8/1/2019 10:10 PM  
Tina helped her harvest cardiomyocytes yesterday!

Kristin Knouse [REDACTED] 8/1/2019 10:11 PM  
Flawed hispanic can thread a needle in an orifice of any size. She's pulled off injections into the left anterior descending artery of a neonatal mouse. Truly amazing

*Id.* at KK3873.

She made similar redactions in other places:

1/1 Kristin Knouse [REDACTED] 8/7/2019, 7:14 AM  
 Re in vivo size screen—presumably you have some mTor component you could stain heps for and then sort based on that and then by size so as to readily distinguish between sensing need to change size (though presumably you already know all of these) and the machinery required to trim yourself down? [REDACTED] and I are working to see if we can get lentil into neonatal heart via LAD injection so could do size screen in CMs—could be even more interesting.

**Exhibit 19 at KK3075.** Compare the unredacted version:

1/1 Kristin Knouse [REDACTED] 8/7/2019, 7:14 AM  
 Re in vivo size screen—presumably you have some mTor component you could stain heps for and then sort based on that and then by size so as to readily distinguish between sensing need to change size (though presumably you already know all of these) and the machinery required to trim yourself down? Flawed ~~Hispanic~~ and I are working to see if we can get lentil into neonatal heart via LAD injection so could do size screen in CMs—could be even more interesting.

*Id.* at KK4442. In other words, the insensitive banter that Dr. Knouse accused Dr. Sabatini of tolerating was a part of her everyday interchanges.

During her interview with HAS investigators, Dr. Knouse alleged that Dr. Sabatini called her subordinate the “defective Mexican” version of Dr. Knouse, yet it was Dr. Knouse, and not Dr. Sabatini, who used that term in their text messages. See **Exhibit 20** (excerpts of HAS Interview Notes with Knouse), HAS4288. Likewise, after claiming in public filings that Dr. Sabatini encouraged Dr. Knouse to engage in crude banter. See Counterclaim at ¶¶ 58, 132. Dr. Knouse redacted evidence that she needed no encouragement. For example:

1/1 Kristin Knouse [REDACTED] 12/19/2019, 5:12 PM  
 He bring kid over after to video game and vape like true stoners

DS David Sabatini [REDACTED] 12/19/2019, 9:13 PM  
 Next time. He is passing out

1/1 Kristin Knouse [REDACTED] 12/20/2019, 1:33 PM  
 [REDACTED] Prohibited us from using the door closest to our lab to move equipment bc it would pass through the far corner of the TC room. [REDACTED]

DS David Sabatini [REDACTED] 12/20/2019, 1:47 PM  
 Sorry it has been so hard with her and the move [REDACTED]

1/1 Kristin Knouse [REDACTED] 12/20/2019, 1:48 PM  
 She [REDACTED]

1/1 Kristin Knouse [REDACTED] 12/20/2019, 1:50 PM  
 You have my permission to call [REDACTED] in exchange for that accusation as spades are spades.

**Exhibit 21 at KK2362.** The unredacted version:

Pages 10-13 of the same document show how KK also tried to hide her insults about junior female faculty member Dr. Pulin Li at WI, who she compared to “Hitler” and called an “anencephalic cunt” (Bates# KK2362) and her use of a picture of a girl with Down’s syndrome.

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Kristin Knouse [REDACTED] 8/7/2019, 7:14 AM  
Re in vivo size screen—presumably you have some mTOR component you could stain heps for and then sort based on that and then by size so as to readily distinguish between sensing need to change size (though presumably you already know all of these) and the machinery required to trim yourself down? Flawed ~~Hispanic~~ and I are working to see if we can get lentil into neonatal heart via LAD injection so could do size screen in CMs—could be even more interesting.

**Exhibit 19** at KK3075. Compare the unredacted version:

Kristin Knouse [REDACTED] 8/7/2019, 7:14 AM  
Re in vivo size screen—presumably you have some mTOR component you could stain heps for and then sort based on that and then by size so as to readily distinguish between sensing need to change size (though presumably you already know all of these) and the machinery required to trim yourself down? Flawed ~~Hispanic~~ and I are working to see if we can get lentil into neonatal heart via LAD injection so could do size screen in CMs—could be even more interesting.

*Id.* at KK4442. In other words, the insensitive banter that Dr. Knouse accused Dr. Sabatini of tolerating was a part of her everyday interchanges.

During her interview with HAS investigators, Dr. Knouse alleged that Dr. Sabatini called her subordinate the “defective Mexican” version of Dr. Knouse, yet it was Dr. Knouse, and not Dr. Sabatini, who used that term in their text messages. See **Exhibit 20** (excerpts of HAS Interview Notes with Knouse), HAS4288. Likewise, after claiming in public filings that Dr. Sabatini encouraged Dr. Knouse to engage in crude banter. See Counterclaim at ¶¶ 58, 132. Dr.

