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Summons & Complaints and all public documents subsequently completed and filed by Phillips & Paolicelli LLP. Address: 747 3rd Ave 6th floor, New York, NY 10017. Phone: (212) 388-5100.

Summons & Complaints relying on the research of James G. Faluszczyk:

NYS UCS Case Number	Alleged Perpetrator	Defendant #	Defendants	Plaintiff
513865/2020	Donovan CFX, Bro. Ronald (John J.)	5	Diocese of Brooklyn, American Central Province of Xaverian Brothers, et al.	DOE, PC-31

STATE OF NEW YORK
SUPREME COURT: COUNTY OF KINGS

<p>PC-31 DOE,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, ST. TERESA OF AVILA, CO- CATHEDRAL OF ST. JOSEPH/ST. JOSEPH OF AVILA, AMERICAN CENTRAL PROVINCE OF XAVERIAN BROTHERS, INC., a.k.a. BROTHERS OF ST. FRANCIS XAVIER, AND XAVERIAN BROTHERS U.S.A. INC.,</p> <p style="text-align: center;">Defendants,</p>
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SUMMONS

Plaintiff designates the County of KINGS as the place of trial. The basis of venue is the Defendant's county of residence pursuant to CPLR §503.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiffs' attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

DATED: New York, New York
July 31, 2020

Phillips & Paolicelli, LLP
Attorneys for Plaintiffs

Yitzchak Fogel

By: Diane Paolicelli
Yitzchak M. Fogel
Michael DeRuve
747 Third Avenue, 6th Floor
New York, New York 10027
212-388-5100
dpaolicelli@p2law.com

yfogel@p2law.com
mderuve@p2law.com

TO:

THE ROMAN CATHOLIC DIOCESE OF BROOKLYN

310 Prospect Park West
Brooklyn, NY 11215

ST. TERESA OF AVILA

563 Sterling Pl.
Brooklyn, NY 11238

CO-CATHEDRAL OF ST. JOSEPH/ST. JOSEPH OF AVILA

563 Sterling Pl.
Brooklyn, NY 11238

**AMERICAN CENTRAL PROVINCE OF XAVERIAN
BROTHERS, INC., a.k.a. BROTHERS OF ST. FRANCIS
XAVIER**

10516 Summit Avenue
Kensington, Maryland

XAVERIAN BROTHERS U.S.A. INC.

4409 Frederick Avenue
Baltimore, Maryland

STATE OF NEW YORK
SUPREME COURT: COUNTY OF KINGS

<p>PC-31 DOE,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, ST. TERESA OF AVILA, CO- CATHEDRAL OF ST. JOSEPH/ST. JOSEPH OF AVILA, AMERICAN CENTRAL PROVINCE OF XAVERIAN BROTHERS, INC., a.k.a. BROTHERS OF ST. FRANCIS XAVIER, AND XAVERIAN BROTHERS U.S.A. INC.,</p> <p style="text-align: center;">Defendants,</p>
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COMPLAINT

Index No.:

Plaintiff PC-31 DOE, by and through his undersigned attorneys, as and for his Complaint, alleges as follows:

NATURE OF THE ACTION

1. This action is brought pursuant to the Child Victims Act, codified at CPLR 214-g.
2. Plaintiff PC-31 DOE was repeatedly sexually abused and assaulted by “Brother Ronald” who is believed to be John J. Donovan (herein “Br. Ronald”), who was hired, retained, supervised, placed, directed and otherwise authorized to act by Defendants THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, ST. TERESA OF AVILA, CO-CATHEDRAL OF ST. JOSEPH/ST. JOSEPH OF AVILA, AMERICAN CENTRAL PROVINCE OF XAVERIAN BROTHERS, INC., a.k.a. BROTHERS OF ST. FRANCIS XAVIER, AND XAVERIAN BROTHERS U.S.A. INC. (herein collectively “Defendants”).
3. From approximately spring to summer 1956, when Plaintiff was about eight years old, he was abused by Br. Ronald.

4. The abuse at issue took place while Plaintiff was student at the ST. TERESA OF AVILA now known as CO-CATHEDRAL OF ST. JOSEPH/ST. JOSEPH OF AVILA (collectively “St. Teresa”), in Brooklyn, NY where the abuser, Br. Ronald, was a priest and teacher.

