

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

DONNA DEPASQUALE,

SUMMONS

Plaintiff,

Index #:

v.

Plaintiff designates Suffolk County as the place of trial.

HARBORFIELDS CENTRAL SCHOOL DISTRICT; BOARD OF EDUCATION OF HARBORFIELDS CENTRAL SCHOOL DISTRICT; OLDFIELD MIDDLE SCHOOL; HARBORFIELD HIGH SCHOOL; EUGENE SENZER; and DOES 1-10,

Defendants.

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint of the Plaintiff herein and to serve a copy of your answer on the Plaintiff at the address indicated below within 20 days after service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

February 3, 2020

/s/ Daniel Lapinski
Daniel Lapinski (NY SBN 4041760)
MOTLEY RICE LLC
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Cherry Hill, NJ 08002
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Michaela Wallin (NY SBN 5269527)
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

DONNA DEPASQUALE,

Index No.

Plaintiff,

COMPLAINT

v.

JURY TRIAL DEMANDED

HARBORFIELDS CENTRAL SCHOOL
DISTRICT; BOARD OF EDUCATION OF
HARBORFIELDS CENTRAL SCHOOL
DISTRICT; OLDFIELD MIDDLE
SCHOOL; HARBORFIELD HIGH
SCHOOL; EUGENE SENZER; and DOES 1-
10,

Defendants.

Donna DePasquale, by and through her attorneys, BERGER MONTAGUE and
MOTLEY RICE LLC, as and for her Complaint in this matter against HARBORFIELDS
CENTRAL SCHOOL DISTRICT; BOARD OF EDUCATION OF HARBORFIELDS
CENTRAL SCHOOL DISTRICT; OLDFIELD MIDDLE SCHOOL; HARBORFIELD HIGH
SCHOOL; EUGENE SENZER; and DOES 1-10, states and alleges as follows:

PARTIES

1. Plaintiff is a 58-year-old resident of the State of New York. Plaintiff was a
resident of the State of New York during the period of childhood sexual abuse. Plaintiff’s last
name during the period of abuse was Weiss.

2. At all times material, Defendant Harborfields Central School District (hereinafter
“the District”) was and continues to be an educational school district, which includes, but is not
limited to, civil operations, decision making entities, and officials and employees, authorized to
conduct business and conducting business in the State of New York, in the county of Suffolk.

The District's principal place of business was and is Greenlawn, New York. Defendant District functions as a business by engaging in numerous activities and/or revenue-producing activities, business, trade, commerce, furnishing of services and soliciting money from its members in exchange for its services. Defendant District's actions and policies have tremendous impact and influence on the daily lives of individuals within the community, including students of the District's schools and their parents. Defendant District, through its officials, has control over those activities involving children. Defendant District has the power to appoint, supervise, monitor and fire each person working with children in Defendant District.

3. At all times material, Defendant Board of Education of Harborfields Central School District is a municipal corporation organized and existing under the laws of the State of New York, with its principle office at 2 Old Field Road in Greenlawn, Suffolk County, New York.

4. At all times material, Defendants School District and the Board of Education oversaw, managed, controlled, directed and operated schools within the School District, including Oldfield Middle School and Harborfields High School ("Harborfields").

5. Defendant Oldfield Middle School, formerly Oldfield Junior High School ("Oldfield"), is a municipal corporation organized and existing under the laws of the State of New York, with its principle office at 2 Old Field Road, in Greenlawn, New York Suffolk County.

6. Defendant Harborfields High School is a municipal corporation organized under the laws of the State of New York, with its principle office at 2 Old Field Road, in Greenlawn, New York Suffolk County.

7. Eugene Senzer ("Senzer" or "the Perpetrator") is an individual residing in Sumner County, Tennessee and was at all times relevant a teacher at Oldfield Middle School.

8. Defendant Does 1 through 10, inclusive, are individuals and/or business or corporate entities incorporated in and/or doing business in New York whose true names and capacities are unknown to Plaintiff who, therefore, sues such defendants by such fictitious names, and who will amend the Complaint to show the true names and capacities of each such Doe defendant when ascertained. Each such Doe defendant is legally responsible in some manner for the events, happenings and/or tortious and unlawful conduct that caused the injuries and damages alleged in the Complaint.

9. Senzer and/or each Defendant were and/or are the agent, subagent, volunteer, servant and/or employee of the District and/or Oldfield Middle School and/or DOES 1-10. Senzer and/or each Defendant was acting within the course and scope of his, her or its authority as an agent, subagent, volunteer, servant and/or employee of Senzer and/or the District and/or DOES 1-10. Senzer and/or the District and/or DOES 1-10, and each of them, are individuals, corporations, partnerships and other entities which engaged in, joined in and conspired with the other wrongdoers in carrying out the tortious and unlawful activities described in the Complaint, and the District and/or each Defendant ratified the acts of Senzer and/or the District and/or DOES 1-10.

BACKGROUND FACTS APPLICABLE TO ALL COUNTS

10. At all times material, Eugene Senzer was employed by the Harborfields Central School District. Senzer remained under the direct supervision, employ and control of the Harborfields Central School District during the times described in this Complaint.

11. Defendants placed Senzer in positions where he had access to and worked with children as an integral part of his work.

Senzer's Abuse of Plaintiff

12. Plaintiff began studying piano when she was seven years old. Music quickly

became one of the most important parts of her life, to the point that she hoped to play professionally someday.

13. When Plaintiff was in 7th grade, Senzer was an advisor to the yearbook club of which Plaintiff was a member. Senzer was also a choral director, and his classroom and office were in the heart of the Oldfield music department. Senzer was a constant, lurking, presence in the hallways of the department in between classes and after school, often with his camera around his neck, and was very social with students, particularly with young girls who he was known often to have in his classroom and office. Within a short time, Senzer knew who Plaintiff was and began addressing her in a familiar way, by her maiden name (“Weiss”). When he found out she played the piano, Senzer used her as an accompanist.

