

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

-----X
RONALD SANTEE SR.,

Plaintiff(s),

-against-

ROMAN CATHOLIC DIOCESE OF ALBANY AND
ST. MICHAEL THE ARCHANGEL ROMAN
CATHOLIC CHURCH,

Defendant(s).

-----X

To the above named Defendant(s)

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 attorney(s) within twenty days after the services 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: Port Washington, NY
September 12, 2019

By: 

Brett A. Zekowski

Parker Waichman LLP

Office & Post Office Address:

6 Harbor Park Drive

Port Washington, NY 11050

(516) 466-6500

Our File # 9003458

TO:

Roman Catholic Diocese of Albany
40 N Main Ave #4
Albany, NY 12203

St. Michael the Archangel Roman Catholic Church
175 Williams Road
Troy, New York 12180

SUMMONS

Plaintiff(s) designate Albany
County as the place of trial.

The basis of the venue is
Defendant's Place of Business

Plaintiff(s) reside at
13 John Street
Taberg, New York 13471

Index No.:
Date Summons &
Complaint Filed:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY-----X
RONALD SANTEE SR.,

Plaintiff,

-against-

ROMAN CATHOLIC DIOCESE OF ALBANY AND
ST. MICHAEL THE ARCHANGEL ROMAN
CATHOLIC CHURCH,Defendant(s).
-----X

VERIFIED COMPLAINT

Index No.:

Jury Trial Demanded

Plaintiff, RONALD SANTEE, SR., by his attorneys Parker Waichman LLP, complaining of the defendants, respectfully alleges, on personal knowledge as to himself and on information and belief as to all other matters, as follows:

1. At the time of the commencement of this action plaintiff, RONALD SANTEE, SR. was a resident of the County of Oneida, State of New York.
2. At the time of the incident(s) giving rise to this complaint, plaintiff, RONALD SANTEE, SR., was a resident of the County of Oneida, State of New York.
3. This action is timely pursuant to CPLR 214-g.
4. At all times herein mentioned, defendant, ROMAN CATHOLIC DIOCESE OF ALBANY was a religious corporation organized pursuant to the Religious Corporations Law, with its principal office at 40 North Main Street, #4, Albany, New York 12203.
5. At all times herein mentioned, defendant, ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH was a religious corporation organized pursuant to the Religious Corporations Law with its principal office at 175 Williams Road, Troy, New York 12180.
6. At all times herein mentioned, ST. MICHAEL THE ARCHANGEL ROMAN

CATHOLIC CHURCH was a Roman Catholic Church or parish within and under the authority of ROMAN CATHOLIC DIOCESE OF ALBANY.

7. At all times herein mentioned, defendant ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH was a Roman Catholic Church located at 175 Williams Road, Troy, New York 12180.

8. At all times herein mentioned ROMAN CATHOLIC DIOCESE OF ALBANY oversaw, managed, controlled, directed and operated ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

9. At all times herein mentioned ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH oversaw, managed, controlled, directed and operated ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

10. At all times herein mentioned ROMAN CATHOLIC DIOCESE OF ALBANY managed, supervised and controlled those who were employed or otherwise worked for ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH including, but not limited to priests, nuns and other personnel and volunteers, both while they were on premises and engaged in off-premises activities related to their employment with ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

11. At all times herein mentioned ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH managed, supervised and controlled those who were employed or otherwise worked for ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH including, but not limited to priests, nuns and other personnel and volunteers, both while they were on premises and engaged in off-premises activities related to their employment with ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

12. From on or about 1976 plaintiff, RONALD SANTEE, SR., became a parishioner of parish ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH through on or about 1978.

13. At all times herein mentioned and relevant to the allegations set forth herein Howard James Hubbard was a Bishop assigned as by Defendant ROMAN CATHOLIC DIOCESE OF ALBANY.

