

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ); JOHN RODRIGUEZ; THERESA REID (FORMERLY KNOWN AS THERESA PRINCE); ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER); RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER); CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER); AND CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON,

Plaintiffs,

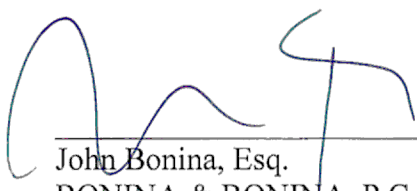
-against-

ARCHDIOCESE OF NEW YORK, CATHOLIC CHARITIES OF STATEN ISLAND, CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK, MOUNT LORETTO CATHOLIC MISSION, THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, AND SISTERS OF ST. FRANCIS OF THE NEUMANN COMMUNITIES

Defendants.
-----X**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 twenty days after the service of this summons exclusive of the day of service, where service is made by delivery upon you personally within the state, or within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Brooklyn, New York
August 14, 2019



John Bonina, Esq.
BONINA & BONINA, P.C.
Attorneys for Plaintiffs
16 Court Street, Suite 1800
Brooklyn, New York 11241
Phone No.: (718) 522-1786

{00159873}

TO:

Archdiocese of New York
1011 First Avenue
New York, NY 10022

Catholic Charities of the Archdiocese of New York
1011 1st Avenue
New York, NY 10022

Catholic Charities of Staten Island
6581 Hylan Blvd.
Staten Island, NY 10309

Mount Loretto Catholic Mission
6581 Hylan Blvd.
Staten Island, NY 10309

The Mission of the Immaculate Virgin
for the Protection of Homeless and Destitute Children
6581 Hylan Blvd.
Staten Island, NY 10309

Sisters of St. Francis of the Immaculate Virgin
960 James Street
Syracuse, NY 13203

Sisters of St. Francis of the Neumann Communities
960 James Street
Syracuse, NY 13203

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ); JOHN RODRIGUEZ; THERESA REID (FORMERLY KNOWN AS THERESA PRINCE); ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER); RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER); CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER); AND CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, **VERIFIED COMPLAINT**

Plaintiffs,

-against-

Index No.: /2019

ARCHDIOCESE OF NEW YORK, CATHOLIC CHARITIES OF STATEN ISLAND, CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK, MOUNT LORETTO CATHOLIC MISSION, THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, AND SISTERS OF ST. FRANCIS OF THE NEUMANN COMMUNITIES

Defendants.

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Plaintiffs, by and through their attorneys, BONINA & BONINA, P.C., complaining of the defendants herein, as and for their Verified Complaint in the above entitled action, respectfully show to this Court, and allege upon information and belief, as follows:

NATURE OF THE ACTION

1. This is a case brought by ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ); JOHN RODRIGUEZ; THERESA REID (FORMERLY KNOWN AS THERESA PRINCE); ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER); RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER); CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER); AND CAROL ROSA AS PROPOSED GUARDIAN OF

GAIL ROLLER, AN INCAPACITATED PERSON; each of whom were residents of MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN during their childhood.

2. As children, and particularly as children who had been sent to and whose care and safety had been entrusted to the defendants, plaintiffs were amongst the most vulnerable members of our society. The defendants violated that trust by sexually, emotionally and physically abusing these children and others whose care and safety had been entrusted to them. Defendants caused, allowed, permitted, and in fact created a culture of abuse at Mount Loretto. Further, defendants exploited the vulnerable children who had been entrusted to them by sexually, emotionally and physically abusing and violating them.

3. The plaintiffs, as children who were subjected to repeated abuse at Mount Loretto, had nowhere to go and no one to talk to about the abuse, as those with power and authority at Mount Loretto were the very same people who were abusing them. If they complained, they were punished and the abuse was simply ratcheted up, in an effort to silence them.

4. With the passage of the Child Victims Act, those who have endured such abuse need no longer be silent. The Child Victims Act revives previously barred claims (see CPLR 214-g), creating a one year window within which to file such claims beginning August 14, 2019. As such, each of these causes of action is timely.

THE PARTIES

5. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK was and still is a religious corporation duly organized under and existing by virtue of the laws of the State of New York.

6. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK was and still is a religious organization operating within the State of New York.

7. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK was and still is a religious organization doing business within the State of New York.

8. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK owned the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

9. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK operated the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

10. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK maintained the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

11. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK supervised the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

12. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK controlled the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

13. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK, held itself and/or themselves out as owning, operating, maintaining, supervising and/or controlling the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

14. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK, owned, operated, maintained, supervised and/or controlled a home and/or orphanage for children, located at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

15. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK owned Catholic Charities of Staten Island, in Staten Island, New York.

16. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK operated Catholic Charities of Staten Island, in Staten Island, New York.

17. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK, maintained Catholic Charities of Staten Island, in Staten Island, New York.

18. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK supervised Catholic Charities of Staten Island, in Staten Island, New York.

19. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK controlled Catholic Charities of Staten Island, in Staten Island, New York.

20. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK, held itself and/or themselves out as owning, operating, maintaining, supervising and/or controlling Catholic Charities of Staten Island, in Staten Island, New York.

21. Upon information and belief, at all times mentioned herein, defendant Catholic Charities of Staten Island is, was and has been an agency of Defendant ARCHDIOCESE OF NEW YORK.

22. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK owned CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

23. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK operated CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

24. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK, maintained CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

25. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK supervised CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

26. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK controlled CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

27. Upon information and belief, at all times mentioned herein, Defendant ARCHDIOCESE OF NEW YORK, held itself and/or themselves out as owning, operating, maintaining, supervising and/or controlling CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

28. Upon information and belief, at all times mentioned herein, defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK is, was and has been an agency of Defendants ROMAN CATHOLIC ARCHDIOCESE OF NEW YORK, and the ARCHDIOCESE OF NEW YORK.

29. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND was and still is a religious corporation duly organized under and existing by virtue of the laws of the State of New York.

30. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND was and still is a religious organization operating within the State of New York.

31. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND was and is a religious organization doing business within the State of New York.

32. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND owned the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

33. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND operated the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

34. Upon information and belief, at all times mentioned herein defendant CATHOLIC CHARITIES OF STATEN ISLAND, maintained the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

35. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND supervised the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

36. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND controlled the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

37. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND, held itself out as owning, operating, maintaining, supervising and/or controlling the MOUNT LORETTO CATHOLIC MISSION

and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

38. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF STATEN ISLAND, owned, operated, maintained, supervised and/or controlled a home and/or orphanage for children, located at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

39. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK, was and still is a religious corporation duly organized under and existing by virtue of the laws of the State of New York.

40. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK was and still is a religious organization operating within the State of New York.

41. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK was and still is a religious organization doing business within the State of New York.

42. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK owned the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

43. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK operated the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

44. Upon information and belief, at all times mentioned herein Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK, maintained the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

45. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK supervised the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

46. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK controlled the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

47. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK, held itself out as owning, operating, maintaining, supervising and/or controlling the MOUNT LORETTO

CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

48. Upon information and belief, at all times mentioned herein, Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK, owned, operated, maintained, supervised and/or controlled a home and/or orphanage for children, located at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, in Staten Island, New York.

49. Upon information and belief, at all times mentioned herein, Defendant MOUNT LORETTO CATHOLIC MISSION, was and still is a religious corporation duly organized under and existing by virtue of the laws of the State of New York.

50. Upon information and belief, at all times mentioned herein, Defendant MOUNT LORETTO CATHOLIC MISSION was and still is a religious organization operating within the State of New York.

51. Upon information and belief, at all times mentioned herein, Defendant MOUNT LORETTO CATHOLIC MISSION was and still is a religious organization doing business within the State of New York.

52. Upon information and belief, at all times mentioned herein, Defendant MOUNT LORETTO CATHOLIC MISSION was an agency and/or branch of Defendant CATHOLIC CHARITIES OF STATEN ISLAND.

53. Upon information and belief, at all times mentioned herein, Defendant MOUNT LORETTO CATHOLIC MISSION was an agency and/or branch of Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

54. Upon information and belief, at all times mentioned herein, Defendant MOUNT LORETTO CATHOLIC MISSION was an agency and/or branch of Defendant ARCHDIOCESE OF NEW YORK.

55. Upon information and belief, at all times mentioned herein, Defendant MOUNT LORETTO CATHOLIC MISSION, owned, operated, maintained, supervised and/or controlled a home and/or orphanage for children, located at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, at 6581 Hylan Blvd., Staten Island, NY 10309.

56. Upon information and belief, at all times mentioned herein, Defendant THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, was and still is a religious corporation duly organized under and existing by virtue of the laws of the State of New York.

57. Upon information and belief, at all times mentioned herein, Defendant THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN was and still is a religious organization operating within the State of New York.

58. Upon information and belief, at all times mentioned herein, Defendant THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN was and still is a religious organization doing business within the State of New York.

59. Upon information and belief, at all times mentioned herein, Defendant THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND

DESTITUTE CHILDREN was an agency and/or branch of Defendant CATHOLIC CHARITIES OF STATEN ISLAND.

60. Upon information and belief, at all times mentioned herein, Defendant THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN was an agency and/or branch of Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

61. Upon information and belief, at all times mentioned herein, Defendant THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN was an agency and/or branch of Defendant ARCHDIOCESE OF NEW YORK.

62. Upon information and belief, at all times mentioned herein, Defendant THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, owned, operated, maintained, supervised and/or controlled a home and/or orphanage for children, located at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, at 6581 Hylan Blvd., Staten Island, NY 10309.

63. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, was and still is a religious corporation duly organized under and existing by virtue of the laws of the State of New York.

64. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN was and still is a religious organization operating within the State of New York.

65. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN was and still is a religious organization doing business within the State of New York.

66. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, was an agency and/or branch of Defendant CATHOLIC CHARITIES OF STATEN ISLAND.

67. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, was an agency and/or branch of Defendant CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

68. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, was an agency and/or branch of Defendant ARCHDIOCESE OF NEW YORK.

69. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN was a religious order of nuns.

70. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN was a religious order of nuns, authorized to operate by defendant ARCHDIOCESE OF NEW YORK.

71. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN was a religious order of nuns, authorized to operate by defendants CATHOLIC CHARITIES OF STATEN ISLAND and/or CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

72. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN was a congregation of nuns.

73. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN was a congregation of nuns, authorized to operate by defendant ARCHDIOCESE OF NEW YORK.

74. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN was a congregation of nuns, authorized to operate by defendants CATHOLIC CHARITIES OF STATEN ISLAND and/or CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK.

75. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, owned, operated, maintained, supervised and/or controlled a home and/or orphanage for children, located at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, at 6581 Hylan Blvd., Staten Island, NY 10309.

76. Upon information and belief, at all times mentioned herein, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, provided staffing for a home and/or orphanage for children, located at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, at 6581 Hylan Blvd., Staten Island, NY 10309

77. In or about 2004, Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN formed a new congregation, SISTERS OF ST. FRANCIS OF THE NEUMANN COMMUNITIES.

78. Defendant SISTERS OF ST. FRANCIS OF THE NEUMANN COMMUNITIES is the successor in interest to Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE

VIRGIN, and as such is responsible for the acts, omissions, failures, conduct and/or liabilities of Defendant SISTERS OF ST. FRANCIS OF THE IMMACULATE VIRGIN, including but not limited to the acts, omissions, failures and conduct and/or liabilities complained of herein.

79. Plaintiff ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ) is a resident of the City of Naples, County of Collier, State of Florida.

80. From approximately 1962 to 1966 ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ) resided at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN.

81. At the time she was a resident of MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, ZAIDA RIVERA was known as ZAIDA GONZALEZ.

82. From approximately 1962 to 1966 ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ), was in the custody of defendants and/or each of them.

83. From approximately 1962 to 1966 ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ), was under the supervision of defendants and/or each of them.

84. From approximately 1962 to 1966 defendants and/or their agents, servants, associates, employees and/or staff, stood in the place of ZAIDA RIVERA's parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and were responsible for protecting her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

85. From approximately 1962 to 1966 defendants, and/or their agents, servants, associates, employees and/or staff, had a duty to supervise ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

86. From approximately 1962 to 1966 defendants, and/or their agents, servants, associates, employees and/or staff, had a duty to care for the welfare and well-being of ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

87. Plaintiff JOHN RODRIGUEZ is a resident of the County of Bronx, City and State of New York.

88. From approximately 1953 through 1967, JOHN RODRIGUEZ resided at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN.

89. From approximately 1953 through 1967 JOHN RODRIGUEZ was in the custody of defendants and/or each of them.

90. From approximately 1953 through 1967 JOHN RODRIGUEZ was under the supervision of defendants and/or each of them.

91. From approximately 1953 through 1967 defendants and/or their agents, servants, associates, employees and/or staff stood in the place of JOHN RODRIGUEZ' parents (in loco parentis), and as such were responsible for his care, well-being, and safety amongst other things, and were responsible for protecting him from harm, abuse, assault and other harms, including but not limited to sexual assaults.

92. From approximately 1953 through 1967 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to supervise JOHN RODRIGUEZ and to protect him from harm, abuse, assault and other harms, including but not limited to sexual assaults.

93. From approximately 1953 through 1967 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to care for the welfare and well-being of JOHN RODRIGUEZ, and to protect him from harm, abuse, assault and other harms, including but not limited to sexual assaults.

94. Plaintiff THERESA REID (FORMERLY KNOWN AS THERESA PRINCE) is a resident of the County of Chesterfield, State of Virginia.

95. From approximately 1959 to 1971 THERESA REID (FORMERLY KNOWN AS THERESA PRINCE) resided at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN.