14. Senzer soon began grooming Plaintiff for abuse. One of his earliest ploys was to appeal to her love of music, saying on more than one occasion, “Hey Weiss, come in here, I have something I want to play for you.” Senzer would then play a new album by a popular artist such as Joan Baez or Elton John, and tell the young girl “you’re one of the few people that can really appreciate this.” From the 7th grader’s perspective, this was high praise from a music teacher who had the reputation among students for being “cool.”

15. Senzer’s grooming almost always relied on Plaintiff’s love of music and performance. If she was auditioning for a play, he would offer to help her pick a song that he said was best for her voice. He told her she was an excellent sight reader of music. But he also complimented her clothes and how good they made her look, while criticizing other young girls’ bodies with comments like “she should never wear jeans like that, they make her ass look terrible.” The 7th grader was flattered that the cool teacher was telling her that she was cool, and others were not.

16. The next step in Senzer's grooming process was to normalize inappropriate sexual talk. Plaintiff's sexual experience at the start of 7th grade was limited to holding hands with a boy during a field trip. Senzer quickly forced a premature sexual awareness on the girl. At first Senzer's talk was unrelated to Plaintiff. For instance, he would claim he had an open marriage, a topic he discussed with other young female students as well. He also would initiate sexual conversations under the false pretense of it being educational. For instance, he told the young girl that some men used cocaine during intercourse, but then claiming that he, personally, was anti-drug. However, the sexual talk eventually transitioned to specifics about Plaintiff. More than once he told her "I had a dream about you last night, naked on a couch with nothing but black velvet and white lace, that's how I want to photograph you." Plaintiff was not the only student he said this to.

17. Eventually, the grooming transitioned into more subtle forms of sexual abuse involving inappropriate touching. For there to be inappropriate physical contact Senzer first had to lure Plaintiff into his office. For instance, he would invite her back to his office to look at music, and then take her into the classroom to try it on the piano. Back rubs, early in Plaintiff's 8th grade year, began the physical contact. The abuse started with him saying "I'm stiff, can you just give me a little back rub?" Plaintiff had seen other young girls give him backrubs, a fact which helped Senzer induce her to cooperate. Soon he was telling Plaintiff she had "magic hands," and the abuse quickly became a regular occurrence, happening a couple times a week.

18. Next Senzer induced Plaintiff to allow him to massage her, telling her "I feel a knot, do you feel that?" Initially he focused on Plaintiff's neck and shoulders, but eventually and repeatedly his hands traveled down the side of her rib cage so as to contact her breasts. At times he would say things like "wouldn't it be fun to do a full body rub with baby oil, and I will take pictures of you in a background of black velvet and white lace?"

19. While abusing Plaintiff during one of the massages in his office when the girl was an 8th grader, Senzer began to groom her for another type of sexual abuse: exploiting her to create child pornography. Specifically, he claimed he was making a birthday card for a friend and needed a picture of “a perfect breast.” He then asked Plaintiff whether she would let him photograph her, telling her he had keys to a storage room located in the auditorium where they could take the pictures. Although she did not agree initially, Plaintiff did not feel able to say no to this authority figure who had created a dependence in her on him for his approval, compliments, and guidance in all things related to her musical aspirations. Ultimately, he induced her to meet him after school in his office about 20-30 minutes after school ended. They then walked from his classroom to the storage room in the auditorium, where Senzer induced the teenager to stand against a wall and take off her shirt and bra. While photographing the semi-nude 8th grader he commented “that’s beautiful, perfect.” As they left the room the abuse continued, with Senzer unexpectedly kissing the 13-year-old and fondling her breasts. After he stopped, he said “you’re beautiful.” Shortly thereafter he showed Plaintiff the pictures of her breast, and attempted to normalize his criminal conduct by calling the pictures “a work of art.”

20. In the following years Senzer mostly limited his abuse of Plaintiff to the massages in his office, all but ignoring Plaintiff’s suicide attempt by overdose on school grounds in 8th grade. In another instance where he deviated from the massages, Senzer manipulated Plaintiff into lifting her shirt and bra in his office by telling her a woman should wear a bra if she could hold a pencil with her breast. Suggesting they test his theory on Plaintiff, Senzer locked the door to his office, and instructed the teenager to lift her shirt and bra up, and then proceeded to slide a pencil under the girl’s exposed breast.

21. In 10th grade Plaintiff enrolled at Harborfields High School, but the abuse in his office at Oldfield Middle School continued and ultimately grew far worse. Senzer lured the

sophomore back with the claim he had no students who were capable of performing as an accompanist, and with the powerful dependency he had created in Plaintiff after years of grooming her for abuse.

22. During Plaintiff's 10th grade school year Senzer asked Plaintiff to meet him at his mother's house. At this point in her life, aside from the abuse by Senzer, Plaintiff's sexual experience was limited to kissing. She had little if any understanding as to what sexual intercourse involved. However, Plaintiff's sexual naiveté, young age, and inexperience did not stop Senzer from raping the girl once he had her alone at his mother's house. Thus, Plaintiff's first sexual experience was a criminal act committed by a man more than twice her age.

23. Despite the trauma of this abuse, the dependency Senzer had created in Plaintiff was so strong that she submitted to the abuse in his office throughout the remainder of 10th grade, seeking his continuing praise for her appearance, her musicianship, and her academics. He called her "the total package", and had convinced her that he saw something in her that other people did not.

