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**A.B. as GUARDIAN AD LITEM FOR
HER MINOR CHILD, C.D.**

Plaintiff,

-v-

**VINELAND BOARD OF EDUCATION,
SUPERINTENDENT DR. MARY
GRUCCIO, PRINCIPAL TAMMY
MONAHAN, ASSISTANT PRINCIPAL
MICHAEL SULLIVAN, HEALTH AND
SOCIAL SERVICES COORDINATOR
KELLY STIPES, JOHN DOES 1-20,
MARY DOES 1-20, ABC, INC. 1-10, AND
XYZ CORPORATIONS 1-20,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
CUMBERLAND COUNTY: LAW DIVISION**

DOCKET NUMBER: CUM-L-464-19

Civil Action

**AMENDED COMPLAINT
AND JURY DEMAND**

Plaintiff A.B., as Guardian Ad Litem for her minor child, C.D., residing in Cumberland County, New Jersey, by way of Complaint and Jury Demand against Defendants Vineland Board of Education, Superintendent Dr. Mary Gruccio, Principal Tammy Monahan, Assistant Principal Michael Sullivan and Kelly Stipes (hereinafter collectively referred to as "Defendants") for personal

injuries sustained when C.D. was sexually harassed, assaulted, and abused by her eighth grade English teacher Richard Super states as follows:

PARTIES

1. Plaintiff A.B. on behalf of her minor daughter C.D. brings this action under pseudonym pursuant to the authority of Doe v. Tris Comprehensive Mental Health, Inc., 298 N.J. Super. 677 (Law Div. 1996).
2. Defendant Vineland Board of Education is an educational institution governing body located at 625 Plum Street, Vineland, NJ 08360 and having the responsibility to administer and supervise the employees and students at the Anthony Rossi Intermediate School, a Vineland Public School.
3. Defendant Dr. Mary Gruccio was and is the Superintendent of Schools for Vineland Board of Education.
4. Defendant Tammy Monahan is a citizen of the United States and is employed as the Principal at Anthony Rossi Intermediate School, 2572 Palermo Drive, Vineland, NJ 08360.
5. Defendant Michael Sullivan is a citizen of the United States and is employed as the Assistant Principal at Anthony Rossi Intermediate School.
6. Defendant Kelly Stipes is a citizen of the United States and is employed as a Health and Social Services Coordinator at Anthony Rossi Intermediate School.
7. Defendants ABC, Inc. 1-10 and XYZ Corporations 1-20, Defendants John Does and Mary Does 1-20 are fictitious entities and persons that supervised teacher Richard Super and Defendants Tammy Monahan, Michael Sullivan, and Dr. Mary Gruccio and/or which operated Rossi Intermediate School and/or which failed, through their agents, servants, and employees to report an improper sexual relationship between C.D. and Teacher Super.

Such Defendant or Defendants are fictitious entities whose names are not presently known to or identifiable by Plaintiff A.B.

FIRST COUNT

*Law Against Discrimination Violation of N.J.S.A. 10:5-1 ET SEQ.
Sexually Hostile Educational Environment and Discrimination*

8. Plaintiff incorporates all other paragraphs and averments throughout this complaint as though fully set forth herein.
9. Plaintiff brings this action for physical, emotional, psychological, and financial damages arising from sexual harassment and discrimination of her minor daughter who was an eighth grade student at Anthony Rossi Intermediate School during the 2015-2016 school year.
10. Between 2015 and 2016, C.D. attended Rossi Intermediate School, a Vineland Public School in the Special Education Program, operated by Defendant Vineland Board of Education.
11. While a student there, C.D. was taught English by Richard Super, an eighth grade English teacher.
12. Defendants actually knew of Teacher Super's tendency to:
 - a. bring C.D. breakfast to school;
 - b. sit with C.D. in the school cafeteria at lunch;
 - c. visit C.D.'s gym class;
 - d. step out of class to talk to C.D. in the hallway;
 - e. talk to C.D. via school issued e-mails, on school computers; and
 - f. give C.D. extra attention during class time.
13. Defendants also knew that C.D. was at risk for self harm yet failed to intervene in

derogation of Vineland Board of Education Policy 5350.

14. All of the above-mentioned actions of Teacher Super were in violation of the Vineland Board of Education Policies.
15. Defendants knew or should have known that Teacher Super was acting in violation of these Vineland Board of Education Policies.
16. Teacher Super had been one of C.D.'s teachers at Rossi Intermediate School for at least two years.
17. During the 2015-2016 school year, Teacher Super also used his school issued e-mail to transmit thousands of sexually explicit e-mail messages to C.D. over a two-month period.
18. Teacher Super engaged in text message and e-mail conversations of a sexual nature which were improper, inappropriate, and criminal in nature.
19. Super's communications were in violation of Vineland Board of Education Policies Numbers 3281 and 3283, which prohibited teachers from engaging in any communication with students not school related including but not limited to inappropriate comments, language, and conduct of a sexual nature with students. Exhibit "A" and Exhibit "B" attached hereto and made a part hereof are true and accurate copies of Vineland Board of Education Policies 3281 and 3283 respectfully.
20. Defendants completely and totally failed to monitor Teacher Super to ensure that he adhered to Vineland Board of Education Policy 3281, which was a policy developed to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct unbecoming of a school staff member toward pupils. Exhibit "A".
21. In accordance with Policy 3281, teaching staff members shall not:

- a. make inappropriate comments to or about pupils; shall not engage in inappropriate conduct toward or with pupils;
- b. shall not be in the presence of a pupil beyond professional responsibilities...
- c. Policy 3281 clarifies that conduct may include but is not limited to communications and/or publications using e-mails, text messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.
- d. Policy 3281 requires school personnel to report to their immediate supervisor or building principal any violations. This includes, when school personnel have reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect that said school personnel are required to immediately report to the CP & P. Exhibit "A".

22. Policy 3283 reads in part:

For the purposes of this Policy, "improper electronic communications" means an electronic communication between a teaching staff member and any student of the school district when:

1. The content of the communication is inappropriate as defined in this Policy; and/or
2. The manner in which the electronic communication is made is not in accordance with acceptable protocols for communications between a teaching staff member and a student as defined in this Policy and other school policies.

Inappropriate communications between a teaching staff member and a student includes, but it not limited to:

1. Communications of a sexual nature, sexually oriented humor or language, sexual advances, or content with a sexual overtone
- ...
3. Communications regarding the teaching staff members or student's past or current romantic relationships;
4. Communications which include the use of profanities, obscene language, lewd comments, or pornography....

