

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
C. V., an Infant by his Mother and Natural Guardian
ANONYMOUS PARENT #1 and ANONYMOUS PARENT #1,
Individually, J.G., an Infant by his Mother and Natural Guardian
ANONYMOUS PARENT #2 and ANONYMOUS PARENT #2,
Individually, and M.R.,

Plaintiffs,

-against-

CHAPPAQUA CENTRAL SCHOOL DISTRICT and
CHRISTOPHER SCHRAUFNAGEL,Defendants.
-----X**TO THE ABOVE NAMED DEFENDANTS:**

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer on the Plaintiff's Attorney within 20 days after service of this summons, exclusive of the day of service, or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York, and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Bronx, New York
May 14th, 2016THE LAW OFFICES OF WILLIAM A. GALLINA, PLLC
Attorney for Plaintiffs
1250 Waters Place -Tower One
Suite 708
Bronx, New York 10461
(718) 892-0400

Index No.:

Dated Filed:

S U M M O N SPlaintiff designates
WESTCHESTERCOUNTY
as the place of trialThe basis of the venue is
location of occurrencesThe incidents occurred at
Chappaqua School

WESTCHESTER COUNTY

To:

Chappaqua Central School District
66 Roaring Brook Road
Chappaqua, NY 10514

Christopher Schraufnagel
c/o Chappaqua Central School District
66 Roaring Brook Road
Chappaqua, NY 10514

Christopher Schraufnagel
55 Cooper Street
Apartment 6-E
New York, NY 10034

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

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C. V., an Infant by his Mother and Natural Guardian
ANONYMOUS PARENT #1 and ANONYMOUS
PARENT #1, Individually, J.G., an Infant by his Mother and
Natural Guardian ANONYMOUS PARENT #2 and
ANONYMOUS PARENT #2, Individually, and M.R.,

Index No.:

VERIFIED COMPLAINT

Plaintiffs,

-against-

CHAPPAQUA CENTRAL SCHOOL DISTRICT and
CHRISTOPHER SCHRAUFNAGEL,

Defendants.
-----X

Plaintiffs, by their attorney, The Law Office of William A. Gallina, PLLC, complaining of the
Defendants, respectfully state and allege as follows:

**AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF THE INFANT PLAINTIFF C.V.**

1. That at all times herein mentioned, the Infant Plaintiff C.V. and Anonymous Parent #1 were and still are residents of the County of Westchester, State of New York.
2. That the occurrences which gave rise to the commencement of this action took place in the County of Westchester, State of New York.
3. That this matter involves sexual issues concerning a minor, necessitating an anonymous caption with respect to plaintiffs to prevent further shame, further embarrassment and further physical and/or emotional and/or psychiatric/psychological sequelae.

4. That upon information and belief, and at all times herein mentioned the defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT was and still is a municipal corporation or political subdivision thereof, duly organized and existing under and by virtue of the laws of the State of New York and/or County of Westchester.

5. That on or about September 25, 2015 Plaintiffs, the Infant Plaintiff C.V. and Anonymous Parent #1 caused a Notice of Claim, in writing, sworn to by or on their behalf to be served upon the Defendants, which set forth the name and post office address of the Plaintiffs and their attorneys, the nature of the claim, the time when, the place where and the manner in which the claim herein sued upon arose and the items of damages or injuries claimed to have been sustained, so far as then practicable.

6. That a 50-(h) hearing was commenced on December 29th, 2015 and continued on later dates including January 14th, 2016 at which time was held to its completion.

7. That at least thirty (30) days has elapsed prior to the commencement of this action since the service of the Notice of Claim on the Defendants and the completion of the 50-(h) hearing and payment has been neglected and/or refused by the Defendants, CHAPPAQUA CENTRAL SCHOOL DISTRICT and CHRISTOPHER SCHRAUFNAGEL.

8. That at no time between the service of the Notice of Claim and the commencement of this action did the Defendants, CHAPPAQUA CENTRAL SCHOOL DISTRICT and CHRISTOPHER SCHRAUFNAGEL; demand a physical examination of Plaintiffs to be conducted.

9. That this action was commenced within one (1) year and ninety (90) days after the happening of the events upon which the claim is based, or otherwise within the time to commence the action pursuant to and permitted by the CPLR.

10. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, owned the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

11. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, operated the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

12. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, maintained the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

13. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, managed the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

14. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, controlled the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

15. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, leased the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

16. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, used the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

17. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, was the administrative entity for the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

18. That at all times herein mentioned the Infant Plaintiff C.V. was a student of the CHAPPAQUA CENTRAL SCHOOL DISTRICT and more specifically a student in the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

19. That at all times herein mentioned the Defendant, CHRISTOPHER SCHRAUFNAGEL was employed by Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT and working at HORACE GREELEY HIGH SCHOOL as a drama teacher.

20. That Defendant, CHRISTOPHER SCHRAUFNAGEL, in his dealings and/or contacts and/or interactions with the Infant Plaintiff C.V. and other students, did so with the knowledge (actual, tacit, constructive or otherwise) and/or consent (actual, tacit, constructive or otherwise) and/or permission(actual, tacit, constructive or otherwise) of the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT.

21. That at all time hereinafter mentioned, the Defendant, CHRISTOPHER SCHRAUFNAGEL, in his dealings and/or contacts and/or interactions with the Infant Plaintiff C.V. and other students, was acting in the scope of his employment as a teacher employed by the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT at HORACE GREELEY HIGH SCHOOL.

22. That upon information and belief, on or about the school year of January 2011 through June 2015, and prior thereto, the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, its agents, servants and/or employees were negligent, careless and reckless in failing to recruit, develop and maintain a teaching and administrative staff of the highest caliber; in failing to create a safe and proper

