

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

LIAM COMERY, X

Plaintiff,

-against-

ARCHDIOCESE OF NEW YORK, THE NEW YORK
PROVINCE OF THE SOCIETY OF JESUS, THE USA
NORTHEAST PROVINCE OF THE SOCIETY
OF JESUS, THE USA EAST PROVINCE OF THE
SOCIETY OF JESUS, and REGIS HIGH SCHOOL,

Defendants.

X

Date Index No. Purchased:

Index No.:

Plaintiff designates New York
County as the place of trial.

The basis of venue is
Defendant's residence.

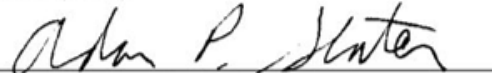
SUMMONS

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 Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
June 18, 2021

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 922-0906

-and-



By: Gary Certain, Esq.
CERTAIN & ZILBERG, PLLC
Counsel for Plaintiff
488 Madison Avenue, 20th Floor
New York, New York 10022
(212) 687-7800

TO: **ARCHDIOCESE OF NEW YORK**
1011 1st Avenue
New York, NY 10022

THE NEW YORK PROVINCE OF THE SOCIETY OF JESUS,
THE USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS, and
THE USA EAST PROVINCE OF THE SOCIETY OF JESUS
39 East 83rd Street
New York, NY 10028

REGIS HIGH SCHOOL
55 East 84th Street
New York, New York 10028

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

LIAM COMERY,

X

Date Filed:
Index No.:

Plaintiff,

-against-

VERIFIED COMPLAINT

ARCHDIOCESE OF NEW YORK, THE NEW YORK
PROVINCE OF THE SOCIETY OF JESUS, THE USA
NORTHEAST PROVINCE OF THE SOCIETY
OF JESUS, THE USA EAST PROVINCE OF THE
SOCIETY OF JESUS, and REGIS HIGH SCHOOL,

Defendants.

X

Plaintiff, LIAM COMERY (“Plaintiff”), by his attorneys Slater Slater Schulman LLP and Certain & Zilberg, PLLC, brings this action against the ARCHDIOCESE OF NEW YORK (“Archdiocese”), THE NEW YORK PROVINCE OF THE SOCIETY OF JESUS, THE USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS, with THE USA EAST PROVINCE OF THE SOCIETY OF JESUS (collectively, “Jesuits”), and REGIS HIGH SCHOOL (“School”) (all collectively, “Defendants”) and alleges, on personal knowledge as to himself and on information and belief as to all other matters, as follows:

JURISDICTION AND VENUE

1. This action is brought pursuant to the Child Victims Act (“CVA”). *See* CPLR § 214-g and 22 NYCRR 202.72; as it alleges physical, psychological and emotional injuries/damages suffered as a result of conduct against an infant that constitutes one or more sexual offenses as defined in Article 130 of the New York Penal Law, including without limitation, conduct constituting a forcible touching (consisting of sexual contact) (N.Y. Penal Law § 130.52), and/or sexual abuse (consisting of sexual contact) (N.Y. Penal Law §§ 130.55 - 130.65).

2. This Court has personal jurisdiction over the Archdiocese pursuant to CPLR §§ 301 and 302, in that the Archdiocese either resides in New York or conducts, or at relevant times conducted, activities in New York that give rise to the claims asserted herein.

3. This Court has personal jurisdiction over the Jesuits pursuant to CPLR §§ 301 and 302, in that the Jesuits either reside in New York or conduct, or at relevant times conducted, activities in New York that give rise to the claims asserted herein.

4. This Court has personal jurisdiction over the School pursuant to CPLR §§ 301 and 302, in that the School either resides in New York or conducts, or at relevant times conducted, activities in New York that give rise to the claims asserted herein.

5. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

6. Venue for this action is proper in the County of New York pursuant to CPLR § 503 in that Defendants reside in this County, and a substantial part of the events or omissions giving rise to the claims asserted herein occurred here.