5. Despite years of refusal to publically address rampant child abuse by priests, Defendants THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, AMERICAN CENTRAL PROVINCE OF XAVERIAN BROTHERS, INC., a.k.a. BROTHERS OF ST. FRANCIS XAVIER, and XAVERIAN BROTHERS U.S.A. INC., recently published long lists of clergy in their employ who were credibly accused of molesting children. The list from the Xaverian Defendants includes Br. Ronald.

6. In fact, the Roman Catholic Church and Defendants have long known that substantial numbers of priests throughout history, and up to and including the present day, violate their vows or promises of celibacy and otherwise misbehave by soliciting sexual contact with parishioners and others, in particular with children like Plaintiff, who are entrusted to their spiritual care and guidance. Official Church documents dealing with this unspeakable misconduct span the centuries, many of which were and are well known to Defendants.

7. Notwithstanding this knowledge, and the fiduciary duty and relationship of trust owed to parishioners and their children, Defendants negligently, recklessly, and willfully failed to protect Plaintiff from sexual abuse by Br. Ronald, permitted the abuse to occur, failed to supervise Br. Ronald, failed to timely investigate Br. Ronald misconduct, failed to educate and train minors, parents, clergy members, and/or adult staff about the risk of sexual abuse in their institution and facilities, to identify signs of sexual abuse, grooming behaviors, or sexual predators, and to report any suspicion that a minor may be getting abused, maltreated, groomed,

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or otherwise sexually abused, acted to protect their own self-interest to the detriment of innocent children, and are otherwise responsible for Br. Ronald's sexual assault of Plaintiff, and Plaintiff's consequential injuries and damages.

PARTIES

8. Plaintiff is an individual residing in Lavallette, New Jersey.

9. Plaintiff was born in 1948.

10. Defendant THE ROMAN CATHOLIC DIOCESE OF BROOKLYN (herein "Diocese of Brooklyn") is, and at all relevant times was, a non-profit organization or entity, which includes but is not limited to civil corporations, decision-making entities, officials, and employees, authorized to conduct business and doing business at 310 Prospect Park West, Brooklyn, NY 11215.

11. At all relevant times, Defendant Diocese of Brooklyn oversaw, managed, controlled, directed and operated parishes, churches and schools within the Diocese of Brooklyn.

12. At all relevant times, Defendant St. Teresa was and is a Roman Catholic Church and/or school, and not-for-profit corporation organized pursuant to the laws of the State of New York, and which operates at all relevant times in Kings County, New York, with its principal place of business at 563 Sterling Pl., Brooklyn, NY 11238.

13. At all relevant times, Defendant St. Teresa was and still is under the direct authority, control and province of the Diocese of Brooklyn.

14. At all relevant times, the Diocese of Brooklyn and St. Teresa owned the premises where St. Teresa was located.

15. At all relevant times, Defendants Diocese of Brooklyn and St. Teresa oversaw, managed, controlled, directed and operated St. Teresa.

16. Defendant AMERICAN CENTRAL PROVINCE OF XAVERIAN BROTHERS, INC., a.k.a. BROTHERS OF ST. FRANCIS XAVIER, is a Roman Catholic religious order with a principal place of business at 10516 Summit Avenue, Kensington, Maryland.

17. Defendant XAVERIAN BROTHERS U.S.A. INC., is a Roman Catholic religious order with a principal place of business at 4409 Frederick Avenue, Baltimore, Maryland.

18. The AMERICAN CENTRAL PROVINCE OF XAVERIAN BROTHERS, INC., a.k.a. BROTHERS OF ST. FRANCIS XAVIER, and XAVERIAN BROTHERS U.S.A. INC., (collectively "Xaverian Brothers") is a Catholic religious order whose members, employees, and/or agents served various Catholic institutions and families, including the Diocese, St. Teresa, Plaintiff, and his family.

19. The members, employees, and/or agents of the Xaverian Brothers were generally referred to as brothers and the Xaverian Brothers would receive compensation for the services that its agents provided to others, including the services they provided to the Diocese and St. Teresa.

20. During the time Brother Ronald served the Xaverian Brothers, he used his position as an agent of the Xaverian Brothers to groom and to sexually abuse Plaintiff.