atmosphere, community and learning environment to develop each student's full potential, including but not limited to that of the Infant Plaintiff C.V.; in failing to properly nourish the student's emotional well-being and guide their social development; in failing to properly instill in the students, particularly the Infant Plaintiff C.V. an appreciation of self-worth; in failing to help the students, particularly the Infant Plaintiff C.V. learn how to act ethically; in causing, allowing and permitting an unsafe learning environment; in causing allowing and permitting students, including but not limited to the Infant Plaintiff C.V. to be given illegal drugs and other similar substances by the teacher CHRISTOPHER SCHRAUFNAGEL; in causing allowing and permitting harassing conduct to occur and exist in the school; in failing to have an appropriate complaint/grievance procedure in place; in failing to maintain a proper learning environment; in failing to provide a school environment free of harassment and other improper conduct; in failing to provide students, including but not limited to the Infant Plaintiff C.V. with a proper and safe learning environment; in knowing CHRISTOPHER SCHRAUFNAGEL was abusing (physical, mentally emotionally and otherwise) and harassing students, including the Infant Plaintiff C.V. but failing to take the proper steps to have stopped such behavior; to have in place the proper Code of Conduct, one reasonably calculated to end the abuse and/or harassment and /or other improper conduct and/or eliminate any hostile environment, create a more positive school culture and climate, and prevent recurrence of the behavior and ensure the safety of the students, including, but not limited to, the Infant Plaintiff C.V.; in failing to properly examine the school's climate and culture, which has been defined as the quality and character of school life; in causing, allowing and/or permitting teacher CHRISTOPHER SCHRAUFNAGEL to sexually, verbally, physically and otherwise abuse the students in the school, and more particularly, but not limited to the Infant Plaintiff C.V.; in failing to take the proper steps to have avoided the abuse suffered by students in the school, particularly, but not

limited to, the Infant Plaintiff C.V.; in violating all laws, statutes, regulations, policies and the like relating to the school administration and/or prevention of abuse, molestation, groping, harassment and other illegal or improper behavior and/or physical contact; in failing to conduct a proper investigation of CHRISTOPHER SCHRAUFNAGEL after learning or otherwise knowing of his abusive, criminal or otherwise improper behavior; in failing to bring charges against CHRISTOPHER SCHRAUFNAGEL; in failing to properly educate its students, including the Infant Plaintiff C.V.; in failing to improve a student's self-understanding, increase his/her self-confidence, and enhance their respect for the qualities of their fellow human beings; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to engage in improper, illegal, harmful and/or otherwise dangerous and/or improper conduct; in failing to properly own, operate, maintain, manage, control, administer, and/or supervise the school, its administrative staff, teachers and other employees, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to adhere to its own policies and practices regarding alcohol and/or drug use by teachers on school grounds, including but not limited to CHRISTOPHER SCHRAUFNAGEL ; in failing to assure the rights of its students, including the Infant Plaintiff C.V. were safeguarded or otherwise protected; in failing to promote a climate of mutual respect and dignity; in failing to create an environment that contributes to the students' civic responsibility; in failing to develop a sound and healthful atmosphere of mutual respect; in failing to properly maintain and/or enforce a curriculum regarding drugs and alcohol; in knowing CHRISTOPHER SCHRAUFNAGEL was providing illegal drugs and/or alcohol to students, including the Infant Plaintiff C.V.; in failing to stop such improper and/or illegal and/or dangerous conduct and/or referring CHRISTOPHER SCHRAUFNAGEL to the appropriate authorities and/or otherwise commencing proceedings to have him terminated as a teacher in the school and/or district; in knowing CHRISTOPHER

SCHRAUFNAGEL was sexually, verbally, physically and otherwise abusing students and failing to stop and/or report such conduct and/or refer CHRISTOPHER SCHRAUFNAGEL to the appropriate authorities; in causing, allowing and permitting improper security procedures to be created and implemented in HORACE GREELEY HIGH SCHOOL; in failing to take appropriate measures to secure the safety and welfare of the students, and in particular but not limited to, the Infant Plaintiff, C.V.: in failing to employ and/or deploy sufficient personnel, in number and in training, to address security, hiring, supervision, reporting and monitoring; in failing to appropriately supervise the school staff; including but not limited to CHRISTOPHER SCHRAUFNAGEL; in causing, allowing and permitting the sexual and physical assault and battery of an infant, including but not limited to the Infant Plaintiff C.V.; in failing to install and/or maintain and/or monitor surveillance equipment with respect to rooms, hallways, students, offices, auditoriums and surrounding areas, visitors and teachers; in failing to properly investigate and/or evaluate and/or report its knowledge of the improper conduct committed by CHRISTOPHER SCHRAUFNAGEL; in failing to properly evaluate and/or report and/or refer the results of any investigation of those persons, agents, servants and/or employees hired to operate, manage, control, supervise, teach and maintain equipment and/or run said facility, including, but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to properly and/or adequately supervise the activities provided by and/or at said facility; in failing to promulgate proper and/or adequate rules and regulations governing the supervision to be provided and rendered by those agents, servants and/or employees hire to operate, manage, control, supervise, coordinate, and teachers, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to promulgate proper and/or adequate rules and/or regulations governing the proper care, guidance and/or supervision to be provided and rendered to those utilizing said facility, including but not limited to the Infant Plaintiff C.V.; in failing to properly

and/or adequately monitor the care, guidance and/or supervision provided at said facility; in failing to properly and/or adequately provide guidance for and/or supervise the Infant Plaintiff C.V. herein; in failing to properly and/or adequately monitor and/or supervise the activities in which the infant plaintiff C.V. was involved in on the day and/or days of the incidents; in failing to properly hire, train, supervise, retain, orient and monitor the defendant, CHRISTOPHER SCHRAUFNAGEL; in failing to insure that said facility provided those in its charge and utilizing its facility, including the Infant Plaintiff, C.V. with a safe and proper environment; in failing to properly and thoroughly vet and/or screen and/or investigate the background of all employees, agents, servants, in order to ascertain whether said individual had a history and/or background as a violent offender, a criminal child molester, rapist, and/or pedophile, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in hiring a person with a known relevant criminal history, to teach children in the school, including but not limited to, the Infant Plaintiff C.V. herein; in failing to prevent said activity; in failing to stop said activity, in otherwise being negligent, careless, reckless and grossly negligent in the premises; in failing to safeguard school property and persons lawfully on the property including but not limited to the Infant Plaintiff C.V.; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to provide illicit substances and drugs to students, including but not limited to, the Infant Plaintiff C.V.: in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to provide alcohol to students, including but not limited to, the Infant Plaintiff C.V. while on school grounds; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to touch, grope, molest, sexually abuse and/or otherwise act and/or touch and/or engage in improper behavior with the students in the school, including, but not limited to, the Infant Plaintiff C.V.; in engaging in bullying and/or badgering and other forms of similar behavior that was detrimental to the life, health and safety of the students, including, but not limited to