PARTIES

7. Whenever reference is made to any defendant entity, such reference includes that entity, its parent companies, subsidiaries, affiliates, predecessors, and successors. In addition, whenever reference is made to any act, deed, or transaction of any entity, the allegation means that the entity engaged in the act, deed, or transaction by or through its officers, directors, agents, employees, or representatives while they were actively engaged in the management, direction, control, or transaction of the entity's business affairs.

8. Plaintiff is an individual residing in Sullivan County, Pennsylvania. Plaintiff was an infant at the time of the sexual abuse alleged herein.

9. At all times material to the Verified Complaint, the Archdiocese was and continues to be a non-profit religious corporation, organized exclusively for charitable, religious, and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.

10. At all times material to the Verified Complaint, the Archdiocese was and remains authorized to conduct business under the laws of the State of New York.

11. At all times material to the Verified Complaint, the Archdiocese's principal place of business is 1011 1st Avenue, New York, New York 10022.

12. At all times material to the Verified Complaint, the Archdiocese oversaw and continues to oversee a variety of liturgical, sacramental, educational, and faith formation programs.

13. At all times material to the Verified Complaint, the Archdiocese had and continues to have various programs that seek out the participation of children in its activities.

14. At all times material to the Verified Complaint, the Archdiocese, through its agents, servants, and/or employees had and continues to have control over those activities involving children.

15. At all times material to the Verified Complaint, the Archdiocese had and continues to have the power to employ individuals working with and/or alongside children, providing said children with guidance and/or instruction under the auspices of the Archdiocese, including but not limited to those at the School.

16. At all times material to the Verified Complaint, the Jesuits were and continue to be a non-profit religious entity.

17. At all times material to the Verified Complaint, the Jesuits were and remain authorized to conduct business under the laws of the State of New York.

18. At all times material to the Verified Complaint, the Jesuits' principal place of business is 39 East 83rd Street, New York, New York 10028.

19. At all times material to the Verified Complaint, the Jesuits are an organization of Catholic clergy and priests serving the Catholic Church in educational and religious ministries.

20. Upon information and belief, THE NEW YORK PROVINCE OF THE SOCIETY OF JESUS served all of downstate New York, including New York City, from 1944 to 1969 and all of New York, including New York City, from 1969 to 2014.

21. Upon information and belief, in 2014, THE NEW YORK PROVINCE OF THE SOCIETY OF JESUS was joined by the New England Province of the Society of Jesus to form THE USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS, which from 2014 to 2020 served all of New York, including New York City.

22. In 2020, THE USA NORTHEAST PROVINCE OF THE SOCIETY OF JESUS was joined by the Maryland Province of the Society of Jesus to form THE USA EAST SOCIETY OF JESUS, which since 2020 has been and is currently, serving all of New York, including New York City.

23. At all times material to the Verified Complaint, the Jesuits oversaw and continue to oversee a variety of liturgical, sacramental, educational, and faith formation programs.

24. At all times material to the Verified Complaint, the Jesuits had and continue to have various programs that seek out the participation of children in their activities.

25. At all times material to the Verified Complaint, the Jesuits, through its agents, servants, and/or employees had and continue to have control over those activities involving children.

26. At all times material to the Verified Complaint, the Jesuits had and continue to have the power to employ individuals working with and/or alongside children, providing said children with guidance and/or instruction under the auspices of the Archdiocese, including but not limited to, those at the School.

27. At all times material to the Verified Complaint, the Jesuits are a Roman Catholic religious order operating under the control of the Archdiocese.

28. At all times material to the Verified Complaint, the Jesuits are a Roman Catholic religious order operating for the benefit of the Archdiocese.

29. At all times material to the Verified Complaint, the School's principal place of business is 55 East 84th Street, New York, New York 10028.

30. At all times material to the Verified Complaint, the School is an educational facility affiliated with, associated with, or operating under the control of the Archdiocese.