21. At all relevant times, Defendants individually and collectively oversaw, managed, controlled, directed and assigned priests, brothers, and other clergy to work in parishes, churches and schools of the Diocese of Brooklyn, including St. Teresa.

22. At all relevant times, Defendants individually and collectively oversaw, managed, controlled, directed and assigned Brother Ronald.

23. At all relevant times, Brother Ronald was an employee, servant, and/or agent of the Defendants acting within the course of his employment.

FACTUAL ALLEGATIONS

24. Plaintiff repeats and re-alleges all preceding paragraphs of this Complaint.

25. At all relevant times, Br. Ronald was a Roman Catholic priest and teacher employed by Defendants.

26. At all relevant times, Br. Ronald was under the direct supervision, employ, and control of the Defendants.

27. During the time that Plaintiff was a student attending St. Teresa, Defendants assigned Br. Ronald to be a priest and teacher at St. Teresa.

28. By assigning Br. Ronald to the role of priest and teacher, Defendants gave Br. Ronald complete access to minors, including Plaintiff, and empowered him to discipline, punish, reprimand, chastise, expel, and otherwise exercise complete authority over minors.

29. Br. Ronald's duties and responsibilities included supervising, teaching, interacting with, mentoring, and counseling minor boys.

30. In the performance of their duties, Defendants authorized Br. Ronald to be alone with minor boys, including Plaintiff, and to have unfettered and unsupervised access to them on Defendants' property.

31. Defendants also authorized Br. Ronald to have physical contact with minor boys, in a manner consistent with providing counseling, educational, and spiritual guidance, and leadership.

32. Defendants required students, like Plaintiff, to accept instruction from Br. Ronald and other clergy and teachers, and to obey their instruction.

33. Plaintiff was raised as a Catholic, and at all relevant times had developed a reverence, respect, and/or fear for the Catholic Church and its clergy, including Br. Ronald.

34. In approximately 1956, when Plaintiff was about eight years old, Br. Ronald, acting in his capacity as priest and teacher, and in furtherance of the business of Defendants, used his position to gain the trust and friendship of Plaintiff and his family so he could act on his sexual attraction to minor boys.

35. After meeting Plaintiff, a student at St. Teresa, Br. Ronald began giving Plaintiff special attention and taking Plaintiff to the coat room during class on the pretense of discussing homework. These acts were done to gain Plaintiff's trust so he would overlook or accept the sexual acts forced upon him by Br. Ronald.

36. On multiple occasions, on the premises of St. Teresa, Br. Ronald engaged in unpermitted, forcible and harmful sexual contact with Plaintiff.

37. The sexual contact was in violation of Article 130 of New York Penal Law.

38. Plaintiff's relationship to Defendants as a vulnerable child, altar boy, and student, and the culture of the Catholic Church which Defendants endorsed, put pressure on Plaintiff not to report Br. Ronald's abuse.

39. Defendants knew or should have known that Br. Ronald was a danger to minor boys like Plaintiff before he sexually abused Plaintiff.

40. The Vatican and other church authorities addressed the problem of clergy sex abuse on countless occasions prior to Br. Ronald's abuse of Plaintiff, and communicated as much with all levels of Church hierarchy including bishops and other Diocesan leaders. As such, at all relevant times, Defendants were well aware that errant sexual behavior by some priests was not only widespread but predictable.

41. Upon information and belief, not only were the Defendants aware of sexual abuse of children, but they participated in covering up such heinous acts by moving errant priests and

clergy members, such as Br. Ronald, from assignment to assignment, thereby putting Plaintiff and other children in harm's way.

42. Defendants owed Plaintiff a duty of reasonable care because they had superior knowledge about the risks their facilities posed to minor children, the risk of abuse in general, and the risks that Br. Ronald posed to Plaintiff.

43. Prior to the time of Plaintiff's abuse by Br. Ronald, Defendants knew or should have known of numerous acts of sexual assault committed by clergy members within the Archdiocese, Orders, and elsewhere in the Roman Catholic Church, and knew that there was a specific danger of child sex abuse for children in their institutions and programs.

44. The sexual abuse of Plaintiff by Br. Ronald was foreseeable.

45. Prior to the time of Plaintiff's abuse by Br. Ronald, Defendants knew or should have known of Br. Ronald's acts of child sexual abuse on other minors.