the Infant Plaintiff C.V.; in touching, groping or otherwise making contact with the body, including the genitals, inner thighs and buttocks of students, including the Infant Plaintiff C.V.; in making sexually explicit and otherwise improper remarks regarding the genitalia and other intimate body parts of students, including but not limited to the Infant Claimant C.V.; in making sexually explicit and/or otherwise improper gestures and/or comments to the students, Including but not limited to the Infant Plaintiff, C.V.; in engaging in improper games and activities including “Train Wreck” and “Sick Secret Santa” with the students, including but not limited to the Infant Plaintiff C.V. which involved, *inter alia*, placing human feces in coffee cups, Photo-shopping images of students in various photographs in a prurient and otherwise improper manner; in sending improper and/or sexually explicit electronic messages (texts, e-mails and the like) to the students, including but not limited to the Infant Plaintiff C.V. requesting photographs of their genitals and improperly displaying the teacher’s body to the students, including the Infant Plaintiff C.V.: in allowing the teacher CHRISTOPHER SCHRAUFNAGEL to engage in sexual relations and/or otherwise inappropriate sexual activities with the students, including but not limited to the Infant Claimant C.V.; in failing to take the steps necessary to have prevented the occurrences of sexually and/or otherwise inappropriate conduct and/or behavior; in ignoring that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior, including sexual relations and/or sexual contact and/or other improper touching with the students in the school for many years, including the Infant Plaintiff. C.V.; in failing to take notice that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior, including sexual relations and/or sexual contact with students in the school, including but not limited to, the Infant Plaintiff C.V.: in failing to take notice that CHRISTOPHER SCHRAUFNAGEL was providing illicit drugs and/or alcohol to the students in the school, including

but not limited to the Infant Plaintiff C.V.; in knowing that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior, including sexual relations and/or sexual contact with students in the school, including but not limited to, the Infant Plaintiff C.V. but failing to take the appropriate steps to stop that behavior; in knowing that CHRISTOPHER SCHRAUFNAGEL was providing drugs and/or alcohol to the students in the school, including but not limited to the Infant Plaintiff C.V.; in violating laws, statutes, regulations, rules and the like relating to the proper ways to teach and otherwise educate students, including but not limited to the Infant Plaintiff, C.V.; in failing to take steps to timely terminate and/or suspend and/or otherwise remove CHRISTOPHER SCHRAUFNAGEL from the school so he would no longer pose a threat to any student, including but not limited to, the Infant Plaintiff C.V.; in causing allowing and permitting CHRISTOPHER SCHRAUFNAGEL to act in a manner likely to be injurious to the physical, mental and/or moral welfare of a child less than seventeen years old, including but not limited the Infant Plaintiff C.V.; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to direct and/or permit a child less than seventeen years old to engage in activities that involved a substantial risk of danger to students in HORACE GREELEY HIGH SCHOOL, including but not limited to, the the Infant Plaintiff C.V.; in engaging in inappropriate physical contact with students in HORACE GREELEY HIGH SCHOOL, including the Infant Plaintiff C.V.; in engaging in conversations with students, including the Infant Plaintiff C.V., of an inappropriate and/ or sexual nature; in asking male students, including but not limited to, the Infant Plaintiff the size of his genitals; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to place his hands on the genitals and surrounding areas of the Infant Plaintiff C.V.; in subjecting the students to unwanted sexual contact and/or touching without consent; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL

to promote and/or encourage and/or otherwise glorify drug use to the students in HORACE GREELEY HIGH SCHOOL, including but not limited to the Infant Plaintiff C.V.

23. That said occurrences and the injuries resulting therefrom and sustained by the Infant Plaintiff, C.V. were caused by reason of the negligence, carelessness, recklessness and intentional actions and conduct of the Defendants, their agents, servants and/or employees, in its proprietary capacity in the ownership, operation, maintenance and control of said premises.

24. The Defendants jointly and/or severally owed a legal duty to the Plaintiffs which was breached.

25. That by reason of the foregoing, the Infant Plaintiff C.V. sustained severe and permanent psychological and personal injuries, the full extent of which is not presently known, including but not limited to, upon information and belief, severe emotional and physical injuries.

26. That this action falls within one or more exceptions set forth in CPLR Section 1602 as the duty to maintain is non-delegable and the conduct of the Defendants was reckless and intentional.

WHEREFORE, the infant plaintiff C.V. demands judgment on the First Cause of Action against the Defendants in a sum which exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over this action on the Causes of Action alleged herein, together with the interest, costs and disbursements of this action.

**AS AND FOR A SECOND CAUSE OF ACTION
ON BEHALF OF THE INFANT PLAINTIFF C.V.**

27. That Plaintiffs repeat, reiterate and reallege each and every allegation set forth in the preceeding paragraphs of this complaint marked and designated "1" through "26" with the same force

and effect as though the same were more wholly and fully set forth at length herein.

28. That upon information and belief, during the months of January 2011 through June 2015 and prior thereto, the defendant, CHRISTOPHER SCHRAUFNAGEL during the scope of his employment with the CHAPPAQUA CENTRAL SCHOOL DISTRICT, committed intentional improper, illegal and heinous acts upon the students of the school, including but not limited to, the Infant Plaintiff C.V. all of which the CHAPPAQUA CENTRAL SCHOOL DISTRICT knew or should have known about .

29. That said intentional occurrences and the injuries resulting therefrom and sustained by the Infant Plaintiff C.V. were caused by reason of the negligence and carelessness of the Defendants.

30. That Defendants jointly and/or severally owed a legal duty of of care which was breached.

31. That by reason of the foregoing, the Infant Plaintiff, C.V. sustained severe and permanent psychological and personal injuries, the full extent of which is not presently known, including but not limited to, upon information and belief, severe emotional, psychological and physical injury.

32. That this action falls within one or more exceptions as set forth in CPLR Section 1602 because the conduct of of the Defendants was reckless, the duty of care owed was non-delegable and the Defendants' conduct was intentional.

WHEREFORE, the infant plaintiff C.V. demands judgment in the Second Cause of Action against the Defendants in a sum which exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over this action on the Causes of Action alleged herein, together with the interest, costs and disbursements of this action.

**AS AND FOR A THIRD CAUSE OF ACTION ON
BEHALF OF THE INFANT PLAINTIFF ANONYMOUS PARENT #1**

33. The plaintiffs, repeat, reiterate and reallege each and every allegation set forth in the preceeding paragraphs "1" through "32" with the same force and effect as though the same were more wholly and fully set forth at length herein.

34. That at all times herein mentioned, the plaintiff, Anonymous Parent #1, was the Parent and Natural Guardian of the Infant Plaintiff, C.V., who was and still is entitled to the aid, love and services of the said infant and further, was and still is and will in the future be obligated to pay for the hospital expenses, medical expenses and related expenses and attention on behalf of the said Infant Plaintiff C.V.

35. That this action falls within one or more exceptions as set forth in CPLR Section 1602 because the conduct of of the Defendants was reckless and the duty of care owed was non-delagable and the Defendants' conduct was intentional.

