

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Ibn Williams v. Coppin State University, et al.

Williams v. Coppin State University · No. 23-2590-JRR · Decided January 15, 2026

SUMMARY

The court addresses Plaintiff Ibn Williams’s motion to compel production of a memorandum concerning a Title IX claim that Defendants withheld based on attorney-client privilege and work-product protection. Finding a sufficient factual basis for the asserted protections but also indications that the memorandum may contain severable nonprivileged material or relate to a disclosed investigative summary, the court orders Defendants to submit the memorandum for in camera review.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Douglas R. Miller
JURISDICTION	United States District Court for the District of Maryland
DECIDED	January 15, 2026
DOCKET	23-2590-JRR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel production of a memorandum withheld on attorney-client privilege and attorney work-product grounds. The court ordered the defendants to submit the memorandum for in camera review.
STANDARD OF REVIEW	The court applied the standard governing in camera review of documents claimed to be protected by attorney-client privilege or the attorney work-product doctrine: the asserting party must provide sufficient factual information and an evidentiary basis to support each claimed protection, and the court must find a factual basis adequate to support a good-faith belief that in camera review may reveal evidence establishing the claim.
PRECEDENTIAL VALUE	unpublished

TOPICS

- discovery dispute
- attorney client privilege
- work product doctrine
- civil procedure
- evidence

PRACTICE AREAS

civil procedure

evidence

civil rights

QUESTIONS PRESENTED

1. Whether defendants established a sufficient factual basis for the court to conduct in camera review of the withheld Title IX Legal Analysis claimed to be protected by attorney-client privilege and the work-product doctrine.
2. Whether plaintiff's evidence created a good-faith basis to determine through in camera review whether the document contained severable nonprivileged material or was part of a single analysis whose subject matter may have been disclosed through CSU's production and adoption of the Investigative Summary.

HOLDINGS

1. Defendants made a sufficient factual showing to support a good-faith belief that in camera review of the Title IX Legal Analysis may reveal evidence establishing the asserted attorney-client privilege or work-product protection.
2. Because plaintiff identified evidence suggesting that the two Ogletree documents could constitute a single analysis or contain severable nonprivileged material, the court ordered defendants to submit the Title IX Legal Analysis for in camera review before determining whether any portion should be disclosed.

KEY QUOTATIONS

“the court should never be required to undertake in camera review unless the parties have first properly asserted privilege/protection, then provided sufficient factual information to justify the privilege/protection claimed for each document or category of document, and, finally, met and conferred in a good faith effort to resolve any disputes without court intervention.” (Legal Standard)

“Accordingly, in order for the Court to determine whether the Title IX Legal Analysis contains any non-privileged, non-protected information that may be severed and disclosed, it is this 15th day of January, 2026, hereby ORDERED that Defendants shall submit the Title IX Legal Analysis for in camera review.”
(Conclusion and Order)

FACTUAL BACKGROUND

Coppin State University retained Ogletree Deakins in connection with plaintiff's Title IX complaint, which was accompanied by a \$50 million Notice of Claim. Ogletree prepared both an Investigative Summary, which CSU disclosed to plaintiff and adopted in closing the complaint, and the withheld Title IX Legal Analysis. Defendants asserted that the documents were separate deliverables consisting respectively of a nonprivileged investigation and privileged legal advice, while plaintiff pointed to the engagement documents, billing records, and emails as evidence that the work was a single investigative task and that any privilege had been waived.

PROCEDURAL HISTORY

Plaintiff brought litigation arising from Coppin State University's handling of his Title IX complaint. During discovery, defendants withheld a nine-page document titled "Attorney Legal Analysis of Title IX Claim," and plaintiff moved to compel its production. After reviewing the parties' submissions and sealed exhibits, the magistrate judge ordered defendants to submit the document for in camera review rather than ruling finally on privilege or work-product protection.

DISPOSITION

other

CASES CITED

- Black & Decker Corp. v. United States, 219 F.R.D. 87, 90 (D. Md. 2003)
- Hall v. Baltimore Police Dep't, No. RDB-24-1137, 2025 WL 1024069, at *1 (D. Md. Mar. 31, 2025)
- Faller v. Faller, No. DKC-09-0889, 2010 WL 3834865, at *9 (D. Md. Sept. 28, 2010)
- Victor Stanley, Inc. v. Creative Pipe, Inc., 250 F.R.D. 251, 266-67 (D. Md. 2008)
- Prowess, Inc. v. RaySearch Labs. AB, No. WDQ-11-1357, 2013 WL 509021, at *1 n.2 (D. Md. Feb. 11, 2013)
- Fed. Election Comm'n v. Christian Coal., 178 F.R.D. 61, 74 (E.D. Va.), order aff'd in part, modified in part, 178 F.R.D. 456 (E.D. Va. 1998)
- In re Royal Ahold N.V. Sec. & ERISA Litig., 230 F.R.D. 433, 436 (D. Md. 2005)

OPINION

Ibn Williams v. Coppin State University, et al.

