

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

Index No.: \_\_\_\_\_/19

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JANE DOE,Plaintiff designates  
ORANGE COUNTY  
as place of trial.*Plaintiff,*

-against -

The basis of venue is  
Defendant's principal place  
of businessROMAN CATHOLIC DIOCESE OF ALBANY,  
SISTERS OF THE PRESENTATION OF THE  
BLESSED VIRGIN MARY, INC., ST. COLMAN'S  
HOME, ALBANY COUNTY DISTRICT  
ATTORNEY'S OFFICE, and ALBANY COUNTY  
DEPARTMENT OF SOCIAL SERVICES,SUMMONSThe Plaintiff resides in  
Nigeria, West Africa.*Defendants.*  
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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 Plaintiff's Attorneys 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 your failure to appear or answer, judgement will be taken for the relief demanded herein.

**A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, ORANGE COUNTY ON \_\_\_\_\_ IN COMPLIANCE WITH CPLR §§305(a) AND 306(a).**

Dated: New York, New York  
August 14, 2019

MERSON LAW, PLLC

By:   
Jordan K. Merson  
Attorneys for Plaintiff  
150 East 58<sup>th</sup> Street 34<sup>th</sup> Floor  
New York, New York 10155  
(212) 603-9100

TO:  
**ROMAN CATHOLIC DIOCESE OF ALBANY**  
40 N. Main Avenue, #4  
Albany, New York 12203

**SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.**  
84 Presentation Way  
New Windsor, New York 11105.

**ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE**  
6 Lodge Street, #401  
Albany, New York 12207

**ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES,**  
162 Washington Avenue  
Albany, New York 12210

**ST. COLMAN'S HOME**  
11 Haswell Rd  
Watervliet, NY, 12189

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

Index No.: \_\_\_\_\_/19

-----X  
JANE DOE,*Plaintiff,***-against -****VERIFIED  
COMPLAINT**ROMAN CATHOLIC DIOCESE OF ALBANY,  
SISTERS OF THE PRESENTATION OF THE  
BLESSED VIRGIN MARY, ST. COLMAN'S HOME,  
INC., ALBANY COUNTY DISTRICT ATTORNEY'S  
OFFICE, and ALBANY COUNTY DEPARTMENT OF  
SOCIAL SERVICES,*Defendants.*

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Plaintiff(s), above named, complaining of the defendants, by **MERSON LAW,**

PLLC., respectfully allege(s):

**NATURE OF THE CLAIM**

1. This is a case of plaintiff, Jane Doe,<sup>1</sup> who was sexually abused as a child by Sister Mary Regina at and of the Roman Catholic Diocese of Albany (the "Diocese") and the Sisters of the Presentation of the Blessed Virgin Mary, Inc. ("Sisters of the Presentation).
2. Sister Mary Regina was a nun at St. Colman's Home in Watervliet, New York which was part of the Diocese and run by nuns of the Sisters of the Presentation. Sister Mary Regina was known among the community and the children as a sexual predator, and sexual and physical abuser.
3. Despite the Diocese's, St. Colman's Home's and/or the Sisters of the Presentation's knowledge that Sister Mary Regina sexually abused children and/or had the propensity to

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<sup>1</sup> Plaintiff uses a pseudonym because she is a victim of a sex crime pursuant to N.Y. Civ. Rights § 50-b and other statutory and common law principles.

sexually abuse children, the Diocese allowed Sister Mary Regina unfettered access to children, including Jane Doe.

4. Numerous children and family members of children who were residents of St. Colman's Home reported the abuse they suffered at the hands of Sister Mary Regina to the Albany County District Attorney's Office who did nothing to stop her.
5. Additionally, the Albany County Department of Social Services continued to place children at St. Colman's Home despite the numerous reports of abuse and never conducted any investigations into the allegations. The Albany County Department of Social Services was aware of the sexual abuse occurring at St. Colman's Home by Sister Mary Regina and did nothing to stop it or protect the children that were under a duty to protect.
6. In approximately 1990 and continuing through 1992, while under the scope of employment with the Diocese and/or the Sisters of the Presentation and while acting on behalf of the Diocese and/or the Sisters of the Presentation, Sister Mary Regina would sexually abuse Ms. Doe in the bathroom, her bedroom and other locations by touching her vagina, digitally penetrating her vagina, sodomizing Ms. Doe with various objects, forcing Ms. Doe to touch her own vagina, and other sexual abuse.
7. Ms. Doe brings this lawsuit to recover for the emotional and physical suffering she incurred because of the negligence of the Roman Catholic Diocese of Albany, the Sisters of the Presentation of the Blessed Virgin Mary, St. Colman's Home, the Albany County District Attorney's Office and/or the Albany County Department of Social Services and to make sure that no other child is forced to suffer the abuse and physical and mental trauma she felt and continues to feel.