Knouse redacted evidence that she needed no encouragement. For example:

Kristin Knouse [REDACTED] 12/19/2019, 5:12 PM  
He bring kid over after to video game and vape like true stoners

David Sabatini [REDACTED] 12/19/2019, 9:13 PM  
Next time. He is passing out

Kristin Knouse [REDACTED] 12/20/2019, 1:33 PM  
[REDACTED] Prohibited us from using the door closest to our lab to move equipment bc it would pass through the far corner of the TC room. [REDACTED]

David Sabatini [REDACTED] 12/20/2019, 1:47 PM  
Sorry it has been so hard with her and the move [REDACTED]

Kristin Knouse [REDACTED] 12/20/2019, 1:48 PM  
She [REDACTED]

Kristin Knouse [REDACTED] 12/20/2019, 1:50 PM  
You have my permission to call [REDACTED] in exchange for that accusation as spades are spades.

**Exhibit 21** at KK2362. The unredacted version:

12/19/2019, 9:12 PM  
 Kristin Knouse [REDACTED]  
 Ha bring kid over after to video game and vape like true stoners

12/19/2019, 9:13 PM  
 David Sabatini [REDACTED]  
 Ned time. He is passing out

12/20/2019, 1:33 PM  
 Kristin Knouse [REDACTED]  
 Pullin is to HeLa cells what Adolf Hitler was to the Aryan race. Prohibited us from using the door closest to our lab to move equipment bc it would pass through the far corner of the TC room. He's hoping she goes on to cure all the diseases with DMEM

12/20/2019, 1:47 PM  
 David Sabatini [REDACTED]  
 Sorry it has been so hard with her and the move. She seems weak minded

12/20/2019, 1:48 PM  
 Kristin Knouse [REDACTED]  
 She is an anencephalic cunt

12/20/2019, 1:50 PM  
 Kristin Knouse [REDACTED]  
 You have my permission to call Hazel stupid in exchange for that accusation as spades are spades.

*Id.* at KK3723.

Similarly, she redacted the following:

3/11/2019, 12:28 PM  
 Kristin Knouse [REDACTED]  
 Shame you had to leave early and [REDACTED] post-novocaine

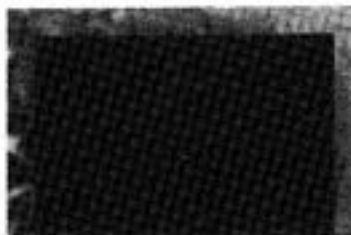
3/11/2019, 12:10 PM  
 David Sabatini [REDACTED]  
 Finally genotype-phenotype correlation

3/11/2019, 12:11 PM  
 Kristin Knouse [REDACTED]  
 Attached URL: <https://p29-content.cloud.com/MA3A4B940C3C83078C9472B423C8A7E85C02E563F62E91D920949EC0838694398-C01U5N0>

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KK003325

Attachment Title: IMG\_2935.jpg



NAME: KAT, JAZZ, JAG, TIA, KJB

As with other redactions, the unredacted version shows that Dr. Knouse needed no prompting:

Knouse Knouse [REDACTED] 2/11/2019 12:05 PM  
Shame you had to leave early as I'm rocking large chromosome genuine aneuploidy face in the office post-novocaine

David Sabater [REDACTED] 2/11/2019 12:10 PM  
Finally genotype-phenotype correlation

Knouse Knouse [REDACTED] 2/11/2019 12:11 PM  
Attached URL: <https://photos.content.idcloud.com/MA3A48943C3C83D79CB738423C8A75B4C02E363F62E31C4020648E0CB36994396-001u8n0>

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KK004803

Attachment Title: 080\_2015.png



See **Exhibit 22** at KK003325-26, KK004803-04. In her privilege log, the redactions KK003325 were described as “[h]ealth information; Third party name(s) and/or messages to the extent they concern sensitive matters related to third parties; photograph of third party.” Ex. 15 at 6. But these redactions did not (and were not intended to) protect the identities of known third parties or legitimate health information. They were plainly intended to shield unfavorable evidence under a veneer of formulaic legalisms.<sup>8</sup> These handful of redactions are only a small subset of the inappropriate redactions in which Dr. Knouse engaged; further examples are provided in **Exhibits 23-33**.

During her deposition, Dr. Knouse disclaimed any personal involvement in the suppression of unfavorable evidence:

Q. And you also fought producing those text messages without redactions, did you not?

MS. ZUCKER: Objection.

<sup>8</sup> Indeed, the description is all the worse for dressing up the obstructionism in the customary language of privilege. Courts correctly respect the wishes of parties who do not want their medical problems on the public record. Withholding a text because it references novocaine in passing or in jest is subterfuge, particularly where the party is producing it under a court order. The same is true of redacting a widely-circulated internet GIF based on “privacy interests.”

In her deposition, KK blamed her lawyers for the redactions (Page 13 of the same document).

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Superior Court - Suffolk  
Docket Number 2284CV01449

A. Again, I did not fight it. I deferred to my counsel to make decisions about what to produce.

BY MS. ARROWOOD:

Q. And again, you had nothing to do with that?

MS. ZUCKER: Objection.