31. At all times material to the Verified Complaint, the School is an educational facility affiliated with, associated with, or operating under the control of the Jesuits.

32. At all times material to the Verified Complaint, the School is an educational facility affiliated with, associated with, or operating for the benefit of the Jesuits.

33. At all times material to the Verified Complaint, the School was and continue to be licensed to conduct business as a school in the State of New York.

34. At all times material to the Verified Complaint, the School had and continues to have various programs that seek out the participation of children in its activities.

35. At all times material to the Verified Complaint, the School, through its agents, servants, and/or employees had and continues to have control over those activities involving children.

36. At all times material to the Verified Complaint, the School had and continues to have the power to employ individuals working with and/or alongside children, providing said children with guidance and/or instruction under the auspices of the Archdiocese, Jesuits, and School.

37. At all times material to the Verified Complaint, Father Gerald R. Rippon (“Abuser”) was an agent, servant, and/or employee of the School.

38. At all times material to the Verified Complaint, Abuser was an agent, servant, and/or employee of the Archdiocese.

39. At all times material to the Verified Complaint, Abuser was an agent, servant, and/or employee of the Jesuits.

40. At all times material to the Verified Complaint, while an agent, servant, and/or employee of the Defendants, Abuser remained under the control and supervision of the Defendants.

41. The Defendants placed Abuser in positions where he had immediate access to children.

42. The Defendants placed Abuser in positions where he had unfettered and prolonged unsupervised access to children.

BACKGROUND

43. By tradition, Roman Catholics and those within their custody and control, including Plaintiff, are taught to hold religious figures in the highest esteem as earthly representatives of God, and that religious figures, unlike lay people, belong to a separate and higher state in life, which Defendants represent to be of divine origin and which they represent, entitles them to special privileges. For these and other reasons relating to the practice of the Church, religious figures and other individuals in leadership positions in the Church have traditionally occupied positions of great trust, respect, and allegiance among adults and children, including Plaintiff.

44. The pattern and practice of intentionally refusing and/or failing to disclose the identities and locations of sexually inappropriate and/or abusive clerics/vowed religious members/officials has been practiced by the Archdiocese for decades and continues through

current day. The failure to disclose the identities of allegedly sexually inappropriate and/or abusive clerics/vowed religious members/officials is unreasonable and knowingly or recklessly creates or maintains a condition that endangers the safety and health of members of the public, and more specifically, Plaintiff herein.

45. Further, Roman Catholic Church officials, including Defendants herein, have used their power and influence to prevent victims and their families from disclosing allegations of abuse.

FACTS

46. Plaintiff was raised in a Roman Catholic family and, in or around the year 1968, when Plaintiff was approximately about fourteen (14) years old, Plaintiff began attending the School, within and under the auspices of the Archdiocese and Jesuits.

47. At all relevant times, Plaintiff participated in educational activities at the School.

48. Plaintiff received religious and educational instruction from the School.

49. At all relevant times, Plaintiff participated in educational activities through the Jesuits.

50. Plaintiff received religious and educational instruction from the Jesuits.

51. Abuser, under the auspices of the Defendants, provided educational and religious instruction to the infant Plaintiff.

52. During and through these activities, Plaintiff, as a minor and vulnerable child, was dependent on the Defendants and Abuser.

53. During and through these religious instructional activities, the Defendants had custody of Plaintiff and accepted the entrustment of Plaintiff.

54. During and through these activities, the Defendants had assumed the responsibility of caring for Plaintiff and had authority over him.

55. Through Abuser's positions at, within, or for the School, Abuser was put in direct contact with Plaintiff, a student at the School. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Abuser, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

56. Through Abuser's positions at, within, or for the Archdiocese, Abuser was put in direct contact with Plaintiff. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Abuser, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

57. Through Abuser's positions at, within, or for the Jesuits, Abuser was put in direct contact with Plaintiff. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Abuser, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

58. On multiple occasions, while Plaintiff was a minor, Abuser, while acting as a priest, counselor, teacher, trustee, director, officer, employee, agent, servant and/or volunteer of the Defendants herein, sexually assaulted, sexually abused, and/or had sexual contact with Plaintiff in violation of the laws of the State of New York, including the New York State Penal Law, Article 130.

