

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----X Index No:

PAMELA HAYES,

**S U M M O N S**

Plaintiff,

- against -

Plaintiff designates  
Westchester County  
as the place of trial

ARCHDIOCESE OF NEW YORK, ANN  
PETERSON, THE PARISH OF SAINT JOSEPH,  
ST. JOSEPH SCHOOL and URSULINES OF THE  
EASTERN PROVINCE,

Defendants.

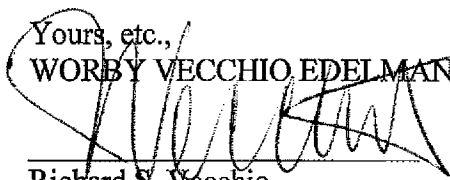
The basis of this venue is  
Defendants' residence and  
place of business

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**TO THE ABOVE NAMED DEFENDANTS:**

YOU ARE HEREBY SUMMONED to answer the complaint in this action, and to serve a copy of your answer, of if the complaint is not served with this summons, to serve a notice of appearance on plaintiff's attorneys within 20 days after service of this summons, exclusive of the day of service, or within 30 days after service is complete if this Summons is not personally delivered to you within the State of New York. In case of your failure to answer, Judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: White Plains, New York  
December 6, 2019

Yours, etc.,  
WORBY VECCHIO EDELMAN LLP  
  
Richard S. Vecchio  
Attorneys for Plaintiff  
11 Martine Avenue  
White Plains, New York 10606  
(914) 686-3700  
[rvecchio@wvelaw.com](mailto:rvecchio@wvelaw.com)

To:  
ARCHDIOCESE OF NEW YORK  
1011 First Avenue  
New York, NY 10022

ANN PETERSON  
c/o URSULINES'SS OF THE EASTERN PROVINCE  
1338 North Avenue  
New Rochelle, NY

THE PARISH OF SAINT JOSEPH  
149 Cottage Street  
Middletown, NY

ST. JOSEPH SCHOOL  
113 Cottage Street  
Middletown, NY

URSULINES OF THE EASTERN PROVINCE  
1338 North Avenue  
New Rochelle, NY

SUPREME COURT OF THE STATE OF NEW YORK  
 COUNTY OF WESTCHESTER

-----X Index No:  
 PAMELA HAYES,

Plaintiff,

- against -

**VERIFIED COMPLAINT**

ARCHDIOCESE OF NEW YORK, ANN  
 PETERSON, THE PARISH OF SAINT JOSEPH,  
 ST. JOSEPH SCHOOL and URSULINES OF THE  
 EASTERN PROVINCE,

Defendants.

-----X

Plaintiff, by her attorneys, WORBY VECCHIO EDELMAN LLP, complaining of the  
 Defendants, respectfully shows to this Court, and alleges as follows:

**NATURE OF THE CLAIM**

1. This is a case of Plaintiff, Pamela Hayes, who was repeatedly abused by an agent, servant and/or employee, Sister Ann Peterson ("Peterson") of the Archdiocese of New York ("Archdiocese"), The Parish of Saint Joseph ("The Parish"), St. Joseph School ("The School") and Ursulines of the Eastern Province ("Ursulines").

2. Plaintiff, Pamela Hayes was sexually abused as a child by Sister Ann Peterson, an employee or agent of the Archdiocese, The Parish, The School and Ursulines.

3. Defendant, Peterson was a nun, agent, servant and/or employee of the Archdiocese.

4. Defendant, Peterson was a nun, agent, servant and/or employee at The Parish, which was a part of the Archdiocese.

5. Defendant, Peterson was a nun, agent, servant and/or employee at The School, which was a part of the Archdiocese.

6. Defendant, Peterson was a nun, agent, servant and/or employee at Ursulines, which was a part of the Archdiocese.

7. Defendant, Peterson sexually abused and molested Plaintiff, Pamela Hayes.

8. The Defendants, individually and/or jointly knew or should have known that Defendant, Peterson sexually abused and molested Plaintiff, Pamela Hayes.

9. Despite Defendants' knowledge that Defendant, Peterson sexually abused and molested Plaintiff, Pamela Hayes, and/or had the propensity to sexually abuse and molest Plaintiff, Defendants, individually and/or jointly, permitted Peterson unfettered access to Plaintiff without supervision.