The District Permitted a Culture of Sexual Abuse in Which it was Acceptable for Teachers to Sexually Abuse Students

24. On information and belief, and as alleged below, Defendants allowed a culture to fester at their schools in which it was acceptable for teachers to sexually abuse students. Rumors of Senzer's abuse of other female students were common at the school, and Senzer openly discussed the physical attributes of female students that he found attractive.

25. Senzer also openly maintained in his office countless photographs of underage females in various states of undress, always making sure to describe them as "art." At least two other former students have acknowledged that Senzer photographed them when they were minors, with at least one expressing her fear of what Senzer has done with those pictures.

26. During the period of abuse, when Plaintiff was in 9th grade, one of Defendant's faculty members, who also happened to be Senzer's wife, Roberta, unexpectedly entered Senzer's office after he had induced Plaintiff to massage him. Her only response to seeing a 9th grade female student massaging a teacher behind a closed office door was to angrily say "I would like to speak to my husband privately." No report was made to law enforcement or Defendants, and Senzer was neither investigated nor disciplined. While Plaintiff was convinced she was in big trouble, Senzer simply shrugged it off, confident that his misconduct was an accepted part of the culture at Defendants' schools.

27. Plaintiff also disclosed Senzer's misconduct to another agent of Defendants early in the period of abuse, but Defendants took no action in response. As a result, the massages continued on a weekly basis leading up to and even after Senzer raped Plaintiff when she was in 10th grade.

28. Defendants and numerous children were aware of Senzer's predatory behavior, but did nothing to stop it. Beginning in 8th or 9th grade, Senzer began driving Plaintiff to places such as the mall, with Plaintiff openly entering Senzer's car on school grounds. No permission slip was necessary, and Senzer was not the only teacher to engage in such conduct with students.

29. Other faculty members at the time described Senzer as sleezy; described him as liking young girls, not women; or recall hearing him make red flag comments about students such as "I'd love for [insert student name] to give me a blow job." At least one other student from the same time period has filed a lawsuit related to abuse by Senzer, *Haldis Mcevoy v. Harborfields Central School District et al.*, County of Suffolk, Index No. 615909/2019.

30. Senzer was far from the only faculty member whose sexual predation of students was enabled by Defendants. It was common knowledge that an English teacher at the junior high school was dating underage female high school students. Similarly, the track coach was

known to have inappropriate relationships with a different female student every year he coached. The District is aware of the track coach's identity, and should immediately publicly identify him and report him to law enforcement, along with the identities of all of their other current and former agents who have been accused of abuse but who the District has never reported to law enforcement. This is an issue of child safety that the District can and should address immediately. The danger to today's children increases exponentially with every day that the District continues to conceal the identities of its predatory agents.

31. When Plaintiff was in the 11th grade, a science teacher, Mr. Factor, slid his hand under Plaintiff's buttocks when she was sitting on a window ledge. Plaintiff slid away from the abuse and immediately reported Mr. Factor's conduct to Mr. Shuttleworth. Shuttleworth's response was to tell Plaintiff that he (Factor) didn't mean anything by it and probably didn't realize what he was doing. Mr. Factor's inappropriate conduct at the school was so prevalent and well known that students called him "creepy factor." But the school did nothing to protect the students from his conduct. Mr. Shuttleworth himself was later dismissed for inappropriate actions towards a student.

32. Defendants held their teachers out as people of high morals, as possessing immense power, teaching families and children to obey these leaders and agents, teaching families and children to respect and revere these leaders and agents, soliciting youth and families to its programs, marketing to youth and families, recruiting youth and families, and holding out the people that worked and continue to work in their programs as safe.

33. As a result, Defendants' leaders and agents have occupied positions of great trust, respect and allegiance among members of the general public, including Plaintiff.

34. By placing Senzer as a teacher at Oldfield Middle School, Defendants, through their agents, affirmatively or implicitly represented to minor children, their families, and members of the general public that Senzer did not pose a threat to children.

35. By placing Senzer as a teacher at Oldfield Middle School, Defendants, through their agents, affirmatively or implicitly represented to minor children, their families, and members of the general public that Senzer did not have a history of molesting children.

36. By placing Senzer as a teacher at Oldfield Middle School, Defendants, through their agents, affirmatively or implicitly represented to minor children, their families, and members of the general public, that Defendants did not know of Senzer's history of sexually abusing children.

37. By placing Senzer as a teacher at Oldfield Middle School, Defendants, through their agents, affirmatively or implicitly represented to minor children, their families, and members of the general public that Defendants did not know that Senzer was a danger to children.

38. Defendants knew, should have known and should currently know that employing child rapists like Senzer and giving them unchecked access to children and the public at large was an extremely risky practice and was likely to expose the public to the threat of criminal activity.

39. Defendants affirmatively concealed Senzer's history of sexual abuse from the public.

40. Defendants failed to warn the public of the risk posed by Senzer's access to children.

41. By placing Senzer in a position of trust and authority, Defendants exposed the public, and Plaintiff in particular, to the risk of becoming a victim of a criminal sexual act.

42. Sexual abuse, by its very nature, is an act that is committed in secret and, as a result, if the public is unaware of the potential that it will encounter a child molester, the public cannot take steps to protect itself from potential criminal activity.

43. By keeping Senzer in a position of trust and authority (with ready access to children), the Defendants introduced the threat of criminal conduct into the public sphere.

44. In so doing, the Defendants created the opportunity and forum for Senzer to commit criminal acts against members of the public, including Plaintiff, thus impairing the public health, welfare, and safety.

45. The public has an inherent right to be free from activities that pose a risk to health, welfare, and safety.

46. Parents have an inherent and statutory right to protect their children from harm and to have access to information that would allow them to do so.

47. Defendants have a duty to refrain from taking actions that they know or should know would expose the public to impairment of its health, welfare, and safety, including introducing the threat of criminal activity into the public sphere.