59. Specifically, Abuser's abuse of the then infant Plaintiff included, but was not limited to, exposing, touching, fondling, and groping then infant Plaintiff's bare genitals and forcing then infant Plaintiff to touch and fondle Abuser's exposed bare genitals.

60. The abuse occurred approximately in or around the year 1969 when Plaintiff was approximately fifteen (15) years old.

61. The abuse occurred at the School in Abuser's office approximately three (3) times over the course of a semester.

62. Plaintiff's relationship to the Defendants, as a vulnerable minor, parishioner, and participant in the Defendants' educational and religious instructional activities, was one in which Plaintiff was subject to the Defendants' ongoing influence. The dominating culture of the Catholic Church over Plaintiff pressured Plaintiff not to report Abuser's sexual abuse of him.

63. At no time did the Defendants ever send an official, a member of the clergy, an investigator or any employee or independent contractor to the School to advise or provide any form of notice to the parishioners, students and/or their families, either verbally or in writing that there were credible allegations against Abuser and to request that anyone who saw, suspected, or suffered sexual abuse to come forward and file a report with the police department. Rather, the Defendants remained silent.

64. As a result of the Defendants' conduct described herein, Plaintiff has and will continue to suffer personal physical and psychological injuries, including but not limited to great pain of mind and body; severe and permanent emotional distress; physical manifestations of emotional distress; problems sleeping and concentrating; low self-confidence, low self-respect, and low self-esteem; feeling of worthlessness, shamefulness, and embarrassment; feeling alone and isolated; losing faith in God and authority figures; feeling estranged from the church; struggling with alcohol and substance problems; struggling with gainful employment and career advancement; feeling helpless and hopeless; problems with sexual intimacy; relationship problems; trust issues; feeling confused and angry; depression; panic disorder; anxiety; feeling dirty, used, and damaged; having traumatic flashbacks; and the invasive feeling that his childhood and innocence was stolen. Plaintiff was prevented and will continue to be prevented from performing Plaintiff's normal daily activities; has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling; and, on information and belief, has incurred and will continue to incur loss of income and/or loss of earning capacity. As a victim of

the Defendants' misconduct, Plaintiff is unable at this time to fully describe all the details of that abuse and the extent of the harm Plaintiff suffered as a result.

65. The Archdiocese violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§ 413 and 420, which require, *inter alia*, school officials, teachers, day care center workers, providers of family or group family day care, and any other childcare worker to report suspected cases of child abuse and impose liability for failure to report.

66. The Jesuits violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§ 413 and 420, which require, *inter alia*, school officials, teachers, day care center workers, providers of family or group family day care, and any other childcare worker to report suspected cases of child abuse and impose liability for failure to report.

67. The School violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§ 413 and 420, which require, *inter alia*, school officials, teachers, day care center workers, providers of family or group family day care, and any other childcare worker to report suspected cases of child abuse and impose liability for failure to report.

68. The injuries and damages suffered by Plaintiff are specific in kind to Plaintiff, special, peculiar, and above and beyond those injuries and damages suffered by the public.

FIRST CAUSE OF ACTION: NEGLIGENCE

69. Plaintiff repeats and realleges by reference each and every allegation set forth above as if fully set forth herein.

70. The School knew or was negligent in not knowing that Abuser posed a threat of sexual abuse to children.

71. The Archdiocese knew or was negligent in not knowing that Abuser posed a threat of sexual abuse to children.

72. The Jesuits knew or were negligent in not knowing that Abuser posed a threat of sexual abuse to children.

73. The acts of Abuser described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his employment, appointment, and/or agency with the School.

74. The acts of Abuser described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his employment, appointment, and/or agency with the Archdiocese.