10. In or about 1963 – 1967, while under the scope of employment with Defendants, Archdiocese, The Parish, The School and Ursulines, and while acting on behalf of Defendants, Archdiocese, The Parish, The School and Ursulines, Defendant, Peterson sexually abused Plaintiff, Pamela Hayes by hugging her; kissing her; massaging her; caressing her; and caressing and touching her breasts and genitals; stroked her thighs, reaching up her uniform and with her hand tried to masturbate her on multiple occasions, and otherwise sexually abusing her.

11. Plaintiff brings this lawsuit to recover for the emotional, psychological and physical suffering she incurred because of the actions of Defendants, Archdiocese, Peterson, The Parish, The School and Ursulines, and to make sure no other child is forced to suffer the abuse and physical and mental trauma she felt and continues to feel.

PARTIES

12. At all times herein mentioned, Defendant, Archdiocese of New York (hereinafter referred to as "Archdiocese") was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.

13. At all times herein mentioned, Defendant, Archdiocese was located at 1011 1<sup>st</sup> Avenue, New York, NY 10022.

14. At all times herein mentioned, Defendant, Peterson was a nun working under the direction and control of Defendant, Archdiocese, and its agents, servants and/or employees.

15. At all times herein mentioned, Peterson was an agent, servant and/or employee of Defendant, Archdiocese.

16. At all times herein mentioned, Defendant, The Parish of Saint Joseph (hereinafter referred to as "The Parish") was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.

17. At all times herein mentioned, Defendant, The Parish was located at 149 Cottage Street, Middletown, NY.

18. At all times herein mentioned, Defendant, Peterson was a nun working under the direction and control of Defendant, The Parish, and its agents, servants and/or employees.

19. At all times herein mentioned, Defendant, Peterson was an agent, servant and/or employee of Defendant, The Parish.

20. At all times herein mentioned, Defendant, St. Joseph School (hereinafter referred to as "The School") was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.

21. At all times herein mentioned, Defendant, The School was located at 113 Cottage Street, Middletown, NY.

22. At all times herein mentioned, Defendant, Peterson was a nun working under the direction and control of Defendant, The School, and its agents, servants and/or employees.

23. At all times herein mentioned, Defendant, Peterson was an agent, servant and/or employee of Defendant, The School.

24. At all times herein mentioned, Defendant, The Parish maintained, operated and/or controlled Defendant, The School.

25. At all times herein mentioned, Defendants, Archdiocese, The Parish and The School were agents, servants, employees and/or alter egos of each other.

26. At all times herein mentioned, Defendant, Ursulines of The Eastern Province (hereinafter referred to as "Ursulines") was a not for profit corporation incorporated in the Sate of New York and by virtue of the laws of the State of New York.

27. At all times herein mentioned, Defendant, Ursulines was located at 1338 North Avenue, New Rochelle, NY.

28. At all times herein mentioned, Defendant, Peterson was a nun working under the direction and control of Defendant, Ursulines, and its agents, servants and/or employees.

29. At all times herein mentioned, Defendant, Peterson was an agent, servant and/or employee of Defendant, Ursulines.

30. At all times herein mentioned, Defendant, Archdiocese operated and/or controlled Defendants, The Parish, The School, and Ursulines.

31. At all times herein mentioned, Defendant, Archdiocese, Defendant, The Parish, Defendant, The School and Defendant, Ursulines were agents, servants, employees and/or alter egos of each other.

#### **FACTS OF THE CASE**

32. Defendants, Archdiocese, The Parish, The School and Ursulines were negligent, careless and reckless in that they caused, allowed, encouraged and/or permitted Defendant, Peterson to have access to children, including Plaintiff, without proper supervision on Defendants' premises, despite their knowledge and notice that Defendant, Peterson sexually abused children and/or had the propensity to do so, and therefore are responsible for the injuries and damages that Plaintiff incurred because but for Defendants, Archdiocese, The Parish, The School and Ursulines negligence and actions, Plaintiff would not have suffered the mental and physical anguish inflicted by Defendant, Peterson.

33. Defendants, Archdiocese, The Parish, The School and Ursulines gross negligence, reckless, wanton, and/or willful conduct warrants punitive liability.