46. Defendants owed Plaintiff a reasonable duty of care because they affirmatively solicited children and parents to send their children to St. Teresa; they undertook custody of minor children, including Plaintiff; they promoted their facilities and programs as being safe for children, they held out their agents, including Br. Ronald, as safe to work with and around minor boys, they encouraged parents and children to spend time with their agents; and/or authorized their agents, including Br. Ronald, to spend time with, interact with, and recruit children.

47. Defendants owed Plaintiff a heightened, fiduciary duty of care because they held themselves out as being able to provide a safe and secure environment for children, including Plaintiff; Plaintiff's parents entrusted Plaintiff to Defendants' care, and expected that Plaintiff would be safe and properly supervised in an environment free from harm and abuse; Plaintiff

was a vulnerable minor, and unable to protect himself; and Defendants affirmatively assumed a position of empowerment over Plaintiff.

48. Defendants owed Plaintiff a duty to protect him from harm because Defendants' acts and omissions created a foreseeable risk of harm to Plaintiff.

49. As a result of the foregoing, Plaintiff has suffered and continues to suffer great physical and mental pain and anguish, severe and permanent emotional distress, psychological injuries, fear and anxiety; was prevented and will continue to be prevented from performing his normal daily activities; was and will continue to be deprived of the enjoyment of life's pleasures; has suffered and continues to suffer loss of spirituality; has suffered and will continue to suffer loss of earnings and earning capacity; has incurred and will in the future incur expenses for medical and psychological treatment, and was otherwise damaged in an amount that exceeds the monetary limits of all courts of lower jurisdiction.

50. To the extent that any Defendants plead, or otherwise seek to rely upon Article 16 of the New York Civil Practice Law and Rules (CPLR) to have fault apportioned to another allegedly culpable party, Plaintiff expressly states that Defendants' conduct falls within one or more of the subdivisions of CPLR 1602.

FIRST CAUSE OF ACTION

NEGLIGENT HIRING, RETENTION, SUPERVISION, AND DIRECTION

51. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

52. Prior to the sexual abuse of Plaintiff, Defendants learned or should have learned that Br. Ronald was not fit to work with or around children.

53. Defendants, by and through their agents, servants and/or employees, became aware, or should have become aware of Br. Ronald's propensity to commit sexual abuse and of the risk to Plaintiff's safety.

54. Defendants negligently retained Br. Ronald with knowledge of Br. Ronald's propensity for the type of behavior which resulted in Plaintiff's injuries.

55. At all relevant times Defendants had a duty to exercise due care in hiring, appointing, assigning, retention, supervision and direction of Br. Ronald, so as to protect minor children, including Plaintiff, who were likely to come into contact with him, and/or under his influence or supervision, and to ensure that Br. Ronald did not use this assigned position to injure minors by sexual assault, contact or abuse.

56. Defendants were negligent and failed to use reasonable care in hiring, appointing, assigning, and retention, of Br. Ronald, failed to properly investigate his background and employment history, and/or hired, appointed and/or assigned him to St. Teresa, when Defendants knew or should have known of facts that would make him a danger to children; and Defendants were otherwise negligent.

57. Defendants were negligent and did not use reasonable care in their supervision and direction of Br. Ronald, failed to monitor his activities, failed to oversee the manner in which he carried out the duties to which Defendants assigned him, even though they knew or should have known that Br. Ronald posed a threat of sexual abuse to minors; allowed the misconduct describe above to occur and continue; failed to investigate Br. Ronald's dangerous activities and remove him from their premises; and Defendants were otherwise negligent.

58. Br. Ronald would not have been in a position to sexually abuse Plaintiff had Defendants not been negligent in the hiring, retention, supervision, and direction of Br. Ronald.

59. At all relevant times, Br. Ronald acted in the course and scope of his employment with Defendants.

60. Defendants' aforesaid actions were willful, wanton, malicious, reckless, and/or outrageous in their disregard for the rights and safety of Plaintiff.

61. As a proximate and direct result of Br. Ronald's sexual abuse and Defendant's misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury as described above.

