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Second Circuit Seals Win for OLSS's Client, American International University in London

The United States Court of Appeals for the Second Circuit recently affirmed a summary judgment ruling in favor of OLSS client, Richmond, the American International University in London, against a former student who had sued to compel the school to change his thesis grade and award him a degree.

The student enrolled in Richmond's one-year master's program, which required an A or B on the master's thesis in order to confer a degree. The student's thesis, which, according to Richmond's examiners, was "simply lacking in analysis from start to finish," did not "offer even undergraduate level" of subject-matter treatment, and simply reprinted published articles and interview statements like a "stenographer," received a grade of C-. The student's suit claimed that Richmond breached an implied contract with him entitling him to an A simply for conducting some original research, without regard to quality. Judge Ronnie Abrams of the Southern District of New York granted Richmond summary judgment, persuaded by Richmond that it should be accorded deference in educational decisions and finding that it complied with its written policies. On appeal, the Second Circuit panel found no error in the District Court's ruling and found that the student had abandoned most of his arguments below.

OLSS partners Samuel Feldman and David Gorvitz represented Richmond before the District Court. Samuel Feldman represented Richmond before the Second Circuit.