A. As I said, I deferred to my counsel to make decisions about what to produce.

**Exhibit 10** (Excerpt of Knouse Dep.) at 237:2-12.

#### **ARGUMENT**

**I. Dr. Knouse's attempts to prevent Dr. Sabatini from obtaining relevant evidence, including efforts undertaken in defiance of a court order, justify sanctions**

Dr. Knouse understood full well what the text messages between Dr. Sabatini and Dr. Knouse show, and nevertheless engaged in a series of delaying tactics designed to prevent Dr. Sabatini from ever accessing those exchanges. After a series of stalling tactics intended to drag out the process, and even after being ordered to produce those exchanges, her attorneys interposed baseless "relevancy" redactions designed to prevent Dr. Sabatini from accessing evidence that undermines her claims.

Mass. R. Civ. P. 37(b)(2) authorizes the Court to award sanctions for violation of a court order, and makes sanctions the default rule for failure to comply. The Court ordered Dr. Knouse to produce documents, and specifically warned against any continuing efforts to suppress her text messages to Dr. Sabatini. Dr. Knouse's inappropriate relevancy redactions – if they can even be called that – were not even arguably intended to serve any legitimate purpose, and were precisely the sort of redactions that the Court had previously ruled was inappropriate. Rule 34 requires that documents be produced "as they are kept in the usual course of business". Mass. R. Civ. P. 34(c). Under any circumstance, redaction is an inappropriate tool for excluding alleged irrelevant information from documents that are otherwise responsive to a discovery request. "It is a rare document that contains only relevant information. And irrelevant information within a document

**Part 9:** KK espoused violence towards Sabatini, even offering to castrate and kill him.

Page 57 of 06/14/2024 P#190 Unredacted Exhibits (Bates# KORY0747):

*KK: "And frankly if Ruth is reluctant to do this, give me a bullet proof vest and a helmet and I will gladly go in for the kill."*

Fiona



But yeah it's time. I've been practicing the speech I'll give to my lab about David's firing for months now



Kristin Knouse

Honestly it will be a powerful, positive lesson for them and help create good culture.

Izabella Pena

Well Fiona was living with me for a month so she knows the drill already

Hahaha

Yes!!!!

Kristin Knouse



And frankly if Ruth is reluctant to do this, give me a bullet proof vest and a helmet and I will gladly go in for the kill.

Izabella Pena



I go with you

With Jackie

Kristin Knouse

Wall of women descends on his house

Izabella Pena



731E8E61-D526-4B55-96E2-BC8E54078CEF

Nora, meet Jackie!!

My emotional support doggie

**KORY0747**



KK and her friends continued relaying their violent thoughts regarding Sabatini (pages 68-69 of 06/14/2024 P#190 Unredacted Exhibits). (Bates# KORY0770- KORY0771).

Kory: "I want to laugh, but more so I want to 🍷 him in the 🍑"

KK: "Balls in formaldehyde" as promised by Nancy

KK: "If you're going to shoot at the king, you have to shoot to kill"

Kristin Knouse

...with considerable help from us let's not forget

There was probably some deep psychology (David's role in recruiting Ruth)

Story to tell our grandkids about...

Isabella Pena

Yep!!

Kristin Knouse

Might need to edit out some of my scenes but yes

😊😊

want to laugh, but more so I want to 🍷 him in the

Kristin Knouse

"Balls in formaldehyde" as promised by Nancy

Isabella Pena

Hahahaha omg

👉 tmp

**KORY0770**

Date Filed 10/24/2024 1:37 PM  
Superior Court - Suffolk  
Docket Number 2284CV01448

**CONFIDENTIAL**

Kristin Knouse

"If you're going to shoot at the king, you have to shoot to kill"

Part 10: Anne Carpenter (Director of the Imaging Platform at the Broad Institute of MIT and Harvard), who attacked Sabatini via Twitter/X, now claims in a motion to the court that she knows nothing of relevance to the Sabatini vs. Knouse and Lehmann/WI case and thus should not be subpoenaed.

When Sabatini was being considered for a position at NYU, a group of alumni wrote a letter of support. Anne Carpenter, who left Sabatini's lab 18 years ago, not only publicly refused to sign it but also claimed on Twitter/X that the lab was "toxic" without providing any details. She even offered specific numbers of reportedly aggrieved people without providing supporting evidence provided and when she was challenged to do so, she refused.

This was despite previous posts on Twitter/X in which she had praised her time in the Sabatini lab. Unsurprisingly, her public stance led Knouse's legal team, including Nancy Gertner (retired Judge), to send Carpenter a subpoena for deposition testimony. Instead of complying, Carpenter filed a motion with the court saying she had no information relevant to the case and seeking to quash the subpoena. The judge rejected her motion.

Below are screenshots and links to some of Carpenter's critical Twitter/X postings followed by her motion to quash in full.