WHEREFORE, the plaintiff, Anonymous Parent #1 demands judgment against the Defendants on the Third Cause of Action in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction over this action, together with interest, costs and disbursements of this action.

**AS AND FOR A FOURTH CAUSE OF ACTION
ON BEHALF OF THE INFANT PLAINTIFF J.G.**

36. That Plaintiffs, by their attorney, The Law Office of William A. Gallina, PLLC, complaining of the defendants, respectfully state and allege as follows:

37. That at all times herein mentioned, the Infant Plaintiff J.G. and Anonymous Parent #2 were and still are residents of the County of Westchester, State of New York.

38. That the occurrences which gave rise to the commencement of this action took place in the County of Westchester, State of New York.

39. That heretofore and on or about October 20th, 2015 a Notice of Claim, in writing, sworn to by or on behalf of the Plaintiffs (then Claimants) was served upon the Defendants, which set forth the name and post office address of the Plaintiffs (then Claimants) their attorneys, the nature of the claim, the time when, the place where and the manner in which the claim herein sued upon arose and the items of damages or injuries claimed to have been sustained, so far as then practicable.

40. That a 50(h) hearing was held on December 3rd, 2015 and continued to its completion.

41. That at least thirty (30) days have elapsed prior to the commencement of this action since service of the Notice of Claim on the Defendants, and since the 50-(h) hearing payment has been neglected and/or refused by the Defendants, CHAPPAQUA CENTRAL SCHOOL DISTRICT.

42. That at no time between the service of the Plaintiffs' Notice of Claim and the commencement of this action did the Defendants, CHAPPAQUA CENTRAL SCHOOL DISTRICT, demand a physical examination of Claimants.

43. That this action was commenced within one (1) year and ninety (90) days after the happening of the events upon which the claim is based, or otherwise within the time to commence the action pursuant to and permitted by the CPLR.

44. That this matter involves sexual issues concerning a minor, necessitating an anonymous caption with respect to plaintiffs to prevent further shame, further embarrassment and further physical and/or emotional and/or psychiatric/psychological sequelae.

45. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, owned the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

46. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, operated the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

47. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, maintained the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

48. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, managed the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

49. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, controlled the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

50. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, leased the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

51. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, administered the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

52. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, administered the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

53. That at all times herein mentioned the Infant Plaintiff J.G. was a student of the CHAPPAQUA CENTRAL SCHOOL DISTRICT and more specifically at the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

54. That at all times herein mentioned the Defendant, CHRISTOPHER SCHRAUFNAGEL, was employed by defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT and working at HORACE GREELEY HIGH SCHOOL as a drama teacher.

55. That Defendant, CHRISTOPHER SCHRAUFNAGEL, in his dealings and/or contacts and/or interactions with the Infant Plaintiff J.G. and other students, did so with the knowledge (actual, tacit, constructive or otherwise) and/or consent (actual, tacit, constructive or otherwise) and/or permission(actual, tacit, constructive or otherwise) of the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT.

56. That at all time hereinafter mentioned, the Defendant, CHRISTOPHER SCHRAUFNAGEL, in his dealings and/or contacts and/or interactions with the Infant Plaintiff J.G. was acting in the scope of his employment as a teacher employed by the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT at HORACE GREELEY HIGH SCHOOL.

57. That upon information and belief, prior to and including the school year commencing September, 2014 the defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, its agents, servants and/or employees were negligent, careless and reckless in failing to recruit, develop and maintain a teaching and administrative staff of the highest caliber; in failing to create a safe and proper atmosphere,

community and learning environment to develop each student's full potential, including but not limited to that of the Infant Plaintiff J.G.; in failing to properly nourish the student's emotional well-being and guide their social development; in failing to properly instill in the students, particularly the Infant Plaintiff J.G. an appreciation of self-worth; in failing to help the students, particularly the Infant Plaintiff J.G. learn how to act ethically; in causing, allowing and permitting an unsafe learning environment; in causing allowing and permitting harassing conduct to exist in the school; in failing to have an appropriate complaint/grievance procedure in place; in failing to maintain a proper learning environment; in failing to provide a school environment free of harassment and other improper conduct; in failing to provide students, including but not limited to the Infant Plaintiff J.G. with a proper and safe learning environment; in knowing CHRISTOPHER SCHRAUFNAGEL was abusing (physical, mentally emotionally and otherwise) and harassing students, including the Infant Plaintiff J.G. but failing to take the proper steps to have stopped such behavior; to have in place the proper Code of Conduct, one reasonably calculated to end the abuse and/or harassment and/or eliminate any hostile environment, create a more positive school culture and climate, and prevent recurrence of the behavior and ensure the safety of the students, including the Infant Plaintiff J.G.; in failing to properly examine the school's climate and culture, which has been defined as the quality and character of school life; in causing, allowing and/or permitting teacher CHRISTOPHER SCHRAUFNAGEL to verbally, physically and otherwise abuse the students in the school, and more particularly but not limited to the Infant Plaintiff J.G.; in failing to take the proper steps to have avoided the abuse suffered by students in the school, particularly the Infant Plaintiff J.G.; in violating all laws, statutes, regulations, policies and the like relating to the school administration and/or prevention of abuse, harassment and other illegal or improper behavior and/or educating students; in failing to conduct a proper investigation of

CHRISTOPHER SCHRAUFNAGEL after learning or otherwise knowing of his abusive, criminal or otherwise improper behavior; in failing to bring charges against CHRISTOPHER SCHRAUFNAGEL; in failing to properly educate its students, including the Infant Plaintiff J.G.; in failing to improve a student's self-understanding, increase his/her self-confidence, and enhance their respect for the qualities of their fellow human beings; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to engage in improper, illegal, harmful and/or otherwise dangerous and/or improper conduct; in failing to properly own, operate, maintain, manage, control, administer, and/or supervise the school, its administrative staff, teachers and other employees, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to adhere to its own policies and practices regarding alcohol or drug use by teachers on school grounds, including but not limited to CHRISTOPHER SCHRAUFNAGEL ; in failing to assure the rights of its students, including the Infant Plaintiff J.G. were properly safeguarded and otherwise protected; in failing to promote a climate of mutual respect and dignity; in failing to create an environment that contributes to the students' civic responsibility; in failing to develop a sound and healthful atmosphere of mutual respect; in failing to report CHRISTOPHER SCHRAUFNAGEL to the appropriate authorities and/or otherwise commencing proceedings to have him terminated as a teacher in the school and/or district; in knowing CHRISTOPHER SCHRAUFNAGEL was touching, verbally, physically and otherwise abusing students and failing to stop and/or report such conduct and/or refer CHRISTOPHER SCHRAUFNAGEL to the appropriate authorities; in causing, allowing and permitting improper security procedures to be created and implemented in HORACE GREELEY HIGH SCHOOL; in failing to take appropriate measures to secure the safety and welfare of the students, and in particular but not limited to, the Infant Plaintiff, J.G.: in failing to employ and/or deploy sufficient personnel, in number and in training, to address