75. The acts of Abuser described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his employment, appointment, and/or agency with the Jesuits.

76. The School's willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

77. The Archdiocese's willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

78. The Jesuit's willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

79. At all times material to the Verified Complaint, with regard to the allegations contained herein, Abuser was under the direct supervision, employ and/or control of the Defendants.

80. At all times material to the Verified Complaint, the Defendants' actions were willful, wanton, malicious, reckless, grossly negligent, and outrageous in its disregard for the rights and safety of Plaintiff.

81. The Defendants owed Plaintiff a duty of care, including but not limited to because they had a special relationship with Plaintiff.

82. The Defendants had a duty arising from the special relationship that existed with Plaintiff, Plaintiff's parent(s) and/or guardian(s), and other parent(s) and/or guardian(s) of young, innocent, vulnerable children in the Defendants' programs and facilities to properly train and supervise its clerics, employees and/or agents. This special relationship arose because of the high degree of vulnerability of those children, including Plaintiff, entrusted to its care. As a result of this high degree of vulnerability and risk of sexual abuse inherent in such a special relationship, the Defendants had a duty to establish measures of protection not necessary for people who are older and better able to protect themselves.

83. The Defendants owed Plaintiff a duty to protect Plaintiff from Abuser's sexual deviancy, both prior to and/or subsequent to Abuser's misconduct.

84. The Defendants owed Plaintiff a duty of reasonable care because they solicited youth and parent(s) and/or guardian(s) for participation in their youth programs; encouraged youth and parent(s) and/or guardian(s) to have youth participate in their programs; undertook custody of minor children, including Plaintiff; promoted their facilities and programs as being safe for children; held their agents, including Abuser, out as safe to work with children; encouraged parent(s) and/or guardian(s) and children to spend time with their agents; and/or encouraged their agents, including Abuser, to spend time with, interact with, and recruit children.

85. By accepting custody of the infant Plaintiff, the Defendants established an *in loco parentis* relationship with Plaintiff and in so doing, owed Plaintiff a duty to protect Plaintiff from

injury. Further, the Defendants entered into a fiduciary relationship with Plaintiff by undertaking the custody, supervision of, and/or care of the infant Plaintiff. As a result of Plaintiff being an infant, and by the Defendants undertaking the care and guidance of Plaintiff, the Defendants also held a position of power over Plaintiff. Further, the Defendants, by holding themselves out as being able to provide a safe environment for children, solicited and/or accepted this position of power. The Defendants, through their employees and/or agents, exploited this power over Plaintiff and, thereby, put the infant Plaintiff at risk for sexual abuse.

86. By establishing and/or operating the School, accepting the infant Plaintiff as a participant in its programs, holding its facilities and programs out to be a safe environment for Plaintiff, accepting custody of the infant Plaintiff *in loco parentis*, and by establishing a relationship with Plaintiff, the Defendants entered into an express and/or implied duty to properly supervise Plaintiff and provide a reasonably safe environment for children, who participated in its programs. The Defendants had the duty to exercise the same degree of care over minors under their control as a reasonably prudent parent would have exercised under similar circumstances.

87. The Defendants also breached their duties to Plaintiff by failing to warn Plaintiff and Plaintiff's family of the risk that Abuser posed and the risks of child sexual abuse in Catholic and educational institutions. The Defendants also failed to warn them about any knowledge it had about sexual abuse.

88. The Defendants additionally violated a legal duty by failing to report to law enforcement known and/or suspected abuse of children by Abuser and/or its other agents.

89. Prior to the sexual abuse of Plaintiff, the Defendants knew or should have known that Abuser was unfit to work with children. The Defendants, by and through their agents, servants and/or employees knew, or should have known of Abuser's propensity to commit sexual abuse and of the risk to Plaintiff's safety. At the very least, the Defendants knew or should have known

that they did not have sufficient information about whether or not their leaders, members, and people working at the School were safe.