96. At the time she was a resident of MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, THERESA REID was known as THERESA PRINCE.

97. From approximately 1959 to 1971 THERESA REID (FORMERLY KNOWN AS THERESA PRINCE), was in the custody of defendants and/or each of them.

98. From approximately 1959 to 1971 THERESA REID (FORMERLY KNOWN AS THERESA PRINCE), was under the supervision of defendants and/or each of them.

99. From approximately 1959 to 1971 defendants and/or their agents, servants, associates, employees and/or staff stood in the place of THERESA REID's parents (in loco

parentis), and as such were responsible for her care, well-being, and safety amongst other things, and were responsible for protecting her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

100. From approximately 1959 to 1971 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to supervise THERESA REID (FORMERLY KNOWN AS THERESA PRINCE), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

101. From approximately 1959 to 1971 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to care for the welfare and well-being of THERESA REID (FORMERLY KNOWN AS THERESA PRINCE), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

102. Plaintiff ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER) is a resident of the City of Palm Coast, County of Flagler, State of Florida.

103. From approximately 1960 to 1966 ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER) resided at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN.

104. At the time she was a resident of MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, ROBIN CAMPBELL was known as ROBIN MILLER.

105. From approximately 1960 to 1966 ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER), was in the custody of defendants and/or each of them.

106. From approximately 1960 to 1966 ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER), was under the supervision of defendants and/or each of them.

107. From approximately 1960 to 1966 defendants, and/or their agents, servants, associates, employees and/or staff stood in the place of Robin Campbell's parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and were responsible for protecting her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

108. From approximately 1960 to 1966 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to supervise ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

109. From approximately 1960 to 1966 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to care for the welfare and well-being of ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

110. Plaintiff RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER) is a resident of the County of Richmond, City and State of New York.

111. From approximately September 1985 through 1991, RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER) resided at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN.

112. At the time she was a resident of MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, RUTH CORTES was known as RUTH FOSTER.

113. From approximately 1985 to 1991 RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER), was in the custody of defendants and/or each of them.

114. From approximately 1985 to 1991 RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER), was under the supervision of defendants and/or each of them.

115. From approximately 1985 to 1991 defendants and/or their agents, servants, associates, employees and/or staff stood in the place of RUTH CORTES' parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and were responsible for protecting her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

116. From approximately 1985 to 1991 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to supervise RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

117. From approximately 1985 to 1991 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to care for the welfare and well-being of RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

118. Plaintiff CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER) is a resident of the Township of Brick, County of Ocean, State of New Jersey.

119. From approximately 1953 to 1967 CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER) resided at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN.

120. At the time she was a resident of MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, CAROL ROSA was known as CAROL ROLLER.

121. From approximately 1953 to 1967 CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER), was in the custody of defendants and/or each of them.

122. From approximately 1953 to 1967 CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER), was under the supervision of defendants and/or each of them.

123. From approximately 1953 to 1967 defendants and/or their agents, servants, associates, employees and/or staff stood in the place of CAROL ROSA's parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and were responsible for protecting her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

124. From approximately 1953 to 1967 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to supervise CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

125. From approximately 1953 to 1967 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to care for the welfare and well-being of CAROL

ROSA (FORMERLY KNOWN AS CAROL ROLLER), and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults.

126. Plaintiff GAIL ROLLER is a resident of the City of Rochester, County of Monroe, State of New York.

127. From approximately 1952 to 1955 GAIL ROLLER resided at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN.

128. From approximately 1952 to 1955 GAIL ROLLER was in the custody of defendants and/or each of them.

129. From approximately 1952 to 1955 GAIL ROLLER was under the supervision of defendants and/or each of them.

130. From approximately 1952 to 1955 defendants and/or their agents, servants, associates, employees and/or staff stood in the place of GAIL ROLLER's parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and were responsible for protecting her from harm, abuse, assault and other harms.

131. From approximately 1952 to 1955 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to supervise GAIL ROLLER, and to protect her from harm, abuse, assault and other harms.

132. From approximately 1952 to 1955 defendants and/or their agents, servants, associates, employees and/or staff, had a duty to care for the welfare and well-being of GAIL ROLLER, and to protect her from harm, abuse, assault and other harms.

133. As a result of the abuse she suffered at the hands of defendants, Gail Roller is unable to care for herself, unable to protect her rights in society, and cannot protect her legal rights based on an overall inability to function in society.

134. Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, is commencing this action in her representative capacity, as the de facto guardian and proposed legal guardian for her sister, Gail Roller, an incapacitated person.

THE FACTS

135. From approximately 1962 to 1966 ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ) resided at the MOUNT LORETTO CATHOLIC MISSION and/or THE MISSION OF THE IMMACULATE VIRGIN FOR THE PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, hereinafter referred to as "MOUNT LORETTO."

136. While she was at "MOUNT LORETTO" ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ), was subjected to sexual abuse, as well as physical and emotional abuse, by numerous nuns and members of the staff.

137. Shortly after ZAIDA RIVERA arrived at "MOUNT LORETTO," a group of four or five nuns surrounded her, forced her to lie down naked and then made an older boy who was naked get on top of her and gyrate and grind his genitals into hers. The four or five nuns stood around her and laughed.

138. While she was at "MOUNT LORETTO," ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ), was frequently kept out of school, and held behind alone for "ballet lessons." During these "ballet lessons" the nuns, including but not limited to Sister Juanita, would touch and fondle ZAIDA RIVERA's genital area and vagina, and insert her finger(s) into her vagina.

139. While she was at "MOUNT LORETTO," ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ), was sexually abused and molested on an almost daily basis by the nuns, including but not limited to Sister Juanita and Sister Theresa. This sexual abuse and molestation included but was not limited to touching and fondling her genital area and vagina, and inserting finger(s) into her vagina.

140. While she was at "MOUNT LORETTO," ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ), was physically and emotionally abused on an almost daily basis. The physical abuse was so severe that she frequently ended up in the infirmary.

141. From approximately 1953 through 1967 JOHN RODRIGUEZ resided at "MOUNT LORETTO."

142. While he was at "MOUNT LORETTO" JOHN RODRIGUEZ was subjected to sexual abuse, as well as physical and emotional abuse, by numerous priests, nuns and members of the staff.

143. While he was at "MOUNT LORETTO," JOHN RODRIGUEZ was frequently sexually abused and molested by Father Joseph Ansaldi, Father Eugene Mangan, Father James Keehan, and staff member Bill Finley, as well as other lay counselors.

144. The sexual abuse and molestation by Father Joseph Ansaldi included but was not limited to touching and fondling JOHN RODRIGUEZ' genital area and penis, masturbating him, and inserting finger(s) into his rectum. This sexual abuse began when he was approximately 13 years old.

145. The sexual abuse and molestation by Father Eugene Mangan included but was not limited to cornering and trying to kiss John Rodriguez, and touching and fondling JOHN

RODRIGUEZ' genital area and penis. This sexual abuse began when he was approximately 14 years old.

146. The sexual abuse and molestation by Father James Keehan included but was not limited to touching and fondling JOHN RODRIGUEZ' genital area and penis, masturbating him, and inserting finger(s) into his rectum. This sexual abuse began when he was approximately 14 years old.

147. The sexual abuse and molestation by Bill Finley included but was not limited to Mr. Finley rubbing and grinding his erect penis into the back of JOHN RODRIGUEZ' pants while "wrestling," and trying to pull down JOHN RODRIGUEZ' pants. This sexual abuse began when he was approximately 14 years old.

148. The sexual abuse and molestation by the other lay counselors included but was not limited to touching of his genitals and penis, attempting to perform oral sex upon him and in fact performing oral sex upon him, and exposing themselves to him while walking down the hallway. This sexual abuse took place when JOHN RODRIGUEZ was between the ages of five and nine years old.

149. While he was at "MOUNT LORETTO," JOHN RODRIGUEZ was physically and emotionally abused on an almost daily basis by the nuns, including but not limited to Sister Virginia Marie and Sister Joachim.

150. From approximately 1959 to 1971 THERESA REID (FORMERLY KNOWN AS THERESA PRINCE) resided at "MOUNT LORETTO."

151. While she was at "MOUNT LORETTO" THERESA REID (FORMERLY KNOWN AS THERESA PRINCE) was subjected to sexual abuse, as well as physical and emotional abuse, by numerous priests, nuns and members of the staff.

152. While she was at "MOUNT LORETTO," THERESA REID (FORMERLY KNOWN AS THERESA PRINCE) was frequently sexually abused and molested by Father Edmund Fogarty, and by Sisters Helen, Joachim and Georgine.

153. The sexual abuse and molestation by Father Edmund Fogarty included but was not limited to sexual intercourse, touching and fondling THERESA REID's genital area and vagina, and inserting finger(s) into her vagina. This sexual abuse began when she was approximately 11 years old.

154. The sexual abuse and molestation by Sisters Helen, Joachim and Georgine included but was not limited to "forcible touching" of her buttocks within the meaning of Penal Law section 130.52.

155. While she was at "MOUNT LORETTO," THERESA REID (FORMERLY KNOWN AS THERESA PRINCE), was physically and emotionally abused on an almost daily basis by the nuns, including but not limited to Sister Helen, Sister Joachim, Sister Georgine, and Sister Agnes.

156. From approximately 1960 to 1966 ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER) resided at "MOUNT LORETTO."

157. While she was at "MOUNT LORETTO" ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER), was subjected to sexual abuse, as well as physical and emotional abuse, by numerous nuns and members of the staff.

158. While she was at "MOUNT LORETTO," ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER) was sexually abused and molested on an almost daily basis by the nuns, including but not limited to Sister Rosemarie. This sexual abuse and molestation

included but was not limited to touching and fondling her genital area and vagina, and inserting finger(s) into her vagina.

159. While she was at "MOUNT LORETTO," ROBIN CAMPBELL (FORMERLY KNOWN AS ROBIN MILLER) was physically and emotionally abused on an almost daily basis by the nuns, including but not limited to Sister Helen, Sister Agnes, Sister Phillip-Marie, Sister Juanita, and Mrs. Hartman. The physical abuse was so severe that she frequently ended up in the infirmary. This physical abuse included but was not limited to being thrown down a flight of stairs, and breaking her finger by closing a piano cover on them.

160. From approximately September 1985 to 1991, RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER) resided at "MOUNT LORETTO."

161. While she was at "MOUNT LORETTO" RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER), was subjected to sexual abuse, as well as physical and emotional abuse, by members of the staff.

162. While she was at "MOUNT LORETTO," RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER), was sexually abused and molested on an almost daily basis by David Williams, the staff member assigned to Omega 1, her house and/or dormitory. This sexual abuse and molestation included but was not limited to forcing her to perform oral sex upon him, touching and fondling her genital area and vagina, and inserting finger(s) into her vagina.

163. On one occasion while she was at "MOUNT LORETTO" in approximately September 1986, RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER) attempted to stand up to Mr. Williams and fight back, and refused to perform oral sex upon him. He hit her, pushed her against a wall, and repeatedly struck her with a broom and/or broomstick in her vaginal and genital area. When she told the supervisors at "MOUNT LORETTO" as well as

those at the "MOUNT LORETTO" infirmary, they chose not to believe her, and thus the abuse continued.

164. While she was at "MOUNT LORETTO," RUTH CORTES (FORMERLY KNOWN AS RUTH FOSTER), was physically and emotionally abused on an almost daily basis by the staff, including but not limited to David Williams and various members of the medical staff.

165. From approximately 1953 to 1967 CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER) resided at "MOUNT LORETTO."

166. While she was at "MOUNT LORETTO" CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER) was subjected to sexual abuse, as well as physical and emotional abuse, by numerous priests, nuns and members of the staff.

167. While she was at "MOUNT LORETTO," CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER) was sexually abused by Sister Helen, Sister Juanita, Sister Virginia Marie, and Father Horry. This sexual abuse included but was not limited to "forcible touching" of her buttocks within the meaning of Penal Law section 130.52.

168. While she was at "MOUNT LORETTO," CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER), was physically and emotionally abused on an almost daily basis by the nuns, including but not limited to Sister Helen, Sister Juanita, and Sister Virginia Marie, and was also physically and emotionally abused by Father Horry.

169. From approximately 1952 to 1955, GAIL ROLLER resided at "MOUNT LORETTO."

170. While she was at "MOUNT LORETTO" GAIL ROLLER was subjected to physical and emotional abuse, by numerous nuns and members of the staff, including but not limited to Sister Virginia Marie.

171. On one occasion GAIL ROLLER was beaten so severely by Sister Virginia Marie that she went into convulsions and was taken away by ambulance. This beating continued despite another nun, Sister Fidelis, asking Sister Virginia Marie to stop beating Gail, because she was already convulsing. The beating continued nonetheless.

172. As a result of this beating, GAIL ROLLER suffered cognitive impairment and brain damage, and has spent most of her life since that day institutionalized.

173. As a result of this beating, GAIL ROLLER is unable to care for herself, unable to protect her rights in society, and cannot protect her legal rights based on an overall inability to function in society.

174. Defendants had both actual and constructive notice of the sexual abuse, physical abuse, and emotional abuse of children which was taking place at Mount Loretto, including but not limited to the abuse of the plaintiffs herein, as well as the culture of abuse which had been allowed to develop, and failed to institute appropriate measures to stop the abuse.

**AS AND FOR A FIRST CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ZAIDA RIVERA BASED UPON A THEORY
OF STATUTORY LIABILITY AS AGAINST ALL DEFENDANTS**

175. That the Plaintiff ZAIDA RIVERA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "ONE HUNDRED AND SEVENTY-FOURTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

176. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York and/or its predecessor statutes.

177. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York, including but not limited to violations of Penal Law Sections 130.00, 130.05, 130.52, 130.55, 130.60, 130.65, 130.65-a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.91, and 130.96.

178. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 260 of the Penal Law of the State of New York and/or its predecessor statutes, including but not limited to 260.10.

179. That the subject sexual offenses were committed forcibly by the defendants and/or their agents, servants, staff, and/or employees against the plaintiff, who was a minor, while under defendants' custody, supervision and/or control.

180. That as a result of the statutory violations of the Defendants herein, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ZAIDA RIVERA endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

181. That by reason of the foregoing, the Plaintiff ZAIDA RIVERA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A SECOND CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ZAIDA RIVERA BASED UPON A THEORY OF
NEGLIGENCE AS AGAINST ALL DEFENDANTS**

182. That the Plaintiff ZAIDA RIVERA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "ONE HUNDRED AND EIGHTY-FIRST" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

183. While ZAIDA RIVERA was in the custody of defendants and/or each of them from approximately 1962 to 1966, defendants stood in the place of ZAIDA RIVERA's parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and had a duty to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and sexual assaults.

184. From approximately 1962 to 1966 defendants had a duty to care for the welfare and well-being of ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ) as if they were her parents, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse, as well as physical and emotional abuse.

185. Defendants breached their duty of care with respect to ZAIDA RIVERA.

186. Defendants breached their duty to care for ZAIDA RIVERA, failed to properly carry out their duty to stand in the place of her parents, and were negligent, careless and reckless in failing to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assaults, as well as physical and emotional abuse.

187. Defendants had both actual and constructive notice of the sexual abuse, physical abuse, and emotional abuse of children which was taking place at Mount Loretto, including but not limited to the abuse of the plaintiffs herein, as well as the culture of abuse which had been allowed to develop, and failed to institute appropriate measures to stop the abuse.

188. That as a result of the negligence and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ZAIDA RIVERA endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

189. That by reason of the foregoing, the Plaintiff ZAIDA RIVERA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRD CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ZAIDA RIVERA BASED UPON A THEORY OF
NEGLIGENT SUPERVISION AS AGAINST ALL DEFENDANTS**

190. That the Plaintiff ZAIDA RIVERA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "ONE HUNDRED AND EIGHTY-NINTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

191. While ZAIDA RIVERA was in the care, custody and control of defendants and/or each of them from approximately 1962 to 1966, defendants had a duty to supervise ZAIDA

RIVERA, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults, as well as physical and emotional abuse, and were responsible for her care, well-being, and safety amongst other things.

192. Defendants breached their duty to properly supervise ZAIDA RIVERA, failed to properly carry out their duty to supervise her in her activities, and were negligent, careless and reckless in failing to properly supervise her and in failing to adequately protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assault, as well as physical and emotional abuse.

193. That as a result of this negligent supervision and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ZAIDA RIVERA endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

194. That by reason of the foregoing, the Plaintiff ZAIDA RIVERA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FOURTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ZAIDA RIVERA BASED UPON A THEORY OF NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS AGAINST ALL DEFENDANTS**

195. That the Plaintiff ZAIDA RIVERA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "ONE

HUNDRED AND NINETY-FOURTH” inclusive with the same force and effect as though said allegations were herein fully set forth at length.

196. Defendants and/or each of them had a duty to conduct appropriate and proper hiring and retention practices to prevent the hiring and retention of those who may pose a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to minors who had been entrusted to their care, custody and control.

197. Defendants and/or each of them had a duty to adequately and properly supervise those whom they did hire in a reasonably prudent fashion, to prevent those they hired and retained from becoming a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those minors who had been entrusted to their care, custody and control including the plaintiff herein.

198. Defendants and/or each of them had a duty to prevent known risks of harm, and to prevent their staff from inflicting harm upon the children who had been entrusted to them including the plaintiff herein.

199. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure the safety and well-being of the children who had been entrusted to them including the plaintiff herein.

200. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they carried out their duties in a manner which reduced and/or eliminated the risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those who had been entrusted to their care, custody and control including the plaintiff herein.

201. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they did not sexually abuse, and/or physically and emotionally abuse, those who had been entrusted to their care, custody and control including the plaintiff herein.

202. Defendants breached their duty to conduct their hiring and retention practices in a reasonably prudent fashion, and to adequately and properly supervise their staff, including but not limited to the nuns and teachers at Mount Loretto, in a reasonably prudent fashion.

203. Defendants were negligent, careless and reckless in the manner in which they conducted their hiring and retention of staff, including but not limited to the nuns, priests, staff, and employees, and hired and retained nuns, priests, staff, and employees who not only permitted a culture of abuse, but in fact created a culture of abuse at Mount Loretto, and had a history of abusing those whom they were supposed to care for.

204. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, and caused, allowed and permitted their staff to create a culture of abuse, and to permit that culture of abuse to exist and persist for decades at Mount Loretto.

205. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, in that they failed to prevent them from sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff ZAIDA RIVERA.

206. Defendants were negligent, careless and reckless in their failure to properly supervise their agents, servants, employees and staff so as to ensure that they were not sexually

abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff ZAIDA RIVERA.

207. That as a result of this negligent hiring, retention and supervision by defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ZAIDA RIVERA endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

208. That by reason of the foregoing, the Plaintiff ZAIDA RIVERA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FIFTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF ZAIDA
RIVERA BASED UPON A THEORY OF NEGLIGENT INFLECTION OF
EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

209. That the Plaintiff ZAIDA RIVERA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND EIGHTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

210. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the power, the ability and the authority, as well the duty, to stop the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff ZAIDA RIVERA suffering severe emotional distress.

211. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the duty to intervene to stop, prevent and prohibit the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff ZAIDA RIVERA suffering severe emotional distress.

212. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, knew or should have known that the failure to properly act would and in fact did cause plaintiff ZAIDA RIVERA to suffer severe emotional distress.

213. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, negligently failed to act to stop, prevent and/or prohibit the negligent, improper, unlawful and egregious conduct described hereinabove, thus resulting in plaintiff ZAIDA RIVERA suffering severe emotional distress.

214. That as a result of the negligent infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ZAIDA RIVERA endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

215. That by reason of the foregoing, the Plaintiff ZAIDA RIVERA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A SIXTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF ZAIDA
RIVERA BASED UPON A THEORY OF INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

216. That the Plaintiff ZAIDA RIVERA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND FIFTEENTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

217. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to ZAIDA RIVERA, with the intent to cause, and/or with reckless disregard of the probability of causing plaintiff ZAIDA RIVERA to suffer severe emotional distress.

218. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to ZAIDA RIVERA, with the intent to degrade and abuse ZAIDA RIVERA, and/or to satisfy and gratify their own sick sexual desires.

219. Defendants and/or each of them, and/or their agents, servants, employees and/or staff committed these horrific acts with malicious, abusive and oppressive intent, and with the likelihood of causing plaintiff ZAIDA RIVERA to suffer severe emotional distress.

220. That as a result of the intentional infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ZAIDA RIVERA endured sexual abuse and molestation, as well as physical and emotional abuse and emotional distress, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and

has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

221. That by reason of the foregoing, the Plaintiff ZAIDA RIVERA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A SEVENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ZAIDA RIVERA BASED UPON A THEORY OF
BATTERY AGAINST ALL DEFENDANTS**

222. That the Plaintiff ZAIDA RIVERA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND TWENTY-FIRST" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

223. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff amounted to harmful and offensive contacts to plaintiff ZAIDA RIVERA, all of which were done intentionally by the defendants and without plaintiff ZAIDA RIVERA's consent.

224. Such acts were of a sexual and sexually abusive nature, as well as a physically and emotionally abusive nature, and were done without plaintiff's consent.

225. Such acts were done for the purposes of degrading and abusing ZAIDA RIVERA, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

226. As a direct and proximate result of the battery and/or sexual battery by the defendants, plaintiff ZAIDA RIVERA was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering,

mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

227. That as a result of the battery and/or sexual battery of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ZAIDA RIVERA was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

228. That by reason of the foregoing, plaintiff ZAIDA RIVERA is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

229. That by reason of the foregoing, the Plaintiff ZAIDA RIVERA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR AN EIGHTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ZAIDA RIVERA BASED UPON A THEORY OF
ASSAULT AGAINST ALL DEFENDANTS**

230. That the Plaintiff ZAIDA RIVERA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND TWENTY-NINTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

231. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff were intended to create and did in fact create a reasonable

apprehension in plaintiff ZAIDA RIVERA of immediate harmful and offensive contacts including but not limited to sexual contacts to ZAIDA RIVERA'S person, all of which were done intentionally by the defendants and without plaintiff ZAIDA RIVERA'S consent.

232. Such acts were both of a sexually abusive nature and a physically abusive nature, and were done intentionally by the defendants without ZAIDA RIVERA'S consent.

233. Such acts were done for the purposes of degrading and abusing ZAIDA RIVERA, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

234. As a direct and proximate result of the assault and/or sexual assault by the defendants, plaintiff ZAIDA RIVERA was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

235. That as a result of the assault and/or sexual assault of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ZAIDA RIVERA was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

236. That by reason of the foregoing, plaintiff ZAIDA RIVERA is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

237. That by reason of the foregoing, the Plaintiff ZAIDA RIVERA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A NINTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF JOHN RODRIGUEZ BASED UPON A THEORY OF
STATUTORY LIABILITY AS AGAINST ALL DEFENDANTS**

238. That the Plaintiff JOHN RODRIGUEZ repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND THIRTY-SEVENTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

239. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York and/or its predecessor statutes.

240. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York, including but not limited to violations of Penal Law Sections 130.00, 130.05, 130.20, 130.40, 130.45, 130.50, 130.52, 130.55, 130.60, 130.65, 130.66, 130.67, 130.70, 130.75, 130.80, 130.91, 130.95 and 130.96.

241. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 260 of the Penal Law of the State of New York and/or its predecessor statutes, including but not limited to 260.10.

242. That the subject sexual offenses were committed forcibly by the defendants and/or their agents, servants, staff, and/or employees against the plaintiff, who was a minor, while under defendants' custody, supervision and/or control.

243. That as a result of the statutory violations of the Defendants herein, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff JOHN RODRIGUEZ endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

244. That by reason of the foregoing, the Plaintiff JOHN RODRIGUEZ has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF JOHN RODRIGUEZ BASED UPON A THEORY OF
NEGLIGENCE AS AGAINST ALL DEFENDANTS**

245. That the Plaintiff JOHN RODRIGUEZ repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND FORTY-FOURTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

246. While JOHN RODRIGUEZ was in the custody of defendants and/or each of them from approximately 1953 through 1967, defendants stood in the place of JOHN RODRIGUEZ' parents (in loco parentis), and as such were responsible for his care, well-being, and safety amongst other things, and had a duty to protect him from harm, abuse, assault and other harms, including but not limited to sexual abuse and sexual assaults.

247. From approximately 1953 through 1967 defendants had a duty to care for the welfare and well-being of JOHN RODRIGUEZ as if they were his parents, and to protect him from harm, abuse, assault and other harms, including but not limited to sexual abuse, as well as physical and emotional abuse.

248. Defendants breached their duty of care with respect to JOHN RODRIGUEZ.

249. Defendants breached their duty to care for JOHN RODRIGUEZ, failed to properly carry out their duty to stand in the place of his parents, and were negligent, careless and reckless in failing to protect him from harm, abuse, assault and other harms, including but not limited to sexual abuse and assaults, as well as physical and emotional abuse.

250. Defendants had both actual and constructive notice of the sexual abuse, physical abuse, and emotional abuse of children which was taking place at Mount Loretto, including but not limited to the abuse of the plaintiffs herein, as well as the culture of abuse which had been allowed to develop, and failed to institute appropriate measures to stop the abuse.

251. That as a result of the negligence and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff JOHN RODRIGUEZ endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

252. That by reason of the foregoing, the Plaintiff JOHN RODRIGUEZ has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A ELEVENTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF JOHN
RODRIGUEZ BASED UPON A THEORY OF NEGLIGENT
SUPERVISION AS AGAINST ALL DEFENDANTS**

253. That the Plaintiff JOHN RODRIGUEZ repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND FIFTY-SECOND" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

254. While JOHN RODRIGUEZ was in the care, custody and control of defendants and/or each of them from approximately 1953 through 1967, defendants had a duty to supervise JOHN RODRIGUEZ, and to protect him from harm, abuse, assault and other harms, including but not limited to sexual assaults, as well as physical and emotional abuse, and were responsible for his care, well-being, and safety amongst other things.

255. Defendants breached their duty to properly supervise JOHN RODRIGUEZ, failed to properly carry out their duty to supervise him in his activities, and were negligent, careless and reckless in failing to properly supervise him and in failing to adequately protect him from harm, abuse, assault and other harms, including but not limited to sexual abuse and assault, as well as physical and emotional abuse.

256. That as a result of this negligent supervision and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff JOHN RODRIGUEZ endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to

suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

257. That by reason of the foregoing, the Plaintiff JOHN RODRIGUEZ has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

AS AND FOR A TWELFTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF JOHN RODRIGUEZ BASED UPON A THEORY OF NEGLIGENT HIRING, RETENTION AND SUPERVISION AS AGAINST ALL DEFENDANTS

258. That the Plaintiff JOHN RODRIGUEZ repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND FIFTY-SEVENTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

259. Defendants and/or each of them had a duty to conduct appropriate and proper hiring and retention practices to prevent the hiring and retention of those who may pose a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to minors who had been entrusted to their care, custody and control.