security, hiring, supervision, reporting and monitoring; in failing to appropriately supervise the school staff, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in causing, allowing and permitting the sexual and physical assault and battery of an infant, including but not limited to the Infant Plaintiff J.G.; in failing to install and/or maintain and/or monitor surveillance equipment with respect to rooms, hallways, students, offices, auditoriums and surrounding areas, visitors and teachers; in failing to properly investigate and/or evaluate and/or report its knowledge of the improper conduct committed by CHRISTOPHER SCHRAUFNAGEL; in failing to properly evaluate and/or report and/or refer the results of any investigation of those persons, agents, servants and/or employees hired to supervise and/or teach students, including, but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to properly and/or adequately supervise the activities provided by CHRISTOPHER SCHRAUFNAGEL ; in failing to promulgate proper and/or adequate rules and regulations governing the supervision to be provided and rendered by those agents, servants and/or employees hire to operate, manage, control, supervise, coordinate, and teachers, including but not limited to CHRISTOPHER SCHRAUFNAGEL, ; in failing to promulgate proper and/or adequate rules and/or regulations governing the proper care, guidance and/or supervision to be provided and rendered to those utilizing said facility, including but not limited to the Infant Plaintiff J.G.; in failing to properly and/or adequately monitor the care, guidance and/or supervision provided at said facility; in failing to properly and/or adequately provide guidance for and/or supervise the Infant Plaintiff J.G.; in failing to properly and/or adequately monitor and/or supervise the activities in which the Infant Plaintiff J.G. was involved in on the day and/or days of the incidents; in failing to properly hire, train, supervise, retain, orient and monitor the Defendant, CHRISTOPHER SCHRAUFNAGEL; in failing to insure that said facility provided those in its charge and utilizing its facility, including the Infant Plaintiff, J.G. with a safe and proper environment; in failing to properly and

thoroughly vet and/or screen and/or investigate the background of all employees, agents, servants, in order to ascertain whether said individual had a history and/or background as a violent offender, a criminal child molester, rapist, and/or pedophile, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in hiring a person with a known relevant criminal history, to teach children, including but not limited to, the Infant Plaintiff J.G.; in failing to prevent said activity; in failing to stop said activity, in otherwise being negligent, careless, reckless and grossly negligent in the premises; in failing to safeguard school property and persons lawfully on the property including but not limited to the Infant Plaintiff J.G.; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to touch, grope, pet, molest, sexually abuse and/or otherwise act and/or touch and/or engage in improper behavior with the students in the school, including, but not limited to, the Infant Plaintiff J.G.; in engaging in bullying and/or badgering and other forms of behavior that was detrimental to the life, health and safety of the students, including, but not limited to the Infant Plaintiff J.G.; in touching, groping, petting or otherwise making improper contact with students, including the Infant Plaintiff J.G.; in touching and/or slapping and/or rubbing the buttocks of the Infant Plaintiff J.G.; in making sexually explicit and otherwise improper remarks regarding the students, including but not limited to the Infant Claimant J.G.; in making sexually explicit and/or otherwise improper gestures and/or comments to the students, including but not limited to the Infant Plaintiff, J.G.; in engaging in improper games and activities including “Train Wreck” and “Sick Secret Santa” with the students, including but not limited to the Infant Plaintiff J.G.; in failing to take the steps necessary to have prevented the occurrences of sexually and/or otherwise inappropriate conduct and/or behavior; in ignoring that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior, including improper contact with the students in the school, including the Infant Plaintiff. J.G.; in failing

to take notice that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior and/or contact with students in the school, including but not limited to, the Infant Plaintiff J.G.: in knowing that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior including improper touching and/or petting and/or contact with students in the school, including but not limited to, the Infant Plaintiff J.G. but failing to take the appropriate steps to stop that behavior; in knowing CHRISTOPHER SCHRAUFNAGEL was violating laws, statutes, regulations, rules and the like relating to the proper ways to teach and otherwise educate students, including but not limited to the Infant Plaintiff, J.G. but failing to stop such activity; in failing to take steps to timely terminate and/or suspend and/or otherwise remove CHRISTOPHER SCHRAUFNAGEL from the school so he would no longer pose a threat to any student, including but not limited to, the Infant Plaintiff J.G. in causing allowing and permitting CHRISTOPHER SCHRAUFNAGEL to act in a manner likely to be injurious to the physical, mental and/or moral welfare of a child less than seventeen years old, including but not limited the Infant Plaintiff J.G.; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to direct and/or permit a child less than seventeen years old to engage in activities that involved a substantial risk of danger to students, including but not limited to, the the Infant Plaintiff J.G.; s in engaging in inappropriate physical contact with students, including the Infant Plaintiff J.G.; in engaging in conversations with students, including the Infant Plaintiff J.G. of an inappropriate and/ or sexual nature; in causing, allowing and permitting CHRISTOPHER SCHRAUFNAGEL to place his hands on the body and buttocks of the Infant Plaintiff J.G.; in subjecting the students, including the Infant Plaintiff J.G., to unwanted sexual contact and/or touching without consent; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to promote and/or encourage and/or otherwise glorify drug use to

the students in HORACE GREELEY HIGH SCHOOL; in caressing and/or petting and/or otherwise touching the hair and head and body of the Infant Plaintiff J.G.

58. That said occurrences and the injuries resulting therefrom and sustained by the Infant Plaintiff, J.G. were caused solely by the negligence, carelessness, recklessness and intentional actions and conduct of the Defendants, their agents, servants and/or employees, in its proprietary capacity in the ownership, operation, maintenance, administration and control of said premises, the teachers and staff and the students.

59. That Defendants jointly and/or severally owed a legal duty of care which was breached.

60. That by reason of the foregoing, the Infant Plaintiff J.G. sustained severe and permanent psychological and personal injuries, the full extent of which is not presently known, including but not limited to, upon information and belief, severe emotional and physical injuries.

61. That this action falls within one or more exceptions as set forth in CPLR Section 1602 as the duty was non-delegable, the conduct of the Defendants was reckless and intentional.

