

Saiber Wins Appeal for University on Claims of Breach of Contract and Violation of Due Process

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Saiber attorneys Sean R. Kelly and Vincent C. Cirilli successfully secured a victory on behalf of a university client in a breach of contract and due process case filed by a former student.

In the case, the plaintiff successfully earned his Master's degree, but claimed that he was wrongfully blocked from continuing on through the university's Ph.D. program. The plaintiff contended that he was contractually entitled to proceed through the Ph.D. program and that the university's failure to allow him to obtain his Ph.D. degree constituted a breach of contract and a violation of due process under the federal and state constitutions. Saiber successfully obtained summary judgment dismissing all claims, arguing on behalf of the university that the plaintiff was admitted only to the Master's program, received his Master's degree, and failed to satisfy the necessary prerequisites to continue on as a candidate for his doctoral degree.

On appeal, the Third Circuit affirmed in all respects the District Court's award of summary judgment on behalf of the university.