← Post



Anne Carpenter, PhD  
@DrAnneCarpenter

The PR effort to make this about 1 ex lover is transparent. There's two people reported to HR, KK, more that are anonymous in the original investigation, there's myself and Ottina & at least two others who spoke on record to the Globe but weren't included so that's 7+.

6:48 PM · Feb 5, 2023 · 59.7K Views



7



28



129



6



Post your reply

Reply



surviving academic philosophy @PhilosophyMeToo · Feb 5, 2023

that's so horrible and something they often do. it's easier to discredit one person, so they focus on that and try and brush the other ones under the carpet. predator tactics 🙄

2



16

4.9K



Anne Carpenter, PhD @DrAnneCarpenter · Feb 5, 2023

They've also shifted tactics to argue that there's collusion going on, that because ppl were friends or filed complaints near the same time, they somehow are untrustworthy. But here there are two entirely separate cohorts of people who don't even know each other spanning 18 years

3



61

13K



Show replies



👉 Dr. Jockstrap 🍌 @DOCTOR\_RAGEBERG · Feb 5, 2023

That sounds like PLENTY. Thank you, Anne. 🍌

0



10

2.7K



Dr. Maria Elena De Obaldia @EllenDeObaldia · Feb 6, 2023

Unfortunately, trainees need to stay close to mentor for career survival, even if that mentor is abusive/creech. Also, it is possible to appreciate positive aspects of training, w.o. discussing terrible parts (bc consequences are great for doing so). Why so hard to understand

1



14

2.1K



Dr. Maria Elena De Obaldia @EllenDeObaldia · Feb 6, 2023

PR effort (unsurprisingly) also completely ignores documented evidence of data manipulation across many papers

2



4

1.6K



mTOR\_Leaks @mTOR\_Leaks · Feb 5, 2023

Firsthand data matters! What did you experience in Sabatini's lab that you would consider worthy of his termination rather than some HR re-education?

You never had any hesitation cozying up to him on Twitter when it was convenient. Even this one, a month before he got the boot!

← Tweet

<https://x.com/DrAnneCarpenter/status/1622381694819901446>

<https://x.com/DrAnneCarpenter/status/1513184158956331016>

<https://x.com/DrAnneCarpenter/status/1613726010301710336>

<https://x.com/JenLSargent/status/1513827753493209088>

Carpenter's motion to the court is provided in full below as well as all the exhibits, including correspondence between Carpenter's attorney and Nancy Gertner in which Gertner is trying to get Carpenter to comply "*because more than simply Dr. Knouse's litigation is riding on this case.*"

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. 22-1449-BLS

DAVID M. SABATINI, M.D., Ph.D.

Plaintiff/Defendant-in-Counterclaim,

v.

WHITEHEAD INSTITUTE FOR  
BIOMEDICAL RESEARCH and  
DR. RUTH LEHMANN,

Defendants

KRISTIN A. KNOUSE, M.D., Ph.D.

Defendant/Plaintiff-in-Counterclaim

RECEIVED

SEP 24 2024

SUPERIOR COURT - CIVIL  
JOHN E. POWERS, JR.  
ACTING CLERK/MAGISTRATE

**DR. ANNE CARPENTER'S MOTION TO QUASH DEFENDANT'S SUBPOENA**

Anne Carpenter, Ph.D., who is a non-party to the instant matter, hereby submits her Motion to Quash Defendant, Dr. Kristin Knouse's ("Defendant"), September 6, 2024 subpoena. Defendant's subpoena seeks Dr. Carpenter's deposition for testimony about her "knowledge with respect to the above-captioned matter." But Dr. Carpenter was not a witness to any interactions between Plaintiff Dr. David Sabatini ("Plaintiff") and Defendant. She was not a witness to any statements made by Defendant about Plaintiff or vice versa, nor could she discern the truth or falsity of any such statements had she witnessed or heard them being made. She was neither privy to nor involved in the Whitehead Institute for Biomedical Research's (the "Whitehead")

in the scientific community and beyond consumed, commented on, and discussed media coverage of this dispute and the alleged events giving rise to it, just as any other observer has every right to do without getting deposed and entangled in a contentious lawsuit. Moreover, Dr. Carpenter -- who balances a busy and demanding scientific career while also raising her children, and who has already had to hire counsel and devote significant time responding to both Plaintiff's and Defendant's persistent efforts to involve her in this litigation -- will be significantly burdened by having to sacrifice yet more of her time and effort preparing and appearing for a deposition certain to yield little value to either party. Accordingly, Dr. Carpenter respectfully requests the Court grant her Motion and quash Defendant's subpoena.