WHEREFORE, the infant plaintiff J.G. demands judgment in the Fourth Cause of Action against the Defendants in a sum which exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over this action on the Causes of Action alleged herein, together with the interest, costs and disbursements of this action.

**AS AND FOR A FIFTH CAUSE OF ACTION
ON BEHALF OF THE INFANT PLAINTIFF J.G.**

62. That Plaintiffs repeat, reiterate and reallege each and every allegation set forth in the preceding paragraphs of this complaint marked and designated "36" through "61" with the same force

and effect as though the same were more wholly and fully set forth at length herein.

63. That upon information and belief, during the months of September 2014 and June 2015 and prior thereto, the defendant, CHRISTOPHER SCHRAUFNAGEL during the scope of his employment with the CHAPPAQUA CENTRAL SCHOOL DISTRICT, committed intentional improper, illegal and heinous acts upon the students of the school, including but not limited to, the Infant Plaintiff J.G. all of which the CHAPPAQUA CENTRAL SCHOOL DISTRICT knew or should have known about .

64. That said intentional occurrences and the injuries resulting therefrom and sustained by the Infant Plaintiff J.G. were caused by reason of the negligence, carelessness, recklessness and intentional conduct of the Defendants, its agents, servants and/or employees.

65. That Defendants jointly and/or severally owed a legal duty of of care which was breached.

66. That by reason of the foregoing, the infant plaintiff, J.G. sustained severe and permanent psychological and personal injuries, the full extent of which is not presently known, including but not limited to, upon information and belief, rape and severe emotional and physical injury.

67. That this action falls within one or more exceptions as set forth in CPLR Section 1602 because the conduct of of the Defendants was reckless, the duty of care owed was non-delegable and the Defendants' conduct was intentional.

WHEREFORE, the infant plaintiff J.G. demands judgment on the Fifth Cause of Action against the defendants a sum which exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over this action on the Causes of Action alleged herein, together with the interest, costs and disbursements of this action.

**AS AND FOR A SIXTH CAUSE OF ACTION ON
BEHALF OF THE ANONYMOUS PARENT #2**

68. The Plaintiffs, repeat, reiterate and reallege each and every allegation set forth in the preceeding paragraphs "63" through "67" with the same force and effect as though the same were more wholly and fully set forth at length herein.

69. That at all times herein mentioned, the Plaintiff, Anonymous Parent #2, was the Mother and Natural Guardian of the Infant Plaintiff, J.G. who was and still is entitled to the aid, love and services of the said infant and further, was and still is and will in the future be obligated to pay for medical expenses and related expenses and attention on behalf of the said Infant Plaintiff J.G.

70. That this action falls within one or more exceptions as set forth in CPLR Section 1602 because the conduct of of the Defendants was reckless,the duty of care owed was non-delagable and the coduct was intentional .

WHEREFORE, the Plaintiff, Anonymous Parent # 2 demands judgment against the Defendants on the Sixth Cause of Action in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction over this action, together with interest, costs and disbursements of this action.

**AS AND FOR A SEVENTH CAUSE OF ACTION ON
BEHALF OF THE PLAINTIFF M.R.**

71. That at all times herein mentioned, Plaintiff was a resident of the County of Westchester, State of New York.

72. That the occurrences which gave rise to the commencement of this action took place in the County of Westchester, State of New York.

73. That this matter involves sexual issues concerning a minor, necessitating an anonymous caption with respect to plaintiff to prevent further shame, further embarrassment and further physical and/or emotional and/or psychiatric/psychological sequelae.

74. That upon information and belief, and at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT was and still is a municipal corporation or political subdivision thereof, duly organized and existing under and by virtue of the laws of the State of New York and/or County of Westchester.

75. That heretofore and on or about October 9th, 2015, Plaintiff M.R. (then Claimant) caused a Notice of Claim, in writing and sworn, to be served upon the Defendants, which said Notice of Claim set forth the name and post office address of the Plaintiff herein, the attorneys, the nature of the claim, the time when, the place where and the manner in which the claim herein sued upon arose and the items of damages or injuries claimed to have been sustained, so far as then practicable.

76. That a 50-(h) hearing was commenced on December 30th, 2015 and continued to its completion.

77. That at least thirty (30) days have elapsed prior to the commencement of this action since service of the Notice of Claim on the Defendants, and since the 50-(h) hearing payment has been neglected and/or refused by the Defendants, CHAPPAQUA CENTRAL SCHOOL DISTRICT.

78. That at no time between the service of the Plaintiff's Notice of Claim and the commencement of this action did the Defendants, CHAPPAQUA CENTRAL SCHOOL DISTRICT, demand a physical examination of Claimant.

79. That this action was commenced within one (1) year and ninety (90) days after the happening of the events upon which the claim is based, or otherwise within the time to commence the action pursuant to and permitted by the CPLR.

80. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, owned the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

81. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, operated the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

82. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, maintained the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

83. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, managed the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

84. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, controlled the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

85. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, leased the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

86. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, used the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

87. That at all times herein mentioned the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, administered the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

88. That at all times herein mentioned the Plaintiff M.R. was a student of the CHAPPAQUA CENTRAL SCHOOL DISTRICT and more specifically at the school known as HORACE GREELEY HIGH SCHOOL located at 66 Roaring Brook Road, Chappaqua, NY.

89. That at all times herein mentioned the defendant, CHRISTOPHER SCHRAUFNAGEL was employed by Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT working at HORACE GREELEY HIGH SCHOOL as a drama teacher.

90. That Defendant, CHRISTOPHER SCHRAUFNAGEL, in his dealings with the Plaintiff M.R. and other students, did so with the knowledge and/or consent and/or permission of the defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT.

91. That Defendant, CHRISTOPHER SCHRAUFNAGEL, in his dealings and/or contacts and/or interactions with the Plaintiff M.R. and other students, did so with the knowledge (actual, tacit, constructive or otherwise) and/or consent (actual, tacit, constructive or otherwise) and/or permission(actual, tacit, constructive or otherwise) of the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT.

92. That at all times hereinafter mentioned, the Defendant, CHRISTOPHER SCHRAUFNAGEL, in his dealings and/or contacts and/or interactions with the Plaintiff M.R. was

acting in the scope of his employment as a teacher employed by the defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT at HORACE GREELEY HIGH SCHOOL.

