TURNKEY LITIGATION BRIEF, 10-COUNT VERIFIED FEDERAL COMPLAINT, & FEE-SHIFTING DAMAGES MATRIX

Plaintiff: Chavon Jenea Wright, M.S. (Forensic Psychology), B.S., A.A., A.S., A.G.S. (Student ID: W24672939) | Ocala, Marion County, Florida | (352) 300-5416 | chavon.wright@gmail.com

Defendant: Herzing University (275 W. Wisconsin Ave., Ste. 210, Milwaukee, WI 53203; OPE ID: 00962100) | **Active Agency Filings:** U.S. DOE OCR Case No. 05-26-2347 | U.S. DOJ Civil Rights Referral #766398-JVT | Evidentiary Archive

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I. EXECUTIVE OVERVIEW FOR LEGAL COUNSEL & PROTECTION AND ADVOCACY REVIEW

All factual investigation, statutory mapping, case law research, Bates-indexed discovery (17 chronological email threads and Exhibits A–J), and initial pleadings have been completed by Plaintiff over two years of meticulous self-advocacy. Because Defendant Herzing University has cut off direct communication and restricted student access while withholding Plaintiff's completed Transfer Credit Evaluation ahead of the November 2, 2026 Fall Session B start date, Plaintiff requires legal counsel to step in, file the completed Emergency Evidence Preservation Motion and 10-Count Verified Federal Complaint, and assume institutional correspondence.

II. SIX CONTEMPORANEOUS DOCUMENTARY EXHIBITS ESTABLISHING LIABILITY WITHOUT SPECULATIVE DISCOVERY

Exhibit & Source	Date & Author	Evidentiary & Statutory Significance
Exhibit C	Aug 7, 2025 — Emilie Thompson (ADA Coordinator)	Written party-opponent admission (Fed. R. Evid. 801(d)(2)) that Herzing's accommodation notices were "flawed" and extension coursework "should be graded for credit"—proving actual notice and deliberate indifference under *Liese v. Indian River County Hosp. Dist.*, 701 F.3d 334 (11th Cir. 2012) and forfeiting academic deference under *Wynne v. Tufts Univ.*, 932 F.2d 19 (1st Cir. 1991).
Exhibit B	July 24, 2025 — Leah Phillips (Faculty Proctor)	Timestamped transcript (21:10:05) proving faculty forced a neurodivergent student into a noisy public Zoom room and interrupted her mid-exam to prohibit approved verbal processing (28 C.F.R. § 36.309; 34 C.F.R. § 104.44(c)).
Exhibit D & Exhibit E	Nov 14–15, 2025 — ProctorU / Meazure Learning	Vendor Ticket #7407283 proving an unconfigured accommodation profile and 6-hour testing lockout in violation of Meazure's mandatory 15-minute penalty-free rescheduling policy, followed by Dr. Danielle Laban's summary denial of catalog-authorized hybrid campus testing.
Exhibit F & Workload Audit	Aug 24, 2026 — Elsevier Sherpath Audit	Mathematical proof that Plaintiff completed 60 of 60 graded assignments (100%) in Term 1, yet was triple-billed Title IV tuition ($790/cr) and forced to execute 145 graded assignments (250% of the 58-module peer requirement = 160–190 redundant hours) across three terms of NSG 523 (34 C.F.R. § 104.43).
Teams Record & Ignored Filings	Sept 18, 2026 — Angie Zamecnik & Dr. Danielle Laban	Recorded admission (27:15–27:41) by Student Services Director Zamecnik that she conferred with AVP Dr. Laban to pre-determine SAP appeal denial (#00542344) while Plaintiff's Sept 4 Grade Appeal was pending, alongside 15 of 15 suppressed EthicsPoint filings.
Grade Screenshot & Millard Witness	Oct 9–10, 2026 — Canvas LMS & Sarah Millard	Photographic proof of post-submission grade alteration in NU 730 from an instructor-acknowledged passing 81.27% B to 0.0, corroborated by the independent witness declaration of Sarah Millard and 41 unauthorized May 2025 medical privacy emails (EthicsPoint Five).

III. EIGHT MANDATORY PREVAILING-PARTY FEE-SHIFTING STATUTES & TEN CAUSES OF ACTION

Representation of Ms. Wright carries zero uncompensated fee risk for Disability Rights Florida or co-counsel because DefendantHerzing University is subject to **eight independent mandatory fee-shifting provisions** across federal, Florida, and Wisconsin law, ensuring full recovery of attorney's fees, paralegal time, investigation costs, and litigation expenses to build agency capacity:

Count & Statutory Authority	Controlling Precedent	Fee-Shifting Provision	Recoverable Relief & Damages Exposure
Count I: Rehabilitation Act § 504 (29 U.S.C. § 794; 34 C.F.R. §§ 104.7, 104.43, 104.44)	*Liese*, 701 F.3d 334; *Wynne*, 932 F.2d 19; *Dean*, 804 F.3d 178	**29 U.S.C. § 794a(b)** (Mandatory Prevailing-Party Fees)	Full pecuniary expectation, reliance, restitutionary, and consequential damages ($157,000–$288,260) + mandatory MS-HHS course substitution (34 C.F.R. § 104.44(a)).
Count II: ADA Titles III & V (42 U.S.C. §§ 12182, 12188, 12203; 28 C.F.R. § 36.309)	*Guckenberger v. Boston Univ.*, 974 F. Supp. 106	**42 U.S.C. § 12205** (Fees, Expenses & Expert Costs)	Permanent injunctive relief restoring grades, expunging SAP dismissal, and enrolling Plaintiff in MS-HHS; DOJ intervention (#766398-JVT) unlocks emotional distress + $115k/$230k civil penalties.
Count III: Civil Rights Act of 1866 (42 U.S.C. § 1981) & Title VI (42 U.S.C. § 2000d)	*Runyon v. McCrary*, 427 U.S. 160; *CBOCS West v. Humphries*, 553 U.S. 442	**42 U.S.C. § 1988(b)–(c)** (Full Attorney & Expert Fees)	Enacted under 13th Amendment (outside *Cummings*): uncapped emotional distress, mental anguish, lost earning capacity, and federal punitive damages ($100,000–$500,000+).
Count IV: Breach of Educational Contract (FL & WI Common Law)	*Sharick v. Southeastern Univ.*, 780 So. 2d 136 (Fla. 3d DCA 2000); *Cosio*	Paired with statutory fee-shifting counts	Present actuarial value of impaired/delayed professional earning capacity ($195,100–$550,000+), forfeited HCA Ocala externship wages ($73,500–$84,000), and specific performance.
Count V: Promissory Estoppel & Unjust Enrichment	*Hoffman v. Red Owl Stores*, 26 Wis. 2d 683 (1965)	Paired with Wis. Stat. § 895.446(3)(b)	Disgorgement of triple-billed NSG 523 tuition and reliance compensation for 160–190 redundant Sherpath hours + 281+ compliance hours ($40,100–$84,700).
Count VI: Wisconsin Deceptive Trade Practices Act (Wis. Stat. § 100.18)	*Novell v. Migliaccio*, 2008 WI 44 (reasonable reliance not required)	**Wis. Stat. § 100.18(11)(b)2** (Mandatory Attorney's Fees)	100% of pecuniary loss caused by deceptive catalog representations regarding hybrid testing and credit transferability, plus mandatory court costs and fees.
Count VII: Wisconsin Civil Theft by Fraud (Wis. Stat. §§ 895.446, 943.20(1)(d))	*Tri-Tech Corp. v. Americomp Services*, 2002 WI 88	**Wis. Stat. § 895.446(3)(b)** (All Investigation & Legal Costs)	Actual damages + **Exemplary Treble (3x) Damages** ($85,500–$207,780) + mandatory recovery of all costs of investigation and litigation.
Count VIII: Medical Record Confidentiality Breach (Wis. Stat. §§ 146.84, 995.50)	May 2–19, 2025 broadcast of 41 ADA emails to ~35 unauthorized recipients	**Wis. Stat. § 146.84(1)(b)–(bm)** (Mandatory Actual Fees)	Actual damages (including emotional distress) + up to **$25,000 per willful violation** (41 unauthorized emails) + mandatory costs and attorney's fees.

Count & Statutory Authority	Controlling Precedent	Fee-Shifting Provision	Recoverable Relief & Damages Exposure
Count IX: Florida FDUTPA & Fair Consumer Practices (Fla. Stat. §§ 501.204, 1005.04)	Fla. Admin. Code r. 6E-1.0032 per se FDUTPA violation	**Fla. Stat. § 501.2105** (Mandatory Prevailing-Party Fees)	Declaratory/injunctive relief, actual damages (§ 501.211), and enhanced civil penalties up to **$15,000 per violation** against a disabled consumer (§ 501.2077).
Count X: Florida Misleading Advertising (Fla. Stat. § 817.41) & Punitive Damages	Fla. Stat. § 768.73 (up to 3x/$500k or 4x/$2M); Wis. Stat. § 895.043	**Fla. Stat. § 817.41(6)** ("Shall… be awarded costs, including reasonable attorney's fees")	Actual damages, mandatory attorney's fees, and statutory punitive damages in addition to actual damages.

IV. TURNKEY 21-OF-31 CREDIT MS-HHS EQUIVALENCY REMEDY (34 C.F.R. § 104.44(a))

Plaintiff holds a 4.00 Science GPA (Grade A in SC 154 & SC 254), a 3.55 Corrected Cumulative GPA across 40.00 earned credits, and a conferred 2024 M.S. in Forensic Psychology (Equivalency Audit). Under 34 C.F.R. § 104.44(a), 21.00 of the 31.00 credits (67.74%) required for Herzing's MS-HHS Program are already satisfied (HH 500 by NU 780 [B]; HH 510 by NSG 660 [A]; HH 600 by NU 730 [81.27% B]; HH 610 by NU 725 [B]; MSW 510 by NSG 524 [A]; MSW 521 by NSG 633 [A]; MSW 540 by PSY 624 [A]). Only **10.00 credits (3 online courses: HH 620 [3 cr, starting Nov 2, 2026], HH 630 [4 cr], and HH 690 [3 cr])** remain for May 2027 conferral.