62. By the reason of the foregoing, Defendants are liable to Plaintiff for compensatory and punitive damages, in an amount that exceeds the monetary limits of all courts of lower jurisdiction, to be determined at trial, together with interest and costs.

SECOND CAUSE OF ACTION

NEGLIGENT, RECKLESS, AND WILLFUL MISCONDUCT

63. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

64. At all relevant times, Defendants affirmatively and/or impliedly represented to minor children, their families and the general public that clergy working in the Diocese of Brooklyn, St. Teresa, and the Xaverian Order, including Br. Ronald, did not pose a risk and/or that they did not have a history of sexually abusing children, and that children, including Plaintiff, would be safe in their care.

65. Defendants knew or should have known this representation was false and that employing Br. Ronald and giving him unfettered access to children, including Plaintiff, posed an unacceptable risk of harm to children.

66. Defendants were negligent and did not use reasonable care in their training, if any, of minor parishioners and parents about the risk of sexual abuse in their institution and facilities, to identify signs of sexual abuse, grooming behaviors, or sexual predators, and to report any suspicion that a minor may be getting abused, maltreated, groomed, or otherwise sexually abused.

67. Defendants were negligent and did not use reasonable care in their training, if any, of clergy members and/or adult staff about the risk of sexual abuse in their institution and facilities, to identify signs of sexual abuse, grooming behaviors, or sexual predators, and to report any suspicion that a minor may be getting abused, maltreated, groomed, or otherwise sexually abused.

68. Defendants Diocese of Brooklyn, St Teresa, and Xaverian Brothers maintained a policy and practice of covering up criminal activity committed by clergy members.

69. Over the decades, this “cover-up” policy and practice resulted in the sexual assault of untold numbers of children, and put numerous other children at risk of sexual assault.

70. Defendants failed to report multiple allegations of sexual abuse by their employees, agents and representatives, to the proper authorities, thereby putting children at risk of sexual assault.

71. Upon information and belief, Defendants covered up acts of abuse by Br. Ronald, and concealed facts concerning Br. Ronald’s sexual misconduct from Plaintiff and his family.

72. It was not until approximately 2019 that Defendant Xaverian Brothers publicly named Br. Ronald as having been accused of sexual assault of a minor.

73. By failing to disclose the identities, histories and information about sexually abusive clergy in their employ, including Br. Ronald, Defendants unreasonably deprived the

families of children entrusted to their care, including Plaintiff, of the ability to protect their children.

74. Defendants failed to warn Plaintiff and his parents that Br. Ronald posed a risk of child sexual assault.

75. The conduct of Defendants as described herein was done with utter disregard as to the potential profound injuries which would ensue, and with depraved indifference to the health and well-being of children, and to the fact that Defendants were knowingly subjecting children in their charge, including Plaintiff, to sexual crimes.

76. Defendants' aforesaid actions were negligent, reckless, willful and wonton in their disregard for the rights and safety of children, including Plaintiff.

77. As a direct and proximate result of Br. Ronald and Defendants' misconduct, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

78. By the reason of the foregoing, Defendants are liable to Plaintiff for compensatory and punitive damages, in an amount that exceeds the monetary limits of all courts of lower jurisdiction, to be determined at trial, together with interest and costs.

THIRD CAUSE OF ACTION

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

79. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

80. The sexual abuse of Plaintiff was extreme and outrageous conduct, beyond all possible bounds of decency, atrocious and intolerable in a civilized world.

81. Defendants' aforesaid negligent, grossly negligent and reckless misconduct endangered Plaintiff's safety and caused him to fear for his own safety.

82. Defendants knew or disregarded the substantial probability that Br. Ronald would cause severe emotional distress to Plaintiff.

83. As a direct and proximate result of Br. Ronald's sexual abuse and Defendant's misconduct, Plaintiff suffered severe emotional distress including psychological and emotional injury as described above.

84. By the reason of the foregoing, Defendants are liable to Plaintiff for compensatory and punitive damages, in an amount that exceeds the monetary limits of all courts of lower jurisdiction, to be determined at trial, together with interest and costs.

FOURTH CAUSE OF ACTION

PREMISES LIABILITY

85. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

86. At all relevant times, Defendants owned, operated, and /or controlled the premises known as St. Teresa, including the areas where the sexual abuse of Plaintiff occurred.