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MARYLAND

*

IBN WILLIAMS,

* Plaintiff, * Civil No. 23-2590-JRR v. * COPPIN STATE UNIVERSITY, et al., * Defendant.

MEMORANDUM OPINION AND ORDER

Plaintiff Ibn Williams moves to compel Defendants Coppin State University ("CSU"), University System of Maryland, State of Maryland, Derek Carter, and Juan Dixon ("State Defendants") to produce a nine-page memorandum titled "Attorney Legal Analysis of Title IX Claim," authored by Ogletree Deakins, P.C. ("Ogletree"), and dated May 5, 2021 ("Title IX Legal Analysis.") State Defendants oppose, asserting attorney-client privilege and attorney work product protection. The Court¹ has reviewed Plaintiff's letter brief and sealed exhibits, ECF Nos. 72, 92; State Defendant's response and sealed exhibits, ECF Nos. 81, 82; and Plaintiff's reply, ECF No. 87. For the reasons set forth below, the Court ORDERS the State Defendants to submit the Title IX Legal Analysis for in camera review. ¹ This matter has been referred to the undersigned for discovery and related

scheduling, ECF No. 46.

RELEVANT BACKGROUND²

At issue are two documents: the Title IX Legal Analysis which State Defendants have withheld, and a second document (“Investigative Summary”), also created by Ogletree Deakins and dated the same day. CSU sent the Investigative Summary to Plaintiff on May 26, 2021, along with a letter adopting its findings and closing Plaintiff’s Title IX complaint, leading to the present litigation. Plaintiff argues that no attorney-client privilege applies to the Title IX Legal Analysis because, he contends, Ogletree was retained solely as an external Title IX investigator, not as legal counsel, and performed a unified factual investigation under a civil rights investigator contract. *Id.* at 1. Plaintiff alleges that the engagement documents, emails, and billing records show there was one integrated investigative task, not a dual investigative and legal advisory role. ECF No. 84-1. Plaintiff alternatively contends that CSU waived any privilege by adopting Ogletree’s findings as its own Title IX determination, triggering subject-matter waiver over the related analysis. *Id.* at 2. Plaintiff also argues that references to legal risk, which the State Defendants proffer are discussed in the Title IX Legal Analysis, do not transform investigative work into privileged legal advice. *Id.* Finally, Plaintiff notes in his Reply that the State Defendants produced the Civil Rights Investigator Contract Task Order (“Task Order”)—which governs their relationship with Ogletree—only after Plaintiff filed the instant Motion to Compel. ECF No. 87. Plaintiff further asserts that “[n]othing in the Contract permits Ogletree to provide privileged legal advice,” which he contends further supports his positions that Ogletree performed a purely 2 General factual and procedural background of this matter is set forth in Judge Rubin’s Memorandum Opinion granting in part and denying in part the State Defendants’ motion to dismiss the Amended Complaint. ECF No. 22 at 1-5. investigative function, so that the Title IX Legal Analysis document is not privileged or protected. *Id.* at 1. State Defendants oppose production of the Title IX Legal Analysis, arguing that it is protected by both attorney-client privilege and the work-product doctrine. ECF No. 81. They contend that, from the outset, CSU and Ogletree agreed that the firm would provide two separate deliverables: a non-privileged investigative summary and a privileged confidential legal analysis. *Id.* at 1. In support of this factual contention, State Defendants have submitted a declaration by Lisa Horne Early, CSU’s Title IX Coordinator during the period at issue, attaching exhibits including the Task Order, emails, and billing records. ECF No. 82. State Defendants contend that this dual-track approach was discussed and approved in advance, reflected in the Task Order’s allowance for “other services,” and billed and paid as legal work. ECF No. 81. State Defendants further assert that no subject-matter waiver occurred because adopting the investigative summary did not place the separate (in their view) legal advice at issue. *Id.* at 2. State Defendants argue the Title IX Legal Analysis is additionally protected as attorney work product because it was prepared in anticipation of litigation. *Id.* They note that Plaintiff’s Title IX complaint was accompanied by a Notice of Claim seeking \$50 million in damages, putting the University on notice of likely litigation before Ogletree conducted its assessment. *Id.* Because the Title IX Legal Analysis was

prepared against that backdrop, State Defendants contend it qualifies for work-product protection and should not be compelled. *Id.*