90. The Defendants' actions and/or inactions created a foreseeable risk of harm to Plaintiff. As a vulnerable child participating in the programs and activities the Defendants offered to minors, Plaintiff was a foreseeable victim. Additionally, as a vulnerable child who Abuser had access to through the Defendants' facilities and programs, including the School, Plaintiff was a foreseeable victim.

91. The Defendants breached their duties of care to Plaintiff and were otherwise negligent.

92. At all times relevant and material hereto, the Defendants, and/or Defendants' agents or employees, were responsible and/or liable for each other's negligent actions and/or omissions, via including but not limited to respondeat superior. However, Plaintiff does not allege that the doctrine of respondeat superior applies directly to intentional acts of sexual assault or sexual abuse alleged of the individual perpetrator(s) identified in this complaint.

93. The limitations of liability set forth in Article 16 of the CPLR do not apply to the causes of action alleged herein.

94. As a direct and/or indirect result of said conduct, Plaintiff has suffered the injuries and damages described herein.

95. By reason of the foregoing, the Defendants jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory damages, and for punitive damages, together with interest and costs.

**SECOND CAUSE OF ACTION: NEGLIGENT HIRING, RETENTION,
SUPERVISION, AND/OR DIRECTION**

96. Plaintiff repeats and realleges by reference each and every allegation set forth above as if fully set forth herein.

97. The School hired Abuser.

98. The Archdiocese hired Abuser.

99. The Jesuits hired Abuser.

100. The School hired Abuser for a position that required him to work closely with, mentor, and counsel young boys and girls.

101. The Archdiocese hired Abuser for a position that required him to work closely with, mentor, and counsel young boys.

102. The Jesuits hired Abuser for a position that required him to work closely with, mentor, and counsel young boys.

103. The Defendants were negligent in hiring Abuser because they knew or should have known, through the exercise of reasonable care, of Abuser's propensity to develop inappropriate relationships with children in their charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

104. Abuser would not and could not have been in a position to sexually abuse Plaintiff had he not been hired by the Defendants to mentor and counsel children in the School.

105. Abuser continued to molest Plaintiff while at the School.

106. The harm complained of herein was foreseeable.

107. Plaintiff would not have suffered the foreseeable harm complained of herein but for the negligence of the Defendants in having placed Abuser, and/or allowed Abuser to remain in his position.

108. At all times while Abuser was employed or appointed by the Defendants, he was supervised by, under the direction of, and/or answerable to, the Defendants and/or their agents and employees.

109. The Defendants were negligent in their direction and/or supervision of Abuser in that they knew or should have known, through the exercise of ordinary care, that Abuser's conduct would subject third parties to an unreasonable risk of harm, including Abuser's propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

110. The Defendants failed to take steps to prevent such conduct from occurring.

111. The Defendants were negligent in their retention of Abuser in that they knew, or should have known, through the exercise of reasonable care, of his propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

112. The Defendants retained Abuser in his position as mentor and counselor to such children and thus left him in a position to continue such behavior.

113. The Defendants were further negligent in their retention, supervision, and/or direction of Abuser in that Abuser sexually molested Plaintiff on the premises of the School, and or elsewhere.

114. The Defendants failed to take reasonable steps to prevent such events from occurring on the premises of the School, and/or elsewhere.

115. Abuser would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by the Defendants as a mentor and counselor to the infant parishioners of the School, including Plaintiff.

116. As a direct and/or indirect result of said conduct/negligence, Plaintiff has suffered the injuries and damages described herein.

117. The Defendants breached their duties of care to Plaintiff and were otherwise negligent.

118. The limitations of liability set forth in Article 16 of the CPLR do not apply to the causes of action alleged herein.

119. By reason of the foregoing, the Defendants jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory damages, and for punitive damages, together with interest and costs.

**THIRD CAUSE OF ACTION: BREACH OF STATUTORY DUTY TO REPORT
ABUSE UNDER SOC. SERV. LAW §§ 413 and 420**

120. Plaintiff repeats and realleges by reference each and every allegation set forth above as if fully set forth herein.

121. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, the Defendants, by and through, including but not limited to their principals, agents and/or employees, had a statutorily imposed duty to report or cause to report abuse or maltreatment of children in their care or children and/or parents, guardians, custodians or other persons legally responsible for such children that otherwise came before them in their official capacity, when Defendants had reasonable cause to suspect abuse or maltreatment of such children.

122. The Defendants breached that duty by negligently, knowingly and/or willfully failing to report or causing to report reasonable suspicion of abuse or maltreatment of such children, and Plaintiff in particular.

123. As a direct and/or indirect result of said conduct, Plaintiff has suffered injuries and damages described herein.

124. By reason of the foregoing, the Defendants, jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory damages, and for punitive damages, together with interest and costs.

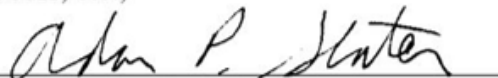
125. The limitations of liability set forth in Article 16 of the CPLR do not apply to the causes of action alleged herein.

WHEREFORE, it is respectfully requested that the Court grant judgment in this action in favor of Plaintiff, and against the Defendants, jointly and severally, in a sum of money in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with all applicable interest, costs, disbursements, as well as punitive damages and such other, further and different relief as the Court in its discretion shall deem to be just, proper and equitable.

Plaintiff further places the Defendants on notice and reserves the right to interpose claims sounding in Fraudulent Concealment, Deceptive Practices and/or Civil Conspiracy should the facts and discovery materials support such claims.

Dated: New York, New York
June 18, 2021

Yours, etc.,



By: Adam P. Slater, Esq.
SLATER SLATER SCHULMAN LLP
Counsel for Plaintiff
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New York, New York 10022
(212) 922-0906

-and-



By: Gary Certain, Esq.
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488 Madison Avenue, 20th Floor
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ATTORNEY'S VERIFICATION

Adam P. Slater, an attorney duly admitted to practice law in the Courts of the State of New York, hereby affirms the following statements to be true under the penalties of perjury, pursuant to Rule 2106 of the CPLR:

Affirmant is a partner of SLATER SLATER SCHULMAN, LLP, attorneys for Plaintiff in the within action;

Affirmant has read the foregoing Summons & Complaint and knows the contents thereof; that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true.

Affirmant further states that the source of his information and the grounds for his belief are derived from interviews with Plaintiff and from the file maintained in the normal course of business.

Affirmant further states that the reason this verification is not made by Plaintiff is that Plaintiff is not presently within the County of New York, which is the county wherein the attorneys for Plaintiff herein maintain their offices.

Dated: New York, New York
June 18, 2021


Adam P. Slater, Esq.

SUPREME COURT OF THE STATE NEW YORK
COUNTY OF NEW YORK

-----X
LIAM COMERY,

Index No.:

Plaintiff,

-against-

ARCHDIOCESE OF NEW YORK, THE NEW YORK
PROVINCE OF THE SOCIETY OF JESUS, THE USA
NORTHEAST PROVINCE OF THE SOCIETY OF
JESUS, THE USA EAST PROVINCE OF THE
SOCIETY OF JESUS, and REGIS HIGH SCHOOL,

Defendants.

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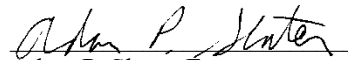
SUMMONS & VERIFIED COMPLAINT

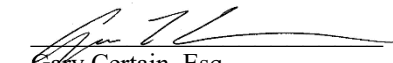
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CERTIFICATION

Pursuant to 22 NYCRR §130-1.1-a, the undersigned, an attorney duly admitted to practice in the courts of the State of New York, certifies that, upon information and belief, and reasonable inquiry, the contentions contained in the annexed document are not frivolous as defined in subsection (c) of the aforesaid section.


Adam P. Slater, Esq.


Gary Certain, Esq.