260. Defendants and/or each of them had a duty to adequately and properly supervise those whom they did hire, in a reasonably prudent fashion, to prevent those they hired and retained from becoming a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those minors who had been entrusted to their care, custody and control including the plaintiff herein.

261. Defendants and/or each of them had a duty to prevent known risks of harm, and to prevent their staff from inflicting harm upon the children who had been entrusted to them including the plaintiff herein.

262. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure the safety and well-being of the children who had been entrusted to them including the plaintiff herein.

263. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they carried out their duties in a manner which reduced and/or eliminated the risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those who had been entrusted to their care, custody and control including the plaintiff herein.

264. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they did not sexually abuse, and/or physically and emotionally abuse, those who had been entrusted to their care, custody and control including the plaintiff herein.

265. Defendants breached their duty to conduct their hiring and retention practices in a reasonably prudent fashion, and to adequately and properly supervise their staff, including but not limited to the priests, nuns, teachers and staff at Mount Loretto, in a reasonably prudent fashion.

266. Defendants were negligent, careless and reckless in the manner in which they conducted their hiring and retention of staff, including but not limited to the nuns, priests, staff, and employees, and hired and retained nuns, priests, staff, and employees who not only permitted a culture of abuse, but in fact created a culture of abuse at Mount Loretto, and had a history of abusing those whom they were supposed to care for.

267. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, and caused, allowed and permitted their staff to create a culture of abuse, and to permit that culture of abuse to exist and persist for decades at Mount Loretto.

268. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, in that they failed to prevent them from sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff JOHN RODRIGUEZ.

269. Defendants were negligent, careless and reckless in their failure to properly supervise their agents, servants, employees and staff so as to ensure that they were not sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff JOHN RODRIGUEZ.

270. That as a result of this negligent hiring, retention and supervision by defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff JOHN RODRIGUEZ endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

271. That by reason of the foregoing, the Plaintiff JOHN RODRIGUEZ has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTEENTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF
JOHN RODRIGUEZ BASED UPON A THEORY OF NEGLIGENT INFLICTION OF
EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

272. That the Plaintiff John Rodriguez repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND SEVENTY-FIRST" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

273. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the power, the ability and the authority, as well the duty, to stop the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff John Rodriguez suffering severe emotional distress.

274. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the duty to intervene to stop, prevent and prohibit the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff John Rodriguez suffering severe emotional distress.

275. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, knew or should have known that the failure to properly act would and in fact did cause plaintiff JOHN RODRIGUEZ to suffer severe emotional distress.

276. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, acted with reckless disregard for the well-being of plaintiff JOHN RODRIGUEZ, and

knew or should have known that their actions and omissions would and in fact did cause plaintiff JOHN RODRIGUEZ to suffer severe emotional distress.

277. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, negligently failed to act to stop, prevent and/or prohibit the negligent, improper, unlawful and egregious conduct described hereinabove, thus resulting in plaintiff JOHN RODRIGUEZ suffering severe emotional distress.

278. That as a result of the negligent infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff JOHN RODRIGUEZ endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

279. That by reason of the foregoing, the Plaintiff JOHN RODRIGUEZ has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FOURTEENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF JOHN RODRIGUEZ BASED UPON A THEORY OF INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

280. That the Plaintiff JOHN RODRIGUEZ repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND SEVENTY-NINTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

281. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to JOHN RODRIGUEZ, with the intent to cause, and/or with reckless disregard of the probability of causing plaintiff JOHN RODRIGUEZ to suffer severe emotional distress.

282. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to JOHN RODRIGUEZ, with the intent to degrade and abuse JOHN RODRIGUEZ, and/or to satisfy and gratify their own sick sexual desires.

283. Defendants and/or each of them, and/or their agents, servants, employees and/or staff committed these horrific acts with malicious, abusive and oppressive intent, and with the likelihood of causing plaintiff JOHN RODRIGUEZ to suffer severe emotional distress.

284. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, acted with reckless disregard for the well-being of plaintiff JOHN RODRIGUEZ, and knew or should have known that their actions and omissions would and in fact did cause plaintiff John Rodriguez to suffer severe emotional distress.

285. That as a result of the intentional infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff JOHN RODRIGUEZ endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

286. That by reason of the foregoing, the Plaintiff JOHN RODRIGUEZ has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FIFTEENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF JOHN RODRIGUEZ BASED UPON A THEORY OF BATTERY
AGAINST ALL DEFENDANTS**

287. That the Plaintiff JOHN RODRIGUEZ repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND EIGHTY-SIXTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

288. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff amounted to harmful and offensive contacts to plaintiff JOHN RODRIGUEZ, all of which were done intentionally by the defendants and without plaintiff JOHN RODRIGUEZ' consent.

289. Such acts were of a sexual and sexually abusive nature, as well as a physically and emotionally abusive nature, and were done without plaintiff's consent.

290. Such acts were done for the purposes of degrading and abusing JOHN RODRIGUEZ, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

291. As a direct and proximate result of the battery and/or sexual battery by the defendants, plaintiff JOHN RODRIGUEZ was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and

other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

292. That as a result of the battery and/or sexual battery of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff JOHN RODRIGUEZ was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

293. That by reason of the foregoing, plaintiff JOHN RODRIGUEZ is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

294. That by reason of the foregoing, the Plaintiff JOHN RODRIGUEZ has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A SIXTEENTH CAUSE OF ACTION ON
BEHALF OF PLAINTIFF JOHN RODRIGUEZ BASED UPON A
THEORY OF ASSAULT AGAINST ALL DEFENDANTS**

295. That the Plaintiff JOHN RODRIGUEZ repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "TWO HUNDRED AND NINETY-FOURTH " inclusive with the same force and effect as though said allegations were herein fully set forth at length.

296. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff were intended to create and did in fact create a reasonable apprehension in plaintiff JOHN RODRIGUEZ of immediate harmful and offensive contacts

including but not limited to sexual contacts to JOHN RODRIGUEZ' person, all of which were done intentionally by the defendants and without plaintiff JOHN RODRIGUEZ' consent.

297. Such acts were both of a sexually abusive nature and a physically abusive nature, and were done intentionally by the defendants without JOHN RODRIGUEZ' consent.

298. Such acts were done for the purposes of degrading and abusing JOHN RODRIGUEZ, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

299. As a direct and proximate result of the assault and/or sexual assault by the defendants, plaintiff JOHN RODRIGUEZ was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

300. That as a result of the assault and/or sexual assault of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff JOHN RODRIGUEZ was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

301. That by reason of the foregoing, plaintiff JOHN RODRIGUEZ is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

302. That by reason of the foregoing, the Plaintiff JOHN RODRIGUEZ has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A SEVENTEENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF THERESA REID BASED UPON A THEORY OF
STATUTORY LIABILITY AS AGAINST ALL DEFENDANTS**

303. That the Plaintiff THERESA REID repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND SECOND" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

304. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York and/or its predecessor statutes.

305. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York, including but not limited to violations of Penal Law Sections 130.00, 130.05, 130.20, 130.25, 130.30, 130.35, 130.52, 130.55, 130.60, 130.65, 130.65-a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.91, 130.95 and 130.96.

306. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 260 of the Penal Law of the State of New York and/or its predecessor statutes, including but not limited to 260.10.

307. That the subject sexual offenses were committed forcibly by the defendants and/or their agents, servants, staff, and/or employees against the plaintiff, who was a minor, while under defendants' custody, supervision and/or control.

308. That as a result of the statutory violations of the Defendants herein, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff THERESA REID endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

309. That by reason of the foregoing, the Plaintiff THERESA REID has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR AN EIGHTEENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF THERESA REID BASED UPON A THEORY OF
NEGLIGENCE AS AGAINST ALL DEFENDANTS**

310. That the Plaintiff THERESA REID repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND NINTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

311. While THERESA REID was in the care, custody and control of defendants and/or each of them from approximately 1959 to 1971, defendants stood in the place of THERESA REID'S parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and had a duty to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and sexual assaults.

312. From approximately 1959 to 1971 defendants had a duty to care for the welfare and well-being of THERESA REID as if they were her parents, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse, as well as physical and emotional abuse.

313. Defendants breached their duty of care with respect to THERESA REID.

314. Defendants breached their duty to care for THERESA REID, failed to properly carry out their duty to stand in the place of her parents, and were negligent, careless and reckless in failing to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assaults, as well as physical and emotional abuse.

315. Defendants had both actual and constructive notice of the sexual abuse, physical abuse, and emotional abuse of children which was taking place at Mount Loretto, including but not limited to the abuse of the plaintiffs herein, as well as the culture of abuse which had been allowed to develop, and failed to institute appropriate measures to stop the abuse.

316. That as a result of the negligence and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff THERESA REID endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

317. That by reason of the foregoing, the Plaintiff THERESA REID has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A NINETEENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF THERESA REID BASED UPON A THEORY OF
NEGLIGENT SUPERVISION AS AGAINST ALL DEFENDANTS**

318. That the Plaintiff THERESA REID repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND SEVENTEENTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

319. While THERESA REID was in the custody of defendants and/or each of them from approximately 1959 to 1971, defendants had a duty to supervise THERESA REID, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults, as well as physical and emotional abuse, and were responsible for her care, well-being, and safety amongst other things.

320. Defendants breached their duty to properly supervise THERESA REID, failed to properly carry out their duty to supervise her in her activities, and were negligent, careless and reckless in failing to properly supervise her and in failing to adequately protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assaults, as well as physical and emotional abuse.

321. That as a result of this negligent supervision and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff THERESA REID endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to

suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

322. That by reason of the foregoing, the Plaintiff THERESA REID has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTIETH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF THERESA REID BASED UPON A THEORY OF NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS AGAINST ALL DEFENDANTS**

323. That the Plaintiff THERESA REID repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND TWENTY-SECOND" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

324. Defendants and/or each of them had a duty to conduct appropriate and proper hiring and retention practices to prevent the hiring and retention of those who may pose a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to minors who had been entrusted to their care, custody and control.

325. Defendants and/or each of them had a duty to adequately and properly supervise those whom they did hire, in a reasonably prudent fashion, to prevent those they hired and retained from becoming a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those minors who had been entrusted to their care, custody and control including the plaintiff herein.

326. Defendants and/or each of them had a duty to prevent known risks of harm, and to prevent their staff from inflicting harm upon the children who had been entrusted to them including the plaintiff herein.

327. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure the safety and well-being of the children who had been entrusted to them including the plaintiff herein.

328. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they carried out their duties in a manner which reduced and/or eliminated the risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those who had been entrusted to their care, custody and control including the plaintiff herein.

329. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they did not sexually abuse, and/or physically and emotionally abuse, those who had been entrusted to their care, custody and control including the plaintiff herein.

330. Defendants breached their duty to conduct their hiring and retention practices in a reasonably prudent fashion, and to adequately and properly supervise their staff, including but not limited to the nuns, priests and teachers at Mount Loretto, in a reasonably prudent fashion.

331. Defendants were negligent, careless and reckless in the manner in which they conducted their hiring and retention of staff, including but not limited to the nuns, priests, staff, and employees, and hired and retained nuns, priests, staff, and employees who not only permitted a culture of abuse, but in fact created a culture of abuse at Mount Loretto, and had a history of abusing those whom they were supposed to care for.

332. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, and

caused, allowed and permitted their staff to create a culture of abuse, and to permit that culture of abuse to exist and persist for decades at Mount Loretto.

333. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, in that they failed to prevent them from sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff THERESA REID.

334. Defendants were negligent, careless and reckless in their failure to properly supervise their agents, servants, employees and staff so as to ensure that they were not sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff THERESA REID.

335. That as a result of this negligent hiring, retention and supervision by defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff THERESA REID endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

336. That by reason of the foregoing, the Plaintiff THERESA REID has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-FIRST CAUSE OF ACTION ON BEHALF OF PLAINTIFF
THERESA REID BASED UPON A THEORY OF NEGLIGENT INFLECTION OF
EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

337. That the Plaintiff THERESA REID repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs “FIRST” through “THREE HUNDRED AND THIRTY-SIXTH” inclusive with the same force and effect as though said allegations were herein fully set forth at length.

338. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the power, the ability and the authority, as well the duty, to stop the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff THERESA REID suffering severe emotional distress.

339. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the duty to intervene to stop, prevent and prohibit the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff THERESA REID suffering severe emotional distress.

340. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, knew or should have known that the failure to properly act would and in fact did cause plaintiff THERESA REID to suffer severe emotional distress.

341. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, negligently failed to act to stop, prevent and/or prohibit the negligent, improper, unlawful and egregious conduct described hereinabove, thus resulting in plaintiff THERESA REID suffering severe emotional distress.

342. That as a result of the negligent infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the

Plaintiff THERESA REID endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

343. That by reason of the foregoing, the Plaintiff THERESA REID has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-SECOND CAUSE OF ACTION ON BEHALF OF
PLAINTIFF THERESA REID BASED UPON A THEORY OF INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

344. That the Plaintiff THERESA REID repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND FORTY-THIRD" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

345. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to THERESA REID, with the intent to cause, and/or with reckless disregard of the probability of causing plaintiff THERESA REID to suffer severe emotional distress.

346. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to THERESA REID, with the intent to degrade and abuse THERESA REID, and/or to satisfy and gratify their own sick sexual desires.

347. Defendants and/or each of them, and/or their agents, servants, employees and/or staff committed these horrific acts with malicious, abusive and oppressive intent, and with the likelihood of causing plaintiff THERESA REID to suffer severe emotional distress.