6. Communications requesting or trying to establish a personal relationship with a student beyond the teaching staff member's professional responsibilities;

....

8. Communications between the teaching staff member and a student that the Commissioner of Education or an arbitrator would determine to be inappropriate in determining the teaching staff member is unfit to discharge the duties and functions of their position. Exhibit "B".

21. Vineland Board of Education also enacted and had in place during the 2015-2016 school year Policy 2360 which states, in pertinent part:

The use of particular gateways shall be approved by the Supervisor of Technology. The Supervisor of Technology shall be responsible for the installation of software in district owned computers and/or computer systems that prevents access to gateways and Internet sites that have material considered by the Supervisor of Technology to be inappropriate for use by pupils.

Exhibit "C", attached hereto and made a part hereof is a true and accurate copy of Policy 2360.

22. Vineland Board of Education also enacted and had in place during the 2015-2016 school year Policy 2361 which states, in pertinent part:

a. School district personnel will monitor networks and online activity to maintain the integrity of the networks, ensure their proper use, and ensure compliance with Federal and State laws that regulate Internet safety.

b. Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.

c. In accordance with the provisions of the Children's Internet Protection Act, the Superintendent of Schools or designee will develop and ensure education is provided to every pupil regarding appropriate online behavior, including pupils

interacting with other individuals on social networking sites and/or chat rooms, and cyberbullying awareness and response.

Exhibit "D" (emphasis added) attached hereto and made a part hereof is a true and accurate copy of Policy 2361.

23. No school district personnel monitored the networks and online activity of Richard Super to ensure their proper use.
24. Further, C.D. was not educated regarding appropriate online behavior.
25. Vineland Board of Education also enacted and had in place during the 2015-2016 school year Policy 2361.1 which states, in pertinent part:

t. Any pupil use of Internet "live chat" capabilities will be directly supervised by an administrator, faculty or staff member. (emphasis added.)
Exhibit "E."

26. Attached hereto and made a part hereof as Exhibit "E" is a true and accurate copy of Policy 2361.1.
27. Defendants failed to adhere to the following additional Vineland Board of Education Policies and Regulations:
 - a. Policy 3280 which provides teaching staff members are responsible for supervision of pupils.
 - b. Teaching staff members must maintain a standard of care for supervision, control and protection of the students.
 - c. Teaching Staff members must report immediately to the building principal any accident or safety hazard the members detect.
 - d. ...

- e. Lastly, teaching staff members must immediately report any instance of substance abuse, violence, vandalism, accidents, or suspected child abuse. Exhibit "F" attached hereto and made a part hereof is a true and accurate copy of Policy 3280.
- f. Policy 3211 (Code of Ethics for Teaching Staff Members) which states that teaching staff members "...Shall not use professional relationships with pupils for private advantage." Exhibit "G" attached hereto and made a part hereof is a true and accurate copy of Policy 3211.
- g. Policy 3211 which states, "[teaching staff members]...shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--...c. Grant any advantage to any pupil." Exhibit "G".
- h. Policy 4281, which is identical to Policy 3281, but applies to support staff members. Exhibit "H" attached hereto and made a part hereof is a true and accurate copy of Policy 4281.
- i. Policy 5512, which prohibits harassment, intimidation, and bullying, including teacher to student harassment, intimidation, and bullying. Exhibit "I" attached hereto and made a part hereof is a true and accurate copy of Policy 5512.
- j. Policy 5751, which states sexual harassment of pupils by school employees, other pupils, or third parties will not be tolerated. Exhibit "J" attached hereto and made a part hereof is a true and accurate copy of Policy 5751.

- k. Regulation 5751 which sets forth definitions and methods of investigation and resolution of sexual harassment claims made by pupils. Exhibit "J".
 - l. Policy 8462, which requires training of teaching staff members on reporting potentially abused children. Exhibit "K" attached hereto and made a part hereof is a true and accurate copy of Policy 8462.
28. Teacher Super was able to cultivate his improper relationship with C.D. due to the failures, affirmative actions, and breaches of Defendants described more fully herein.
29. Teacher Super exploited his position of authority and his status as a teacher so as to induce C.D. into an inappropriate relationship, and with the intention and expectation of engaging in sexual activity with this under-age student from approximately March 31, 2016 until June 2, 2016.
30. The improper relationship between C.D. and Teacher Super was so conspicuous that other students were aware of it during the 2015-2016 school year and often made comments about the relationship in the hallways in class, and to C.D.. Teacher Super & C.D. specifically discussed this in following manner:

S: No to what? I'm confused BabyMetal. And just the whole 7th period thing.

C: Oh I mean like people are just saying shit. And I need someone to talk to.

C: can I please listen to music

S: What are they saying now BabyMetal?

...

C: Hey daddy slipknot we have to talk about things.

S: What's up?

C: People are saying this about us daddy

C: They are a little bad but that's what they think of us I guess

S: Oh geeze like what?

C: People think I do anything forceful with u. And that I skip class to come see u alone in ur room. T sum it all up, people we're...ya know doing???? You deserve to know but that's what people keep saying and I say to fuck off and leave out bc he's innocent or I say ur a bitch and that's completely

nasty and that will never happen, but I hope our relationship will end bc of this dad?!!!!

C: I'm sorry dad, but u NEED to know

S: I kind of figured that. People just think it's weird cause you're a girl and I'm a guy. I will never ignore you cause we haven't done anything wrong. I'm always there to help and give advice. I think it's the 7th period thing which I guess I understand. But I always go in the hall for that reason too.

S: Thanks for the heads up????

C: That's true we're opposite sex but we never do that... right? But the point is that people that that's ur so tall and I'm so short and are u have enormous feet that you have uh... a big dick and that's what they are always wondering and its not tru that we do anything like that. And ur welcome daddy I love you!!!!

S: Please don't talk about that with me. I know you're honest but you could sugar coat it a bit lol. Anyways. That shouldn't matter about any of that. I talk with everyone, not just you. I guess cause you're the most. I will help and talk to anyone that needs me cause that's who I am. I will never stop helping you or being me. And you shouldn't either. <3

31. Additionally, C.D.'s classmates would speak with her about her relationship with Teacher

Super :

C: It's super and about how people are saying things about me and him

....

Student A: yeah. Anyway wut up wit you

C: Wa watching Markiplier

Student A: Noice. But I ment with the Super thing. I mean if you don't wanna talk about it fine but is it getting better

C: Yea we good I'm texting him right now

Student A: noice. Good to see things get better.

....