34. Defendant, Peterson sexually assaulted Plaintiff at Defendant, The Parish's and Defendant, The School's premises.

35. Defendants, Archdiocese, The Parish, The School and Ursulines failed to remove Defendant, Peterson from her position and/or to take any steps to keep her, a dangerous predator, away from Plaintiff. In fact, Defendants continued to allow, encourage and/or permit Defendant, Peterson to have unfettered access to Plaintiff.

36. Plaintiff was a student at The Parish and The School, where Defendant, Peterson was a nun.

37. When Plaintiff was between the ages of 10 – 14 years old, at Defendants, The Parish and The School, she was sexually abused by Defendant, Peterson by hugging her; kissing her; massaging her; caressing her and caressing and touching her breasts; stroking her thighs reaching up her uniform and with her hand tried to masturbate her on multiple occasions, and otherwise sexually abusing her.

38. When Plaintiff was 11 years old, Defendant, Peterson continued to sexually abuse Plaintiff at Defendants, The Parish and The School.

39. When Plaintiff was 12 years old, Defendant, Peterson's advances became stronger and Defendant, Peterson would continue to ask Plaintiff to stay after school where Defendant, Peterson and Plaintiff would spend longer periods of time alone. Defendant, Peterson used that time to continue the sexual abuse of Plaintiff.

40. As a result of the actions of Defendant, Peterson, Plaintiff felt and continues to feel traumatized, ashamed, embarrassed and humiliated. Plaintiff had endured and continues to suffer severe emotional and psychological trauma and distress due to



Defendants, Archdiocese's, The Parish's, The School's and Ursulines's negligence, recklessness, wanton and/or willful conduct warrants punitive liability.

41. As such, Plaintiff suffered severe and lifelong injuries as a result of Defendants, Archdiocese, The Parish, The School and Ursulines negligence, recklessness, wanton and/or willful conduct in failing to protect the children of its parishes in *loco parentis* and of its community safe from Defendant, Peterson, despite Defendants, Archdiocese, The Parish, The School and Ursulines having knowledge and actual or constructive notice that Defendant, Peterson sexually abused children and/or had the propensity to sexually abuse children, and/or allowing Defendant, Peterson to continue to have her role and position of authority and power, and Defendants failed to adequately supervise Defendant, Peterson.

**AS AND FOR A FIRST CAUSE OF ACTION FOR NEGLIGENCE AND  
PUNITIVE DAMAGES AGAINST ARCHDIOCESE OF NEW YORK**

42. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

43. At all times herein mentioned, Defendant, Archdiocese owed a duty of care to keep the students and children of its parishes and schools, including Plaintiff, safe from sexual abuse by its apostolic community, teachers, employees, including nuns, under its supervision and control, including on their premises, that ultimately befell the Plaintiff, including but not limited to in *loco parentis*, and they had a duty to properly supervise Defendant, Peterson.

44. At all times herein mentioned, Defendant, Archdiocese and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wonton manner, and caused Plaintiff to be sexually abused repeatedly.

45. As a result of the negligence of Defendant, Archdiocese and/or its agent, servants and/or employees, Plaintiff was caused serious emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

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

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

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

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

**AS AND FOR A SECOND CAUSE OF ACTION FOR NEGLIGENT HIRING,  
RETENTION AND SUPERVISION AND PUNITIVE DAMAGES AGAINST  
ARCHDIOECSE OF NEW YORK**

50. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

51. Defendant, Archdiocese had a duty to supervise and prevent known risks of harm to students and children of its parishes, and schools, including Plaintiff, by its apostolic community, teachers, employees, including nuns, and Defendant, Peterson.

52. Defendant was negligent in hiring, retaining and supervising their personnel, such as Defendant, Peterson, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of nuns and church officials who should have properly been supervising the nuns to ensure the safety of the children of the parishes and/or schools.

53. Defendant, Archdiocese knew or should have known that Defendant, Peterson sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Defendant, Peterson.

54. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

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

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

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

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

**AS AND FOR A THIRD CAUSE OF ACTION FOR NEGLIGENT INFLECTION  
OF EMOTIONAL DISTRESS AND PUNITIVE DAMAGES AGAINST  
ARCHDIOCESE OF NEW YORK**

59. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

60. Defendant, Archdiocese and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Defendant, Peterson, the nun who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

61. Defendant, Archdiocese and their agents, servants and/or employees, knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

62. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Defendant, Peterson.

63. Despite said knowledge and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Defendant, Peterson sexually abusing Plaintiff.

