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Students in video flap sue for \$2.5M

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The five C.W. Post Campus of Long Island University resident assistants fired over a mock hostage video filed a \$2.5-million wrongful termination and discrimination lawsuit against the college Friday and apologized, saying they didn't intend to offend Muslims.

In response to the suit, a State Supreme Court justice issued a temporary restraining order preventing the college from taking further action against the students pending a hearing scheduled for Wednesday.

"This is a victory," said Frederick K. Brewington, the Hempstead lawyer for the "C.W. Post Five," joined by some three dozen Post students on the steps of State Supreme Court in Mineola.

Brewington stood alongside four of the five students — William McDermott, of Snow Hill, Md.; Jordan Marmara, of Franklin Square; Bert Estrada, of Orlando, Fla.; and Robert Bennett,



NEWSDAY PHOTO / DICK YARWOOD

C.W. Post students Bert Estrada, Robert Bennett, William McDermott and Jordan Marmara are suing the school.

of Cobleskill, originally from Copiague. The fifth student, Dustin Frye, could not attend the news conference, Brewington said.

Brewington charged the administrators had "defamed" the students by calling them racists

and psychologically troubled, and by likening the video spoof to the 1998 dragging death of a black man in Jasper, Texas. He added the administrators had made the students out to be like "monsters. They are not."

The students were fired Feb.

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2. Brewington said the college discriminated by treating his clients more harshly than three female RAs who last month made their own video spoof using Middle Eastern imagery. He said they got to keep their jobs.

College spokeswoman Rita Langdon said in a statement: "The matter is in litigation and we cannot comment at this time."

The students said they are dismayed by treatment from administrators.

"I was told by the administra-

tion that we might want to keep this quiet because I wouldn't want this to come back and hurt my political career in the future," said McDermott, 21, who said he was the youngest candidate to run for the House of Delegates in Maryland last year. He did not win.

Said Bennett: "I feel like we were all thrown to the curb."

In their two-minute video, "A Duck Napping," four of the students appear in ski masks holding hostage the dorm's mascot, a rubber duck. In broken English, they make demands for ransom items. Middle Eastern-sounding music can be heard in the background, and the words "Muhammad" and "jihad" can be heard.

"Respectfully, if we offended anyone, we have been very forthright in saying we are sorry and we have apologized to them," McDermott said. "That being said, it is what it is. It is a satire on terrorism..."

Bennett said many of the lines in the video were taken from "Team America: World Police," the 2004 film written by the "South Park" creators.