C to Student B: no texting u and Super

32. Teacher Super "groomed" C.D. through sending sexually explicit emails and other actions as outlined below.

33. On occasions Teacher Super placed his hand on the buttocks of C.D.

34. C.D. once kissed Teacher Super on the cheek, and they also exchanged a pair of t-shirts as gifts.

35. C.D. would draw Teacher Super pictures, which Teacher Super indicated to C.D. he hung

up in the closet in his classroom.

36. Teacher Super would bring C.D. snacks and breakfast from Wawa to school.
37. According to the Investigative Reports of the Cumberland County Prosecutor's Office there were approximately 4,600 messages in the form of e-mails on the school's e-mail server in two months between C.D. and Teacher Super .
38. E-mail messages were sent during school hours on school issued computers using school issued e-mails between March 31, 2016 and June 2, 2016.
39. The messages were also sent at all hours of the night, even continuously through the late hours of the night and early hours of the morning.
40. The following is a summary of the volume of communications between Teacher Super and C.D.:

Date	Day of the Week	First email of the day (sender and time of email)	Last email of the day (sender and time of email)	Number of e-mails exchanged for that day	Comments
3/31/16	Thursday	C.D. 18:28	Super 18:56	4	
4/1/16	Friday	Super 20:32	Super 20:32	1	Attachment: David Bowie Modern Love Album Cover
4/5/16	Tuesday	C.D. 15:25	C.D. 18:32	4	
4/6/16	Wednesday	Super 13:55	Super 13:55	1	
4/8/16	Friday	Super 17:56	Super 17:56	1	
4/15/16	Friday	C.D. 15:40	Super 00:34 (4/16)	121	
4/16/16	Saturday	Super 8:09	Super 1:57 (4/17)	184	
4/17/16	Sunday	Super 7:27	Super 22:20	222	

4/18/16	Monday	C.D. 15:27	Super 22:17	80	
4/19/16	Tuesday	C.D. 06:39	C.D. 7:39	13	
4/20/16	Wednesday	C.D. 15:39	Super 21:51	61	
4/21/16	Thursday	Super 20:38	Super 22:55	39	
4/22/16	Friday	C.D. 07:36	Super 21:10	12	
4/23/16	Saturday	Super 09:07	Super 23:41	70	
4/24/16	Sunday	Super 15:41	Super 16:18	68	
4/25/16	Monday	None	None	None	
4/26/16	Tuesday	C.D. 09:39	Super 21:38	87	
4/27/16	Wednesday	C.D. 06:35	Super 21:38	139	
4/28/16	Thursday	C.D. 06:28	Super 21:19	32	
4/29/16	Friday	C.D. 09:51	Super 11:30	26	
4/30/16	Saturday	None	None	None	
5/1/16	Sunday	None	None	None	
5/2/16	Monday	C.D. 09:34	Super 11:30	26	
5/3/16	Tuesday	Super 09:34	Super 10:58	54	
5/4/16	Wednesday	C.D. 09:25	Super 21:23	124	
5/5/16	Thursday	C.D. 09:26	Super 21:29	222	
5/6/16	Friday	C.D. 09:55	Super 01:35 (5/7)	287	
5/7/16	Saturday	C.D. 10:08	Super 00:09 (5/8)	78	
5/8/16	Sunday	C.D. 10:04	Super 18:00	45	
5/9/16	Monday	C.D. 10:07	C.D. 10:31	5	
5/10/16	Tuesday	None	None	None	

5/11/16	Wednesday	None	None	None	Incoming Youtube Video
5/12/16	Thursday	None	None	None	None
5/13/16	Friday	None	None	None	None
5/14/16	Saturday	Super 16:46	Super 16:46	1	
5/15/16	Sunday	C.D. 17:17	Super 22:33		
5/16/16- 5/19/16	Mon-Thurs.	None	None	None	
5/20/16	Friday	C.D. 15:59	C.D. 03:27 (5/21)	109	
5/21/16	Saturday	Super 06:44	Super 00:30 (5/22)	189	
5/22/16	Sunday	Super 07:07	Super 04:47 (5/23)	136	Super's Baby's Christening
5/23/16	Monday	C.D. 06:20	C.D. 11:18	33	
5/24/16	Tuesday	C.D. 14:30	C.D. 14:56	20	
5/25/16	Wednesday	C.D. 11:08	Super 14:52	48	
5/26/16	Thursday	C.D. 14:34	Super 21:10	10	
5/27/16	Friday	C.D. 13:39	Super 21:48	19	
5/28/16	Saturday	C.D. 12:49	Super 00:32 (5/29)	10	

41. All of the aforementioned communications were made using school issued email addresses, and the school district's network and server, which the school and district administrators had the obligation to monitor for compliance with school policies, pursuant to Policy 2361. Exhibit "D."
42. At all times material hereto, the Vineland Board of Education utilized computer software known as Barracuda Networks Barracuda Message Archiver Version 1.x., which the Board

and school administrators could use to comply with and/or enforce Policy 2361. Exhibit "D."

43. The Barracuda manual notes:

The Barracuda Message Archiver comes with both standard and customizable policies to support various corporate and legal regulations. In addition to policies on acceptable content, retention policies are also available to govern the length of time to retain email messages. Alerts can be sent on detected violations...(Emphasis added).

44. The Barracuda manual also states, "Administrators and Auditors can easily sort through a message archive to compile relevant messages based on keywords, dates and sender/recipients into an exported file."

45. According to the manual:

...auditors have the ability to view, track, and monitor policies on messages for all users.

46. The manual states, "Default reports include the growth of the message archive, policy violation, and archive traffic."

47. The network was capable of providing, "traffic and policy statistics, such as the amount of overall email traffic and how many messages have triggered a particular policy category."

48. The Barracuda Networks Message Archiver allowed the user to apply policies and filters on the web browser as well as filter access to social networking websites, e-mail websites, and websites like YouTube.

49. The manual indicates that:

Many organizations need to keep track of violations of organizational policy and be alerted when they occur. Policies can include defining when it is acceptable to send messages containing executable files or any inappropriate content (usually never); identifying how often messages containing references to forbidden topics are sent (especially when litigation is expected);

and when certain email recipients can be contacted (excessive personal emails during business hours).

The Barracuda Message Archiver comes with a set of standard policies that are updated regularly via Energize Updates, and also allows you to easily create your own to fit your specific organization environment. Alerts can be configured to go out whenever a policy violation is detected, and reports are available to summarize new policy violations as well as detect any that are found amongst the messages stored in the archive. (Emphasis added).

50. The Manual acknowledges that:

Messages that are found to be in violation of organizational policy often need to be gathered together for easy presentation. (Emphasis added).