48. Despite this duty, the Defendants have, for decades, adopted a policy and practice of secrecy, covering up criminal activity committed by the teachers within the District. This practice continues to the present day and encompasses all times relevant to the instant complaint.

49. The failure to disclose the identities, histories, and information about sexually abusive teachers is unreasonable and knowingly or recklessly creates or maintains a condition which endangers the health, safety, and welfare of a considerable number of members of the public, including Plaintiff.

50. Defendants continue to conceal important information about teachers at its schools, thus continuing to expose an unknowing public to the threat of criminal activity.

51. As a result, children are at risk of being sexually molested. Further, the public is placed under the mistaken belief that Defendants do not have undisclosed knowledge of teachers who present a danger to children.

52. Upon information and belief, prior to and at least since Senzer's wife walked in on Senzer abusing Plaintiff and/or Plaintiff described Senzer's conduct to one of Defendant's agents, Defendants have failed to report multiple allegations of sexual abuse of children by its agents to the proper civil authorities. As a result, children in the local community are at risk of being sexually molested.

COUNT I: NUISANCE (COMMON LAW AND N.Y. PENAL LAW 240.45)

53. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

54. The Defendants' actions and omissions, as described above, have interrupted or interfered with the health, safety, and welfare of the general public. Pursuant to Correction Law Article 6-C, the Sex Offender Registration Act, the public has the right to know sex offenders' name, all aliases used, date of birth, sex, race, height, weight, eye color, driver's license number, home address and/or expected place of domicile, any internet accounts with internet access providers belonging to such offender, and internet identifiers that such offender uses, so that the public can identify such persons and take protective measures on behalf of their children. In furtherance of that right, New York Soc. Services §§ 411-428 mandate reporting to child protective services any suspected childhood sexual abuse. The public also has a compelling interest in knowing if a prominent and powerful institution has cloaked in secrecy decades of sexual abuse. In re The Clergy Cases I, 188 Cal.App.4th 1224, 1236 (2010) ("all citizens have a compelling interest in knowing if a prominent and powerful institution has cloaked in secrecy decades of sexual abuse"). The negligence and/or deception and concealment by Defendants interferes with and causes harm to these rights that are common to the public by preventing

Defendants' predatory agents from being criminally prosecuted, thereby obstructing the public's right to identify such persons as registered sex offenders. Defendants' secretive conduct also interferes with and causes harm to the public's right to know Defendants have concealed decades of sexual abuse by Defendants' teachers.

55. Defendants have created and exposed the public to these unsafe conditions continuously and on an ongoing basis since at least the time that Senzer first abused Plaintiff, and has continued to expose the public to that unabated threat until the present day.

56. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered special and individualized harms separate and distinct from the harms suffered by the public at large. The negligence and/or deception and concealment by Defendants was specially injurious to Plaintiff's health as she and her family were unaware of the danger posed to children left unsupervised with agents of Defendants, and as a result of this deception, Plaintiff was placed in the custody and control of Senzer who subsequently sexually assaulted Plaintiff. The special injuries to Plaintiff are the sexual assaults by Senzer that were caused and enabled by the deception and concealment by Defendants of sexual abuse by its teachers.

57. The harm suffered by the Plaintiff is the exact type of harm that one would expect to result from the Defendants' acts and omissions.

58. Defendants continue to conspire and engage and/or have conspired and engaged in efforts to: 1) conceal from the general public the sexual assaults committed by, the identities of, and the pedophilic/ephebophilic tendencies of Senzer; and/or 2) attack the credibility of victims of the Defendant's agents; and/or 3) protect Senzer and Defendants' other pedophilic/ephebophilic current and former agents from criminal prosecution and registration as sex offenders by concealing their crimes from law enforcement and other civil authorities; and/or 4) protect Defendants' agents from criminal prosecution and registration as sex offenders by

receiving reports or notice of misconduct by persons such as Senzer, but then ignoring them; and/or 5) allow agents who Defendants know pose a threat to children to live freely in the community without informing the public.

59. The net result of the aforementioned activities is that Defendants have introduced the threat of criminal activity into the public sphere, disrupted and interfered with the public's statutory right to know the identities of sex offenders, and have thereby impaired the public's health, safety, and welfare. Children cannot be left unsupervised in any location where Defendants' agents are present as the general public cannot trust Defendants to prohibit their pedophilic agents from supervising, caring for, or having any contact with children, nor to warn parents of the presence of the pedophilic agents of Defendants, nor to identify their pedophilic agents, nor to identify and/or report to law enforcement their agents accused of childhood sexual abuse. Defendants' policy of secrecy with regards to their agents accused of childhood sexual abuse has prevented the criminal prosecution of such persons, thus depriving the public of and causing harm to the public's right to identify and protect their children from sex offenders. That policy of secrecy also deprives the public of and causes harm to the right to identify institutions that have cloaked in secrecy childhood sexual abuse by their agents.

60. The conduct of Defendants was specially injurious to Plaintiff's health, safety and welfare as Plaintiff was sexually assaulted by Defendants' agent, Senzer.

61. The conduct of Defendants was further specially injurious to Plaintiff's health, safety and welfare in that when Plaintiff discovered Defendants' conduct, Plaintiff experienced mental, emotional and/or physical distress that she had been the victim of Defendants' conduct.

62. Plaintiff has suffered and/or continues to suffer special, particular, and peculiar psychological and emotional harm and/or peculiar pecuniary harm, different in kind from the general public, after learning of Defendants' conduct.