#### **RELEVANT FACTUAL BACKGROUND**

Dr. Carpenter is a scientist who specializes in image analysis for cell biology and artificial intelligence for the purpose of drug discovery. *See* Affidavit of Dr. Anne Carpenter in Support of Her Motion to Quash Defendant's Subpoena, attached as **Exhibit A**, at ¶ 2. She is the co-creator of the first open-source high-throughput cell image analysis software, called CellProfiler, which was first published in 2006. *Id.* at ¶ 3. Dr. Carpenter is presently the Senior Director of the Imaging Platform at the Broad Institute of Harvard and the Massachusetts Institute of Technology (the "Broad") in Cambridge, Massachusetts, where she has worked since 2007. *Id.* at ¶¶ 4-5. Dr. Carpenter founded her laboratory at the Broad, which she co-leads. *Id.* at ¶¶ 6. In addition to her demanding career at the Broad, Dr. Carpenter is also the busy mother of 5 children. *Id.* at ¶ 7.

Prior to joining the Broad 17 years ago, Dr. Carpenter trained in Plaintiff's laboratory at

("Compl. 2") at ¶ 110. After leaving the Whitehead, Dr. Carpenter maintained a cordial professional relationship with Plaintiff, though their interactions were relatively infrequent. **Exhibit A** at ¶ 9. Dr. Carpenter met Defendant once at a professional event many years ago, but otherwise does not know nor has thereafter ever communicated with Defendant, despite that Defendant contacted her on Twitter once following a tweet Dr. Carpenter posted after reading news stories about the events which gave rise to the instant matter. *Id.* at ¶¶ 10-13. Dr. Carpenter's employment at the Whitehead ended 12 years before Defendant began working there. *Id.* at ¶ 8; Compl. at ¶ 60.

Dr. Carpenter's knowledge of the parties' dispute derives primarily from that which she has learned from media coverage and public records generated as a result of this lawsuit and the events out of which it arose. **Exhibit A** at ¶¶ 14-21. While she is in favor of supporting people who come forward with allegations of harassment and abuse that have been confirmed by an investigation -- as indicated by her public comments about this matter, which are available to both parties without seeking any discovery at all from Dr. Carpenter -- Dr. Carpenter has no basis of personal, second-hand, or even third-hand knowledge regarding the parties' material allegations against one another. *Id.* Specifically, she does not know whether Plaintiff and Defendant had a relationship and, if they did, whether it was consensual or not. *Id.* She does not know what, if anything, Defendant may have said or written about Plaintiff to others, nor anything about the truth or falsity of such statements. *Id.* She has not had communications with any of the parties regarding any of the facts contained in Plaintiff's 381-paragraph Complaint, or in Defendant's 303-paragraph



Despite all this, Defendant seeks to force Dr. Carpenter to sit for a deposition to offer testimony for the overbroad, vague purpose of providing her "knowledge with respect to the above-captioned matter." She has no such knowledge beyond what has already been reported in the media and public records pertaining to this dispute.

Against this backdrop, Defendant's subpoena should be quashed. The burden Dr. Carpenter will bear by getting hauled in for an unnecessary deposition by Defendant -- which will undoubtedly lead Plaintiff to demand he too have an opportunity to depose Dr. Carpenter, compel further documents from her, etc., some of which Plaintiff's counsel has already indicated he plans to imminently do in light of Defendant's subpoena -- far outweighs any benefit Defendant might achieve from deposing Dr. Carpenter.

#### **ARGUMENT**

Discovery is permissible for any nonprivileged material which is relevant to the pending action and is reasonably calculated to lead to the discovery of admissible evidence. Mass. R. Civ. P. 26(b)(1); Hull Municipal Plant v. Massachusetts Municipal Electric Co., 414 Mass. 609, 615 (1993). To that end, "[a] party may issue a subpoena to depose a witness upon a showing that the deposition pertains to 'any matter, not privileged, which is relevant to the subject matter involved in the pending action,' and that the deposition is 'reasonably calculated to lead to the discovery of admissible evidence.'" See Graham v. Utica First Ins. Co., 2020 Mass. Super. LEXIS 2932, \*5-6 (Mass. Super. May 7, 2020) (quoting Mass. R. Civ. P. 26(b)(1)) (emphasis added).

---

However, a court may quash or modify a subpoena if it is "unreasonable, oppressive, irrelevant, or improper," and courts have a duty to "protect a person who is neither a party nor a party's officer from undue burden or expense." See Healy v. Uber Techs., 2021 Mass. Super. LEXIS 446, at \*2-3 (Mass. Super. July 22, 2021) (quoting Hull Mun. Lighting Plant v. Massachusetts Mun. Wholesale Elec. Co., 414 Mass. 609, 616 (1993)). Indeed, courts "may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense . . ." Mass. R. Civ. P. 26(c); ~~see also~~ Mass. R. Civ. P. 45(f)(3).

When determining whether a subpoena will cause a party undue burden or expense, courts may consider "(1) whether it is possible to obtain the information from some other source that is more convenient or less burdensome . . . ; (2) whether the discovery sought is unreasonably cumulative or duplicative; and (3) whether the likely burden or expense of the proposed discovery outweighs the likely benefit of its receipt . . ." Mass. R. Civ. P. 26(c).