348. That as a result of the intentional infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff THERESA REID endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

349. That by reason of the foregoing, the Plaintiff THERESA REID has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-THIRD CAUSE OF ACTION ON BEHALF OF
PLAINTIFF THERESA REID BASED UPON A THEORY OF
BATTERY AGAINST ALL DEFENDANTS**

350. That the Plaintiff THERESA REID repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND FORTY-NINTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

351. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff amounted to harmful and offensive contacts to plaintiff

THERESA REID, all of which were done intentionally by the defendants and without plaintiff THERESA REID's consent.

352. Such acts were of a sexual and sexually abusive nature, as well as a physically and emotionally abusive nature, and were done without plaintiff's consent.

353. Such acts were done for the purposes of degrading and abusing THERESA REID, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

354. As a direct and proximate result of the battery and/or sexual battery by the defendants, plaintiff THERESA REID was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

355. That as a result of the battery and/or sexual battery of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff THERESA REID was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

356. That by reason of the foregoing, plaintiff THERESA REID is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

357. That by reason of the foregoing, the Plaintiff THERESA REID has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-FOURTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF THERESA REID BASED UPON A THEORY OF
ASSAULT AGAINST ALL DEFENDANTS**

358. That the Plaintiff THERESA REID repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND FIFTY-SEVENTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

359. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff were intended to create and did in fact create a reasonable apprehension in plaintiff THERESA REID of immediate harmful and offensive contacts including but not limited to sexual contacts to THERESA REID's person, all of which were done intentionally by the defendants and without plaintiff THERESA REID's consent.

360. Such acts were both of a sexually abusive nature and a physically abusive nature, and were done intentionally by the defendants without THERESA REID's consent.

361. Such acts were done for the purposes of degrading and abusing THERESA REID, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

362. As a direct and proximate result of the assault and/or sexual assault by the defendants, plaintiff THERESA REID was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other

economic damages and loss, and will continue to experience and incur these damages and losses in the future.

363. That as a result of the assault and/or sexual assault of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff THERESA REID was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

364. That by reason of the foregoing, plaintiff THERESA REID is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

365. That by reason of the foregoing, the Plaintiff THERESA REID has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-FIFTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ROBIN CAMPBELL BASED UPON A THEORY OF
STATUTORY LIABILITY AS AGAINST ALL DEFENDANTS**

366. That the Plaintiff ROBIN CAMPBELL repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND SIXTY-FIFTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

367. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York and/or its predecessor statutes.

368. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York, including but not limited to violations of Penal Law Sections 130.00, 130.05, 130.52, 130.55, 130.60, 130.65, 130.65-a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.91, and 130.96.

369. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 260 of the Penal Law of the State of New York and/or its predecessor statutes, including but not limited to 260.10.

370. That the subject sexual offenses were committed forcibly by the defendants and/or their agents, servants, staff, and/or employees against the plaintiff, who was a minor, while under defendants' custody, supervision and/or control.

371. That as a result of the statutory violations of the Defendants herein, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ROBIN CAMPBELL endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

372. That by reason of the foregoing, the Plaintiff ROBIN CAMPBELL has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-SIXTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ROBIN CAMPBELL BASED UPON A THEORY OF
NEGLIGENCE AS AGAINST ALL DEFENDANTS**

373. That the Plaintiff ROBIN CAMPBELL repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND SEVENTY-SECOND" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

374. While ROBIN CAMPBELL was in the custody of defendants and/or each of them from approximately 1960 to 1966, defendants stood in the place of ROBIN CAMPBELL's parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and had a duty to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and sexual assaults.

375. From approximately 1960 to 1966 defendants had a duty to care for the welfare and well-being of ROBIN CAMPBELL as if they were her parents, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse, as well as physical and emotional abuse.

376. Defendants breached their duty of care with respect to ROBIN CAMPBELL.

377. Defendants breached their duty to care for ROBIN CAMPBELL, failed to properly carry out their duty to stand in the place of her parents, and were negligent, careless and reckless in failing to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assaults, as well as physical and emotional abuse.

378. Defendants had both actual and constructive notice of the sexual abuse, physical abuse, and emotional abuse of children which was taking place at Mount Loretto, including but

not limited to the abuse of the plaintiffs herein, as well as the culture of abuse which had been allowed to develop, and failed to institute appropriate measures to stop the abuse.

379. That as a result of the negligence and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ROBIN CAMPBELL endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

380. That by reason of the foregoing, the Plaintiff ROBIN CAMPBELL has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-SEVENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ROBIN CAMPBELL BASED UPON A THEORY OF
NEGLIGENT SUPERVISION AS AGAINST ALL DEFENDANTS**

381. That the Plaintiff ROBIN CAMPBELL repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND EIGHTIETH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

382. While ROBIN CAMPBELL was in the care, custody and control of defendants and/or each of them from approximately 1960 to 1966, defendants had a duty to supervise ROBIN CAMPBELL, and to protect her from harm, abuse, assault and other harms, including

but not limited to sexual assaults, as well as physical and emotional abuse, and were responsible for her care, well-being, and safety amongst other things.

383. Defendants breached their duty to properly supervise ROBIN CAMPBELL, failed to properly carry out their duty to supervise her in her activities, and were negligent, careless and reckless in failing to properly supervise her and in failing to adequately protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assault, as well as physical and emotional abuse.

384. That as a result of this negligent supervision and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ROBIN CAMPBELL endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

385. That by reason of the foregoing, the Plaintiff ROBIN CAMPBELL has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-EIGHTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ROBIN CAMPBELL BASED UPON A THEORY OF NEGLIGENT
HIRING, RETENTION AND SUPERVISION AS AGAINST ALL DEFENDANTS**

386. That the Plaintiff ROBIN CAMPBELL repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE

HUNDRED AND EIGHTY-FIFTH” inclusive with the same force and effect as though said allegations were herein fully set forth at length.

387. Defendants and/or each of them had a duty to conduct appropriate and proper hiring and retention practices to prevent the hiring and retention of those who may pose a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to minors who had been entrusted to their care, custody and control.

388. Defendants and/or each of them had a duty to adequately and properly supervise those whom they did hire, in a reasonably prudent fashion, to prevent those they hired and retained from becoming a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those minors who had been entrusted to their care, custody and control including the plaintiff herein.

389. Defendants and/or each of them had a duty to prevent known risks of harm, and to prevent their staff from inflicting harm upon the children who had been entrusted to them including the plaintiff herein.

390. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure the safety and well-being of the children who had been entrusted to them including the plaintiff herein.

391. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they carried out their duties in a manner which reduced and/or eliminated the risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those who had been entrusted to their care, custody and control including the plaintiff herein.

392. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they did not sexually abuse, and/or physically and emotionally abuse, those who had been entrusted to their care, custody and control including the plaintiff herein.

393. Defendants breached their duty to conduct their hiring and retention practices in a reasonably prudent fashion, and to adequately and properly supervise their staff, including but not limited to the nuns and teachers at Mount Loretto, in a reasonably prudent fashion.

394. Defendants were negligent, careless and reckless in the manner in which they conducted their hiring and retention of staff, including but not limited to the nuns, priests, staff, and employees, and hired and retained nuns, priests, staff, and employees who not only permitted a culture of abuse, but in fact created a culture of abuse at Mount Loretto, and had a history of abusing those whom they were supposed to care for.

395. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, and caused, allowed and permitted their staff to create a culture of abuse, and to permit that culture of abuse to exist and persist for decades at Mount Loretto.

396. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, in that they failed to prevent them from sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff ROBIN CAMPBELL.

397. Defendants were negligent, careless and reckless in their failure to properly supervise their agents, servants, employees and staff so as to ensure that they were not sexually

abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff ROBIN CAMPBELL.

398. That as a result of this negligent hiring, retention and supervision by defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ROBIN CAMPBELL endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

399. That by reason of the foregoing, the Plaintiff ROBIN CAMPBELL has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A TWENTY-NINTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ROBIN CAMPBELL BASED UPON A THEORY OF NEGLIGENT
INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

400. That the Plaintiff ROBIN CAMPBELL repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "THREE HUNDRED AND NINETY-NINTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

401. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the power, the ability and the authority, as well the duty, to stop the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff ROBIN CAMPBELL suffering severe emotional distress.

402. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the duty to intervene to stop, prevent and prohibit the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff ROBIN CAMPBELL suffering severe emotional distress.

403. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, knew or should have known that the failure to properly act would and in fact did cause plaintiff ROBIN CAMPBELL to suffer severe emotional distress.

404. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, negligently failed to act to stop, prevent and/or prohibit the negligent, improper, unlawful and egregious conduct described hereinabove, thus resulting in plaintiff ROBIN CAMPBELL suffering severe emotional distress.

405. That as a result of the negligent infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ROBIN CAMPBELL endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

406. That by reason of the foregoing, the Plaintiff ROBIN CAMPBELL has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTIETH CAUSE OF ACTION ON BEHALF OF PLAINTIFF
ROBIN CAMPBELL BASED UPON A THEORY OF INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

407. That the Plaintiff ROBIN CAMPBELL repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND SIXTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

408. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to ROBIN CAMPBELL, with the intent to cause, and/or with reckless disregard of the probability of causing plaintiff ROBIN CAMPBELL to suffer severe emotional distress.

409. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to ROBIN CAMPBELL, with the intent to degrade and abuse ROBIN CAMPBELL, and/or to satisfy and gratify their own sick sexual desires.

410. Defendants and/or each of them, and/or their agents, servants, employees and/or staff committed these horrific acts with malicious, abusive and oppressive intent, and with the likelihood of causing plaintiff ROBIN CAMPBELL to suffer severe emotional distress.

411. That as a result of the intentional infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ROBIN CAMPBELL endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has

incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

412. That by reason of the foregoing, the Plaintiff ROBIN CAMPBELL has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY-FIRST CAUSE OF ACTION ON BEHALF OF
PLAINTIFF ROBIN CAMPBELL BASED UPON A THEORY OF
BATTERY AGAINST ALL DEFENDANTS**

413. That the Plaintiff ROBIN CAMPBELL repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND TWELFTH " inclusive with the same force and effect as though said allegations were herein fully set forth at length.

414. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff amounted to harmful and offensive contacts to plaintiff ROBIN CAMPBELL, all of which were done intentionally by the defendants and without plaintiff ROBIN CAMPBELL's consent.

415. Such acts were of a sexual and sexually abusive nature, as well as a physically and emotionally abusive nature, and were done without plaintiff's consent.

416. Such acts were done for the purposes of degrading and abusing ROBIN CAMPBELL, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

417. As a direct and proximate result of the battery and/or sexual battery by the defendants, plaintiff ROBIN CAMPBELL was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional

suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

418. That as a result of the battery and/or sexual battery of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ROBIN CAMPBELL was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

419. That by reason of the foregoing, plaintiff ROBIN CAMPBELL is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

420. That by reason of the foregoing, the Plaintiff ROBIN CAMPBELL has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY-SECOND CAUSE OF ACTION ON BEHALF OF PLAINTIFF
ROBIN CAMPBELL BASED UPON A THEORY OF
ASSAULT AGAINST ALL DEFENDANTS**

421. That the Plaintiff ROBIN CAMPBELL repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND TWENTIETH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

422. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff were intended to create and did in fact create a reasonable

apprehension in plaintiff ROBIN CAMPBELL of immediate harmful and offensive contacts including but not limited to sexual contacts to ROBIN CAMPBELL's person, all of which were done intentionally by the defendants and without plaintiff ROBIN CAMPBELL's consent.

423. Such acts were both of a sexually abusive nature and a physically abusive nature, and were done intentionally by the defendants without ROBIN CAMPBELL's consent.

424. Such acts were done for the purposes of degrading and abusing ROBIN CAMPBELL, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

425. As a direct and proximate result of the assault and/or sexual assault by the defendants, plaintiff ROBIN CAMPBELL was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

426. That as a result of the assault and/or sexual assault of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff ROBIN CAMPBELL was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

427. That by reason of the foregoing, plaintiff ROBIN CAMPBELL is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

428. That by reason of the foregoing, the Plaintiff ROBIN CAMPBELL has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY-THIRD CAUSE OF ACTION ON BEHALF OF
PLAINTIFF RUTH CORTES BASED UPON A THEORY OF
STATUTORY LIABILITY AS AGAINST ALL DEFENDANTS**

429. That the Plaintiff RUTH CORTES repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND TWENTY-EIGHTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

430. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York and/or its predecessor statutes.

431. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York, including but not limited to violations of Penal Law Sections 130.00, 130.05, 130.20, 130.40, 130.50, 130.52, 130.55, 130.60, 130.65, 130.65-a, 130.66, 130.67, 130.70, 130.91, and 130.95.

432. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 260 of the Penal Law of the State of New York and/or its predecessor statutes, including but not limited to 260.10.

433. That the subject sexual offenses were committed forcibly by the defendants and/or their agents, servants, staff, and/or employees against the plaintiff, who was a minor, while under defendants' custody, supervision and/or control.

434. That as a result of the statutory violations of the Defendants herein, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff RUTH CORTES endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

435. That by reason of the foregoing, the Plaintiff RUTH CORTES has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY- FOURTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF RUTH CORTES BASED UPON A THEORY OF
NEGLIGENCE AS AGAINST ALL DEFENDANTS**

436. That the Plaintiff RUTH CORTES repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND THIRTY-FIFTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

437. While RUTH CORTES was in the custody of defendants and/or each of them from approximately September 1985 through 1991, defendants stood in the place of RUTH CORTES' parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and had a duty to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and sexual assaults.