63. Plaintiff's injuries are also particular to her and different from the injuries to the general public.

64. The continuing public nuisance created by Defendants was, and continues to be, the proximate cause of the injuries and damages to the general public as alleged in ¶¶ 54-55, and of Plaintiff's special injuries and damages as alleged in ¶¶ 56, 60-63. Defendants repeatedly failed to report Senzer to law enforcement despite learning of multiple instances of reportable abuse. As recently as August 14, 2019, agents of Defendants learned of or already knew of but failed to report information about Senzer and/or their other pedophilic/ephebophilic former and current agents to law enforcement.

65. In doing the aforementioned acts, Defendants acted negligently and recklessly and/or intentionally, maliciously and with conscious disregard for Plaintiff's rights.

66. Only Defendants know how many other of their predatory agents are, like Senzer, roaming free in society as never convicted, unregistered, and unidentifiable sex offenders.

67. As a result of the above-described conduct, Plaintiff has suffered, and continues to suffer special injury in that she suffers great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. As a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of this Court.

68. As a further result of the above-described conduct by Defendants, Plaintiff further requests injunctive relief prohibiting Defendants from, among other things: allowing their

pedophilic/ephebophilic agents to have any unsupervised contact with children; failing/refusing to disclose to and/or concealing from the general public and/or law enforcement when Defendants have transferred a pedophilic/ephebophilic agent into their midst; failing/refusing to disclose to and/or concealing from law enforcement and/or the general public and/or potential employers the identities and the criminal acts of their pedophilic/ephebophilic agents; failing/refusing to disclose to and/or concealing from the public and/or law enforcement and/or potential employers reports, complaints, accusations or allegations of acts of childhood sexual abuse committed by Defendants' current or former agents. Defendants should be ordered to stop failing/refusing to disclose to and/or concealing and instead should identify each and every one of their current and former agents who have been accused of childhood sexual abuse, the dates of the accusation(s), the date(s) of the alleged abuse, the location(s) of the alleged abuse, and the accused agents' assignment histories

COUNT 2: NEGLIGENCE

69. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

70. While Plaintiff was a student at Defendants' school, Senzer engaged in unpermitted, harmful and offensive sexual conduct and contact with Plaintiff. Said conduct was undertaken after Defendants learned of the risk he posed to children while Senzer was an employee, volunteer, representative, or agent of Defendants, and while in the course and scope of employment with Defendants, and/or was ratified by the actions of Defendants. Defendants' conduct was wanton and reckless and/or evidenced a conscious disregard for the rights and safety of Plaintiff and other children.

71. Prior to or during the abuse alleged above, Defendants knew, had reason to know, or were otherwise on notice of unlawful sexual conduct by Senzer and Defendants' other pedophilic and/or ephebophilic agents. Defendants failed to take reasonable steps and failed to

implement reasonable safeguards to avoid acts of unlawful sexual conduct in the future by Senzer and Defendants' other pedophilic and/or ephebophilic agents, including, but not limited to, preventing or avoiding placement of Senzer and Defendants' other pedophilic and/or ephebophilic agents in functions or environments in which contact with children was an inherent part of those functions or environments. Furthermore, at no time during the periods of time alleged did Defendants have in place a system or procedure to supervise and/or monitor employees, volunteers, representatives, or agents to insure that they did not molest or abuse minors in Defendants' care, including Plaintiff.

72. Defendants had a duty to protect the minor Plaintiff when she was entrusted to their care by Plaintiff's parents. Plaintiff's care, welfare, and/or physical custody was temporarily entrusted to the Defendants. The Defendants voluntarily accepted the entrusted care of Plaintiff. As such, the Defendants owed Plaintiff, a minor child, a special duty of care, in addition to a duty of ordinary care, and owed Plaintiff the higher duty of care that adults dealing with children owe to protect them from harm.

73. Defendants, by and through their agents, servants and employees, knew or reasonably should have known of Senzer's and Defendants' other pedophilic and/or ephebophilic agents' dangerous and exploitive propensities and that they were unfit agents. It was foreseeable that if the Defendants did not adequately exercise or provide the duty of care owed to children in their care, including but not limited to Plaintiff, the children entrusted to the Defendants' care would be vulnerable to sexual abuse by Senzer and Defendants' other pedophilic and/or ephebophilic agents.

74. Defendants breached their duty of care to the minor Plaintiff by allowing Senzer to come into contact with the minor Plaintiff without supervision; by failing to adequately hire, supervise, or retain Senzer and Defendants' other pedophilic and/or ephebophilic agents who

they permitted and enabled to have access to Plaintiff; by failing to investigate or otherwise confirm or deny such facts about Senzer and Defendants' other pedophilic and/or ephebophilic agents; by failing to tell or concealing from Plaintiff, Plaintiff's parents, guardians, or law enforcement officials that Senzer and Defendants' other pedophilic and/or ephebophilic agents, were or may have been sexually abusing minors; by failing to tell or concealing from Plaintiff's parents, guardians, or law enforcement officials that Plaintiff was or may have been sexually abused after Defendants knew or had reason to know that Senzer may have sexually abused Plaintiff, thereby enabling Plaintiff to continue to be endangered and sexually abused, and/or creating the circumstance where Plaintiff was less likely to receive medical/mental health care and treatment, thus exacerbating the harm done to Plaintiff, and/or, in the case of Defendants, by holding out Senzer to the Plaintiff and her parents or guardians as being in good standing and trustworthy. Defendants further cloaked within the facade of normalcy Senzer's and Defendants' other pedophilic and/or ephebophilic agents' contact and/or actions with the Plaintiff and/or with other minors who were victims of Senzer and Defendants' other pedophilic and/or ephebophilic agents, and/or disguised the nature of the sexual abuse and contact. Finally, Defendants, through their conduct during and after the period of abuse, ratified Senzer's sexual abuse of Plaintiff. Defendants' ratification of Senzer's criminal conduct included repeatedly not disciplining or terminating them for their sexual misconduct towards minors.