**PARTIES**

8. At all times herein mentioned defendant **ROMAN CATHOLIC DIOCESE OF ALBANY** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
9. At all times herein mentioned, defendant **ROMAN CATHOLIC DIOCESE OF ALBANY** was located at 40 N. Main Avenue, #4, Albany, New York 12203.
10. At all times herein mentioned, Sister Mary Regina was a nun operating under the direction and control of defendant **ROMAN CATHOLIC DIOCESE OF ALBANY**, and its agents, servants and/or employees.
11. At all times herein mentioned, Sister Mary Regina was an agent, servant and/or employee of defendant **ROMAN CATHOLIC DIOCESE OF ALBANY**.
12. At all times herein mentioned defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
13. At all times herein mentioned, defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** was located at 84 Presentation Way, New Windsor, New York 11105.
14. At all times herein mentioned, Sister Mary Regina was a nun operating under the direction and control of defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** and its agents, servants and/or employees.
15. At all times herein mentioned, Sister Mary Regina was an agent, servant and/or employee of defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.**

16. At all times herein mentioned defendant **ST. COLMAN'S HOME** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
17. At all times herein mentioned defendant **ST. COLMAN'S HOME** was located at 11 Haswell Road, Watervliet, New York 12189.
18. At all times herein mentioned, Sister Mary Regina was a nun operating under the direction and control of defendant **ST. COLMAN'S HOME**, and its agents, servants and/or employees.
19. At all times herein mentioned, Sister Mary Regina was an agent, servant and/or employee of defendant **ST. COLMAN'S HOME**.
20. At all times herein mentioned defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
21. At all times herein mentioned, defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** was located at 6 Lodge Street, #401, Albany, New York 12207.
22. At all times herein mentioned defendant **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
23. At all times herein mentioned, defendant **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES** was located at 162 Washington Avenue, Albany, New York 12210.

24. At all times herein mentioned, Defendants **ROMAN CATHOLIC DIOCESE OF ALBANY** and **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.**, were agents, servants, employees and/or alter egos of each other.
25. At all times herein mentioned, Defendants **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** and **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES**, were agents, servants, employees and/or alter egos of each other.

**FACTS OF THE CASE**

26. Defendant **ROMAN CATHOLIC DIOCESE OF ALBANY's, SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.'s** and/or **ST. COLMAN'S HOME's** negligence and recklessness caused, allowed, encouraged and/or permitted Sister Mary Regina to have access to children, including on Diocese premises, despite its knowledge that Sister Mary Regina sexually abused children and/or had the propensity to do so, and therefore are responsible for the injuries that Plaintiff incurred because but for Defendant **ROMAN CATHOLIC DIOCESE OF ALBANY's, SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.'s**, and/or **ST. COLMAN'S HOME's** negligence, Plaintiff would not have suffered the mental and physical anguish inflicted by Sister Mary Regina. Defendant **ROMAN CATHOLIC DIOCESE OF ALBANY's, SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.'s**, and/or **ST. COLMAN'S HOME's** gross negligence, reckless, wanton, and/or willful conduct warrants punitive liability.
27. Defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** and/or **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES's** negligence and recklessness caused, allowed, encouraged and/or permitted Sister Mary Regina have access to children despite its knowledge that Sister Mary Regina sexually abused children

and/or had the propensity to do so, and therefore are responsible for the injuries that Plaintiff incurred because but for Defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE's** and/or **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES's** negligence, Plaintiff would not have suffered the mental and physical anguish inflicted by Sister Mary Regina. Defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE's** and/or **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES's** gross negligence, reckless, wanton, willful and/or intentional conduct warrants punitive liability.

28. Sister Mary Regina sexually assaulted Ms. Doe and many other children residents of St. Colman's Home in Watervliet, New York. Nonetheless defendant **ROMAN CATHOLIC DIOCESE OF ALBANY, SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.,** and/or **ST. COLMAN'S HOME** failed to remove Sister Mary Regina from her position as a nun and dorm mother or to take any steps to keep the dangerous predator away from children. In fact, the Diocese and or Sisters of the Presentation continued to allow, encourage and/or permit Sister Mary Regina to have unfettered access to children.
29. Ms. Doe entered St. Colman's Home when she was twelve years old in approximately 1989. In 1990 at St. Colman's Home, Ms. Doe was transferred into a Junior dorm in which Sister Mary Regina was the dorm mother. The first few months Ms. Doe was in Sister Mary Regina's dorm, Sister Mary Regina attempted to build her trust.
30. When Ms. Doe was approximately thirteen years old, Sister Mary Regina forced Ms. Doe to allow her in the bathroom stall with Ms. Doe so that she could watch Ms. Doe go to the bathroom. After this encounter, the abuse accelerated.