51. The manual notes, **“Available auditing features include:...receiving alerts when messages matching particular criteria are detected.”** (Emphasis Added.)
52. The Barracuda software allowed the Defendants to create searches on virtually every aspect of the message including body, recipients and senders, attachment type and content, and date.
53. The manual indicates, “The Barracuda Message Archiver comes with 3 default policy definitions that are updated regularly by Energize Updates to meet the latest standards: Personal Email, Personal Info, Foul Language.”
54. The conversations between C.D. and Super were personal in nature, involved personal information, and certainly involved an abundance of foul language, including but not limited to the following words: “Boobs” “Butt” “Horny” “Sexual” “Naked” “Shit” “F**k” “Dick” “Damn.”
55. A notification would have been sent about the above mentioned language to all administrators of the Barracuda network.
56. Defendants ignored all notifications or in the alternative failed to set up appropriate notifications, either of which constitutes a violation of Defendants’ own policies, standards

for school districts and which was reckless conduct which led to harm to plaintiff C.D..

57. The manual states, “Administrators and auditors can choose to add themselves to the alerts list for these standard policies, and also choose to be alerted whenever messages meeting their own particular criteria (as defined and saved in a search) are entered into the archive.”
58. The software allowed for custom notifications, “The Policy/Alerts>Policy Alerts page allows you to specify the email addresses that are to receive an email notification whenever the messages matching the parameters in a saved search are detected.”
59. The manual explains, “You can create custom rules based on your specific needs. Creating a custom rule allows policy to match against every name/value of every parameter in a request. The object is available in the <proxy> layer and is applied on a per-transaction basis.”
60. The Defendants failed to monitor, track, and read the e-mails as required by its own policies and which could be done automatically using this software.
61. The aforesaid e-mail messages were of an inappropriate and sexual nature, and constituted “grooming”. Some of the e-mail messages read as follows:

S: BTW my cheek was very heartbroken this week. I got him all excited and then he got shut down. (sad face)

C: Y was he all excited d

S: Cause someone was supposed to give him something and then it never matured. I had to let him down easy.

C: Aww ill kiss u on Monday for sure...can I get one (pause)?

S: It'll be when you least expect it (blushing face)

...

S: Thanks I try. I wrote BB under the SS on your paper. Know what that means? And wont say unless you guess right. (blushing face) (winky face)

C: I didn't knotice but I don't wanna guess bc ima get it rong so tell me d

S: just one guess please!! (praying hands). Two words that start with B and they have to do with you.

C: Uhhhhhhh big baby, beautiful boy, big butt, big boobs, boring bitch, idk lol

S: Lol wow some of them work but you actually got half of it right.

C: uhhhh baby? Butt? Boobs? Beautiful?... what?

S: Two of them are correct just add a word to one of and bam it's it.
C: uhhhh boobs butt, beautiful baby, beautiful boobs idk
S: Second one my B
C: Awww daddy thank u..ur so sweet!! That was in my very high pitched baby voice btw lol
...
S: Just took off my pants and shirt. Lol nah just chilling talking to you. Sweating lol
C: YAY we're naked buddies!! Watt r u doing having fun?
S: Loads and loads of fun! ! (smiley face)
...
S: H. O. R. N. Y.?
C: Ur so extra and yes DD I am
...
S: I'll make you sweat til you bleed. That's why they have Axe!!
C: Alright Mr. Sexual....nah I'm just playing but I love axe.. is that weird?
....
S: Getting the cheek ready lol
C: by doing what lol
S: Make sure not too stubbly but just right. Oh and lick it too lol
C: U want me to make it smooth and good and lick it
S: lol god I have something to say to that but won't...I'll just say okay.

62. Defendants had actual knowledge that gave and/or should have given them reasonable cause to suspect an inappropriate relationship between Super and C.D. while it was occurring.
63. On June 2, 2018, the Cumberland County Prosecutor's Office was notified of the inappropriate relationship between Teacher Super and C.D. and began an investigation.
64. As a result of this investigation, Defendant Monahan told Detectives Hendershott and Kahn of the Cumberland County Prosecutor's Office that: (a.) Teacher Super typically ate with students, (b.) she had spoken to Teacher Super about his interactions with C.D. (c.) she had a 'hunch' and a 'feeling' that something was not right."
65. Defendant Monahan also stated to Officer Harris of the Vineland Police Department that she had said something to Teacher Super two separate times about having lunch with C.D.
66. On May 29, 2017 or in the alternative May 31, 2017, A.B. had a meeting with teachers

Andrea Massaro (Guidance Counselor), Natalie Quackenbush (Math Teacher), Stephanie Coia (Science Teacher), and another teacher who had taken over for Musto about why C.D. was doing so poorly in school. Towards the end of the meeting the women brought Teacher Super into the room and confronted him about why C.D. was doing so poorly in every class but his class.

67. Teacher Super stated in his interview with Detectives Kara Kahn and Detective David Hendershott that he had brought to Mrs. Kelly Stipes, the Health and Social Services Coordinator's attention that he was aware of a student who used to cut herself. Teacher Super asked Mrs. Stipes for advice on how to deal with this student.
68. Teacher Super also brought this to the attention of Defendant Principal Tammy Monahan.
69. Teacher Super identified C.D. by name, or alternatively did not identify her by name.
70. Vineland Board of Education enacted Policy 5350 which reads in pertinent part:

The Board directs all school personnel to be alert to the pupil who exhibits signs of potential self-destruction or who threatens or attempts suicide. Any such signs or the report of such signs from another pupil or staff member should be taken with the utmost seriousness and reported immediately to the Building Principal, who shall notify the pupil's parent (s) or legal guardian(s)" and other

professional staff members in accordance with administrative regulations.

A potentially suicidal pupil shall be referred to the Affective Team for appropriate evaluation and/or recommendation for independent medical or psychiatric services. In the events that the parent(s) or legal guardian(s) objects to the recommended independent medical or psychiatric services or indicates an unwillingness to cooperate in the best interests of the pupil, the Affective Team may contact the New Jersey Division of Youth and Family Services to request that agency's intervention on the pupil's behalf. Exhibit "L".

71. Attached hereto and made a part hereof as Exhibit "M" is a true and accurate copy of Vineland Board of Education Regulation 5350 which provides, "...guidance of staff

members in recognizing the pupil who contemplates suicide, in responding to threatened or attempted suicide, and in preventing contagion when a pupil commits suicide.”