75. As a result of the above-described conduct, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and

will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT 3: NEGLIGENT SUPERVISION/FAILURE TO WARN

76. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

77. Defendants had a duty to provide reasonable supervision of Senzer and Defendants' other pedophilic and/or ephebophilic agents, and to use reasonable care in investigating Senzer and Defendants' other pedophilic and/or ephebophilic agents. Defendants also had a duty to provide adequate warning to Plaintiff, Plaintiff's family, and Defendants' students, of Senzer's and Defendants' other pedophilic and/or ephebophilic agents' dangerous propensities and unfitness, particularly after they observed the misconduct by Senzer and/or were placed on notice of the misconduct before Senzer abused Plaintiff.

78. Additionally, because Defendants knew or should have known of the heightened risk Senzer and Defendants' other pedophilic and/or ephebophilic agents posed to all children, Defendants had a heightened duty to provide reasonable supervision and protection to children with whom Defendants allowed Senzer and Defendants' other pedophilic and/or ephebophilic agents to have contact and/or custody and control.

79. Defendants, by and through their agents, servants and employees, knew or reasonably should have known of Senzer and Defendants' other pedophilic and/or ephebophilic agents' dangerous and exploitive propensities and that they were unfit agents. Each of the Defendants was in a special relationship with Senzer as they each allowed Senzer to have access to children after being put on notice of the sexual abuse risk he posed to children, especially to children such as Plaintiff who were likely to come into close contact with Senzer as a student and/or as a guest and/or invitee on Defendants' properties.

80. Despite this history and knowledge of Senzer's propensities, no Defendant ever warned anyone that he posed a risk to children. Each Defendant also employed Senzer in a position of trust, allowed him to work with children, or allowed him access to children on their property, and knew that after leaving their property he would continue to hold such positions and work with children such as Plaintiff.

81. Defendants also knew that if they failed to provide children who had contact with Senzer and Defendants' other pedophilic and/or ephebophilic agents sufficient supervision and protection, those children would be vulnerable to sexual assaults by Senzer and Defendants' other pedophilic and/or ephebophilic agents. Despite such knowledge, Defendants negligently failed to supervise Senzer and Defendants' other pedophilic and/or ephebophilic agents in the position of trust and authority as teachers and advisors and, as a result they were able to commit the wrongful acts against Plaintiff.

82. Defendants failed to use reasonable care in investigating Senzer and Defendants' other pedophilic and/or ephebophilic agents. Defendants failed to provide adequate warning to Plaintiff and Plaintiff's family of Senzer's and Defendants' other pedophilic and/or ephebophilic agents' dangerous propensities and unfitness. Defendants also had a duty to disclose negative information regarding Senzer where they made an affirmative representation, regarding Senzer's fitness for employment, in positions that included working with children. Each of these failures by Defendants created a foreseeable and substantial risk of significant harm to a child such as Plaintiff who was likely to come into close contact with Senzer as a teacher and advisor.

83. Defendants further failed to provide Plaintiff with adequate supervision and protection, and failed to take reasonable measures to prevent future sexual abuse.

84. Finally, Defendants, through their conduct during and after the period of abuse, ratified Senzer's sexual abuse of Plaintiff. Defendants' ratification of Senzer's criminal conduct

included repeatedly not disciplining or terminating him for his sexual misconduct towards minors.

85. Defendants' conduct alleged herein, and the implementation of Defendants' policy of secrecy in particular, illustrates wanton and reckless conduct and/or a conscious disregard for the rights and safety of Plaintiff and other children.

86. As a result of the above-described conduct, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. As a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of this Court.

COUNT 4: NEGLIGENT HIRING/RETENTION

87. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

88. Defendants had a duty not to hire and/or retain Senzer and Defendants' other pedophilic and/or ephebophilic agents given their dangerous and exploitive propensities.

89. Defendants, by and through their agents, servants and employees, knew or reasonably should have known of Senzer's and Defendants' other pedophilic and/or ephebophilic agents' dangerous and exploitive propensities and/or that they were unfit agents. Despite such knowledge, Defendants negligently hired and/or retained Senzer and Defendants' other pedophilic and/or ephebophilic agents in the position of trust and authority as teachers and/or advisors and/or other authority figures or employees, where they were able to commit the

wrongful acts against Plaintiff. Defendants failed to use reasonable care in investigating Senzer and Defendants' other pedophilic and/or ephebophilic agents and failed to provide adequate warning to Plaintiff and Plaintiff's family of Senzer's and Defendants' other pedophilic and/or ephebophilic agents' dangerous propensities and unfitness. Defendants further failed to take reasonable measures to prevent future sexual abuse. Finally, Defendants, through their conduct during and after the period of abuse, ratified Senzer's sexual abuse of Plaintiff. Defendants' ratification of Senzer's criminal conduct included repeatedly not disciplining or terminating them for their sexual misconduct towards minors after Defendants received reports of their sexual misconduct.

90. Defendants' conduct alleged herein, and Defendants' implementation of their policy of secrecy in particular, illustrates wanton and reckless conduct and/or a conscious disregard for the rights and safety of Plaintiff and other children.

91. As a result of the above-described conduct, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. As a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of this Court.

COUNT 5: FRAUD

92. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

93. Defendants knew and/or had reason to know of the sexual misconduct of Senzer and Defendants' other pedophilic and/or ephebophilic agents before the last instance of abuse of Plaintiff. Agents of Defendants also had custody and control of Plaintiff immediately before and during the instances of abuse, and owed her the greater degree of care – including the duty to prevent harm caused by the criminal conduct of third parties -- owed by childcare custodians to any child in their custody and control.