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

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

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

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

**AS AND FOR A FOURTH CAUSE OF ACTION FOR NEGLIGENCE AND PUNITIVE DAMAGES AGAINST THE PARISH OF SAINT JOSEPH**

68. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

69. At all times herein mentioned, Defendant, The Parish owed a duty of care to keep the students and children of its parishes and schools, including Plaintiff, safe from sexual abuse by its apostolic community, teachers, employees, including nuns, under its supervision and control, including on company premises, that ultimately befell the Plaintiff, including but not limited to in *loco parentis*, and they had a duty to properly supervise Defendant, Peterson.

70. At all times herein mentioned, Defendant, The Parish and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wonton manner, and caused Plaintiff to be sexually abused repeatedly.

71. As a result of the negligence of Defendant, The Parish and/or its agent, servants and/or employees, Plaintiff was caused serious emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

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

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

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

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

**AS AND FOR A FIFTH CAUSE OF ACTION FOR NEGLIGENT HIRING,  
RETENTION AND SUPERVISION AND PUNITIVE DAMAGES AGAINST THE  
PARISH OF SAINT JOSEPH**

76. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

77. Defendant, The Parish had a duty to supervise and prevent known risks of harm to students and children of its parishes, and school, including Plaintiff by its apostolic community, in particular nuns, and Defendant, Peterson.

78. Defendant was negligent in hiring, retaining and supervising their personnel, such as Defendant, Peterson, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of nuns and church officials who should have properly been supervising the nuns to ensure the safety of the children of the parishes and/or schools.

79. Defendant, The Parish knew or should have known that Defendant, Peterson sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Defendant, Peterson.

80. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

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

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

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

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

**AS AND FOR A SIXTH CAUSE OF ACTION FOR NEGLIGENT INFLECTION OF  
EMOTIONAL DISTRESS AND PUNITIVE DAMAGES AGAINST THE PARISH  
OF SAINT JOSEPH**

85. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

86. Defendant, The Parish and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire

Defendant, Peterson, the nun who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

87. Defendant, The Parish and their agents, servants and/or employees, knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

88. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Defendant, Peterson.

89. Despite said knowledge and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Defendant, Peterson sexually abusing Plaintiff.

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

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

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

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



**AS AND FOR A SEVENTH CAUSE OF ACTION FOR NEGLIGENCE AND PUNITIVE DAMAGES AGAINST ST. JOSEPH SCHOOL (THE SCHOOL)**

94. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

95. At all times herein mentioned, Defendant, The School owed a duty of care to keep the students and children of its parishes and schools, including Plaintiff safe from sexual abuse by its apostolic community, teachers, employees, including nuns, under its supervision and control, including on its premises, that ultimately befell the Plaintiff, including but not limited to *in loco parentis*, and they had a duty to properly supervise Defendant, Peterson.

96. At all times herein mentioned, Defendant, The School and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wonton manner, and caused Plaintiff to be sexually abused/assaulted repeatedly.

97. As a result of the negligence of Defendant, The School and/or its agent, servants and/or employees, Plaintiff was caused emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

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

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

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

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

**AS AND FOR AN EIGHTH CAUSE OF ACTION FOR NEGLIGENT HIRING,  
RETENTION AND SUPERVISION AND PUNITIVE DAMAGES AGAINST ST.  
JOSEPH SCHOOL (THE SCHOOL**

102. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

103. Defendant, The School had a duty to supervise and prevent known risks of harm to students and children of its parishes, and school, including plaintiff by its apostolic community, teachers, employees, including nuns, and Defendant, Peterson.

104. Defendant was negligent in hiring, retaining and supervising their personnel, such as Defendant, Peterson, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of nuns and church officials who should have properly been supervising the nuns to ensure the safety of the children of the parishes and/or schools.

105. Defendant, The School knew or should have known that Defendant, Peterson sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Defendant, Peterson.

106. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious emotional distress, conscious pain and suffering, mental anguish

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

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

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

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

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

**AS AND FOR A NINTH CAUSE OF ACTION FOR NEGLIGENT INFLECTION  
OF EMOTIONAL DISTRESS AND PUNITIVE DAMAGES AGAINST ST.  
JOSEPH SCHOOL (THE SCHOOL)**

111. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

112. Defendant, The School and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Defendant, Peterson, the nun who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

113. Defendant, The School and their agents, servants and/or employees, knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

114. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Defendant, Peterson.