72. Defendant Stipes did not intervene or take any steps to comply with Vineland Board of Education Policy 5350 though she did confirm this story to police.
73. Defendant Monahan did not intervene or take any steps to comply with Vineland Board of Education Policy 5350. Exhibit “L.”
74. Neither Defendant Stipes nor Defendant Monahan interviewed or intervened with C.D., who was known to be harming herself, in violation of Vineland Board of Education Policy 5350 and/or these also failed to report this information to parents and appropriate authorities. Exhibit “L.”
75. Alternatively, neither Defendant Stipes nor Defendant Monahan inquired about the identity of the student, and therefore did not advise the other Defendants of this information for further investigation in violation of Policy 5350 (Pupil Suicide Prevention). Exhibit “L” attached hereto and made a part hereof is a true and accurate copy of Vineland Board of Education Policy 5350.
76. Further, Mrs. Coia and her assistant had noticed that C.D. was not doing her school work in class but was always vigorously typing during class. Every time the two would try to see who C.D. was communicating with or what C.D. was doing C.D. would close the computer.
77. Mrs. Coia stated that Teacher Super would spend his free period in the gymnasium weight room exercising during C.D.’s gym period. C.D.’s gym teachers Mrs. Colleen Forcenito and Mrs. Nancy Iulig confirmed this.
78. Mrs. Coia also indicated that C.D. always ate popcorn during class. Though C.D. had told Mrs. Coia that C.D.’s mother bought C.D. the popcorn, A.B. told Mrs. Coia this was not

the case. Mrs. Coia overheard C.D. tell another student that the popcorn came from Teacher Super.

79. Mrs. Coia stated to Detectives Kahn and Hendershott that there were rumors around school and amongst the students that Mrs. Coia had heard about C.D. and Teacher Super having a relationship.
80. Mrs. Quakenbush, a math teacher who had C.D. in her 4th and 5th period class, stated to Detectives Kahn and Hendershott:
 - a. That Teacher Super's classroom was right next to hers.
 - b. That C.D. always congregated in the hallway with Teacher Super between classes.
 - c. That C.D. and Teacher Super were in the hallway together during class time because C.D. would ask to use the rest room and Teacher Super would come out to meet her.
 - d. That about a month and a half before June 2, 2016 while Mrs. Quakenbush was teaching C.D.'s class they were using laptops.
 - e. That she heard a student yell that C.D. was on the computer chatting with Teacher Super. When Mrs. Quakenbush questioned both C.D. and Teacher Super they both denied same.
 - f. That Teacher Super used to come in Mrs. Quakenbush's classroom during lunch and eat with the other teachers but he began eating lunch with C.D. in the cafeteria.
 - g. Mrs. Coia saw Teacher Super sitting with C.D. during lunch period in the cafeteria.
 - h. That she typically had to tell C.D. to get to class because C.D. spent too much time speaking with Teacher Super.
 - i. That C.D. and Teacher Super spoke in a "friendly" manner and not as a student-teacher relationship.
 - j. That two to three weeks before police were notified on June 2, 2016, another teacher had said

something to Teacher Super about C.D. constantly being in Teacher Super's class or speaking to him.

- k. That students would yell out "C.D. is chatting with Mr. Super."
- 81. An aide from Teacher Super's classroom stated that she noticed C.D. and Teacher Super had a different handshake.
- 82. Defendants did not immediately report to police or to New Jersey's Child Protection and Permanency Division (CP&P) [Formerly the Division of Youth and Family Services] and/or to CP&P's Child Abuse Hotline the suspected abuse by Teacher Super upon C.D.
- 83. On June 2, 2016, Teacher Super was arrested for Endangering the Welfare of a Child pursuant to N.J.S.A. 2C: 24-4A.
- 84. Thereafter, Teacher Super plead guilty on May 18, 2017 to a fourth-degree charge of Cruelty and Neglect of a Child pursuant to N.J.S.A. 9:6-3. Among other terms of his plea agreement, Super has forfeited his Teaching Certificate and has been sentenced to a two-year term of probation.
- 85. Defendant Vineland Board of Education controls, manages and operates the Vineland Public Schools, a school district in New Jersey which owes a "heightened duty of School Boards to ensure pupil safety from foreseeable harm, particularly those presented by the intentional acts of school personnel" as defined by the New Jersey Supreme Court.
- 86. Due to her age, C.D. was required by New Jersey law to attend school. Each of the Defendants herein stood *in loco parentis* relative to C.D. during the school day. Further, C.D.'s mother transferred to Defendants the power to act as her daughter's guardians during the school day.

87. Defendant Vineland Board of Education acted individually and through its employees and agents, including but not limited to Superintendent Dr. Mary Gruccio, Principal Tammy Monahan, Assistant Principal Michael Sullivan, and former teacher Richard Super, all of whom acted with actual or apparent authority and all of whom aided in carrying out and/or permitting the sexual harassment and assault of C.D. failing to have a procedure of detecting an excessive and inappropriate exchange of emails and other communications between C.D. and Teacher Super.
88. At all times material hereto, Teacher Super and Defendants acted individually, and as agents of each other.
89. On or about May 2016 and at times earlier thereto, Defendants Vineland Board of Education and through its Principal, Vice-Principal, School Board, teachers, and other employees and agents, including Defendants Monahan, Sullivan, and Gruccio actually knew about the specific misconduct, inappropriate relationship, and sexual harassment committed by Teacher Super which was pervasive and conspicuous in nature.
90. Moreover, these defendants were deliberately indifferent to his conduct, as demonstrated by the specific failures and actions described below, thereby exposing and continuing to expose students in general, and C.D. in particular, to a sexually hostile educational environment and to criminal conduct.
91. Defendants, through their actions and inactions described herein, and through a pattern of deliberate indifference, created and permitted *quid pro quo* sexual harassment and a severe, pervasive, and persistent sexually hostile educational environment.
92. Defendants were in positions of authority and trust at Rossi Intermediate School at all times material hereto and these defendants were administrative officials who had the

authority and responsibility to address discrimination and harassment (sexual or otherwise) and to institute corrective measures.

