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**VALLIANT OVERSIGHT AND ETHICS COMMISSION (VOEC)**

IN RE YACOOB MODAN

Case No.: 0002

**RULING ON EVIDENTIARY  
MOTION**

DATED: November 10, 2025

1       **I. MATTER PRESENTED**

2       This matter comes before the Valliant Oversight and Ethics Commission (“VOEC”) on a motion  
3 to admit evidence at the post-suspension hearing for the Respondent Yacoob Modan (“Modan” or  
4 “Respondent”) set for November 11, 2025 at 7:00 PM. The suspension was issued by Minute Order  
5 on November 5, 2025 in response to an urgent complaint alleging harassment and physical  
6 intimidation.<sup>1</sup> (Attached as Exhibit A). We determined that the section of the Bylaws which  
7 empower us to impose final disciplinary measures grant, by corollary, and *a fortiori*, the power to  
8 impose temporary suspensions. However, because VOEC acted summarily, we scheduled a post-  
9 suspension hearing as soon as practicable for the parties.

10       Respondent has submitted an evidentiary motion (attached as Exhibit B) requesting that he be  
11 allowed to present evidence, by way of witness testimony and documents, relating to his character  
12 and Islamic law. For the reasons set forth below the motion is GRANTED in part and DENIED in  
13 part, without prejudice.

14       **II. ANALYSIS**

15       The Bylaws and Ethics Commission Rules do not address what evidence may or may not be  
16 introduced at a hearing. We are empowered, generally, to “[c]onduct investigations into ethical  
17 concerns, including harassment” and “[g]ather evidence.” ERC at p. 2. However, the Ethics  
18 Commission Rules do state that “[a]ll *relevant* evidence... is reviewed” in the course of an  
19 investigation. *Id.* at 3 (emphasis added). We interpret this language as requiring, at a minimum,  
20 that evidence in an investigation must be relevant. While it is not binding on us, in applying the  
21 undefined term “relevant”, we look to the California Evidence Code. Evidence is relevant under  
22 California law only if it has some “tendency in reason to prove or disprove any disputed fact that is  
23 of consequence to the determination of the action.” Evid. Code, § 210 (emphasis added). Thus,  
24 evidence must be probative, or likely to make an asserted fact more or less likely. “[M]ateriality  
25 depends on the issues in the case; evidence which does not relate to a matter in issue is immaterial.”

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28       <sup>1</sup> In order to provide due process to the Respondent, the identity of the Complainant was disclosed to him. Because they requested anonymity, we do not name them here.

1 *People v. Hill* (1992) 3 Cal.App.4th 16, 29 (disapproved on other grounds in *People v. Nesler*  
2 (1997) 16 Cal.4th 561).

3 Modan asks us to permit him to admit evidence of Islamic religious practices. Essentially, he asks  
4 us to accept the following syllogism: if a person follows Islamic religious law, they would not  
5 engage in the acts alleged; Modan is a Muslim of the Hanafi school of thought; therefore, he did not  
6 engage in the acts alleged. The fatal error in the argument, however, is that it contains a hidden  
7 premise: namely, that Modan *strictly* adheres to the relevant religious precepts. It is no doubt true  
8 that if the previous syllogism is sound then evidence establishing the first premise tends, in logic, to  
9 make the conclusion more likely. At best, then, the evidence presented would be conditionally  
10 relevant upon proof of this predicate. In other words, even if the evidence is somewhat *probative*, it  
11 would not be *material* until the hidden premise has been proven. We also note that general  
12 principles of religious practices are appropriate subjects of judicial notice. In previous matters we  
13 have taken judicial notice of facts readily ascertainable and not capable of reasonable dispute. *See*  
14 *In Re Photographs of Homeless Individuals*, Case No. 0001, VOE (2025).

15 This brings us to the second request: that Modan be allowed to present character evidence. There  
16 is no explicit prohibition on character evidence in the Ethics Commission Rules. Furthermore, this  
17 type of evidence is not irrelevant in the same fashion because it more directly threads the needle that  
18 falls out so readily of the religious precepts argument discussed above. Indeed, were Modan to  
19 establish, by character evidence, that he is a strict adherent of Islamic law, the fatal defect in his  
20 logic would be cured.

21 In making this ruling we wish to emphasize what it says about arguments based upon protected  
22 characteristics such as religious observance. It is precisely *because* assumptions about witnesses  
23 based upon such characteristics is so likely that judicial bodies hesitate to allow them. Everyone  
24 who brings a matter before VOE must be assured that they will be heard, and their testimony  
25 given precisely equal weight, whether they be Muslim, Hindu, Jewish or non-religious.

1       **III. CONCLUSION**

2       For the foregoing reasons the motion is GRANTED in part and DENIED in part, without  
3 prejudice. Respondent may present character evidence, but any evidence relating to Islamic  
4 religious practices is EXCLUDED unless and until it becomes relevant.

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Signed and executed this November 10, 2025

*Jacob Derin, Camille*  
*Gerolymatos, Shayla Benoit /s/*

SO ORDERED

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EXHIBIT A



VOEC &lt;valliantethicscommission@gmail.com&gt;

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## VOEC Complaint

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VOEC &lt;valliantethicscommission@gmail.com&gt;

Wed, Nov 5, 2025 at 3:19 PM

To: Yacoob Modan &lt;modanyacoob@gmail.com&gt;, Foundation Valliant &lt;valliantfoundation@gmail.com&gt;

Though we ordinarily would not intervene in this way, we consider the circumstances to be extenuating.