87. At all relevant times, Plaintiff was rightfully present at the aforementioned premises.

88. Defendants had a duty to see that the premises at which Plaintiff was rightfully present were in a reasonably safe condition for the intended use by students, like Plaintiff, whose presence was reasonably anticipated.

89. Defendants knowingly and willfully failed to provide reasonably safe premises free from the presence of sexual predators and/or the assault by the occupants of the premises, including Br. Ronald. Defendants thereby breached their duty of care of Plaintiff.

90. As a direct and proximate result of Br. Ronald's sexual abuse and Defendant's misconduct, Plaintiff suffered grave injury, including the physical, psychological, and emotional injury and damages as described above.

91. By the reason of the foregoing, Defendants are liable to Plaintiff for compensatory and punitive damages, in an amount that exceeds the monetary limits of all courts of lower jurisdiction, to be determined at trial, together with interest and costs.

FIFTH CAUSE OF ACTION

BREACH OF FIDUCIARY DUTY

92. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

93. At all relevant times, there existed a fiduciary relationship of trust, confidence and reliance between Plaintiff and each Defendant. The entrustment of Plaintiff to the care and supervision of the Defendants while Plaintiff was a vulnerable child, imposed upon Defendants fiduciary duty to act in the best interests of Plaintiff.

94. Defendants were entrusted with the well-being, care, and safety of Plaintiff, which Defendants had a fiduciary duty to protect.

95. By reason of the foregoing, Defendants breached their fiduciary duties to Plaintiff.

96. As a direct and proximate result of Br. Ronald's sexual abuse and Defendant's misconduct, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

97. By the reason of the foregoing, Defendants are liable to Plaintiff for compensatory and punitive damages, in an amount that exceeds the monetary limits of all courts of lower jurisdiction, to be determined at trial, together with interest and costs.

SIXTH CAUSE OF ACTION

BREACH OF DUTY *IN LOCO PARENTIS*

98. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

99. At all relevant times, Plaintiff was a vulnerable child entrusted to Defendants care, and was under the supervision and control of Defendants, such that Defendants owed him a duty to act *in loco parentis* and to prevent foreseeable injuries.

100. By reason of the foregoing, Defendants breached their duties to act *in loco parentis*.

101. As a direct and proximate result of Br. Ronald's sexual abuse and Defendant's misconduct, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages described above.

102. By the reason of the foregoing, Defendants are liable to Plaintiff for compensatory and punitive damages, in an amount that exceeds the monetary limits of all courts of lower jurisdiction, to be determined at trial, together with interest and costs.

SEVENTH CAUSE OF ACTION

BREACH OF STATUTORY DUTIES TO REPORT

103. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein

104. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420 and New York Educ. Law Art. 23-b, Defendants had a statutory duty to report reasonable suspicion of abuse of children in their care.

105. Defendants breached their statutory duty by knowingly and/or willingly failing to report reasonable suspicion of abuse by Br. Ronald of children in their care.

106. As a direct and proximate result of Br. Ronald's sexual abuse and Defendant's misconduct, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages described above.

107. By the reason of the foregoing, Defendants are liable to Plaintiff for compensatory and punitive damages, in an amount that exceeds the monetary limits of all courts of lower jurisdiction, to be determined at trial, together with interest and costs.

WHEREFORE, Plaintiff prays for judgment as follows:

- a. Awarding Plaintiff compensatory damages for his injuries, in an amount to be determined at trial;
- b. Awarding Plaintiff punitive damages for his injuries, in an amount to be determined at trial;
- c. Awarding Plaintiff prejudgment interest, to the extent available by law;
- d. Awarding Plaintiffs costs and disbursements and attorneys' fees to the extent available by law; and
- e. Awarding such other and further relief as this Court may deem just and proper.

JURY TRIAL DEMANDED

108. Plaintiff demands a trial by jury of all issues triable by jury in this action.

Dated: July 31, 2020

Yours, etc.

PHILLIPS & PAOLICELLI, LLP

Yitzchak Fogel

By: Diane Paolicelli
Yitzchak M. Fogel
Michael DeRuve
747 Third Avenue, 6th Floor
New York, New York 10027
212-388-5100
dpaolicelli@p2law.com
yfogel@p2law.com
mderuve@p2law.com