93. Defendant Vineland Board of Education, through its agents and employees, including Dr. Gruccio, Ms. Monahan, and Mr. Sullivan, knew that the conduct between Teacher Super and C.D. was harmful, dangerous, and created a significant risk of serious physical and emotional harm to C.D.
94. Defendant Superintendent Dr. Mary Gruccio was an administrative official who had the authority and responsibility to address discrimination and harassment (sexual or otherwise) and to institute corrective measures.
95. Defendant Superintendent Dr. Mary Gruccio had actual knowledge of harassment and discrimination in the school's programs during the 2015-2016 school year and for years prior.
96. In particular, Dr. Mary Gruccio was deposed on January 14, 2016 in the matter of M.B. v. Board of Education of the City of Vineland, et als., docket number CUM-L-746-14, another matter of alleged discrimination within the school district stemming from known inappropriate relationship between a staff member and a student.
97. Attached hereto and made a part hereof as Exhibit "N" is a true and accurate copy of the relevant portions of the 2016 deposition testimony of Dr. Mary Gruccio.
98. Defendant Dr. Gruccio testified that a student who is sexually assaulted in a school by a staff member is still receiving the education to which they are entitled.
99. In 2016, Defendant Dr. Gruccio was deliberately indifferent to the rights to proper and equal education for students who have been victimized sexually. At her deposition Dr. Gruccio further testified in the following manner:

Q: If a student is the subject or victim of sexual assault by a staff member from a school, do you agree that that student is being deprived of the education to which he is entitled?

A: Not necessarily, no. See Gruccio Dep. 64:13-17

100. Defendant Dr. Gruccio further testified that it is her belief that a minor can legally consent to sexual advances and sexual and inappropriate contact by a teacher superior to them and that a seventeen-year-old student could consent to sexual activity with an adult staff member who was in a supervisory position over the student.
101. Defendant Dr. Gruccio has attempted to state that a minor, under 18, could consent to sexual activity with a teacher or staff member in direct conflict with controlling New Jersey criminal law.
102. Specifically, Dr. Gruccio also testified in 2016 that a young man who was a student could be a “willing” participant in sexual activities with a staff member and made a “choice” to participate in sexual activity. See Gruccio Dep. 64-68.
103. Defendant Dr. Gruccio individually, and in her capacity as the Superintendent of the Vineland Board of Education subordinated the safety and physical and emotional well-being of C.D. to the interests of predatory Teacher Super.
104. Defendant Superintendent Dr. Mary Gruccio failed to respond and/or adequately respond to stop the harassment and discrimination against C.D.
105. During the 2015-2016 school year, Defendant Tammy Monahan was a Principal employed by Defendant Vineland Board of Education, and
 - a. was responsible for controlling, directing, managing, and supervising the students and teachers of the Rossi Intermediate School;
 - b. was an administrative official who had the authority and responsibility to address discrimination and harassment (sexual or otherwise) and to institute

corrective measures;

- c. had actual knowledge of harassment and discrimination in the school's programs;
- d. failed to adequately respond to stop the harassment and discrimination against C.D.;
- e. intentionally and knowingly subordinated the safety and physical and emotional well-being of C.D. to the interests of predatory Teacher Super;
- f. was deliberately indifferent to the sexual harassment and discrimination of C.D. by Teacher Super.

106. During the 2015-2016 school year, Defendant Michael Sullivan was an Assistant Principal employed by Defendant Vineland Board of Education, and was

- a. responsible for controlling, directing, managing, and supervising the students and teachers of the Rossi Intermediate School;
- b. had the authority and responsibility to address discrimination and harassment (sexual or otherwise) and to institute corrective measures;
- c. had actual knowledge of harassment and discrimination in the school's programs;
- d. failed to adequately respond to stop the harassment and discrimination against C.D.;
- e. intentionally and knowingly subordinated the safety and physical and emotional well-being of C.D. to the interests of predatory Teacher Super;
- f. was deliberately indifferent to the sexual harassment and discrimination of C.D. by Teacher Super.

107. Notwithstanding their understanding, recognition, and appreciation of the dangers posed by the conduct that was reported to them, and despite their actual knowledge of their duty to report the allegations to police and state agencies, such as New Jersey's Child Protection and Permanency Division within the Department of Children and Families, and/or to DCP&P's Child Abuse Hotline Defendants Dr. Gruccio, Ms. Monahan, and Mr. Sullivan did nothing to report the misconduct or their suspicions thereof.
108. Rather than taking any appropriate steps to remove Teacher Super, the Defendants acted recklessly and indifferently, and allowed Teacher Super to continue his predatory behavior, returning him to the school and classroom, where he continued to have access to the school email system and C.D.
109. As a direct and proximate result of Defendants' conduct described herein, C.D. was caused to suffer severe and permanent emotional, psychological and physical injuries, including, but not limited to Anxiety and Depression and Post-Traumatic Stress Disorder, embarrassment, humiliation, and has incurred and/or will likely incur medical expenses for medical and psychological treatment and loss of educational opportunities and advantages.
110. In addition, C.D. was caused to suffer from suicidal ideations and violent tendencies; having attempted suicide, and suffered from physically violent outbursts as a direct and proximate result of Defendants' conduct described herein.
111. C.D. will in the future suffer harm, embarrassment, anxiety, and emotional distress because of the Defendants' conduct.
112. Defendants were or should have been aware of the misconduct, sexual harassment and/or discrimination committed by Teacher Super due to its pervasive and/or conspicuous nature, for which A.B. on behalf of her minor daughter C.D. asserts a claim

pursuant to the New Jersey Law Against Discrimination.

113. Despite Defendants' actual and/or constructive knowledge of sexually inappropriate and harassing conduct, Defendants failed to reasonably protect C.D. against harassing conduct.
114. Defendants violated New Jersey's Law Against Discrimination, contained within N.J.S.A. 10:5-1 et seq., and such failures created a sexually hostile educational environment for C.D., and discriminated against C.D. based upon C.D.'s sex.
115. Defendants Dr. Gruccio, Ms. Monahan, and Mr. Sullivan, and all other supervisors, knew that the conduct between Teacher Super and C.D. was harmful, dangerous, and created a significant risk of serious physical and emotional harm to C.D.
116. Defendant Vineland Board of Education is vicariously liable for the actions of its supervisory employees, including but not limited to Defendants Gruccio, Monahan, and Sullivan.
117. Defendants knew, or should have known, of the harassment and failed to take effective remedial measures to stop it.
118. As a direct and proximate result of the breaches and failures by Defendants outlined herein, C.D. was caused to suffer severe bodily injury, emotional distress/injury, injuries which are likely to be permanent in nature and denial of the full education C.D. was entitled to receive.

WHEREFORE, Plaintiff A.B. on behalf of her minor child C.D. demands judgment against Defendants Vineland Board of Education, Dr. Mary Gruccio, Tammy Monahan, Michael Sullivan and Kelly Stipes for compensatory and punitive damages together with interest, as well as attorney fees and costs of suit for C.D.'s pain and suffering, medical expenses, emotional

trauma, diminished childhood, diminished enjoyment of life, cost of counseling, and potentially lost income as well as the entry of a permanent injunction requiring the Vineland Board of Education to use the Barricuda Software Detection System relative to communications between teachers and children and appoint a person(s) to receive alerts from the Barricuda System when there has been a violation of the Vineland Board of Education Policies relative to communications between teachers and students.