Here, Defendant's subpoena seeking to depose Dr. Carpenter -- a non-party, non-witness, who has had little interaction with Plaintiff since 2006, and had almost no interaction with Defendant at any time -- will cause her an undue burden. First, the subpoenaed deposition is not reasonably calculated to lead to admissible evidence. Indeed, Defendant's subpoena fails to provide any specificity regarding what information she seeks from Dr. Carpenter, a non-party and non-witness in this matter, rendering any information she could possibly have available from other sources (e.g., media and public records about the matter, actual witness accounts, etc.). Moreover,

**A. Defendant's Subpoena Should Be Quashed**

Pursuant to Mass. R. Civ. P. 26(c) and 45(f)(3), the Court should protect Dr. Carpenter from the annoyance, inconvenience, and undue burden of sitting for a deposition in this matter. Dr. Carpenter is neither a party nor a witness in this case. She was not involved with the parties, nor did she work with the parties, during the relevant timeframe, and she was not involved or working with anyone who was involved with the parties or in a position to witness or learn first or second-hand about facts relevant to this matter.

Accordingly, Dr. Carpenter's name does not even appear in the pleadings in this matter, except once, in passing, to demonstrate that some of Plaintiff's female alumnae now direct laboratories. See Compl., ¶ 218; see generally Compl. 2. In similar circumstances, courts protect people from parties' overreaching efforts to depose them. See Wilson v. Petricca, 200 Mass. Super. LEXIS 77, at \*3 (Mass. Super. Feb. 29, 2000) (allowing motion to quash subpoena and noting that the would-be non-party deponent "is neither named nor alluded to" in the pleadings, and that the court was thus presented with no reason to believe that "allowing [his] deposition would serve any purpose other than harassment").

Moreover, whatever knowledge Dr. Carpenter possesses about the parties' claims against each other and their asserted defenses thereto derives primarily from her consumption of publicly available documents, which have bestowed upon her the very same knowledge as any other person exposed to the same materials. And, even if she did have any special or unique knowledge of this matter, she could not have obtained it as a percipient witness given that she was never, to her

other sources. In these circumstances as well, courts quash subpoenas for non-party depositions. See Healy, 2021 Mass. Super. LEXIS 446 at \*3 (granting non-party's motion to quash subpoena for deposition and disallowing third-party discovery where defendant only sought such discovery because it was unsatisfied with discovery purportedly available from, but not yet provided by, other more direct sources).

Finally, given her lack of knowledge, Dr. Carpenter's deposition would not be "reasonably likely" to reveal or lead to admissible evidence. Dr. Carpenter has not worked with Plaintiff for nearly two decades and did not work at the Whitehead anywhere near the same time as Defendant. She never spent any time whatsoever with Plaintiff and Defendant together, never saw them together, and never communicated with anyone who did spend time with them or see them together about their relationship or lack thereof, statements they made or did not make about one another, actions they took against one another, etc. Thus, Dr. Carpenter's testimony in this matter is wholly irrelevant, unnecessary, and unlikely to provide any benefit at all to either party. Accordingly, Defendant should not be allowed to depose Dr. Carpenter, and the Court should grant Dr. Carpenter's Motion. See Graham, 2020 Mass. Super. LEXIS 2932 at \*6 (analyzing "whether the [subpoenaed] depositions . . . [were] reasonably likely to produce admissible evidence," determining that they were not, and granting non-party motions to quash).

In sum, all the relevant factors weigh in favor of quashing Defendant's subpoena. Dr. Carpenter does not have any information about this matter not available through other sources, such as publicly available documents, and any information she could possibly share with the

further time, effort, and resources on this matter. Accordingly, Dr. Carpenter respectfully requests the Court grant her Motion and quash Defendant's subpoena.

**B. Alternatively, The Court Should Significantly Limit The Scope Of Any Discovery Sought From Dr. Carpenter By Defendant**

Absent granting Dr. Carpenter's Motion and releasing her from Defendant's efforts to involve her in this litigation, Dr. Carpenter respectfully requests the Court significantly narrow the scope of the discovery Defendant may seek. Presently, Defendant seeks to depose Dr. Carpenter in person, and elicit from her anything about her "knowledge with respect to the above-captioned matter," which is extremely overbroad and vague. Insofar as Defendant is permitted to seek any discovery from Dr. Carpenter -- which, for all the reasons set forth above, she should not be -- the Court should designate what precise topics Defendant may cover, and should also order that any testimony be taken by interrogatory, rather than by an in-person deposition, so as to limit as much as possible Dr. Carpenter's burden. See *Cameron v. Brewster Ambulance Serv.*, 2021 Mass. Super. LEXIS 2497, at \*2 (Mass. Super. Aug. 10, 2021) (limiting non-party deposition in alleged wrongful termination case to "matters relating to [defendant's] employment of, and termination of, plaintiff," as well as to the non-party's "post-termination conversations or communications with plaintiff, if any, about his employment at, or termination by, [defendant] . . .").

**CONCLUSION**

For the reasons set forth above, Dr. Carpenter's Motion should be granted, and she thus respectfully requests Defendant's subpoena be quashed or, alternatively, that Defendant's request be significantly narrowed to minimize the burden to Dr. Carpenter.

Respectfully Submitted,

ANNE CARPENTER, Ph.D.

By her attorneys,

/s/ Keith Taubenblatt  
Keith M. Taubenblatt, BBO #708748  
Jonathan R. Shank, BBO #672414  
Jackson Lewis P.C.  
75 Park Plaza  
Boston, MA 02116  
(617) 367-0025  
[keith.taubenblatt@jacksonlewis.com](mailto:keith.taubenblatt@jacksonlewis.com)  
[jonathan.shank@jacksonlewis.com](mailto:jonathan.shank@jacksonlewis.com)

Dated: September 24, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document has been served upon Defendants' counsel, Nancy Gertner, Esq., Ellen J. Zucker, Esq., Chris Wurster, Esq., Kay H. Hodge, John M. Simon, and Garrett A.D. Gee, as well as Plaintiff's counsel, Lisa Arrowood, Esq., Edward Foye, Esq., and Sarah Sousa, Esq. via electronic mail at [ngertner@fickmay.com](mailto:ngertner@fickmay.com), [ezucker@burnslevy.com](mailto:ezucker@burnslevy.com), [cwurster@burnslevy.com](mailto:cwurster@burnslevy.com), [khodge@scmlp.com](mailto:khodge@scmlp.com), [jmsimon@scmlp.com](mailto:jmsimon@scmlp.com), [ggee@scmlp.com](mailto:ggee@scmlp.com), [larrowood@arrowoodllp.com](mailto:larrowood@arrowoodllp.com), [efoye@arrowoodllp.com](mailto:efoye@arrowoodllp.com), and [ssousa@arrowoodllp.com](mailto:ssousa@arrowoodllp.com), this 24th day of September 2024.

/s/ Keith Taubenblatt  
Jackson Lewis P.C.

# **EXHIBIT A**

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. 22-1449-BLS

DAVID M. SABATINI, M.D., Ph.D. )  
 )  
Plaintiff/Defendant-in-Counterclaim, )  
 )  
v. )  
 )  
WHITEHEAD INSTITUTE FOR )  
BIOMEDICAL RESEARCH and )  
DR. RUTH LEHMANN, )  
 )  
Defendants )  
 )  
KRISTIN A. KNOUSE, M.D., Ph.D. )  
 )  
Defendant/Plaintiff-in-Counterclaim )  
 )

**AFFIDAVIT OF DR. ANNE CARPENTER IN SUPPORT OF HER MOTION TO QUASH  
DEFENDANT'S SUBPOENA**

I, Dr. Anne Carpenter, do hereby declare as follows:

1. I am over the age of eighteen and am a resident of the Commonwealth of Massachusetts. I am fully competent to testify as to the matters set forth in this affidavit, which are true and correct based upon my own personal knowledge.
2. I am a scientist specializing in image analysis for cell biology and artificial intelligence for the purpose of drug discovery.
3. I am the co-creator of the first open-source high-throughput cell image analysis software called CellProfiler which was first published in 2006.



6. I also founded my laboratory at the Broad Institute in 2007, and continue to co-lead the laboratory at present.
7. I have 5 children, 2 of whom still live at home and require a great deal of my time, and a third who is disabled, routinely hospitalized, and requires significant care.
8. I worked with Dr. David Sabatini at the Whitehead Institute for Biomedical Research from approximately July 2003 to December 2006.
9. After I ended my employment at the Whitehead Institute, I remained sporadically in touch with Dr. Sabatini, and we traded impersonal but cordial professional emails every so often.
10. I met Dr. Kristin Knouse once many years ago at a professional event and did not discuss personal matters with her.
11. I have not otherwise ever spoken to Dr. Knouse.
12. My only other interaction with Dr. Knouse was receiving a message from her on Twitter, to which I did not respond.
13. Dr. Knouse's message to me concerned a tweet I posted regarding a news story I read about Dr. Knouse's allegations against Dr. Sabatini.
14. I do not recall ever witnessing Dr. Knouse and Dr. Sabatini together.
15. I did not know Dr. Knouse and Dr. Sabatini had any personal relationship, whether consensual or not, until I began to read the media coverage about Dr. Knouse's allegations against Dr. Sabatini.
16. I have never spoken with anyone who has told me anything about their personal

17. I did not know that Dr. Sabatini was under investigation as a result of Dr. Knouse's allegations against him until the investigation was made public via various media outlets.

18. Beyond what I have read in articles and in other public materials, I am unaware of what if anything Dr. Knouse has specifically said or written about Dr. Sabatini, to whom she has said or written any such statements, and whether any such statements are true or false.

19. I have never discussed with Dr. Knouse or Dr. Sabatini their allegations against one another.

20. I have never discussed with anyone claiming to have witnessed or to have learned second-hand about any interactions between Dr. Knouse or Dr. Sabatini which bear upon their allegations against one another.

21. I have never discussed with anyone claiming to have witnessed or heard second-hand about Dr. Knouse making verbal or written statements about Dr. Sabatini pertaining to their allegations against each other.