94. Defendants misrepresented, actively concealed and/or failed to disclose information relating to sexual misconduct and the criminal intentions of Senzer and Defendants' other pedophilic and/or ephebophilic agents as described herein, and Defendants continue to misrepresent, conceal, and/or fail to disclose information relating to sexual misconduct of Senzer and Defendants' other pedophilic and/or ephebophilic agents as described herein. Agents of Defendants learned that Senzer was sexually abusing Plaintiff before the last instance of abuse, but concealed that knowledge from Plaintiff and her family.

95. As a direct result of Defendants' fraud, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. As a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of this Court.

96. In addition, when Plaintiff discovered the fraud of Defendants, and continuing thereafter, Plaintiff experienced recurrences of the above-described injuries. In addition, when

Plaintiff finally discovered the fraud of Defendants, and continuing thereafter, Plaintiff experienced extreme and severe mental and emotional distress that Plaintiff had been the victim of Defendants' fraud; that Plaintiff had not been able to help other minors being molested because of the fraud; and that Plaintiff had not been able because of the fraud to receive timely medical treatment needed to deal with the problems Plaintiff had suffered and continues to suffer as a result of the molestations.

**COUNT 6: FIDUCIARY/CONFIDENTIAL RELATIONSHIP FRAUD AND
CONSPIRACY TO COMMIT FRAUD**

97. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

98. Because of Plaintiff's young age, and because of the status of Senzer as an authority figure to Plaintiff, Plaintiff was vulnerable to Senzer. Senzer sought Plaintiff out and was empowered by and accepted Plaintiff's vulnerability. Plaintiff's vulnerability also prevented Plaintiff from effectively protecting herself.

99. By holding Senzer and Defendants' other pedophilic and/or ephebophilic agents out as qualified teachers, advisors, emotional mentors, and/or other authority figures, by allowing Senzer to have custody and control of and/or contact with the Plaintiff, and by undertaking the religious and/or secular instruction and/or spiritual and/or emotional counseling and/or medical care of Plaintiff, Defendants entered into a fiduciary and/or confidential relationship with the minor Plaintiff giving rise to a fiduciary duty.

100. Having a fiduciary and/or confidential relationship giving rise to a fiduciary duty, Defendants had the duty to obtain and/or disclose information relating to sexual misconduct of Senzer and Defendants' other pedophilic and/or ephebophilic agents. Defendants breached that duty by failing to disclose their knowledge of the risk to children posed by Senzer. Agents of Defendants also had custody and control of Plaintiff immediately before and during the instances of abuse, and owed her the greater degree of care – including the duty to prevent harm caused by

the criminal conduct of third parties – owed by childcare custodians to any child in their custody and control.

101. Defendants misrepresented, actively concealed or failed to disclose information relating to sexual misconduct of Senzer and Defendants' other pedophilic and/or ephebophilic agents as described herein, and Defendants continue to misrepresent, conceal, and/or fail to disclose information relating to sexual misconduct of Senzer and Defendants' other pedophilic and/or ephebophilic agents as described herein. Agents of Defendants learned that Senzer was sexually abusing Plaintiff before the last instance of abuse, but concealed that knowledge from Plaintiff and her family.

102. As alleged above, Defendants, in concert with each other and with the intent to conceal and defraud, conspired and came to a meeting of the minds whereby they would misrepresent, conceal or fail to disclose information relating to the sexual misconduct of Senzer and/or Defendants' other pedophilic and/or ephebophilic agents.

103. By so concealing, Defendants committed at least one act in furtherance of the conspiracy.

104. As a direct result of Defendants' fraud and conspiracy, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. As a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of the Court.

105. In addition, when Plaintiff discovered the fraud of Defendants, and continuing thereafter, Plaintiff experienced recurrences of the above-described injuries. In addition, when Plaintiff finally discovered the fraud of Defendants, and continuing thereafter, Plaintiff experienced extreme and severe mental and emotional distress that Plaintiff had been the victim of Defendants' fraud; that Plaintiff had not been able to help other minors being molested because of the fraud; and that Plaintiff had not been able because of the fraud to receive timely medical treatment needed to deal with the problems Plaintiff had suffered and continues to suffer as a result of the molestations.

**COUNT 7: BREACH OF FIDUCIARY DUTY AND/OR CONFIDENTIAL
RELATIONSHIP**

106. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

107. Because of Plaintiff's young age, and because of the status of Senzer as an authority figure to Plaintiff, Plaintiff was vulnerable to Senzer. Senzer sought Plaintiff out and was empowered by and accepted Plaintiff's vulnerability. Plaintiff's vulnerability also prevented Plaintiff from effectively protecting herself.

108. By holding Senzer and Defendants' other pedophilic and/or ephebophilic agents out as qualified teachers, advisors and/or other authority figures, by allowing Senzer to have custody and control of and/or contact with the Plaintiff, and by undertaking the religious and/or secular instruction and/or spiritual and/or emotional counseling and/or medical care of Plaintiff, Defendants entered into a fiduciary and/or confidential relationship with the minor Plaintiff giving rise to a fiduciary duty.

109. Defendants and each of them breached their fiduciary duty to Plaintiff by engaging in the negligent and wrongful conduct described herein, including but not limited to failing to disclose their knowledge of abuse by Senzer.

110. As a direct result of Defendants' breach of their fiduciary duty, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. As a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of this Court.