438. From approximately September 1985 through 1991 defendants had a duty to care for the welfare and well-being of RUTH CORTES as if they were her parents, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse, as well as physical and emotional abuse.

439. Defendants breached their duty of care with respect to RUTH CORTES.

440. Defendants breached their duty to care for RUTH CORTES, failed to properly carry out their duty to stand in the place of her parents, and were negligent, careless and reckless in failing to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assaults, as well as physical and emotional abuse.

441. Defendants had both actual and constructive notice of the sexual abuse, physical abuse, and emotional abuse of children which was taking place at Mount Loretto, including but not limited to the abuse of the plaintiffs herein, as well as the culture of abuse which had been allowed to develop, and failed to institute appropriate measures to stop the abuse.

442. That as a result of the negligence and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff RUTH CORTES endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

443. That by reason of the foregoing, the Plaintiff RUTH CORTES has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY-FIFTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF
RUTH CORTES BASED UPON A THEORY OF NEGLIGENT
SUPERVISION AS AGAINST ALL DEFENDANTS**

444. That the Plaintiff RUTH CORTES repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND FORTY-THIRD" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

445. While RUTH CORTES was in the care, custody and control of defendants and/or each of them from approximately September 1985 through 1991, defendants had a duty to supervise RUTH CORTES, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults, as well as physical and emotional abuse, and were responsible for her care, well-being, and safety amongst other things.

446. Defendants breached their duty to properly supervise RUTH CORTES, failed to properly carry out their duty to supervise her in her activities, and were negligent, careless and reckless in failing to properly supervise her and in failing to adequately protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assault, as well as physical and emotional abuse.

447. That as a result of this negligent supervision and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff RUTH CORTES endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to

suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

448. That by reason of the foregoing, the Plaintiff RUTH CORTES has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY-SIXTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF
RUTH CORTES BASED UPON A THEORY OF NEGLIGENT HIRING, RETENTION
AND SUPERVISION AS AGAINST ALL DEFENDANTS**

449. That the Plaintiff RUTH CORTES repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND FORTY-EIGHTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

450. Defendants and/or each of them had a duty to conduct appropriate and proper hiring and retention practices to prevent the hiring and retention of those who may pose a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to minors who had been entrusted to their care, custody and control.

451. Defendants and/or each of them had a duty to adequately and properly supervise those whom they did hire, in a reasonably prudent fashion, to prevent those they hired and retained from becoming a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those minors who had been entrusted to their care, custody and control including the plaintiff herein.

452. Defendants and/or each of them had a duty to prevent known risks of harm, and to prevent their staff from inflicting harm upon the children who had been entrusted to them including the plaintiff herein.

453. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure the safety and well-being of the children who had been entrusted to them including the plaintiff herein.

454. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they carried out their duties in a manner which reduced and/or eliminated the risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those who had been entrusted to their care, custody and control including the plaintiff herein.

455. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they did not sexually abuse, and/or physically and emotionally abuse, those who had been entrusted to their care, custody and control including the plaintiff herein.

456. Defendants breached their duty to conduct their hiring and retention practices in a reasonably prudent fashion, and to adequately and properly supervise their staff, including but not limited to the nuns, teachers and residential staff at Mount Loretto, in a reasonably prudent fashion.

457. Defendants were negligent, careless and reckless in the manner in which they conducted their hiring and retention of staff, including but not limited to the nuns, priests, staff, and employees, and hired and retained nuns, priests, staff, and employees who not only permitted a culture of abuse, but in fact created a culture of abuse at Mount Loretto, and had a history of abusing those whom they were supposed to care for.

458. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, and caused, allowed and permitted their staff to create a culture of abuse, and to permit that culture of abuse to exist and persist for decades at Mount Loretto.

459. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, in that they failed to prevent them from sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff RUTH CORTES.

460. Defendants were negligent, careless and reckless in their failure to properly supervise their agents, servants, employees and staff so as to ensure that they were not sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff RUTH CORTES.

461. That as a result of this negligent hiring, retention and supervision by defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff RUTH CORTES endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

462. That by reason of the foregoing, the Plaintiff RUTH CORTES has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY-SEVENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF RUTH CORTES BASED UPON A THEORY OF NEGLIGENT
INFLECTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

463. That the Plaintiff RUTH CORTES repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND SIXTY-SECOND" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

464. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the power, the ability and the authority, as well the duty, to stop the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff RUTH CORTES suffering severe emotional distress.

465. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the duty to intervene to stop, prevent and prohibit the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff RUTH CORTES suffering severe emotional distress.

466. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, knew or should have known that the failure to properly act would and in fact did cause plaintiff RUTH CORTES to suffer severe emotional distress.

467. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, negligently failed to act to stop, prevent and/or prohibit the negligent, improper, unlawful

and egregious conduct described hereinabove, thus resulting in plaintiff RUTH CORTES suffering severe emotional distress.

468. That as a result of the negligent infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff RUTH CORTES endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

469. That by reason of the foregoing, the Plaintiff RUTH CORTES has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY-EIGHTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF RUTH CORTES BASED UPON A THEORY OF INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

470. That the Plaintiff RUTH CORTES repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND SIXTY-NINTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

471. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to RUTH CORTES, with the intent to cause, and/or with reckless disregard of the probability of causing plaintiff RUTH CORTES to suffer severe emotional distress.

472. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to RUTH CORTES, with the intent to degrade and abuse RUTH CORTES, and/or to satisfy and gratify their own sick sexual desires.

473. Defendants and/or each of them, and/or their agents, servants, employees and/or staff committed these horrific acts with malicious, abusive and oppressive intent, and with the likelihood of causing plaintiff RUTH CORTES to suffer severe emotional distress.

474. That as a result of the intentional infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff RUTH CORTES endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

475. That by reason of the foregoing, the Plaintiff RUTH CORTES has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A THIRTY-NINTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF RUTH CORTES BASED UPON A THEORY OF BATTERY
AGAINST ALL DEFENDANTS**

476. That the Plaintiff RUTH CORTES repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR

HUNDRED AND SEVENTY-FIFTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

477. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff amounted to harmful and offensive contacts to plaintiff RUTH CORTES, all of which were done intentionally by the defendants and without plaintiff RUTH CORTES' consent.

478. Such acts were of a sexual and sexually abusive nature, as well as a physically and emotionally abusive nature, and were done without plaintiff's consent.

479. Such acts were done for the purposes of degrading and abusing RUTH CORTES, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

480. As a direct and proximate result of the battery and/or sexual battery by the defendants, plaintiff RUTH CORTES was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

481. That as a result of the battery and/or sexual battery of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff RUTH CORTES was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

482. That by reason of the foregoing, plaintiff RUTH CORTES is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

483. That by reason of the foregoing, the Plaintiff RUTH CORTES has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTIETH CAUSE OF ACTION ON
BEHALF OF PLAINTIFF RUTH CORTES BASED UPON A
THEORY OF ASSAULT AGAINST ALL DEFENDANTS**

484. That the Plaintiff RUTH CORTES repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND EIGHTY-THIRD" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

485. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff were intended to create and did in fact create a reasonable apprehension in plaintiff RUTH CORTES of immediate harmful and offensive contacts including but not limited to sexual contacts to RUTH CORTES' person, all of which were done intentionally by the defendants and without plaintiff RUTH CORTES' consent.

486. Such acts were both of a sexually abusive nature and a physically abusive nature, and were done intentionally by the defendants without RUTH CORTES' consent.

487. Such acts were done for the purposes of degrading and abusing RUTH CORTES, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

488. As a direct and proximate result of the assault and/or sexual assault by the defendants, plaintiff RUTH CORTES was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

489. That as a result of the assault and/or sexual assault of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff RUTH CORTES was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

490. That by reason of the foregoing, plaintiff RUTH CORTES is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

491. That by reason of the foregoing, the Plaintiff RUTH CORTES has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTY-FIRST CAUSE OF ACTION ON BEHALF OF
PLAINTIFF CAROL ROSA BASED UPON A THEORY OF STATUTORY
LIABILITY AS AGAINST ALL DEFENDANTS**

492. That the Plaintiff CAROL ROSA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR

HUNDRED AND NINETY-FIRST” inclusive with the same force and effect as though said allegations were herein fully set forth at length.

493. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York and/or its predecessor statutes.

494. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York, including but not limited to violations of Penal Law Sections 130.00, 130.05, and 130.52.

495. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 260 of the Penal Law of the State of New York and/or its predecessor statutes, including but not limited to 260.10.

496. That the subject offenses were committed forcibly by the defendants and/or their agents, servants, staff, and/or employees against the plaintiff, who was a minor, while under defendants’ custody, supervision and/or control.

497. That as a result of the statutory violations of the Defendants herein, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff CAROL ROSA endured sexual abuse, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

498. That by reason of the foregoing, the Plaintiff CAROL ROSA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTY-SECOND CAUSE OF ACTION ON BEHALF
OF PLAINTIFF CAROL ROSA BASED UPON A THEORY OF NEGLIGENCE AS
AGAINST ALL DEFENDANTS**

499. That the Plaintiff CAROL ROSA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FOUR HUNDRED AND NINETY-EIGHTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

500. While CAROL ROSA was in the custody of defendants and/or each of them from approximately 1953 to 1967, defendants stood in the place of CAROL ROSA's parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and had a duty to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and sexual assaults.

501. From approximately 1953 to 1967 defendants had a duty to care for the welfare and well-being of CAROL ROSA as if they were her parents, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse, as well as physical and emotional abuse.

502. Defendants breached their duty of care with respect to CAROL ROSA.

503. Defendants breached their duty to care for CAROL ROSA, failed to properly carry out their duty to stand in the place of her parents, and were negligent, careless and reckless in failing to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assaults, as well as physical and emotional abuse.

504. Defendants had both actual and constructive notice of the sexual abuse, physical abuse, and emotional abuse of children which was taking place at Mount Loretto, including but not limited to the abuse of the plaintiffs herein, as well as the culture of abuse which had been allowed to develop, and failed to institute appropriate measures to stop the abuse.

505. That as a result of the negligence and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff CAROL ROSA endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

506. That by reason of the foregoing, the Plaintiff CAROL ROSA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTY-THIRD CAUSE OF ACTION ON BEHALF OF PLAINTIFF
CAROL ROSA BASED UPON A THEORY OF NEGLIGENT SUPERVISION AS
AGAINST ALL DEFENDANTS**

507. That the Plaintiff CAROL ROSA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND SIXTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

508. While CAROL ROSA was in the care, custody and control of defendants and/or each of them from approximately 1953 to 1967, defendants had a duty to supervise CAROL

ROSA, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults, as well as physical and emotional abuse, and were responsible for her care, well-being, and safety amongst other things.

509. Defendants breached their duty to properly supervise CAROL ROSA, failed to properly carry out their duty to supervise her in her activities, and were negligent, careless and reckless in failing to properly supervise her and in failing to adequately protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse and assault, as well as physical and emotional abuse.

510. That as a result of this negligent supervision and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff CAROL ROSA endured sexual abuse, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

511. That by reason of the foregoing, the Plaintiff CAROL ROSA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTY-FOURTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF
CAROL ROSA BASED UPON A THEORY OF NEGLIGENT HIRING, RETENTION
AND SUPERVISION AS AGAINST ALL DEFENDANTS**

512. That the Plaintiff CAROL ROSA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE

HUNDRED AND ELEVENTH” inclusive with the same force and effect as though said allegations were herein fully set forth at length.

513. Defendants and/or each of them had a duty to conduct appropriate and proper hiring and retention practices to prevent the hiring and retention of those who may pose a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to minors who had been entrusted to their care, custody and control.

514. Defendants and/or each of them had a duty to adequately and properly supervise those whom they did hire, in a reasonably prudent fashion, to prevent those they hired and retained from becoming a risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those minors who had been entrusted to their care, custody and control including the plaintiff herein.

515. Defendants and/or each of them had a duty to prevent known risks of harm, and to prevent their staff from inflicting harm upon the children who had been entrusted to them including the plaintiff herein.

516. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure the safety and well-being of the children who had been entrusted to them including the plaintiff herein.

517. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they carried out their duties in a manner which reduced and/or eliminated the risk of harm, including but not limited to sexual abuse, as well as physical and emotional abuse, to those who had been entrusted to their care, custody and control including the plaintiff herein.

518. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they did not sexually abuse, and/or physically and emotionally abuse, those who had been entrusted to their care, custody and control including the plaintiff herein.

519. Defendants breached their duty to conduct their hiring and retention practices in a reasonably prudent fashion, and to adequately and properly supervise their staff, including but not limited to the priests, nuns and teachers at Mount Loretto, in a reasonably prudent fashion.

520. Defendants were negligent, careless and reckless in the manner in which they conducted their hiring and retention of staff, including but not limited to the nuns, priests, staff, and employees, and hired and retained nuns, priests, staff, and employees who not only permitted a culture of abuse, but in fact created a culture of abuse at Mount Loretto, and had a history of abusing those whom they were supposed to care for.

521. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, and caused, allowed and permitted their staff to create a culture of abuse, and to permit that culture of abuse to exist and persist for decades at Mount Loretto.

522. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, priests, staff, and employees, in that they failed to prevent them from sexually abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff CAROL ROSA.

523. Defendants were negligent, careless and reckless in their failure to properly supervise their agents, servants, employees and staff so as to ensure that they were not sexually

abusing, as well a physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff CAROL ROSA.