14. At all times herein mentioned and relevant to the allegations set forth herein Joseph Mato was a Priest assigned as a priest by Defendant ROMAN CATHOLIC DIOCESE OF ALBANY to ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

15. At all times herein mentioned, Howard James Hubbard was employed by the ROMAN CATHOLIC DIOCESE OF ALBANY.

16. At all times herein mentioned, Howard James Hubbard was employed by ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

17. At all times herein mentioned, Joseph Mato was employed by the ROMAN CATHOLIC DIOCESE OF ALBANY.

18. At all times herein mentioned, Joseph Mato was employed by ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

19. Through his position with ROMAN CATHOLIC DIOCESE OF ALBANY, Howard James Hubbard was put in direct contact with Plaintiff, RONALD SANTEE, SR., then an infant.

20. Through his position with ROMAN CATHOLIC DIOCESE OF ALBANY, Joseph Mato was put in direct contact with Plaintiff, RONALD SANTEE, SR., then an infant.

21. That on or about 1976-1978, Howard James Hubbard sexually abused the plaintiff, RONALD SANTEE, SR.

22. That on or about 1976-1978, James Mato sexually abused the plaintiff, RONALD SANTEE, SR.,

23. At all times herein mentioned, Howards James Hubbard was under the management, supervision, employ, direction and/or control of Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

24. At all times herein mentioned, Joseph Mato was under the management, supervision, employ, direction and/or control of Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

25. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH knew and/or reasonably should have known and/or knowingly condoned and/or covered up, the inappropriate and unlawful sexual activities of Howard James Hubbard who sexually abused the Plaintiff, RONALD SANTEE, SR., while Plaintiff, RONALD SANTEE, SR., was an infant.

26. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH knew and/or reasonably should have known and/or knowingly condoned and/or covered up, the inappropriate and unlawful sexual activities of Joseph Mato who sexually abused the Plaintiff, RONALD SANTEE, SR., while Plaintiff, RONALD SANTEE, SR., was an infant.

27. Defendants, ROMAN CATHOLIC DIOCESE OF ALBANY had the responsibility to manage, supervise, control and/or direct priests assigned to ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

28. Defendants, ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH had the responsibility to manage, supervise, control and/or direct priests assigned to

ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

29. At all relevant times, ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH had a duty not to aid pedophiles such as Howard James Hubbard by assigning, maintaining and/or appointing he/she to positions in which he/she would have access to minors.

30. At all relevant times, ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH had a duty not to aid pedophiles such as Howard James Hubbard by assigning, maintaining and/or appointing he/she to positions in which he/she would have access to minors.

31. At all relevant times, ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH had a duty not to aid pedophiles such as Joseph Mato by assigning, maintaining and/or appointing he/she to positions in which he/she would have access to minors.

32. At all relevant times, Howard James Hubbard used his position as a Bishop to entice, take control of Ronald Santee, Sr. and sexually assault, sexually abuse or have sexual contact with Ronald Santee, Sr. while plaintiff, RONALD SANTEE, SR. was a minor.

33. At all relevant times, Joseph Mato used his position as a Priest to entice, take control of Ronald Santee, Sr. and sexually assault, sexually abuse or have sexual contact with Ronald Santee, Sr. while plaintiff, RONALD SANTEE, SR., was a minor.

34. Through their positions at ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH within or for the others Howard James Hubbard and Joseph Mato were put in direct contact with plaintiff, RONALD SANTEE, SR., an infant parishioner of ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

35. Howard James Hubbard and Joseph Mato used their encounters with plaintiff,

RONALD SANTEE, SR., , gained through their positions at ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH which granted them access to defendants' youngest parishioners, to sexually assault, sexually abuse and/or have sexual contact with plaintiff, RONALD SANTEE, SR., in violation of the laws of the State of New York.

36. Defendants, individually, jointly and/or severally, violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§413 and 420, which require school officials and teachers to report suspected cases of child abuse and impose liability for failure to report.

37. Plaintiff, RONALD SANTEE, SR., suffered physical and psychological injuries and damages as a result of his childhood sexual abuse by Howard James Hubbard and Joseph Mato.

38. As a direct result of defendants' conduct, Plaintiff, RONALD SANTEE, SR., suffered and will continue to suffer great pain of body and mind, severe and permanent emotional distress and physical manifestations of emotional distress. As a result of his childhood sexual abuse, plaintiff, RONALD SANTEE, SR., has been prevented from obtaining the full enjoyment of life, has incurred and will continue to incur expenses for medical and psychological treatment, therapy and counseling and has incurred and will continue to incur loss of income and/or loss of earning capacity.