SECOND COUNT

Negligence and/or Recklessness

119. Plaintiff incorporates all other paragraphs and averments throughout this complaint as though fully set forth herein.
120. During the 2015-2016 school year, Defendants Gruccio, Monahan, and Sullivan, and the Vineland Board of Education knew and/or had reason to know of the improper, inappropriate, and predatory conduct of Teacher Super.
121. Defendants had the duty to exercise reasonable care for the safety of students entrusted to them.
122. Defendants voluntarily assumed a duty to comply with the Vineland Board of Education Policies and Regulations contained herein.
123. Defendants had the duty to comply with all state and federal statutes and regulations with respect to the proper reporting of suspected child abuse contained herein.
124. Defendants had the duty to comply with all state and federal statutes and regulations with respect to the proper care of school children by school officials mentioned herein.
125. In speaking with Officer Shane Harris of the Vineland Police Department of June 2, 2016, Defendant Tammy Monahan stated:

- a. that on May 3, 2016 she called Teacher Super into her office to advise of something that she felt was inappropriate.
 - b. That she told Teacher Super she observed him interacting with C.D. while sitting at the table in the lunch area.
 - c. That Teacher Super was sitting with C.D. on two different occasions during lunch and that the interaction between teacher and student was not normal.
 - d. That she told Teacher Super not to interact with C.D. as it did not seem appropriate.
- 126. Defendants Dr. Gruccio, Ms. Monahan, and Mr. Sullivan knew that the conduct between Teacher Super and C.D. was harmful, dangerous, and created a significant risk of serious physical and emotional harm to C.D.
- 127. Notwithstanding their understanding, recognition, and appreciation of the dangers posed by the conduct that was reported to them, and despite their actual knowledge of their duty to report the allegations to state agencies such as CP&P, Defendants Dr. Gruccio, Ms. Monahan, and Mr. Sullivan did not report the misconduct to authorities or otherwise take any actions to stop the conduct.
- 128. Defendant Dr. Gruccio individually, and in her capacity as the Superintendent of the Vineland Board of Education intentionally and knowingly subordinated the safety and physical and emotional well-being of C.D. to the interests of predatory Teacher Super.
- 129. Defendant Monahan, individually and in her capacity as Principal of Rossi Intermediate School, intentionally and knowingly subordinated the safety and physical and emotional well-being of C.D. to the interests of predatory Teacher Super.
- 130. Defendant Sullivan, individually and in his capacity as Assistant Principal of Rossi

Intermediate School intentionally and knowingly subordinated the safety and physical and emotional well-being of C.D. to the interests of predatory Teacher Super.

131. Additionally, Defendants Dr. Gruccio, Monahan, and Sullivan failed to properly report to police or to New Jersey's Child Protection and Permanency Division within the Department of Children and Families and/or to CP&P's Child Abuse Hotline the report and evidence of inappropriate conduct and sexual abuse committed.
132. Rather than taking any appropriate steps to remove Teacher Super, the Defendants acted recklessly and indifferently, and allowing Teacher Super to continue his predatory behavior.
133. The indifference of Rossi Intermediate School administrators and faculty, and the permissive and sexually hostile educational environment created thereby, directly contributed to the pervasive improper sexual activity between C.D. and Teacher Super at Rossi Intermediate School, and the improper actions of Rossi Intermediate School teacher Richard Super.
134. Defendants Vineland Board of Education, Dr. Mary Gruccio, Tammy Monahan, and Michael Sullivan failed to adhere to N.J.S.A. 9:6-8.10, which provides that any person having reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse shall report the same immediately to CP & P.
135. Defendants completely failed to perform the duties assumed by them and assigned to them by the Vineland Board of Education Policies and the State and Federal Statutes and common law contained herein.
136. In the alternative, Defendants were negligent in that they failed to exercise reasonable care in the performance of the duties assumed by them and assigned to them by the Vineland

Board of Education Policies and the State and Federal Statutes and common law contained herein.

137. N.J.S.A. 10:5-12(f) states it is unlawful “for any owner... superintendent, agent or employee of any place of public accommodation directly or indirectly to refuse, withhold from or deny to any person any of the accommodations, advantages, facilities or privileges thereof, or to discriminate against any person in the furnishing thereof” on the basis of that person’s “disability.”
138. “Disability” is defined by the New Jersey Law Against Discrimination (hereinafter “LAD”) as any “any mental, psychological, or developmental disability, including autism spectrum disorders, resulting from anatomical, psychological, physiological, or neurological conditions which prevents the typical exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. N.J.S.A. 10:5-5(q).
139. “Place of public accommodation” expressly includes “any...primary and secondary school, ...high school,... or any education institution under the supervision of the State Board of Education, or the Commissioner of Education of the State of New Jersey.’ N.J.S.A. 10:5-5(I)
140. D.C. has a disability as defined by N.J.S.A. 10:5-5(q) because she has Attention Deficit Hyperactivity Disorder-Primarily Inattentive Type (ADHD) and suffers from severe allergies that require her to carry an EpiPen with her every day.
141. Anthony Rossi Intermediate School constitutes a place of public accommodation because it is a public school as defined under N.J.S.A. 10:5-5(I).

142. Defendants violated N.J.S.A. 10:5-1 by failing to provide and accommodate C.D. with a safe and civil environment in school necessary for her to learn and achieve school academic standards.
143. By and through the conduct described above, Defendants discriminated against Plaintiff on the basis of her disability in that the Vineland School District was or should have been aware of the severe and pervasive nature of sexual harassment suffered at the hands of Defendant Super, and failed to act and remove from employment and the employment location the offending male sexual harasser, Defendant Super, in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et. seq.
144. By and through the conduct described above, Defendants discriminated against Plaintiff on the basis of her disability in that the Vineland School District was or should have provided Plaintiff with a heightened level of care due to her disability.
145. Plaintiff has a substantiated reasonable belief that the offensive conduct was tolerated by the Vineland School administration.
146. Defendants granted Defendant Super the authority to create a hostile school environment.
147. As a result of Defendants' unlawful conduct, Plaintiff has suffered and continues to suffer harm to her reputation, severe emotional distress as well as adverse effects upon her daily, social and family life and other such damages compensable under the New Jersey Law Against Discrimination.
148. By and through the above-stated conduct, Defendants have discriminated against Plaintiff on the basis of her disability, in violation of the NJLAD, N.J.S.A. 10:5-1, et. seq.
149. Defendants breached the duty of care owed to C.D. established by the within policies, statutes, and common law standards.