115. Despite said knowledge and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Defendant, Peterson sexually abusing Plaintiff.

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

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

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

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

**AS AND FOR A TENTH CAUSE OF ACTION FOR NEGLIGENCE AND PUNITIVE DAMAGES AGAINST URSULINES OF THE EASTERN PROVINCE**

120. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

121. At all times herein mentioned, Defendant, Ursulines owed a duty of care to keep the students and children of its parishes and schools, including Plaintiff safe from sexual abuse by its apostolic community, teachers, employees, including nuns, under its supervision and control, including on company premises, that ultimately befell the

Plaintiff, including but not limited to in *loco parentis*, and they had a duty to properly supervise Defendant, Peterson.

122. At all times herein mentioned, Defendant, Ursulines and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wonton manner, and caused Plaintiff to be sexually abused/assaulted repeatedly.

123. As a result of the negligence of Defendant, Ursulines and/or its agent, servants and/or employees, Plaintiff was caused serious emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

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

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

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

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

**AS AND FOR AN ELEVENTH CAUSE OF ACTION FOR NEGLIGENT HIRING,  
RETENTION AND SUPERVISION AND PUNITIVE DAMAGES AGAINST  
URSULINES OF THE EASTERN PROVINCE**

128. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

129. Defendant, Ursulines had a duty to supervise and prevent known risks of harm to students and children of its parishes, and school, including Plaintiff by its apostolic community, teachers, employees, including nuns, and Defendant, Peterson.

130. Defendant was negligent in hiring, retaining and supervising their personnel, such as Defendant, Peterson, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of nuns and church officials who should have properly been supervising the nuns to ensure the safety of the children of the parishes and/or schools.

131. Defendant, Ursulines knew or should have known that Defendant, Peterson sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Defendant, Peterson.

132. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

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

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

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

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

**AS AND FOR A TWELFTH CAUSE OF ACTION FOR NEGLIGENT  
INFLICTION OF EMOTIONAL DISTRESS AND PUNITIVE DAMAGES  
AGAINST URSULINES OF THE EASTERN PROVINCE**

137. Plaintiff repeats and realleges each and every allegation set forth hereinabove as though fully set forth herein.

138. Defendant, Ursulines, their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Defendant, Peterson, the nun who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

139. Defendant, Ursulines and their agents, servants and/or employees, knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

140. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Defendant, Peterson.

141. Despite said knowledge and duty, Defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Defendant Peterson sexually abusing Plaintiff.

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

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

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

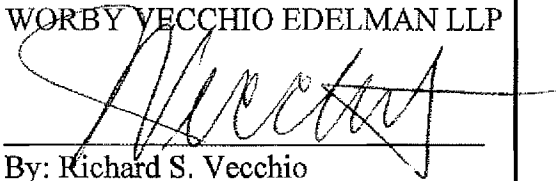
145. This action falls within exceptions to Article 16 of the C.P.L.R.

**WHEREFORE**, Plaintiff demands judgment against Defendants, individually and/or jointly, on each and every cause of action, in such sums as a jury would find fair, adequate and just, together with the costs and disbursements of this action.

Dated: White Plains, New York  
December 6, 2019

Yours, etc

WORBY VECCHIO EDELMAN LLP



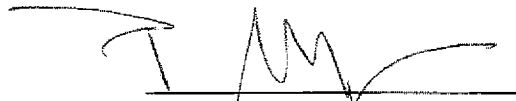
By: Richard S. Vecchio  
Attorneys for Plaintiff  
11 Martine Avenue--Penthouse  
White Plains, NY 10606  
(914) 686-3700



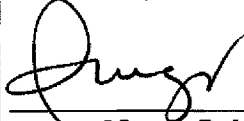
VERIFICATION

State of New York )  
 )ss:  
County of Westchester )

PAMELA HAYES, being duly sworn, deposes and says that I am the plaintiff in the action herein. I have read the annexed COMPLAINT, know the contents thereof, and the same are true to the best of 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.

  
PAMELA HAYES

Sworn to before me this  
6<sup>th</sup> day of December, 2019

  
\_\_\_\_\_  
Notary Public

IRENE VARGAS  
Notary Public, State of New York  
No. 01VA4607849  
Qualified in Westchester County  
Commission Expires October 31, 2021