93. That upon information and belief, on or about the school year of January 2011 through June 2015 and prior thereto, the Defendant, CHAPPAQUA CENTRAL SCHOOL DISTRICT, its agents, servants and/or employees were negligent, careless and reckless in failing to recruit, develop and maintain a teaching and administrative staff of the highest caliber; in failing to create a safe and proper atmosphere, community and learning environment to develop each student's full potential, including but not limited to that of the Plaintiff M.R.; in failing to properly nourish the student's emotional well-being and guide their social development; in failing to properly instill in the students, particularly the Plaintiff M.R. an appreciation of self-worth; in failing to help the students, particularly the Plaintiff M.R. learn how to act ethically; in causing, allowing and permitting an unsafe learning environment; in causing allowing and permitting harassing conduct to exist in the school; in failing to have an appropriate complaint/grievance procedure in place; in failing to maintain a proper learning environment; in failing to provide a school environment free of harassment and other improper conduct; in failing to provide students, including but not limited to the Plaintiff M.R. with a proper and safe learning environment; in knowing CHRISTOPHER SCHRAUFNAGEL was abusing (mentally, emotionally and otherwise) and harassing students, including the Plaintiff M.R. but failing to take the proper steps to have stopped such behavior; to have in place the proper Code of Conduct, one reasonably calculated to end the abuse and/or harassment and/or eliminate any hostile environment, create a more positive school culture and climate, and prevent recurrence of the behavior and ensure the safety of the students, including the Plaintiff M.R.; in failing to properly examine the school's climate and culture, which has been defined as the quality and character of school life; in causing, allowing and/or permitting teacher CHRISTOPHER

SCHRAUFNAGEL to verbally and otherwise abuse the students in the school, and more particularly but not limited to the Plaintiff M.R.; in failing to take the proper steps to have avoided the abuse suffered by students in the school, particularly the Plaintiff M.R.; in violating all laws, statutes, regulations, policies and the like relating to the school administration and/or prevention of abuse, harassment and other illegal or improper behavior and/or educating students; in failing to conduct a proper investigation of CHRISTOPHER SCHRAUFNAGEL after learning or otherwise knowing of his abusive, criminal or otherwise improper behavior; in failing to bring charges against CHRISTOPHER SCHRAUFNAGEL; in failing to properly educate its students, including the Plaintiff M.R.; in failing to improve a student's self-understanding, increase his/her self-confidence, and enhance their respect for the qualities of their fellow human beings; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to engage in improper, illegal, harmful and/or otherwise dangerous and/or improper conduct; in failing to properly own, operate, maintain, manage, control, administer, and/or supervise the school, its administrative staff, teachers and other employees, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to adhere to its own policies and practices regarding alcohol and/or drug use by teachers on school grounds, including but not limited to CHRISTOPHER SCHRAUFNAGEL ; in failing to assure the rights of its students, including the Plaintiff M.R. were safeguarded or otherwise protected; in failing to promote a climate of mutual respect and dignity; in failing to create an environment that contributes to the students' civic responsibility; in failing to develop a sound and healthful atmosphere of mutual respect; in failing to properly maintain and/or enforce a curriculum regarding drugs and alcohol abuse; in failing to stop such improper and/or illegal and/or dangerous conduct and/or referring CHRISTOPHER SCHRAUFNAGEL to the appropriate authorities and/or otherwise commencing proceedings to have him terminated as a teacher in the school

and/or district; in knowing CHRISTOPHER SCHRAUFNAGEL was verbally, physically and otherwise abusing students and failing to stop and/or report such conduct and/or refer CHRISTOPHER SCHRAUFNAGEL to the appropriate authorities; in causing, allowing and permitting improper security procedures to be created and implemented in HORACE GREELEY HIGH SCHOOL; in failing to take appropriate measures to secure the safety and welfare of the students, and in particular but not limited to, Plaintiff M.R.: in failing to employ and/or deploy sufficient personnel, in number and in training, to address security, hiring, supervision, reporting and monitoring; in failing to appropriately supervise the school staff, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in causing, allowing and permitting the bullying and harrassment of a students, including but not limited to Plaintiff M.R.; in failing to install and/or maintain and/or monitor surveillance equipment with respect to rooms, hallways, students, offices, auditoriums and surrounding areas, visitors and teachers; in failing to properly investigate and/or evaluate and/or report its knowledge of the improper conduct committed by CHRISTOPHER SCHRAUFNAGEL; in failing to properly evaluate and/or report and/or refer the results of any investigation of those persons, agents, servants and/or employees hired to operate, manage, control, supervise, teach and maintain equipment and/or run said facility, including, but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to properly and/or adequately supervise the activities provided by and/or at said facillity; in failing to promulgate proper and/or adquate rules and regulations governing the supervision to be provided and rendered by those agents, servants and/or employees hire to operate, manage, control, supervise, coordinate, and teachers, including but not limited to CHRISTOPHER SCHRAUFNAGEL; in failing to promulgate proper and/or adequate rules and/or regulations governing the proper care, guidance and/or supervision to be provided and rendered to those utilizing said facility, including but not limited to Plaintiff M.R.; in failing to properly and/or

adequately monitor the care, guidance and/or supervision provided at said facility; in failing to properly and/or adequately provide guidance for and/or supervise the Plaintiff M.R.; in failing to properly and/or adequately monitor and/or supervise the activities in which the Plaintiff M.R. was involved in on the day and/or days of the incidents; in failing to properly hire, train, supervise, retain, orient and monitor the defendant, CHRISTOPHER SCHRAUFNAGEL; in failing to insure that said facility provided those in its charge and utilizing its facility, including the Plaintiff M.R. with a safe and proper environment; in failing to properly and thoroughly vet and/or screen and/or investigate the background of all employees, agents, servants, in order to ascertain whether said individual had a history and/or background , including but not limited to CHRISTOPHER SCHRAUFNAGEL; in hiring a person with a known relevant history, to teach children, including but not limited to, the Plaintiff M.R. herein; in failing to prevent said activity; in failing to stop said activity, in otherwise being negligent, careless, reckless and grossly negligent in the premises; in failing to safeguard school property and persons lawfully on the property including but not limited to Plaintiff M.R.; in engaging in harrassing and/or bullying and/or badgering and other forms of vituperative behavior that was detrimental to the life, health and safety of the students, including, but not limited to Plaintiff M.R.; in making sexually explicit and otherwise improper remarks regarding students, including but not limited to Plaintiff M.R.; in making sexually explicit and/or otherwise improper gestures and/or comments to the students, including but not limited to Plaintiff M.R.; in engaging in improper games and activities including "Train Wreck" and "Sick Secret Santa" with the students, including but not limited to M.R. which involved, *inter alia*, placing human feces in coffee cups, Photo-shopping images of students in various photographs in a prurient and otherwise improper manner and baking pubic hairs in cakes; in failing to take the steps necessary to have prevented the occurrences of inappropriate conduct and/or behavior; in ignoring that CHRISTOPHER

SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior; in failing to take notice that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior: in failing to take notice that CHRISTOPHER SCHRAUFNAGEL was drinking alcohol and intoxicated during teaching hours; in knowing that CHRISTOPHER SCHRAUFNAGEL was engaging in a persistent course and/or pattern of inappropriate behavior, with students, including but not limited to, Plaintiff M.R. but failing to take the appropriate steps to stop that behavior; in violating laws, statutes, regulations, rules and the like relating to the proper ways to teach and otherwise educate students, including but not limited to Plaintiff M.R.; in failing to take steps to timely terminate and/or suspend and/or otherwise remove CHRISTOPHER SCHRAUFNAGEL from the school so he would no longer pose a threat to any student, including but not limited to, the Infant Plaintiff M.R.; in causing allowing and permitting CHRISTOPHER SCHRAUFNAGEL to act in a manner likely to be injurious to the physical, mental and/or moral welfare of a child less than seventeen years old, including but not limited to Plaintiff M.R.; in causing, allowing and/or permitting CHRISTOPHER SCHRAUFNAGEL to direct and/or permit a child less than seventeen years old to engage in activities that involved a substantial risk of danger to students in HORACE GREELEY HIGH SCHOOL, including but not limited to, Plaintiff M.R.; in engaging in conversations with students including Plaintiff M.T.

94. That said occurrences and the injuries resulting therefrom and sustained by plaintiff M.R. were caused by reason of the negligence, carelessness, recklessness and intentional actions and conduct of the Defendants, their agents, servants and/or employees, in its proprietary capacity in the ownership, operation, maintenance and control of said premises.

95. The Defendants jointly/severally owed a legal duty to Plaintiff which was breached.

96. That by reason of the foregoing, Plaintiff M.R. sustained severe and permanent psychological and personal injuries, the full extent of which is not presently known, including but not limited to, upon information and belief, severe emotional and physical injuries.

97. That this action falls within one or more exceptions as set forth in CPLR Section 1602 as the duty to maintain the premises is non-delegable, the conduct of the Defendants was reckless and intentional.

WHEREFORE, Plaintiff M.R. demands judgment on the Seventh Cause of Action against the Defendants in a sum which exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over this action on the Causes of Action alleged herein, together with the interest, costs and disbursements of this action.

**AS AND FOR A SECOND CAUSE OF ACTION
ON BEHALF OF PLAINTIFF M.R.**

98. That Plaintiff repeats, reiterates and realleges each and every allegation set forth in the preceeding paragraphs of this complaint marked and designated "71" through "97" with the same force and effect as though the same were more wholly and fully set forth at length herein.

99. That upon information and belief, during the months of January 2011 through June 2015 and prior thereto, the defendant, CHRISTOPHER SCHRAUFNAGEL during the scope of his employment with the CHAPPAQUA CENTRAL SCHOOL DISTRICT, committed intentional improper, illegal and heinous acts upon the students of the school, including but not limited to, Plaintiff M.R. all of which the CHAPPAQUA CENTRAL SCHOOL DISTRICT knew or should have known about .

100. That said intentional occurrences and the injuries resulting therefrom and sustained Plaintiff M.R. were caused by reason of the negligence, carelessness, reckless and intentional conduct of the Defendants.

101. That Defendants jointly and/or severally owed a legal duty of care which was breached.

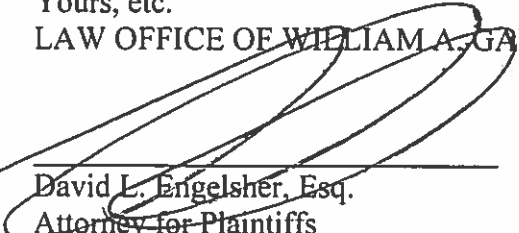
102. That by reason of the foregoing, the Plaintiff M.R. sustained severe and permanent psychological and personal injuries, the full extent of which is not presently known, including but not limited to, upon information and belief, rape and severe emotional and physical injury.

103. That this action falls within one or more exceptions as set forth in CPLR Section 1602 because the conduct of the Defendants was reckless, the duty of care owed was non-delegable and the Defendants conduct was intentional;

WHEREFORE, Plaintiff M.R. demands judgment in the Eighth Cause of Action against the Defendants in a sum which exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction over this action on the Causes of Action alleged herein, together with the interest, costs and disbursements of this action.

Dated: Bronx, New York
May 9th, 2016

Yours, etc.
LAW OFFICE OF WILLIAM A. GALLINA, PLLC

By: 
David L. Engelsher, Esq.
Attorney for Plaintiffs
1250 Waters Place – Tower One
Suite 708
Bronx, New York 10461
(718) 892-0400

To:

Chappaqua Central School District
66 Roaring Brook Road
Chappaqua, NY 10514

Christopher Schraufnagel
c/o Chappaqua Central School District
66 Roaring Brook Road
Chappaqua, NY 10514

ATTORNEY'S VERIFICATION BY AFFIRMATION

STATE OF NEW YORK, COUNTY OF BRONX

I, the undersigned, am an attorney admitted to practice in the Courts of the State of New York, and say that I am the attorney of record, or of counsel with the attorney of record for **Plaintiffs**. I have read the annexed and know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following: books, records, documents, memoranda contained in the file which I have in my possession.

The reason I make this affirmation instead of Plaintiffs is that Plaintiffs do not reside in the County where I have my offices.

I affirm the foregoing statements are true under penalties of perjury.

Dated: Bronx, New York
May 14, 2016



David L. Engelscher, Esq.

Index No.:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

C. V., an Infant by his Mother and Natural Guardian ANONYMOUS PARENT #1 and ANONYMOUS PARENT #1, Individually, J.G., an Infant by his Mother and Natural Guardian ANONYMOUS PARENT #2 and ANONYMOUS PARENT #2, Individually, and M.R.,

Plaintiffs,

-against-

CHAPPAQUA CENTRAL SCHOOL DISTRICT and CHRISTOPHER SCHRAUFNAGEL,
Defendants.

SUMMONS AND VERIFIED COMPLAINT

LAW OFFICES OF

WILLIAM A. GALLINA, PLLC,

Attorney for Plaintiff

1250 WATERS PLACE – TOWER ONE
SUITE 708
BRONX, NEW YORK 10461
TEL: (718) 892-0400
FAX (718) 892-0833

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: May 14th, 2016

Signature _____

Print Signer's Name: David L. Engelsher, Esq.