39. Because of his childhood sexual abuse, Plaintiff, RONALD SANTEE, SR., is unable to fully describe all of the details of that abuse and the extent of the harm that he suffered as a result.

**AS AND FOR A FIRST CAUSE OF ACTION
NEGLIGENT HIRING, RETENTION, SUPERVISION AND/OR DIRECTION**

40. Plaintiff, RONALD SANTEE, SR., repeats and realleges each and every allegation set forth in paragraphs 1 through 36 as if fully set forth herein.

41. The sexual abuse of children by adults, including priests and teachers, is foreseeable.

42. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY at all relevant times represented and held out to the public ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH to be safe places for learning and participating in youth activities.

43. At all relevant times, defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were each under an express and/or implied duty to protect and care for plaintiff, RONALD SANTEE, SR.

44. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH negligently hired, retained, directed and supervised Howard James Hubbard and Joseph Mato because they knew or should have known that Howard James Hubbard and Joseph Mato posed a threat of sexual abuse of children such as plaintiff, RONALD SANTEE, SR.,

45. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH knew or should have known that Howard James Hubbard and Joseph Mato had propensities to engage in the conduct which caused plaintiff, RONALD SANTEE, SR., 's injuries prior to or about the time of the occurrence of these injuries.

46. Howard James Hubbard sexually assaulted, sexually abused and/or had sexual contact with plaintiff, RONALD SANTEE, SR., on Defendants' premises, including the rectory belonging to ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH where sexual abuse occurred.

47. Joseph Mato sexually assaulted, sexually abused and/or had sexual contact with

plaintiff, RONALD SANTEE, SR., on Defendants' premises, including the rectory belonging to ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH where sexual abuse occurred.

48. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY were put on notice of Howard James Hubbard's improper and inappropriate actions toward minors.

49. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY were put on notice of Joseph Mato's improper and inappropriate actions toward minors.

50. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were negligent in failing to properly supervise Howard James Hubbard.

51. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were negligent in failing to properly manage Howard James Hubbard.

52. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were negligent in failing to properly control Howard James Hubbard.

53. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were negligent in failing to properly supervise Joseph Mato.

54. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were negligent in failing to properly manage Joseph Mato.

55. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were negligent in failing to properly

control Joseph Mato.

56. At all relevant times, defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were willful, wanton, malicious, reckless and/or outrageous in their disregard for the rights and safety of plaintiff, RONALD SANTEE, SR.

57. As a direct and proximate result of defendants' above described omissions, plaintiff, RONALD SANTEE, SR., has suffered and will continue to suffer the injuries described herein.

58. By reason of the foregoing, the Defendants are liable to plaintiff, RONALD SANTEE, SR., jointly, severally and/or in the alternative, for compensatory damages and punitive damages, together with costs and interest in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

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

59. Plaintiff, RONALD SANTEE, SR., repeats and realleges each and every allegation set forth in paragraphs 1 through 55 as if fully set forth herein.

60. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH knew or negligently failed to know that Howard James Hubbard and Joseph Mato posed a threat of sexual abuse to children.

61. The acts of Howard James Hubbard and Joseph Mato as described above, were undertaken, enabled by, and/or during the course of their respective employment, assignment, appointment and/or agency with defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGE ROMAN CATHOLIC CHURCH.

62. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL

THE ARCHANGEL ROMAN CATHOLIC CHURCH:

- a. gave improper or ambiguous orders or failed to make proper regulations, and/or employed improper persons in work involving risk of harm to others;
- b. failed to adequately supervise the activities of Howard James Hubbard and Joseph Mato;
- c. permitted and/or intentionally failed and/or neglected to prevent negligent or tortious conduct by persons, whether or not their servants, agents or employees, upon premises under their control; and
- d. allowed the acts of omission and/or commission of any or all of the allegations set forth in this Complaint to occur.

63. At all relevant times Howard James Hubbard was under the supervision, employ, direction and/or control of defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

64. At all relevant times Joseph Mato was under the supervision, employ, direction and/or control of defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

65. At all relevant times, defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were wanton, willful, malicious, reckless and outrageous in their disregard for the rights and safety of plaintiff, RONALD SANTEE, SR., which conduct was equivalent to criminal conduct.