150. As a direct and proximate result of Defendants' conduct described herein, C.D. was caused to suffer emotional and physical injuries, including but not limited to Anxiety and Depression, Post-Traumatic Stress Disorder, embarrassment, humiliation, and has incurred and/or will likely incur medical expenses as well as the loss of educational opportunities to which she was entitled.

151. In addition, C.D. was caused to suffer and will be caused to suffer in the future from suicidal ideations and violent tendencies; having attempted suicide, and suffered from physically violent outbursts as a direct and proximate result of Defendants' conduct described herein.

WHEREFORE, Plaintiff A.B. on behalf of her minor child C.D. demands judgment against Defendants Vineland Board of Education, Dr. Mary Gruccio, Tammy Monahan and Michael Sullivan for compensatory damages and punitive, together with interest, as well as attorney fees and costs of suit for C.D.'s pain and suffering, medical expenses, emotional trauma, diminished childhood, diminished enjoyment of life, cost of counseling, and potentially lost income.

THIRD COUNT

Negligent Supervision & Training

152. Plaintiff incorporates into this Count by reference all of the averments contained throughout this Complaint as though fully set forth.

153. Defendants had a duty to C.D. to take reasonable care in selecting competent and fit teachers.

154. Defendants knew or had reason to know of Teacher Super's unfitness, incompetence, and dangerous predatory attributes.

155. Defendants acted negligently and/or recklessly, resulting in the injuries to C.D., for which damages are sought, based upon the following:

- a. Negligently training staff to protect against the risk of sexual harassment and discrimination of students including C.D.;
- b. Negligently hiring Teacher Super;
- c. Negligently supervising Teacher Super;
- d. Negligently retaining Teacher Super as an employee;
- e. Negligently supervising C.D. while a student entrusted to Defendants' care and supervision, and while Defendants were standing *in loco parentis* to C.D.;
- f. Failing to exercise due care under all circumstances;
- g. Failing to come to the aid or rescue of C.D., after placing her in a perilous situation, when they knew, or should have known that C.D. was being exposed to a predatory teacher who sexually assaulted and sexually harassed C.D., all of which were reasonably foreseeable;
- h. Violation of the duties imposed by law pursuant to the Restatement, Second, of Agency, § 213, as adopted in New Jersey;
- i. Violating the "Memorandum of Understanding" between law enforcement and schools in the protection against and reporting of crimes in NJ;
- j. Violating the "heightened duty of School Boards to ensure pupil safety from foreseeable harm, particularly those presented by the intentional acts of school personnel" as defined by the New Jersey Supreme Court;
- k. Adopting policies for the reporting of suspected child abuse which was in conflict with established New Jersey law;

l. Failure to properly report the allegations of sexual misconduct and/or the improper communication between faculty and students to appropriate authorities, such as CP&P (formerly DYFS);

m. Failure to timely reprimand, sanction, discipline, suspend, and/or remove Teacher Super from the Rossi Intermediate School faculty.

156. As a direct and proximate result of Defendants' conduct described herein, C.D. was caused to suffer emotional, psychological and physical injuries, including but not limited to Anxiety and Depression, Post-Traumatic Stress Disorder, embarrassment, humiliation, and has incurred and/or will likely incur medical expenses as well as the loss of educational opportunities to which she was entitled.

157. In addition, C.D. was caused to suffer from suicidal ideations and violent tendencies; having attempted suicide, and suffered from physically violent outbursts as a direct and proximate result of Defendants' conduct described herein.

158. C.D. will in the future suffer harm, embarrassment, anxiety, and emotional distress because of the Defendants' conduct.

FOURTH COUNT

New Jersey Punitive Damages Act, N.J.S.A. 2A:15-5.9

159. Plaintiff incorporates all other paragraphs and averments throughout this complaint as though fully set forth herein.

160. The harm suffered by C.D. was the result of the Defendants' acts or omissions, and such acts or omissions were actuated by actual malice or accompanied by a wanton and willful disregard of persons who foreseeably might be harmed by those acts or omissions.

161. Defendant's misconduct includes but is not limited to creating a sexually hostile education environment by allowing Teacher Super to cultivate an improper relationship with C.D.
162. As such, the actions of the Defendants were so egregious in nature and constitute a violation of the New Jersey Punitive Damages Act, N.J.S.A. 2A:15-5.9, et seq. and the New Jersey LAD, N.J.S.A. 10:5-1 et seq.
163. As a proximate result of the above-mentioned acts, C.D. has been damaged, has suffered severe and permanent injuries and was forced to endure extreme pain, suffering and emotional distress and mental anguish.

WHEREFORE, Plaintiff A.B. on behalf of her minor child C.D. demands judgment against Defendants Vineland Board of Education, Dr. Mary Gruccio, Tammy Monahan and Michael Sullivan for compensatory damages and punitive damages, together with interest, as well as attorney fees and costs of suit for C.D.'s pain and suffering, medical expenses, emotional trauma, diminished childhood, diminished enjoyment of life, cost of counseling, and potentially lost income.

JURY DEMAND

Plaintiff demands a jury trial.

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Dated: August 1, 2019

CERTIFICATION

PAUL R. D'AMATO, ESQUIRE of full age, certifies:

1. I am a member of the D'Amato Law Firm, P.C. and am entrusted with the preparation and trial of this case.

2. This case is not the subject of any other court action or arbitration proceeding.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: /s/Paul R. D'Amato
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Dated: August 1, 2019

CERTIFICATION

ALEXA D'AMATO BARRERA, ESQUIRE of full age, certifies:

1. I am a member of the D'Amato Law Firm, P.C. and am entrusted with the preparation and trial of this case.
2. This case is not the subject of any other court action or arbitration proceeding.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: /s/Alexa D'Amato Barrera
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Dated: August 1, 2019

CERTIFICATION

JEFFREY FRITZ, ESQUIRE of full age, certifies:

1. I am a member of the Soloff & Zervanos law firm and am entrusted with the preparation and trial of this case.
2. This case is not the subject of any other court action or arbitration proceeding.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: s/JEFFERY FRITZ
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Dated: August 1, 2019

CERTIFICATION OF COMPLIANCE WITH RULE 1:38-7(c)

We hereby certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

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August 1, 2019

GUARDIAN AD LITEM CERTIFICATION

We hereby certify that A.B. is the parent of the minor plaintiff, C.D. that said parents do not have any interest contrary to that of the infant, and have consented to act as the Guardians Ad Litem.

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