31. Sister Mary Regina would isolate Ms. Doe in her bedroom, in the shower room and other locations and sexually abuse her. Sister Mary Regina would touch Ms. Doe's vagina and digitally penetrate her vagina. Eventually, Sister Mary Regina put objects into Ms. Doe's vagina.
32. On one occasion, Sister Mary Regina forced Ms. Doe to masturbate in front of her, stating that watching Ms. Doe do that turned her on.
33. Ms. Doe repeatedly begged Sister Mary Regina to stop the abuse and eventually began wishing she would die so the abuse would stop.
34. Sister Mary Regina manipulated Ms. Doe into not disclosing the abuse to any of the other nuns or teachers because they would not believe Ms. Doe because Sister Mary Regina was well liked. Sister Mary Regina also threatened Ms. Doe that if she told she would lose the little freedom she was afforded in St. Colman's Home.
35. Bishop of the Diocese at the time, Howard Hubbard, knew of the sexual abuse occurring at St. Colman's Home by Sister Mary Regina and upon information and belief worked with the Sisters of the Presentation, the Albany County District Attorney's Office and/or the Albany County Department of Social Services to cover up the abuse and allow it to continue.
36. Upon information and belief, prior to the sexual abuse Ms. Doe suffered and continuing throughout Ms. Doe's time at St. Colman's Home, numerous reports were made to the Albany County District Attorney's Office and the Albany County Department of Social Services.
37. Upon information and belief no social worker or other member of the Albany County Department of Social Services investigated the allegations, interviewed any of the children at St. Colman's Home or even visited St. Colman's Home to check on the

wellbeing of the children that the Albany County Department of Social Services placed in her care.

38. Upon information and belief, the Albany County District Attorney's Office ignored the numerous reports of abuse occurring at St. Colman's Home, allowing the abuse to continue without repercussions.
39. Without the negligent acts and/or omissions of the Albany County District Attorney's Office and/or the Albany County Department of Social Services, Ms. Doe would not have suffered the aforementioned sexual abuse at the hands of Sister Mary Regina at St. Colman's Home.
40. As a result of the actions of Sister Mary Regina, Ms. Doe felt and continues to feel ashamed, embarrassed, and humiliated. Ms. Doe had endured and continues to suffer severe emotional distress due to the Diocese, Sisters of the Presentation, Albany County District Attorney's Office and/or Albany County Department of Social Services' negligence.
41. As such, Plaintiff suffered catastrophic and lifelong injuries as a result of defendant **ROMAN CATHOLIC DIOCESE OF ALBANY, SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC., ST. COLMAN'S HOME, ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** and/or **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES's** negligence in undertaking a duty, including but not limited to in loco parentis and failing to protect the children of its home and of its community safe from Sister Mary Regina, despite the Diocese, Sisters of the Presentation, Albany County District Attorney's Office and/or Albany County Department of Human Services having knowledge that Sister Mary Regina sexually abused children and/or had the propensity to sexually abuse children, and/or allowing

Sister Mary Regina to continue to have her role and position of authority and power, and the Diocese failed to adequately supervise Sister Mary Regina.

**AS AND FOR A FIRST CAUSE OF ACTION FOR NEGLIGENCE**

**AS TO ROMAN CATHOLIC DIOCESE OF ALBANY**

42. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 41., inclusive, with the same force and effect as if hereinafter set forth at length.
43. At all times mentioned herein, defendant **ROMAN CATHOLIC DIOCESE OF ALBANY** owed a duty of care to keep the children of its parishes safe from sexual abuse by members of its clergy under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including but not limited to in locis parentis, and they had a duty to supervise.
44. At all times mentioned herein, defendant **ROMAN CATHOLIC DIOCESE OF ALBANY** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.
45. As a result of the negligence of defendant **ROMAN CATHOLIC DIOCESE OF ALBANY** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
46. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

47. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
48. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
49. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A SECOND CAUSE OF ACTION FOR NEGLIGENCE**

**AS TO SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.**

50. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 49., inclusive, with the same force and effect as if hereinafter set forth at length.
51. At all times mentioned herein, defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** owed a duty of care to keep the children of its parishes safe from sexual abuse by members of its clergy under its supervision and control that ultimately befell the Plaintiff, including but not limited to in locis parentis.
52. At all times mentioned herein, defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.
53. As a result of the negligence of defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.



54. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
55. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
56. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
57. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A THIRD CAUSE OF ACTION FOR NEGLIGENCE**

**AS TO ST. COLMAN'S HOME**

58. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 57., inclusive, with the same force and effect as if hereinafter set forth at length.
59. At all times mentioned herein, defendant **ST. COLMAN'S HOME** owed a duty of care to keep the children of its parishes safe from sexual abuse by members of its clergy under its supervision and control that ultimately befell the Plaintiff, including but not limited to in locis parentis.
60. At all times mentioned herein, defendant **ST. COLMAN'S HOME** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.
61. As a result of the negligence of defendant **ST. COLMAN'S HOME** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

62. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
63. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
64. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
65. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A FOURTH CAUSE OF ACTION FOR NEGLIGENCE**

**AS TO ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE**

66. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 65., inclusive, with the same force and effect as if hereinafter set forth at length.
67. At all times mentioned herein, defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** owed a duty of care, including but not limited to a statutory duty, to keep the children of its parishes safe from sexual abuse by members of its clergy under its supervision and control that ultimately befell the Plaintiff, including but not limited to in locis parentis.
68. At all times mentioned herein, defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.
69. As a result of the negligence of defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental

anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

70. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
71. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
72. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
73. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A FIFTH CAUSE OF ACTION FOR NEGLIGENCE**

**AS TO ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES**

74. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 73., inclusive, with the same force and effect as if hereinafter set forth at length.
75. At all times mentioned herein, defendant **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES** owed a duty of care, including but not limited to a statutory duty, to keep the children of its parishes safe from sexual abuse by members of its clergy under its supervision and control that ultimately befell the Plaintiff, including but not limited to in locis parentis.
76. At all times mentioned herein, defendant **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted repeatedly.



77. As a result of the negligence of defendant **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
78. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
79. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
80. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
81. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A SIXTH CAUSE OF ACTION FOR NEGLIGENT HIRING,  
RETENTION AND SUPERVISION**

**AS TO ROMAN CATHOLIC DIOCESE OF ALBANY**

82. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 81., inclusive, with the same force and effect as if hereinafter set forth at length.
83. Defendant **ROMAN CATHOLIC DIOCESE OF ALBANY**, had a duty to supervise and prevent known risks of harm to residents of its homes by members of its clergy.
84. Defendant was negligent in hiring, retaining and supervising their personnel, such as Sister Mary Regina, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of nuns



and church officials who should have properly been supervising the nuns to ensure the safety of the children of the parishes.

85. Defendant **ROMAN CATHOLIC DIOCESE OF ALBANY** knew or should have known that Sister Mary Regina sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it.
86. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
87. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
88. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
89. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
90. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A SEVENTH CAUSE OF ACTION FOR NEGLIGENT HIRING,**

**RETENTION AND SUPERVISION**

**AS TO SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.**

91. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 90., inclusive, with the same force and effect as if hereinafter set forth at length.

92. Defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.**, had a duty to supervise and prevent known risks of harm to children in its homes by members of its clergy.
93. Defendant was negligent in hiring, retaining and supervising their personnel, such as Sister Mary Regina, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of nuns and church officials who should have properly been supervising the nuns to ensure the safety of the children of the parishes.
94. Defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** knew or should have known that Sister Mary Regina sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it.
95. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
96. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
97. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
98. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
99. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A EIGHTH CAUSE OF ACTION FOR NEGLIGENT HIRING,**

**RETENTION AND SUPERVISION**

**AS TO ST. COLMAN'S HOME**

100. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 99., inclusive, with the same force and effect as if hereinafter set forth at length.
101. Defendant **ST. COLMAN'S HOME**, had a duty to supervise and prevent known risks of harm to children in its homes by members of its clergy.
102. Defendant was negligent in hiring, retaining and supervising their personnel, such as Sister Mary Regina, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of nuns and church officials who should have properly been supervising the nuns to ensure the safety of the children of the parishes.
103. Defendant **ST. COLMAN'S HOME** knew or should have known that Sister Mary Regina sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it.
104. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
105. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
106. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.



107. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

108. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE NINTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION OF**  
**EMOTIONAL DISTRESS AS TO**  
**ROMAN CATHOLIC DIOCESE OF ALBANY**

109. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 108., inclusive, with the same force and effect as if herein set forth at length.

110. Defendant **ROMAN CATHOLIC DIOCESE OF ALBANY** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Sister Mary Regina, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

111. Defendant **ROMAN CATHOLIC DIOCESE OF ALBANY** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

112. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Sister Mary Regina.

113. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Sister Mary Regina sexually abusing Plaintiff.

114. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.



115. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
116. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
117. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE TENTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION OF**  
**EMOTIONAL DISTRESS AS TO SISTERS OF THE PRESENTATION OF THE**  
**BLESSED VIRGIN MARY, INC.**

118. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 117., inclusive, with the same force and effect as if herein set forth at length.
119. Defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Sister Mary Regina, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
120. Defendant **SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY, INC.** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
121. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Sister Mary Regina.

122. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Sister Mary Regina sexually abusing Plaintiff.
123. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
124. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
125. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
126. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE ELEVENTH CAUSE OF ACTION FOR NEGLIGENT**

**INFLECTION OF EMOTIONAL DISTRESS**

**AS TO ST. COLMAN'S HOME**

127. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 126., inclusive, with the same force and effect as if herein set forth at length.
128. Defendant **ST COLMAN'S HOME** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Sister Mary Regina, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
129. Defendant **ST. COLMAN'S HOME** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

130. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Sister Mary Regina.
131. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Sister Mary Regina sexually abusing Plaintiff.
132. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
133. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
134. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
135. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE TWELFTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION**  
**OF EMOTIONAL DISTRESS AS TO ALBANY COUNTY**

**DISTRICT ATTORNEY'S OFFICE**

136. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 135., inclusive, with the same force and effect as if herein set forth at length.
137. Defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Sister Mary Regina, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
138. Defendant **ALBANY COUNTY DISTRICT ATTORNEY'S OFFICE** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse



and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

139. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Sister Mary Regina.
140. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Sister Mary Regina sexually abusing Plaintiff.
141. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.
142. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.
143. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
144. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE THIRTEENTH CAUSE OF ACTION FOR NEGLIGENT  
INFLECTION OF EMOTIONAL DISTRESS AS ALBANY COUNTY DEPARTMENT  
OF SOCIAL SERVICES**

145. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 144., inclusive, with the same force and effect as if herein set forth at length.
146. Defendant **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Sister Mary Regina, the priest who sexually



abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

147. Defendant **ALBANY COUNTY DEPARTMENT OF SOCIAL SERVICES** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

148. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Sister Mary Regina.

149. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Sister Mary Regina sexually abusing Plaintiff.

150. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

151. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

152. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

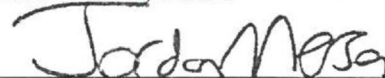
153. This action falls within exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiff demands judgement against defendant in such sum as a jury would find fair, adequate and just.

Dated: New York, New York  
August 14, 2019

MERSON LAW, PLLC

By:



Jordan K. Merson  
Attorney for Plaintiff

150 East 58<sup>th</sup> Street 34<sup>th</sup> Floor  
New York, New York 10155  
(212) 603-9100

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

Index No.: \_\_\_\_\_/19

-----X  
JANE DOE,*Plaintiff,***ATTORNEY  
VERIFICATION****-against -**

ROMAN CATHOLIC DIOCESE OF ALBANY,  
SISTERS OF THE PRESENTATION OF THE  
BLESSED VIRGIN MARY, INC., ST. COLMAN'S  
HOME, ALBANY COUNTY DISTRICT ATTORNEY'S  
OFFICE, and ALBANY COUNTY DEPARTMENT OF  
SOCIAL SERVICES,

*Defendants.*-----X  
JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York  
State, and a member of the firm MERSON LAW, PLLC., attorneys for the plaintiff in the  
within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same  
is true to his own knowledge, except as to the matters therein stated to be alleged upon  
information and belief, and that as to those matters he believes it to be true.

That the sources of his information and knowledge are investigations and records in the  
file.

That the reason this verification is made by affirmant and not by the plaintiff is that the  
plaintiff is not within the County where the attorney has his office.

Dated: New York, New York  
August 14, 2019

  
JORDAN K. MERSON

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

---

JANE DOE

*Plaintiff,*

*- against -*

ROMAN CATHOLIC DIOCESE OF ALBANY, SISTERS  
OF THE PRESENTATION OF THE BLESSED VIRGIN  
MARY, INC., ST. COLMAN'S HOME, ALBANY  
COUNTY DISTRICT ATTORNEY'S OFFICE, and  
ALBANY COUNTY DEPARTMENT OF SOCIAL  
SERVICES,

*Defendant(s),*

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SUMMONS AND VERIFIED COMPLAINT

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Merson Law, PLLC.

*Attorneys for Plaintiff(s)*

*Office and Post Office Address, Telephone*  
150 East 58<sup>th</sup> Street 34<sup>th</sup> Fl.  
New York, New York 10155  
(212) 603-9100

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To: All Parties

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