LEGAL STANDARD

Attorney-client privilege protects confidential communications between a client and an attorney for the purpose of obtaining legal advice. *Black & Decker Corp. v. United States*, 219 F.R.D. 87, 90 (D. Md. 2003). Courts have “discretion to determine whether to conduct an in camera review of [] documents” claimed to be privileged or protected. *Hall v. Baltimore Police Dep’t*, No. RDB-24-1137, 2025 WL 1024069, at *1 (D. Md. Mar. 31, 2025) (quoting *Faller v. Faller*, No. DKC-09-0889, 2010 WL 3834865, at *9 (D. Md. Sept. 28, 2010)). Generally, “the court should never be required to undertake in camera review unless the parties have first properly asserted privilege/protection, then provided sufficient factual information to justify the privilege/protection claimed for each document, and, finally, met and conferred in a good faith effort to resolve any disputes without court intervention.” *Hall*, 2025 WL 1024069, at *1 (quoting *Victor Stanley, Inc. v. Creative Pipe, Inc.*, 250 F.R.D. 251, 266 (D. Md. 2008)). The party asserting privilege must establish “an evidentiary basis—by affidavit, deposition transcript, or other evidence—for each element of each privilege/protection claimed for each document or category of document.” *Id.* at 267. Before granting an in-camera review, there “must [be] a ‘showing of a factual basis adequate to support a good faith belief by a reasonable person that in camera review of the materials may reveal evidence to establish the claim of privilege/protection.’” *Prowess, Inc. v. RaySearch Labs. AB*, No. WDQ-11-1357, 2013 WL 509021, at *1 n.2 (D. Md. Feb. 11, 2013).

ANALYSIS

Here, State Defendants have submitted a declaration and supporting materials asserting that the Title IX Legal Analysis contains confidential legal advice prepared in anticipation of litigation. Through the Declaration of Dr. Early, State Defendants assert that the Title IX Legal Analysis reflects legal and policy analysis from Ogletree attorneys to CSU officials and was expressly labeled “ATTORNEY-CLIENT PRIVILEGED COMMUNICATION,” not shared outside of the University, and was prepared against the backdrop of Plaintiff’s Title IX complaint and accompanying \$50 million Notice of Claim. See ECF No. 81. The Early Declaration also asserts that, from the outset of the engagement, the plan had always been for Ogletree to generate a non-privileged investigative summary and a separate privileged legal analysis. *Id.* In light of this factual showing, the Court finds a sufficient good-faith basis to believe that in camera review “may reveal evidence to establish the claim of privilege/protection.” *Prowess, Inc.*, 2013 WL 509021, at

*1 n.2. See *Hall*, 2025 WL 1024069, at *1; *Victor Stanley*, 250 F.R.D. at 266–67.

At the same time, Plaintiff has pointed to indicia suggesting either that the Title IX Legal Analysis contains non-privileged, severable material subject to disclosure; or that the two documents may functionally constitute a single analysis. In particular, Plaintiff notes that “[t]he Task Order makes no reference to legal advice, litigation preparation, or dual-track reporting”; that Ogletree billed its

work on both documents under a single matter number evidently titled “Coppin State University Title IX Investigation”; and that contemporaneous email correspondence arguably suggests Dr. Early was surprised or confused to learn that Ogletree was preparing two separate documents. ECF No. 72 at 1-2. If the two documents constitute a single analysis, CSU’s adoption and disclosure of the Investigative Summary could waive privilege as to any portions of the Title IX Legal Analysis concerning the same subject matter. See *Fed. Election Comm’n v. Christian Coal.*, 178 F.R.D. 61, 74 (E.D. Va.), order *aff’d* in part, modified in part, 178 F.R.D. 456 (E.D. Va. 1998); *In re Royal Ahold N.V. Sec. & ERISA Litig.*, 230 F.R.D. 433, 436 (D. Md. 2005).

CONCLUSION AND ORDER

Accordingly, in order for the Court to determine whether the Title IX Legal Analysis contains any non-privileged, non-protected information that may be severed and disclosed, it is this 15th day of January, 2026, hereby ORDERED that Defendants shall submit the Title IX Legal Analysis for in camera review. /s/ Douglas R. Miller United States Magistrate Judge District of Maryland