524. That as a result of this negligent hiring, retention and supervision by defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff CAROL ROSA endured sexual abuse and molestation, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

525. That by reason of the foregoing, the Plaintiff CAROL ROSA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTY-FIFTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF
CAROL ROSA BASED UPON A THEORY OF NEGLIGENT INFLICTION OF
EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

526. That the Plaintiff CAROL ROSA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND TWENTY-FIFTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

527. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the power, the ability and the authority, as well the duty, to stop the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff CAROL ROSA suffering severe emotional distress.

528. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the duty to intervene to stop, prevent and prohibit the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in plaintiff CAROL ROSA suffering severe emotional distress.

529. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, knew or should have known that the failure to properly act would and in fact did cause plaintiff CAROL ROSA to suffer severe emotional distress.

530. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, negligently failed to act to stop, prevent and/or prohibit the negligent, improper, unlawful and egregious conduct described hereinabove, thus resulting in plaintiff CAROL ROSA suffering severe emotional distress.

531. That as a result of the negligent infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff CAROL ROSA endured sexual abuse, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

532. That by reason of the foregoing, the Plaintiff CAROL ROSA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTY-SIXTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF
CAROL ROSA BASED UPON A THEORY OF INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

533. That the Plaintiff CAROL ROSA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs “FIRST” through “FIVE HUNDRED AND THIRTY-SECOND” inclusive with the same force and effect as though said allegations were herein fully set forth at length.

534. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to CAROL ROSA, with the intent to cause, and/or with reckless disregard of the probability of causing plaintiff CAROL ROSA to suffer severe emotional distress.

535. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to CAROL ROSA, with the intent to degrade and abuse CAROL ROSA, and/or to satisfy and gratify their own sick sexual desires.

536. Defendants and/or each of them, and/or their agents, servants, employees and/or staff committed these horrific acts with malicious, abusive and oppressive intent, and with the likelihood of causing plaintiff CAROL ROSA to suffer severe emotional distress.

537. That as a result of the intentional infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff CAROL ROSA endured sexual abuse, as well as physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical

expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

538. That by reason of the foregoing, the Plaintiff CAROL ROSA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTY-SEVENTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF CAROL ROSA BASED UPON A THEORY OF BATTERY
AGAINST ALL DEFENDANTS**

539. That the Plaintiff CAROL ROSA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND THIRTY-EIGHTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

540. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff amounted to harmful and offensive contacts to plaintiff CAROL ROSA, all of which were done intentionally by the defendants and without plaintiff CAROL ROSA's consent.

541. Such acts were of a sexually abusive nature, as well as a physically and emotionally abusive nature, and were done without plaintiff's consent.

542. Such acts were done for the purposes of degrading and abusing CAROL ROSA, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

543. As a direct and proximate result of the battery and/or sexual battery by the defendants, plaintiff CAROL ROSA was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering,

mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

544. That as a result of the battery and/or sexual battery of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff CAROL ROSA was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

545. That by reason of the foregoing, plaintiff CAROL ROSA is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

546. That by reason of the foregoing, the Plaintiff CAROL ROSA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR AN FORTY-EIGHTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF CAROL ROSA BASED UPON A THEORY OF ASSAULT
AGAINST ALL DEFENDANTS**

547. That the Plaintiff CAROL ROSA repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND FORTY-SIXTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

548. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff were intended to create and did in fact create a reasonable

apprehension in plaintiff CAROL ROSA of immediate harmful and offensive contacts including but not limited to sexual contacts to CAROL ROSA's person, all of which were done intentionally by the defendants and without plaintiff CAROL ROSA's consent.

549. Such acts were both of a sexually abusive nature and a physically abusive nature, and were done intentionally by the defendants without CAROL ROSA's consent.

550. Such acts were done for the purposes of degrading and abusing CAROL ROSA, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

551. As a direct and proximate result of the assault and/or sexual assault by the defendants, plaintiff CAROL ROSA was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

552. That as a result of the assault and/or sexual assault of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff CAROL ROSA was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

553. That by reason of the foregoing, plaintiff CAROL ROSA is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

554. That by reason of the foregoing, the Plaintiff CAROL ROSA has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FORTY-NINTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER,
AN INCAPACITATED PERSON BASED UPON A THEORY OF
STATUTORY LIABILITY AS AGAINST ALL DEFENDANTS**

555. That the Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND FIFTY-FOURTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

556. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 130 of the Penal Law of the State of New York and/or its predecessor statutes.

557. The conduct of defendants, and/or each of them, and/or their agents, servants, employees and/or staff, constituted violations of Article 260 of the Penal Law of the State of New York and/or its predecessor statutes, including but not limited to 260.10.

558. That the subject offenses and statutory violations were committed forcibly by the defendants and/or their agents, servants, staff, and/or employees against the plaintiff, who was a minor, while under defendants' custody, supervision and/or control.

559. That as a result of the statutory violations of the Defendants herein, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, GAIL ROLLER endured physical and emotional abuse, and sustained serious and severe damage, harm and injuries, including but not limited to brain damage and cognitive impairment, and was caused to suffer

severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

560. That by reason of the foregoing, GAIL ROLLER, AN INCAPACITATED PERSON, has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FIFTIETH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER,
AN INCAPACITATED PERSON BASED UPON A THEORY OF NEGLIGENCE AS
AGAINST ALL DEFENDANTS**

561. That the Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND SIXTIETH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

562. While GAIL ROLLER was in the custody of defendants and/or each of them from approximately 1952 to 1955, defendants stood in the place of GAIL ROLLER's parents (in loco parentis), and as such were responsible for her care, well-being, and safety amongst other things, and had a duty to protect her from harm, abuse, assault, battery and other harms.

563. From approximately 1952 to 1955 defendants had a duty to care for the welfare and well-being of GAIL ROLLER as if they were her parents, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual abuse, as well as physical and emotional abuse.

564. Defendants breached their duty of care with respect to GAIL ROLLER.

565. Defendants breached their duty to care for GAIL ROLLER, failed to properly carry out their duty to stand in the place of her parents, and were negligent, careless and reckless in failing to protect her from harm, abuse, assault and other harms, including but not limited to physical and emotional abuse.

566. Defendants had both actual and constructive notice of the physical abuse and emotional abuse of children which was taking place at Mount Loretto, including but not limited to the abuse of the plaintiffs herein, as well as the culture of abuse which had been allowed to develop, and failed to institute appropriate measures to stop the abuse.

567. That as a result of the negligence and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, GAIL ROLLER endured physical and emotional abuse, and sustained serious and severe damage, harm and injuries, including but not limited to brain damage and cognitive impairment, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

568. That by reason of the foregoing, GAIL ROLLER, AN INCAPACITATED PERSON, has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FIFTY-FIRST CAUSE OF ACTION ON BEHALF OF PLAINTIFF
CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN
INCAPACITATED PERSON BASED UPON A THEORY OF NEGLIGENT
SUPERVISION AS AGAINST ALL DEFENDANTS**

569. That the Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON repeats, reiterates and realleges each and every

allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND SIXTY-EIGHTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

570. While GAIL ROLLER was in the care, custody and control of defendants and/or each of them from approximately 1952 to 1955, defendants had a duty to supervise GAIL ROLLER, and to protect her from harm, abuse, assault and other harms, including but not limited to sexual assaults, as well as physical and emotional abuse, and were responsible for her care, well-being, and safety amongst other things.

571. Defendants breached their duty to properly supervise GAIL ROLLER, failed to properly carry out their duty to supervise her in her activities, and were negligent, careless and reckless in failing to properly supervise her and in failing to adequately protect her from harm, abuse, assault and other harms, including but not limited to physical and emotional abuse.

572. That as a result of this negligent supervision and breach of duty of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, GAIL ROLLER was subjected to physical and emotional abuse, and sustained serious and severe damage, harm and injuries, including but not limited to brain damage and cognitive impairment, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

573. That by reason of the foregoing, GAIL ROLLER, AN INCAPACITATED PERSON, has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FIFTY-SECOND CAUSE OF ACTION ON BEHALF OF PLAINTIFF
CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN
INCAPACITATED PERSON BASED UPON A THEORY OF NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS AGAINST ALL DEFENDANTS**

574. That the Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND SEVENTY-THIRD" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

575. Defendants and/or each of them had a duty to conduct appropriate and proper hiring and retention practices to prevent the hiring and retention of those who may pose a risk of harm, including physical and emotional abuse, to minors who had been entrusted to their care, custody and control.

576. Defendants and/or each of them had a duty to adequately and properly supervise those whom they did hire, in a reasonably prudent fashion, to prevent those they hired and retained from becoming a risk of harm, including but not limited to physical and emotional abuse, to those minors who had been entrusted to their care, custody and control including the plaintiff herein.

577. Defendants and/or each of them had a duty to prevent known risks of harm, and to prevent their staff from inflicting harm upon the children who had been entrusted to them including the plaintiff herein.

578. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure the safety and well-being of the children who had been entrusted to them including the plaintiff herein.

579. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they carried out their duties in a manner which reduced and/or eliminated the risk of harm, including physical and emotional abuse, to those who had been entrusted to their care, custody and control including the plaintiff herein.

580. Defendants and/or each of them had a duty to adequately supervise their staff so as to ensure that they did not physically and emotionally abuse, those who had been entrusted to their care, custody and control including the plaintiff herein.

581. Defendants breached their duty to conduct their hiring and retention practices in a reasonably prudent fashion, and to adequately and properly supervise their staff, including but not limited to the nuns and teachers at Mount Loretto, in a reasonably prudent fashion.

582. Defendants were negligent, careless and reckless in the manner in which they conducted their hiring and retention of staff, including but not limited to the nuns, staff, and employees, and hired and retained nuns, staff, and employees who not only permitted a culture of abuse, but in fact created a culture of abuse at Mount Loretto, and had a history of abusing those whom they were supposed to care for.

583. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, staff, and employees, and caused, allowed and permitted their staff to create a culture of abuse, and to permit that culture of abuse to exist and persist for decades at Mount Loretto.

584. Defendants were negligent, careless and reckless in the manner in which they supervised their staff, including but not limited to the nuns, staff, and employees, in that they failed to prevent them from physically and emotionally abusing the children who were residents at Mount Loretto including but not limited to Plaintiff GAIL ROLLER.

585. Defendants were negligent, careless and reckless in their failure to properly supervise their agents, servants, employees and staff so as to ensure that they were not physically and emotionally abusing, the children who were residents at Mount Loretto including but not limited to Plaintiff GAIL ROLLER.

586. That as a result of this negligent hiring, retention and supervision by defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, the Plaintiff GAIL ROLLER endured physical and emotional abuse, and sustained serious and severe damage, harm and injuries, including but not limited to brain damage and cognitive impairment, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

587. That by reason of the foregoing, the GAIL ROLLER, AN INCAPACITATED PERSON, has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FIFTY-THIRD CAUSE OF ACTION ON BEHALF OF PLAINTIFF
CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN
INCAPACITATED PERSON BASED UPON A THEORY OF NEGLIGENT
INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

588. That the Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND EIGHTY-SEVENTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

589. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the power, the ability and the authority, as well the duty, to stop the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in GAIL ROLLER suffering severe emotional distress.

590. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, had the duty to intervene to stop, prevent and prohibit the negligent, improper, unlawful and egregious conduct described hereinabove that resulted in GAIL ROLLER suffering severe emotional distress.

591. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, knew or should have known that the failure to properly act would and in fact did cause GAIL ROLLER to suffer severe emotional distress.

592. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, negligently failed to act to stop, prevent and/or prohibit the negligent, improper, unlawful and egregious conduct described hereinabove, thus resulting in GAIL ROLLER suffering severe emotional distress.

593. That as a result of the negligent infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, GAIL ROLLER endured physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

594. That by reason of the foregoing, , GAIL ROLLER, AN INCAPACITATED PERSON, has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FIFTY-FOURTH CAUSE OF ACTION ON BEHALF OF PLAINTIFF
CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN
INCAPACITATED PERSON BASED UPON A THEORY OF INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

595. That the Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "FIVE HUNDRED AND NINETY-FOURTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

596. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to GAIL ROLLER, with the intent to cause, and/or with reckless disregard of the probability of causing plaintiff GAIL ROLLER to suffer severe emotional distress.

597. Defendants and/or each of them, and/or their agents, servants, employees and/or staff, engaged in willful, contumacious, and outrageous conduct with respect to GAIL ROLLER, with the intent to degrade and abuse GAIL ROLLER, and/or to satisfy and gratify their own sick desires.

598. Defendants and/or each of them, and/or their agents, servants, employees and/or staff committed these horrific acts with malicious, abusive and oppressive intent, and with the likelihood of causing plaintiff GAIL ROLLER to suffer severe emotional distress.

599. That as a result of the intentional infliction of emotional distress of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, GAIL

ROLLER endured physical and emotional abuse, and sustained serious and severe damage, harm and injuries, and was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering and emotional distress, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

600. That by reason of the foregoing, the GAIL ROLLER, AN INCAPACITATED PERSON has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR A FIFTY-FIFTH CAUSE OF ACTION ON BEHALF OF
PLAINTIFF CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER,
AN INCAPACITATED PERSON BASED UPON A THEORY OF
BATTERY AGAINST ALL DEFENDANTS**

601. That the Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "SIX HUNDREDTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

602. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff amounted to harmful and offensive contacts to plaintiff GAIL ROLLER, all of which were done intentionally by the defendants and without plaintiff GAIL ROLLER's consent.

603. Such acts were of a physically and emotionally abusive nature, and were done without GAIL ROLLER's consent.

604. Such acts were done for the purposes of degrading and abusing GAIL ROLLER, and/or to gratify the sick desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

605. As a direct and proximate result of the battery by the defendants, GAIL ROLLER was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering including but not limited to brain damage and cognitive impairment, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

606. That as a result of the battery of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, GAIL ROLLER was caused to suffer severe and significant conscious pain and suffering, including psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

607. That by reason of the foregoing, GAIL ROLLER is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

608. That by reason of the foregoing, GAIL ROLLER, AN INCAPACITATED PERSON, has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

**AS AND FOR AN FIFTY-SIXTH CAUSE OF ACTION ON BEHALF
OF PLAINTIFF CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER,
AN INCAPACITATED PERSON BASED UPON A THEORY OF ASSAULT AGAINST
ALL DEFENDANTS**

609. That the Plaintiff CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON repeats, reiterates and realleges each and every allegation contained in of the Complaint set forth in paragraphs "FIRST" through "SIX HUNDRED AND EIGHTH" inclusive with the same force and effect as though said allegations were herein fully set forth at length.

610. The horrific acts of the defendants and/or each of them, and/or their agents, servants, employees and/or staff were intended to create and did in fact create a reasonable apprehension in GAIL ROLLER of immediate harmful and offensive contacts to GAIL ROLLER's person, all of which were done intentionally by the defendants and without plaintiff GAIL ROLLER's consent.

611. Such acts were both of a physically abusive nature, and were done intentionally by the defendants without GAIL ROLLER's consent.

612. Such acts were done for the purposes of degrading and abusing CAROL ROSA, and/or to gratify the sick sexual desires of the defendants and/or each of them, and/or their agents, servants, employees and/or staff.

613. As a direct and proximate result of the assault by the defendants, GAIL ROLLER was caused to suffer serious and severe personal injuries, emotional distress, conscious pain and suffering, psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

614. That as a result of the assault of defendants, and/or each of them, and/or their agents, servants, employees and/or staff as aforesaid, GAIL ROLLER was caused to suffer severe and significant conscious pain and suffering including but not limited to brain damage and cognitive impairment, as well as psychological suffering, emotional suffering, mental anguish and loss of enjoyment of life, and has incurred medical expenses and other economic damages and loss, and will continue to experience and incur these damages and losses in the future.

615. That by reason of the foregoing, GAIL ROLLER is entitled to compensatory damages from the defendants, and is further entitled to punitive and exemplary damages.

616. That by reason of the foregoing, the GAIL ROLLER, AN INCAPACITATED PERSON has been damaged in an amount in excess of the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over the Defendants herein.

STATEMENT REGARDING INTENT TO SEEK PUNITIVE DAMAGES

While not seeking punitive damages as a separate cause of action, Plaintiffs put Defendants on notice that Defendants' acts and omissions and statutory violations were wonton and reckless and evidence of disregard of the rights and safety of the general public and of each of the Plaintiffs. Punitive damages will be requested to punish Defendants and deter others from similar conduct.

WHEREFORE, ZAIDA RIVERA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the First Cause of Action.

WHEREFORE, ZAIDA RIVERA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Second Cause of Action.

WHEREFORE, ZAIDA RIVERA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Third Cause of Action.

WHEREFORE, ZAIDA RIVERA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fourth Cause of Action.

WHEREFORE, ZAIDA RIVERA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fifth Cause of Action.

WHEREFORE, ZAIDA RIVERA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Sixth Cause of Action.

WHEREFORE, ZAIDA RIVERA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Seventh Cause of Action.

WHEREFORE, ZAIDA RIVERA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Eighth Cause of Action.

WHEREFORE, JOHN RODRIGUEZ, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Ninth Cause of Action.

WHEREFORE, JOHN RODRIGUEZ, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Tenth Cause of Action.

WHEREFORE, JOHN RODRIGUEZ, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Eleventh Cause of Action.

WHEREFORE, JOHN RODRIGUEZ, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twelfth Cause of Action.

WHEREFORE, JOHN RODRIGUEZ, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirteenth Cause of Action.

WHEREFORE, JOHN RODRIGUEZ, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fourteenth Cause of Action.

WHEREFORE, JOHN RODRIGUEZ, demands a monetary judgment in the form of

damages against the Defendants and/or each of them, on the Fifteenth Cause of Action.

WHEREFORE, JOHN RODRIGUEZ, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Sixteenth Cause of Action.

WHEREFORE, THERESA REID, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Seventeenth Cause of Action.

WHEREFORE, THERESA REID, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Eighteenth Cause of Action.

WHEREFORE, THERESA REID, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Nineteenth Cause of Action.

WHEREFORE, THERESA REID, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twentieth Cause of Action.

WHEREFORE, THERESA REID, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-First Cause of Action.

WHEREFORE, THERESA REID, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-Second Cause of Action.

WHEREFORE, THERESA REID, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-Third Cause of Action.

WHEREFORE, THERESA REID, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-Fourth Cause of Action.

WHEREFORE, ROBIN CAMPBELL, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-Fifth Cause of Action.

WHEREFORE, ROBIN CAMPBELL, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-Sixth Cause of Action.

WHEREFORE, ROBIN CAMPBELL, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-Seventh Cause of Action.

WHEREFORE, ROBIN CAMPBELL, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-Eighth Cause of Action.

WHEREFORE, ROBIN CAMPBELL, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Twenty-Ninth Cause of Action.

WHEREFORE, ROBIN CAMPBELL, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirtieth Cause of Action.

WHEREFORE, ROBIN CAMPBELL, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirty-First Cause of Action.

WHEREFORE, ROBIN CAMPBELL, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirty-Second Cause of Action.

WHEREFORE, RUTH CORTES, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirty-Third Cause of Action.

WHEREFORE, RUTH CORTES, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirty-Fourth Cause of Action.

WHEREFORE, RUTH CORTES, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirty-Fifth Cause of Action.

WHEREFORE, RUTH CORTES, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirty-Sixth Cause of Action.

WHEREFORE, RUTH CORTES, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirty-Seventh Cause of Action.

WHEREFORE, RUTH CORTES, demands a monetary judgment in the form of

damages against the Defendants and/or each of them, on the Thirty-Eighth Cause of Action.

WHEREFORE, RUTH CORTES, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Thirty-Ninth Cause of Action.

WHEREFORE, RUTH CORTES, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fortieth Cause of Action.

WHEREFORE, CAROL ROSA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Forty-First Cause of Action.

WHEREFORE, CAROL ROSA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Forty-Second Cause of Action.

WHEREFORE, CAROL ROSA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Forty-Third Cause of Action.

WHEREFORE, CAROL ROSA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Forty-Fourth Cause of Action.

WHEREFORE, CAROL ROSA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Forty-Fifth Cause of Action.

WHEREFORE, CAROL ROSA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Forty-Sixth Cause of Action.

WHEREFORE, CAROL ROSA demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Forty-Seventh Cause of Action.

WHEREFORE, CAROL ROSA, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Forty-Eighth Cause of Action.

WHEREFORE, CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, demands a monetary judgment in the form of damages against the

Defendants and/or each of them, on the Forty-Ninth Cause of Action.

WHEREFORE, CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fiftieth Cause of Action.

WHEREFORE, CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fifty-First Cause of Action.

WHEREFORE, CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fifty-Second Cause of Action.

WHEREFORE, CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fifty-Third Cause of Action.

WHEREFORE, CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fifty-Fourth Cause of Action.

WHEREFORE, CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fifty-Fifth Cause of Action.

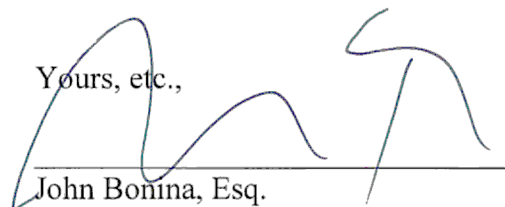
WHEREFORE, CAROL ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON, demands a monetary judgment in the form of damages against the Defendants and/or each of them, on the Fifty-Sixth Cause of Action, together with the costs and disbursements of this action.

PLAINTIFFS DEMAND A TRIAL BY JURY ON ALL ISSUES.

Dated: Brooklyn, New York
August 14, 2019

“I have read the foregoing and I certify that, upon information and belief, the source of which is the review of a file maintained by my office, that the foregoing Summons and Verified Complaint is not frivolous as defined in Subsection (c) of Section 130-1.1 of the Rules of the Chief Administrator.”

Yours, etc.,

A handwritten signature in blue ink, appearing to read 'John Bonina', is written over a horizontal line.

John Bonina, Esq.
Bonina & Bonina, P.C.
Attorneys for Plaintiffs
16 Court Street – Suite 1800
Brooklyn, New York 11241
Phone No.: (718) 522-1786

STATE OF NEW YORK, COUNTY OF KINGS ss:

I, the undersigned, am an attorney admitted to practice in the courts of New York, and

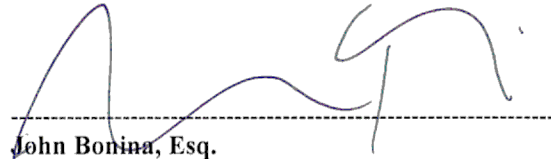
Attorney's
Certificationcertify that the annexed
has been compared by me with the original and found to be a true and complete copy thereof.Attorney's
Verification By
Affirmation

JOHN BONINA, ESQ. say that: I am the attorney of record, or of counsel with the attorney(s) of record, for the plaintiff(s). I have read the annexed **SUMMONS AND VERIFIED COMPLAINT**, know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based on the following. By a review of a file maintained in my office.

The reason I make this affirmation instead of Plaintiff(s) is Plaintiff(s) reside(s) in a County other than the one in which I maintain my office.

I affirm that the foregoing statements are true under penalties of perjury.

Dated: August 14, 2019



John Bonina, Esq.

STATE OF NEW YORK, COUNTY OF KINGS ss:

Individual
Verification

being sworn says: I am the plaintiff in the action herein; I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

Corporate
Verification

the _____ of
a corporation, one of the parties to the action; I have read the annexed
know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged
on information and belief, and as to those matters I believe them to be true.

My belief, as to those matters therein not stated upon knowledge, is based on the following:

Sworn to before me on

STATE OF NEW YORK, COUNTY OF KINGS

ss:

, being sworn says: I am not a party to the action, am over the age of 18 years of age and reside in

On, I served a true copy of the annexed in the following manner:

Service By
Mail

by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

Service by
E-filing

by E-filing the same with the Supreme Court – New York County to the addressee(s) as indicated below:

Service By
Electronic
Means

by transmitting the same to the attorney by electronic means to the telephone number or other station or other limitation designated by the attorney for that purpose. In doing so I received a signal from the equipment of the attorney indicating that the transmission was received, and mailed a copy of same to that attorney, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as I indicated below:

Service By
Overnight
Delivery

by depositing the same with an overnight delivery service in a wrapper properly addressed. Said delivery was made prior to the latest time designated by the overnight delivery service for overnight delivery. The address and delivery service are indicated below:

Sworn to before me on

Index No.:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

ZAIDA RIVERA (FORMERLY KNOWN AS ZAIDA GONZALEZ); JOHN RODRIGUEZ;
THERESA REID (FORMERLY KNOWN AS THERESA PRINCE); ROBIN CAMPBELL
(FORMERLY KNOWN AS ROBIN MILLER); RUTH CORTES (FORMERLY KNOWN AS
RUTH FOSTER); CAROL ROSA (FORMERLY KNOWN AS CAROL ROLLER); AND CAROL
ROSA AS PROPOSED GUARDIAN OF GAIL ROLLER, AN INCAPACITATED PERSON,

Plaintiffs,

-against-

ARCHDIOCESE OF NEW YORK, CATHOLIC CHARITIES OF STATEN ISLAND,
CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEW YORK, MOUNT LORETTO
CATHOLIC MISSION, THE MISSION OF THE IMMACULATE VIRGIN FOR THE
PROTECTION OF HOMELESS AND DESTITUTE CHILDREN, SISTERS OF ST. FRANCIS
OF THE IMMACULATE VIRGIN, AND SISTERS OF ST. FRANCIS OF THE NEUMANN
COMMUNITIES,

Defendants.

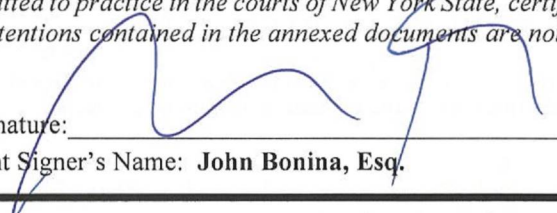
SUMMONS AND VERIFIED COMPLAINT

BONINA & BONINA, P.C.

Attorneys for *Plaintiff(s)*
16 Court Street, Suite 1800
Brooklyn, New York 11241
Tele. No.: (718) 522-1786
Fax No.: (718) 243-0414

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies, that, upon information and belief and reasonable inquiry, the contentions contained in the annexed documents are not frivolous.

Dated: **August 14, 2019**

Signature: 

Print Signer's Name: **John Bonina, Esq.**

Service of a copy of the within

Dated:

is hereby admitted.

Attorney(s) for

PLEASE TAKE NOTICE



Notice of
Entry

that the within is a (certified) true copy of a entered in the office of the clerk of the within named Court on



Notice of
Settlement

that an Order of which the within is a true copy will be presented for settlement to the Hon.
one of the judges of the within named Court,
at _____ on _____ 20____, at _____ M.

Dated:

BONINA & BONINA, P.C.

Attorneys for Plaintiff(s)
16 COURT STREET
BROOKLYN, N.Y. 11241

To:

Attorney(s) for

{00161041}