COUNT 8: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

111. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

112. Defendants' conduct was extreme and outrageous and was intentional and/or wanton and reckless with a conscious disregard for the rights and safety of Plaintiff and other children. Defendants knew or should have known Senzer and Defendants' other pedophilic and/or ephebophilic agents were spending time, and would continue to spend time in the future, in the company of and assaulting numerous children, including Plaintiff, around the Counties of Suffolk and other locations. Defendants also knew or should have known Senzer and Defendants' other pedophilic and/or ephebophilic agents were high risks to all children as Defendants had received complaints and/or other notice of prior acts of misconduct by Senzer and Defendants' other pedophilic and/or ephebophilic agents. Given their knowledge of prior misconduct by Senzer and Defendants' other pedophilic and/or ephebophilic agents, Defendants knew or should have known that every child exposed to Senzer and Defendants' other pedophilic and/or ephebophilic agents, including Plaintiff, was substantially certain to be assaulted by Senzer and Defendants' other pedophilic and/or ephebophilic agents. Defendants knew or

should have known, and had the opportunity to learn of, the intentional and malicious conduct of Senzer and Defendants' other pedophilic and/or ephebophilic agents, and thereby ratified and joined in said conduct by failing to terminate, discharge, or at least discipline Senzer and Defendants' other pedophilic and/or ephebophilic agents after learning of their propensities, and/or by failing to warn anyone of Senzer's and Defendants' other pedophilic and/or ephebophilic agents propensities, and/or by failing to prevent them from having contact with children. The conduct of Defendants in confirming, concealing and ratifying that conduct was done with knowledge that the emotional and physical distress of Plaintiff and other children exposed to these men would thereby increase, and was done with a wanton and reckless disregard of the consequences to Plaintiff and other children in their custody and control.

113. As a result of Defendants' conduct, Plaintiff experienced and continues to experience severe emotional distress resulting in bodily harm.

114. As a result of the above-described conduct, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. Plaintiff continues to struggle with intense shame and guilt over the fact she fell victim to Senzer. As a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of this Court.

COUNT 9: FRAUD AND DECEIT

115. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

116. Senzer and Defendants' other pedophilic and/or ephebophilic agents held themselves out to Plaintiff as teachers, advisors and/or other authority figures. Senzer and Defendants' other pedophilic and/or ephebophilic agents represented to Plaintiff and/or Plaintiff's family that they would counsel and guide Plaintiff. These representations were made by Senzer and Defendants' other pedophilic and/or ephebophilic agents with the intent and for the purpose of inducing Plaintiff and Plaintiff's family to entrust the spiritual, emotional and physical well-being of Plaintiff with Senzer and Defendants' other pedophilic and/or ephebophilic agents.

117. Defendants knew and/or had reason to know of the sexual misconduct of Senzer and Defendants' other pedophilic and/or ephebophilic agents before the last instance of abuse of Plaintiff. Agents of Defendants also had custody and control of Plaintiff immediately before and during the instances of abuse, and owed her the greater degree of care – including the duty to prevent harm caused by the criminal conduct of third parties – owed by childcare custodians to any child in their custody and control.

118. Senzer and Defendants' other pedophilic and/or ephebophilic agents misrepresented, concealed or failed to disclose information relating to their true intentions to Plaintiff and Plaintiff's family when they entrusted Plaintiff to their care, which was to sexually molest and abuse Plaintiff. Plaintiff justifiably relied upon Senzer's and Defendants' other pedophilic and/or ephebophilic agents' representations.

119. Defendants are vicariously liable for the fraud and deceit of Senzer and Defendants' other agents as Defendants subsequently ratified Senzer's sexual abuse of Plaintiff.

120. As a result of the above-described conduct, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical injuries, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation,

and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. As a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of this Court.

121. In addition, when Plaintiff finally discovered the fraud of Defendants, and continuing thereafter, Plaintiff experienced recurrences of the above-described injuries. In addition, when Plaintiff finally discovered the fraud of Defendants, and continuing thereafter, Plaintiff experienced extreme and severe mental, physical, and emotional distress that Plaintiff had been the victim of Defendants' fraud; that Plaintiff had not been able to help other minors being molested because of the fraud; and that Plaintiff had not been able because of the fraud to receive timely medical treatment needed to deal with the problems Plaintiff had suffered and continues to suffer as a result of the molestations.

COUNT 10: SEXUAL BATTERY
(AGAINST SENZER)

122. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth herein.

123. In doing the acts of childhood sexual abuse specified herein above, the Perpetrator intentionally touched an intimate part of Plaintiff in a sexually offensive manner with the intent to harm or offend her, and further acted in such a manner as to cause Plaintiff to have an imminent apprehension of such contact. Plaintiff did not consent and could not legally have consented to be so touched by the Perpetrator. Plaintiff was harmed and offended by their conduct.

As a result of the above-described conduct, Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;

has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling. as a proximate result of these injuries, Plaintiff has suffered general and special damages in an amount in excess of the jurisdictional minimum of this court.

In doing the acts complained of herein, the Perpetrator acted intentionally, maliciously and with conscious disregard for the rights of Plaintiff, thereby entitling Plaintiff to punitive damages in an amount to be established at trial.

PRAYER FOR RELIEF

Based on the foregoing causes of action, Plaintiff prays judgment against Defendants in an amount that will fully and fairly compensate her for her injuries and damages, and for punitive damages, in an amount sufficient to deter others and punish Defendants, and for any other relief the Court deems appropriate. The amount of damages sought in this Complaint exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

In the interest of promoting public safety, Plaintiff requests an order requiring that Defendant publicly release the names of all agents, including teachers, accused of child molestation, each agent's history of abuse, each such agent's pattern of grooming and sexual behavior, and his last known address. This includes the release of Defendants' documents on the agents.

Plaintiff requests an order requiring that Defendant District discontinue its current practice and policy of dealing with allegations of child sexual abuse by its agents secretly, and that it work with civil authorities to create, implement and follow policies for dealing with such molesters that will better protect children and the general public from further harm.

DEMAND IS HEREBY MADE FOR A TRIAL BY JURY.

February 3, 2020

/s/ Daniel Lapinski

Daniel Lapinski (NY SBN 4041760)

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