Signed under the pains and penalties of perjury this 20th day of September 2024.

/s/ Anne Carpenter  
Anne Carpenter, Ph.D

# **EXHIBIT B**

Taubenblatt, Keith M. (Boston)

---

**From:** Nancy Gertner <ngertner@fickmark.com>  
**Sent:** Monday, May 6, 2024 6:34 PM  
**To:** Taubenblatt, Keith M. (Boston)  
**Cc:** Shank, Jonathan R. (Boston)  
**Subject:** Re: Anne Carpenter

 External email >

 Contains topics of a financial nature >

Thank you Keith. I am disappointed, for sure. It would be especially troubling if one reason for not participating even informally is precisely because of the fear that Dr. Sabatini would sue her - wrongly - for defamation. (That is precisely what Anti-Slapp statutes are intended to guard against, as we have argued.)

As for whether Dr. Carpenter has any information that may be useful, I would look to her twitter posts concerning why she chose not to sign an alumnae letter supporting Dr. Sabatini (on April 10, 2022), her reference to the lab's "bro" culture, to others who would not sign the letter and her correspondence with Dr. Bernardo Sabatini, etc.

I hope Dr. Carpenter reconsiders. In my view, more than simply Dr. Knouse's case is riding on litigation like this.

Sincerely,

Hon. Nancy Gertner  
Judge, U.S. D.Ct. D. Mass. (Retired)  
Of counsel, Fick & Marx  
24 Federal Street, 4th Floor  
Boston, Mass. 02110  
857-321-8360  
[www.fickmark.com](http://www.fickmark.com)

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**From:** Taubenblatt, Keith M. (Boston) <Keith.Taubenblatt@jacksonlewis.com>  
**Sent:** Monday, May 6, 2024 11:20 AM  
**To:** Nancy Gertner <ngertner@fickmark.com>  
**Cc:** Shank, Jonathan R. (Boston) <Jonathan.Shank@jacksonlewis.com>

the relevant time-period. Thus, there is very little any party might stand to gain from her involvement in the case, and she therefore wishes to remain uninvolved.

Accordingly, while we are sorry we cannot be of assistance to you, we wish you well as you proceed.

Sincerely,  
Keith



**Keith M. Taubenblatt**

Attorney at Law

**Jackson Lewis P.C.**

75 Park Plaza

4th Floor

Boston, MA 02116

Direct: (617) 305-1247 | Main: (617) 367-0025

[Keith.Taubenblatt@jacksonlewis.com](mailto:Keith.Taubenblatt@jacksonlewis.com) | [www.jacksonlewis.com](http://www.jacksonlewis.com)

From: Taubenblatt, Keith M. (Boston) <Keith.Taubenblatt@jacksonlewis.com>

Sent: Thursday, April 25, 2024 5:37 PM

To: Nancy Gertner <ngertner@flickmark.com>

Cc: Shank, Jonathan R. (Boston) <Jonathan.Shank@jacksonlewis.com>

Subject: RE: Anne Carpenter

Absolutely. I just sent you a meeting invite. I look forward to meeting you and speaking with you then.

Have a great weekend.

Thanks,  
Keith



**Keith M. Taubenblatt**

Attorney at Law

**Jackson Lewis P.C.**

75 Park Plaza

4th Floor

Boston, MA 02116

Direct: (617) 305-1247 | Main: (617) 367-0025

Wonderful! I have to hop on a train at 2. Could we chat at noon on May 1?

Hon. Nancy Gertner  
Judge, US D. Mass. (Ret.)  
Senior Lecturer, Harvard Law School  
Harvard University  
Cambridge Mass. 02138

Sent From iPhone- Excuse the errors.

On Apr 25, 2024, at 9:55 AM, Taubenblatt, Keith M. (Boston) <[Keith.Taubenblatt@jacksonlewis.com](mailto:Keith.Taubenblatt@jacksonlewis.com)> wrote:

Good morning Judge Gertner,

I represent Anne Carpenter along with my co-counsel, Jonathan Shank, copied here. I understand that you contacted Anne last week in hopes of scheduling time to speak with her. My apologies for the delayed response – I was trying a case all last week with Paul Kelly, whom I understand you know, and who always speaks very highly of you.

I am still digging out from my week away from the office, but would be glad to schedule time next week to connect with you and discuss potentially setting up a meeting between you and Anne. I am a bit tied up on Monday and Tuesday, but have significant availability Wednesday afternoon, as well as Thursday and Friday. Please let me know what works best for you, and I will send a meeting invite.

Thanks so much for your patience. I look forward to speaking with you. Also, my best to Amy, Bill, Dan, and Olga, whom I met some months ago when they took over another matter from me and Paul. I hope they are all doing well.

Thanks again,  
Keith

**Keith M. Taubenblatt**  
Attorney at Law

**Jackson Lewis P.C.**  
75 Park Plaza  
4th Floor  
Boston, MA 02116