66. As a direct and/or indirect result of said conduct, Plaintiff, RONALD SANTEE, SR., has suffered injuries and damages as described herein.

67. By reason of the foregoing, defendants jointly, severally and/or in the alternative are liable to plaintiff, RONALD SANTEE, SR., for compensatory damages and for punitive

damages, together with interest and costs in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**THIRD CAUSE OF ACTION
BREACH OF FIDUCIARY DUTY**

68. Plaintiff, RONALD SANTEE, SR., repeats and realleges each and every allegation set forth in paragraphs 1 through 64 as if fully set forth herein.

69. At all relevant times, there existed a fiduciary relationship of trust, confidence, and reliance between plaintiff, RONALD SANTEE, SR., on the one hand and defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH based upon the entrustment of plaintiff, RONALD SANTEE, SR., while he was a minor child, to the care and supervision of the defendants and each of them, as a parishioner, worshiper, invitee, attendee, employee or guest at ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH. The entrustment of the plaintiff, RONALD SANTEE, SR., to the care and supervision of the defendants and each of them, while plaintiff, RONALD SANTEE, SR., was a minor child, required the defendants to assume a fiduciary role and to act in the best interests of the plaintiff, RONALD SANTEE, SR., and to protect him while he was a minor and vulnerable child.

70. Pursuant to their fiduciary relationship with Plaintiff, RONALD SANTEE, SR., defendants were entrusted with the well-being, care and safety of Plaintiff, RONALD SANTEE, SR.,

71. Pursuant to their fiduciary relationship with Plaintiff, RONALD SANTEE, SR., defendants assumed a duty to act in the best interests of Plaintiff, RONALD SANTEE, SR., .

72. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH breached their fiduciary duties to plaintiff,

RONALD SANTEE, SR.,

73. At all relevant times, the actions and/or inactions of ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH were willful, malicious, wanton, reckless and outrageous in their disregard for the rights and safety of plaintiff, RONALD SANTEE, SR.

74. As a direct result of defendants' conduct, plaintiff, RONALD SANTEE, SR. has suffered injuries and damages described herein.

75. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative are liable to plaintiff, RONALD SANTEE, SR., for compensatory damages and for punitive damages, together with interest and costs in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**FOURTH CAUSE OF ACTION
BREACH OF NON-DELEGABLE DUTY**

76. Plaintiff, RONALD SANTEE, SR., repeats and realleges each and every allegation set forth in paragraphs 1 through 72 as of fully set forth herein.

77. When he was a minor, plaintiff, RONALD SANTEE, SR. was an employee at the rectory of ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH. Thus, there was created a non-delegable duty of trust between plaintiff, RONALD SANTEE, SR., and defendants.

78. Plaintiff, RONALD SANTEE, SR., was a vulnerable child when he was employed at the rectory of ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH.

79. Defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH and each of them, were in the best position to prevent plaintiff, RONALD SANTEE, SR., from being abused and/or to have learned of the repeated abuse by Howard James Hubbard and Joseph Mato and to have stopped it.

80. As evidenced by the fact that plaintiff, RONALD SANTEE, SR., was sexually abused as a minor child employed by the defendants, these defendants breached their non-delegable duty to plaintiff, RONALD SANTEE, SR.

81. At all relevant times, defendant ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH was under the supervision, employment, direction and/or control of defendants ROMAN CATHOLIC DIOCESE OF ALBANY.

82. As a result of the sexually abusive conduct of Howard James Hubbard and Joseph Mato plaintiff, RONALD SANTEE, SR. suffered the injuries and damages described herein, the full extent of which is unknown at present.

83. By reason of the foregoing, defendants jointly, severally and/or in the alternative are liable to plaintiff, RONALD SANTEE, SR., for compensatory damages and for punitive damages, together with interest and costs in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**FIFTH CAUSE OF ACTION
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

84. Plaintiff, RONALD SANTEE, SR., repeats and realleges each and every allegation set forth in paragraphs 1 through 80 above as if set forth at length herein.

85. As described above, defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH acted in a negligent and/or grossly negligent manner.