We have received a report of physical intimidation that you may have committed. We take this report very seriously, and, if true, would likely be comparable to "severe and pervasive" harassment as defined by Title VII, as well as "direct hostility" which the Bylaws define as a mandatory L-3 violation, resulting in immediate termination.

The Bylaws empower us to:

**1. Issue Warnings:**

- Provide verbal or written warnings to the parties involved.
- Issue final written warnings when necessary.

**2. Terminate Employment:**

- Terminate any individual's position within the organization, except for board members, who require a vote by the board they serve on for removal.

While we have interpreted these in the context of the provisions which provide for internal judicial proceedings, there is no explicit requirement of a hearing before either sanction is imposed.

Therefore, as a preliminary measure, VOEC has decided to issue a preliminary suspension.

Your powers and rights as CEO are suspended effective immediately.

You may contest this determination by requesting a hearing as part of the complaint process.

VOEC

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EXHIBIT B





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## 11/11/25 Hearing

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**Yacoob Modan** <modanyacoob@gmail.com>  
To: VOEC <valliantethicscommission@gmail.com>

Mon, Nov 10, 2025 at 3:11 PM

Dear Respected Members of the VOEC,

Assalamu Alaikum (peace be upon you).

I am writing to respectfully request permission to reference (and for it to be taken into account in a major way) my religious background and beliefs when presenting my case before this honorable Ethics Committee. I make this request not as a matter of personal preference, but because my adherence to Islamic principles, specifically as a practicing Muslim within the Hanafi school of thought, is directly relevant to the ethical questions under review.

I was raised in a devout Muslim household and community deeply rooted in Islamic scholarship, under the guidance and example of respected scholars such as Mufti Abdullah Nana, Maulana Ahmed Baporla, and Molvi Yunus Saeed. From early childhood, my moral development and decision-making framework have been inseparable from the tenets of my faith. This includes strict adherence to principles of modesty, honesty, integrity, and personal accountability before God.

For instance, in my upbringing, the concept of awrah (modesty) guided daily conduct, and activities as simple as playing sports were tied to religious observance, taking place between Asr and Maghrib prayers during Ramadan. I have refrained throughout my life from practices explicitly prohibited in Islam, such as premarital relations, shaving your beard (In Hanafi school of thought), alcohol consumption, or eating non-hand-slaughtered halal food. These examples are not mere personal choices, but manifestations of the ethical system that governs my actions and decisions.

At present, I reside near the Mill Valley Islamic Center in a 95% Hanafi Muslim community, where I continue to study the Qur'an and revisit chapters I memorized in Arabic as a youth. My faith remains the guiding framework through which I assess moral responsibility, ethical behavior, and professional duty.

My decision to join the Valiant Foundation itself was grounded in the Qur'anic principle of service to humanity, exemplified in the verse translated in English:

*"And they give food, out of love for Him, to the poor and the orphan and the captive."*  
(Surah al-Insān 76:8)

This verse encapsulates the moral imperative that underlies my commitment to compassion, ethical service, and justice, the same principles this Committee upholds. My decision to join Valliant was not just made to help my medschool application but also to be a platform where I could practice a major part of my faith openly in a scientific context.

Additionally, in the holy quran, it has been stated not to yell at women and to treat them kindly: below I have two small verses from the quran translated in English that speak about this:

“And speak to people good words.”(*Surah al-Baqarah* 2:83) and “And speak to them (women) kindly.”(*Surah an-Nisā’* 4:19)

Accusing me of not following these commands from God (Allah) is accusing me of doing Haram and being a bad muslim because that is all of who I am, not a premed student, not an EMT, not a “marin kid”, but a Muslim first.

I fully acknowledge and respect the Committee’s guidance that testimony must remain relevant and probative to the matters in dispute. However, in my specific case, my religious framework is not a general proposition about Islamic law, but rather the direct basis of my ethical conduct and decision-making. Excluding discussion of this context would prevent me from accurately and truthfully explaining the motivations, principles, and boundaries that informed my actions. as

The allegations made against me suggest conduct inconsistent with Islamic moral obligations. Given that every significant decision I make is consciously evaluated against what is permissible (*halal*) or impermissible (*haram*) in Islam, it is both fair and necessary that I be allowed to reference this framework. Doing so is not an attempt to divert from the issues at hand, but to provide essential context for understanding my intentions and adherence to ethical behavior as I sincerely understand it. Without being able to speak about my faith and it being taken into account in a major way, I believe it would be unfair because everything I do on an everyday basis is in account and led by my faith, I follow a strict Islamic code of conduct on what I am and what I am not allowed to do as a muslim.

In conclusion, I respectfully submit that permitting me to reference my religious beliefs and practices will not detract from the Committee’s work of evaluating relevant facts, but rather enhance its ability to assess my actions within the moral system that governs my life. To prohibit such discussion would be to exclude evidence central to my ethical identity and the decision-making process under review.

Thank you for your time, patience, and commitment to fairness. I deeply appreciate your consideration of this request and your dedication to a just and transparent process. Oh and Jacob, if you are seeing this, I want to congratulate you on passing the Bar. From what I had heard from my friend Sarah Jean Valliant, you had worked very hard for this, and once I saw this on the Valliant Foundation Instagram story, I felt overjoyed because I have faith that you will be one of the best Lawyers ever!

From Yacoob Modan

On Sat, Nov 8, 2025 at 8:23 PM VOE <[valliantethicscommission@gmail.com](mailto:valliantethicscommission@gmail.com)> wrote:

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