86. The actions of defendants ROMAN CATHOLIC DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH endangered plaintiff, RONALD SANTEE, SR., 's safety and caused him to fear for his own safety.

87. As a direct and proximate result of the actions of defendants ROMAN CATHOLIC

DIOCESE OF ALBANY and ST. MICHAEL THE ARCHANGEL ROMAN CATHOLIC CHURCH which included, but were not limited to, negligent and/or grossly negligent conduct, plaintiff, RONALD SANTEE, SR., suffered severe injuries and damages as described herein, including, but not limited to, mental and emotional distress.

88. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative are liable to plaintiff, RONALD SANTEE, SR., for compensatory damages and for punitive damages, together with costs and interest in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**SIXTH CAUSE OF ACTION
SEXUAL ABUSE
(AS TO DEFENDANT(S) JOHN DOE)**

89. Plaintiff, RONALD SANTEE, SR., repeats and realleges each and every allegation set forth in paragraphs 1 through 85 as if fully set forth herein.

90. Howard James Hubbard and Joseph Mato did sexually assault, sexually abuse, and/or have sexual contact with plaintiff, RONALD SANTEE, SR., in violation of the laws of the State of New York.

91. By repeatedly sexually assaulting, sexually abusing and/or having sexual contact with plaintiff, RONALD SANTEE, SR., Howard James Hubbard and Joseph Mato placed plaintiff, RONALD SANTEE, SR., in imminent and reasonable apprehension of harmful and offensive contact.

92. By repeatedly sexually assaulting, sexually abusing and/or having sexual contact with plaintiff, RONALD SANTEE, SR., Howard James Hubbard and Joseph Mato acted so as to cause repeated unjustified, harmful and offensive physical contact with plaintiff, RONALD SANTEE, SR.,

93. As a direct result of defendants' conduct, plaintiff, RONALD SANTEE, SR. has

suffered the injuries and damages described herein.

94. By reason of the foregoing, defendants jointly, severally and/or in the alternative are liable to plaintiff, RONALD SANTEE, SR., for compensatory damages and for punitive damages, together with interest and costs in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, plaintiff, RONALD SANTEE, SR., demands judgment against defendants on each cause of action as follows:

- A. Awarding compensatory damages in an amount to be proven at trial, but in any event in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction;
- B. Awarding punitive damages to the extent permitted by law;
- C. Awarding prejudgment interest to the extent permitted by law;
- D. Awarding costs and fees of this action, including attorneys' fees, to the extent permitted by law;
- E. Awarding such other and further relief as to this Court may seem just and proper.

JURY DEMAND

Plaintiff, RONALD SANTEE, SR., demands a trial by jury on all issues so triable.

Dated: Port Washington, New York
September 12, 2019

Yours, etc.



Brett A. Zekowski
Parker Waichman LLP
Attorneys for Plaintiff
RONALD SANTEE, SR., (s)
Office & Post Office Address
6 Harbor Park Drive
Port Washington, NY 11050
516-466-6500
Our File # 9003458

ATTORNEYS VERIFICATION

COUNTY OF NASSAU)

Brett A. Zekowski

NYSCEF NO. NO. 1

RECEIVED NYSCEF: 10/03/2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

RONALD SANTEE SR.,

Plaintiff(s),

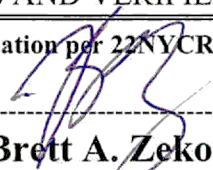
-against-

ROMAN CATHOLIC DIOCESE OF ALBANY AND ST. MICHAEL THE ARCHANGEL ROMAN
CATHOLIC CHURCH

Defendant(s).

SUMMONS AND VERIFIED COMPLAINT

Certification per 22NYCRR §130-1.1a


Brett A. Zekowski
Parker Waichman LLP
Attorneys for Plaintiff(s)
6 Harbor Park Drive
Port Washington, NY 11050
(516) 466-6500

To:
Attorney(s) for

Service of a copy of the within is hereby admitted.

Dated:
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 2019 .

NOTICE that an Order of which the within is a true copy will be presented to the Hon. , one of the
OF
SETTLEMENT judges of the within named Court, at ,
, on
2019, at M.

Dated:

Parker Waichman LLP
Attorneys for Plaintiff(s)

TO: