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*Attorneys for Defendant*  
*Rhetta Maide a/k/a Rhetta Ackerman*

DONALD LACLAIR,

Plaintiff,

v.

TEANECK BOARD OF EDUCATION  
(d/b/a TEANECK PUBLIC SCHOOLS  
and d/b/a BENJAMIN FRANKLIN  
MIDDLE SCHOOL); RHETTA MAIDE  
a/k/a RHETTA ACKERMAN;  
DEFENDANT DOE 1-10; DEFENDANT  
DOE INSTITUTION 1-10,

Defendant.

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY**

**DOCKET NO.: BER-L-5692-21**

**CIVIL ACTION**

**ANSWER TO PLAINTIFF'S AMENDED  
COMPLAINT ON BEHALF OF  
DEFENDANT RHETTA MAIDE a/k/a  
RHETTA ACKERMAN**

Defendant Rhetta Maide a/k/a Rhetta Ackerman ("Mrs. Maide"), by her counsel McManimon, Scotland & Baumann, LLC, as and for its answer to Plaintiff Donald Laclair's ("Plaintiff"), Amended Complaint says:

**PARTIES AND VENUE**

1. We make no response to the allegations contained in Paragraph 1 as Mrs. Maide lacks sufficient knowledge or information to either confirm or deny and leave Plaintiff to his proofs.

2. We make no response to the allegations contained in Paragraph 2 that they may amount to legal conclusions.

3. We make no response to the allegations contained in Paragraph 3 as they are not directed at this Defendant.

4. We make no response to the allegations contained in Paragraph 4 as they are not directed at this Defendant.

5. We make no response to the allegations contained in Paragraph 5 as they are not directed at this Defendant.

6. We make no response to the allegations contained in Paragraph 6 as they are not directed at this Defendant.

7. We admit to the allegations contained in Paragraph 7.

8. We make no response to the allegations contained in Paragraph 8 other than to admit Mrs. Maide was a teacher and this Defendant makes no response to the additional allegations within Paragraph 8 and leave Plaintiff to his proofs.

9. We make no response to the allegations contained in Paragraph 9 that they may amount to legal conclusions.

10. We make no response to the allegations contained in Paragraph 10 as they are not directed at this Defendant.

11. We make no response to the allegations contained in Paragraph 11 that they may amount to legal conclusions.

12. We make no response to the allegations contained in Paragraph 12 as they are not directed at this Defendant.

13. We make no response to the allegations contained in Paragraph 13 as they are not directed at this Defendant.

14. We make no response to the allegations contained in Paragraph 14 other than to admit Mrs. Maide was a teacher and this Defendant makes no response to the additional allegations within Paragraph 14 that they may amount to legal conclusions.

15. We make no response to the allegations contained in Paragraph 15 that they may amount to legal conclusions.

16. We make no response to the allegations contained in Paragraph 16 that they may amount to legal conclusions.

17. We make no response to the allegations contained in Paragraph 17 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 17 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

18. We make no response to the allegations contained in Paragraph 18 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 18 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

19. We make no response to the allegations contained in Paragraph 19 as they are not directed at this Defendant.

20. We make no response to the allegations contained in Paragraph 20 that they may amount to legal conclusions.

21. We make no response to the allegations contained in Paragraph 21 that they may be construed as legal conclusions.

22. We make no response to the allegations contained in Paragraph 22 as to the language that references non represented parties, and the allegations contained in Paragraph 22 that are construed against Mrs. Maide, we make no response that they amount to legal conclusions.

23. We make no response to the allegations contained in Paragraph 23 as to the language that references non represented parties, and the allegations contained in Paragraph 23 that can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

24. We make no response to the allegations contained in Paragraph 24 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 24 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

25. We make no response to the allegations contained in Paragraph 25 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 25 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

26. We make no response to the allegations contained in Paragraph 26 as to the language that references non represented

parties, and in the event the allegations contained in Paragraph 26 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

27. We make no response to the allegations contained in Paragraph 27 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 27 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

28. We make no response to the allegations contained in Paragraph 28 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 28 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

29. We make no response to the allegations contained in Paragraph 29 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 29 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

30. We make no response to the allegations contained in Paragraph 30 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 30 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

31. We make no response to the allegations contained in Paragraph 31 that they may amount to legal conclusions.

**FACTUAL SUMMARY**

32. We make no response as Mrs. Maide lacks sufficient knowledge or information to either confirm or deny the allegations of Paragraph 32 and leaves Plaintiff to his proofs.

33. We make no response to the allegations contained in Paragraph 33 and leave Plaintiff to his proofs.

34. We admit to the allegations contained in Paragraph 34.

35. We make no response to the allegations contained in Paragraph 35 that they may amount to legal conclusion.

36. We admit that Mrs. Maide was a teacher, but we make no other response to Plaintiff's thoughts described in Paragraph 36 and leave Plaintiff to his proofs.

37. We make no response as Mrs. Maide lacks sufficient knowledge or information to either confirm or deny the allegations of Paragraph 37 and leaves Plaintiff to his proofs.

38. We make no response as Mrs. Maide lacks sufficient knowledge or information to either confirm or deny the allegations of Paragraph 38 and leaves Plaintiff to his proofs.

39. We make no response to the allegations contained in Paragraph 39 that they may amount to legal conclusions.

40. We make no response to the allegations contained in Paragraph 40 that they may amount to legal conclusions.

41. We make no response as Mrs. Maide lacks sufficient knowledge or information to either confirm or deny the allegations of Paragraph 41 and leave Plaintiff to his proofs.

42. We make no response to the allegations contained in Paragraph 42 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

43. We make no response to the allegations contained in Paragraph 43 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

44. We make no response to the allegations contained in Paragraph 44 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

45. We make no response to the allegations contained in Paragraph 45 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

46. We make no response to the allegations contained in Paragraph 46 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

47. We make no response to the allegations contained in Paragraph 47 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

48. We make no response to the thoughts of Plaintiff and allegations contained in Paragraph 48 as Mrs. Maide lacks

sufficient knowledge or information and the allegations may amount to legal conclusions.

49. We make no response to the thoughts of Plaintiff and allegations contained in Paragraph 49 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

50. We make no response to the thoughts of Plaintiff and allegations contained in Paragraph 50 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

51. We make no response to the allegations contained in Paragraph 51 as Mrs. Maide lacks sufficient knowledge or information and the allegations may amount to legal conclusions.

52. We make no response to the allegations contained in Paragraph 52 as they are the Plaintiff thoughts and make no response to any other allegation that may be construed against Mrs. Maide as legal conclusions.

53. We make no response to the allegations contained in Paragraph 53 that they may amount to legal conclusions.

54. We make no response to the allegations contained in Paragraph 54 as they are the thoughts of Plaintiff and make no response to any other allegation that may be construed against Mrs. Maide as legal conclusions.

55. We make no response to the allegations contained in Paragraph 55 as they are the thoughts and opinions of Plaintiff and make no response to any other allegation that may be construed against Mrs. Maide as legal conclusions.

56. We make no response to the allegations contained in Paragraph 56 that they amount to legal conclusions.

57. We make no response to the allegations contained in Paragraph 57 that they amount to legal conclusions.

58. We make no response to the allegations contained in Paragraph 58 that they amount to legal conclusions.

59. We make no response to the allegations contained in Paragraph 59 that they amount to legal conclusions.

60. We make no response to the allegations contained in Paragraph 60 that they amount to legal conclusions.

61. We make no response to the allegations contained in Paragraph 61 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 61 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

62. We make no response to the allegations contained in Paragraph 62 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 62 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

63. We make no response to the allegations contained in Paragraph 63 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 63 can be construed against Mrs. Maide, we make no response that they amount to legal conclusions.

64. We make no response to the allegations contained in Paragraph 64 that they may amount to legal conclusions.

65. We make no response to the allegations contained in Paragraph 65 that they may amount to legal conclusions.

66. We make no response to the allegation contained in Paragraph 66 that they may amount to legal conclusions.

67. We make no response to the allegation contained in Paragraph 67 that they may amount to legal conclusions.

68. We make no response to the allegation contained in Paragraph 68 that they may amount to legal conclusions.

69. We make no response to the allegation contained in Paragraph 69 that they may amount to legal conclusions.

70. We make no response to the allegation contained in Paragraph 70 that they may amount to legal conclusions.

71. We make no response to the allegation contained in Paragraph 71 that they may amount to legal conclusions.

72. We make no response to the allegations contained in Paragraph 72 as to the language that references non represented parties, and in the event the allegations contained in Paragraph

72 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

73. We make no response to the allegations contained in Paragraph 73 that they may be construed as legal conclusions.

74. We make no response to the allegations contained in Paragraph 74 that they may be construed as legal conclusions.

75. We make no response to the allegations contained in Paragraph 75 that they may be construed as legal conclusions.

76. We make no response to the allegations contained in Paragraph 76 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

77. We make no response to the allegations contained in Paragraph 77 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 77 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

78. We make no response to the allegations contained in Paragraph 78 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 78 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

79. We make no response to the allegations contained in Paragraph 79 as to the language that references non represented parties, and in the event the allegations contained in Paragraph

79 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

**COUNT I - NEGLIGENCE**

**Plaintiff, Donald LaClair**

**v.**

**Defendants, Teaneck Public Schools,**

**Benjamin Franklin Middle School,**

**Rhetta Maide a/k/a Rhetta Ackerman,**

**Defendant Doe 1-10, and Defendant Institutions 1-10**

80. We make no response to the allegations contained in Paragraph 80 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

81. We make no response to the allegations contained in Paragraph 81 and its subsections (a) through (x) as to the language that references non represented parties, and in the event the allegations contained in Paragraph 81 and its subsections (a) through (x) can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

82. We make no response to the allegations contained in Paragraph 82 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 82 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

83. We make no response to the allegations contained in Paragraph 83 that they may be construed as legal conclusions.

84. We make no response to the allegations contained in Paragraph 84 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 84 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

**WHEREFORE,** we request entry of judgment in our favor dismissing the claims against Mrs. Maide with prejudice, awarding court costs and attorneys' fees, and granting such other relief found just and reasonable by the Court.

**COUNT II - NEGLIGENT SUPERVISION**

**Plaintiff, Donald LaClair**

**v.**

**Defendants, Teaneck Public Schools,  
Benjamin Franklin Middle School,  
Rhetta Maide a/k/a Rhetta Ackerman,**

**Defendant Doe 1-10, and Defendant Institutions 1-10**

85. We make no response to the allegations contained in Paragraph 85 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

86. We make no response to the allegations contained in Paragraph 86 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 86 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

87. We make no response to the allegations contained in Paragraph 87 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 87 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

88. We make no response to the allegations contained in Paragraph 88 that they may be construed as legal conclusions.

89. We make no response to the allegations contained in Paragraph 89 and its subsections (a) through (c) as to the language that references non represented parties, and in the event the allegations contained in Paragraph 89 and its subsections (a) through (c) can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

**WHEREFORE,** we request entry of judgment in our favor dismissing the claims against Mrs. Maide with prejudice, awarding court costs and attorneys' fees, and granting such other relief found just and reasonable by the Court.

**COUNT III - NEGLIGENT HIRING AND RETENTION**

**Plaintiff, Donald LaClair**

**v.**

**Defendants, Teaneck Public Schools,**

**Benjamin Franklin Middle School,**

**Rhetta Maide a/k/a Rhetta Ackerman,**

**Defendant Doe 1-10, and Defendant Institutions 1-10**

90. We make no response to the allegations contained in Paragraph 90 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

91. We make no response to the allegations contained in Paragraph 91 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 91 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

92. We make no response to the allegations contained in Paragraph 92 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 92 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

93. We make no response to the allegations contained in Paragraph 93 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 93 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

94. We make no response to the allegations contained in Paragraph 94 and its subsections (a) through (i) as to the language that references non represented parties, and in the event the allegations contained in Paragraph 94 and its subsections (a) through (i) can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

**WHEREFORE**, we request entry of judgment in our favor dismissing the claims against Mrs. Maide with prejudice, awarding court costs and attorneys' fees, and granting such other relief found just and reasonable by the Court.

**COUNT IV - GROSS NEGLIGENCE**

**Plaintiff, Donald LaClair**

**v.**

**Defendants, Teaneck Public Schools,**

**Benjamin Franklin Middle School,**

**Rhetta Maide a/k/a Rhetta Ackerman,**

**Defendant Doe 1-10, and Defendant Institutions 1-10**

95. We make no response to the allegations contained in Paragraph 95 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

96. We make no response to the allegations contained in Paragraph 96 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 96 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

**WHEREFORE**, we request entry of judgment in our favor dismissing the claims against Mrs. Maide with prejudice, awarding court costs and attorneys' fees, and granting such other relief found just and reasonable by the Court.

**COUNT V - INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

**Plaintiff, Donald LaClair**

v.

**Defendants, Teaneck Public Schools,  
Benjamin Franklin Middle School,  
Rhetta Maide a/k/a Rhetta Ackerman,  
Defendant Doe 1-10, and Defendant Institutions 1-10**

97. We make no response to the allegations contained in Paragraph 97 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

98. We make no response to the allegations contained in Paragraph 98 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 98 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

99. We make no response to the allegations contained in Paragraph 99 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 99 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

100. We make no response to the allegations contained in Paragraph 100 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 100 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

101. We make no response to the allegations contained in Paragraph 101 as to the language that references non represented parties, and the allegations contained in Paragraph 101 that can

be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

102. We make no response to the allegations contained in Paragraph 102 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 102 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

**WHEREFORE,** we request entry of judgment in our favor dismissing the claims against Mrs. Maide with prejudice, awarding court costs and attorneys' fees, and granting such other relief found just and reasonable by the Court.

**COUNT VI - BREACH OF FIDUCIARY DUTY**

**Plaintiff, Donald LaClair**

**v.**

**Defendants, Teaneck Public Schools,**

**Benjamin Franklin Middle School,**

**Rhetta Maide a/k/a Rhetta Ackerman,**

**Defendant Doe 1-10, and Defendant Institutions 1-10**

103. We make no response to the allegations contained in Paragraph 103 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

104. We make no response to the allegations contained in Paragraph 104 as to the language that references non represented parties, and in the event the allegations contained in Paragraph

104 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

105. We make no response to the allegations contained in Paragraph 105 as to the language that references non represented parties, and the allegations contained in Paragraph 105 that can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

106. We make no response to the allegations contained in Paragraph 106 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 106 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

107. We make no response to the allegations contained in Paragraph 107 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 107 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

**WHEREFORE,** we request entry of judgment in our favor dismissing the claims against Mrs. Maide with prejudice, awarding court costs and attorneys' fees, and granting such other relief found just and reasonable by the Court.

**COUNT VII - LAW AGAINST DISCRIMINATION, VIOLATION OF N.J.S.A.  
SECTION 10:5-1 et seq. SEXUALLY HOSTILE ENVIRONMENT AND  
DISCRIMINATION**

**Plaintiff, Donald LaClair**  
**v.**  
**Defendants, Teaneck Public Schools,**  
**Benjamin Franklin Middle School,**  
**Rhetta Maide a/k/a Rhetta Ackerman,**  
**Defendant Doe 1-10, and Defendant Institutions 1-10**

108. We make no response to the allegations contained in Paragraph 108 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

109. We make no response to the allegations contained in Paragraph 109 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 109 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

110. We make no response to the allegations contained in Paragraph 110 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 110 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

111. We make no response to the allegations contained in Paragraph 111 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 111 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

112. We make no response to the allegations contained in Paragraph 112 as to the language that references non represented

parties, and in the event the allegations contained in Paragraph 112 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

113. We make no response to the allegations contained in Paragraph 113 that they may be construed as legal conclusions.

114. We make no response to the allegations contained in Paragraph 114 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 114 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

115. We make no response to the allegations contained in Paragraph 115 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 115 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

116. We make no response to the allegations contained in Paragraph 116 as to the language that references non represented parties, and in the event the allegations contained in Paragraph 116 can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

117. We make no response to the allegations contained in Paragraph 117 that they may be construed as legal conclusions.

**WHEREFORE,** we request entry of judgment in our favor dismissing the claims against Mrs. Maide with prejudice, awarding

court costs and attorneys' fees, and granting such other relief found just and reasonable by the Court.

**COUNT IX - PUTITIVE DAMAGES**

**Plaintiff, Donald LaClair**

**v.**

**Defendants, Teaneck Public Schools,**

**Benjamin Franklin Middle School,**

**Rhetta Maide a/k/a Rhetta Ackerman,**

**Defendant Doe 1-10, and Defendant Institutions 1-10**

118. We make no response to the allegations contained in Paragraph 118 that they may be construed as legal conclusions and leave Plaintiff to his proofs.

119. We make no response to the allegations contained in Paragraph 119 as to the language that references non represented parties, and the allegations contained in Paragraph 119 that can be construed against Mrs. Maide, we make no response that they may amount to legal conclusions.

**WHEREFORE,** we request entry of judgment in our favor dismissing the claims against Mrs. Maide with prejudice, awarding court costs and attorneys' fees, and granting such other relief found just and reasonable by the Court.

**SEPARATE DEFENSES**

1. Plaintiff's Amended Complaint fails to state a claim upon which relief can be granted.

2. Plaintiff's Amended Complaint is barred by the lack of subject matter jurisdiction.

3. Plaintiff's Amended Complaint fails to name an indispensable party.

4. Plaintiff's Amended Complaint is barred by the lack of personal jurisdiction.

5. Plaintiff's Amended Complaint claims are barred by his own negligence, acts or omissions.

6. Mrs. Maide was not negligent in her conduct.

7. The relief sought by Plaintiff is barred by the Doctrines, Estoppel and Issue Preclusion.

8. The relief sought by Plaintiff is barred by Plaintiff's contributory negligence.

9. The relief sought by Plaintiff is barred by the applicable statutes of limitation.

10. The relief sought by Plaintiff is barred by the doctrine of avoidable consequences.

11. The relief sought by Plaintiff is barred by the doctrine of *in pari delicto*.

12. Plaintiff's recovery is barred because any damages incurred were a result of superseding or intervening actions of third parties.

13. The relief sought by Plaintiff is barred by public policy.

14. The relief sought by Plaintiff is barred by offset.

15. The relief sought by Plaintiff is barred by its failure to mitigate damages.

16. The relief sought by Plaintiff is barred by the Doctrine of Laches.

17. The relief sought by Plaintiff is barred by the Doctrine of Unclean Hands.

18. Plaintiff's claims are barred by the Doctrine of Mistake.

19. Plaintiff's claims are barred by the doctrines of res judicata and collateral estoppel.

20. Mrs. Maide did not violate any duty owed to Plaintiff under common law, statute, regulations or standards.

21. The conduct of Mrs. Maide was not the proximate cause of Plaintiff's alleged damages.

22. If Plaintiff suffered damage, the same was caused by the Plaintiff's contributory negligence, acts and/or omissions, and/or were the result of risk(s) assumed.

23. Mrs. Maide reserves the right to apply to the Court for the imposition of sanctions against the Plaintiff and/or Plaintiff's counsel pursuant to R. 1:4-8 and/or N.J.S.A. 2A:15-59.1.

24. Mrs. Maide reserves all rights related to her ability to assert additional affirmative defenses based on jurisdictional or any other issues.

**McMANIMON, SCOTLAND & BAUMANN, LLC**  
Attorneys for Defendant Rhetta  
Maide a/k/a Rhetta Ackerman

By: s/Grant W. McGuire, Esq.  
Grant W. McGuire, Esq.

Dated: January 11, 2022

**CERTIFICATION PURSUANT TO RULE 4:6-1(d)**

I, the undersigned, hereby certify that the within pleading was served within the time period allowed by the New Jersey Court Rules.

**McMANIMON, SCOTLAND & BAUMANN, LLC**  
Attorneys for Defendant Rhetta  
Maide a/k/a Rhetta Ackerman

By: s/Grant W. McGuire, Esq.  
Grant W. McGuire, Esq.

Dated: January 11, 2022

**CERTIFICATION PURSUANT TO RULE 4:5-1**

I hereby certify pursuant to R. 4:5-1 that this matter is not the subject of any other action pending in any Court, arbitration or administration proceeding, nor is any other action, arbitration or administration proceeding contemplated.

I further certify that I am not aware of any other party who should be joined in this action pursuant to R. 4:28-1 or any party subject to joinder pursuant to R. 4:29 -1 (b).

**McMANIMON, SCOTLAND & BAUMANN, LLC**  
Attorneys for Defendant Rhetta  
Maide a/k/a Rhetta Ackerman

By: s/Grant W. McGuire, Esq.  
Grant W. McGuire, Esq.

Dated: January 11, 2022

**TRIAL COUNSEL DESIGNATION**

Pursuant to *Rule* 4:5-1(c), Grant W. McGuire, Esq. is hereby designated as trial counsel in this matter.

**McMANIMON, SCOTLAND & BAUMANN, LLC**  
Attorneys for Defendant Rhetta  
Maide a/k/a Rhetta Ackerman

By: s/Grant W. McGuire, Esq.  
Grant W. McGuire, Esq.

Dated: January 11, 2022

**CERTIFICATION OF FILING AND SERVICE**

I hereby certify that in addition to electronically filing this Answer and Affirmative Defenses, a copy of the within pleading was also sent this day, via electronic mail and Federal Express, to all counsel and parties appearing of record in this matter.

**McMANIMON, SCOTLAND & BAUMANN, LLC**  
Attorneys for Defendant Rhetta  
Maide a/k/a Rhetta Ackerman

By: s/Grant W. McGuire, Esq.  
Grant W. McGuire, Esq.

Dated: January 11, 2022

# Civil Case Information Statement

**Case Details: BERGEN | Civil Part Docket# L-005692-21**

**Case Caption:** LACLAIR DONALD VS TEANECK PUBLIC SCHOOLS

**Case Initiation Date:** 08/26/2021

**Attorney Name:** GRANT WILLIAM MC GUIRE

**Firm Name:** MC MANIMON SCOTLAND & BAUMANN LLC

**Address:** 75 LIVINGSTON AVE SECOND FL

ROSELAND NJ 07068

**Phone:** 9736221800

**Name of Party:** DEFENDANT : MAIDE, RHETTA

**Name of Defendant's Primary Insurance Company**

(if known): None

**Case Type:** ASSAULT AND BATTERY

**Document Type:** Answer

**Jury Demand:** YES - 6 JURORS

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Are sexual abuse claims alleged by:** DONALD LACLAIR? YES

**Plaintiff's date of birth:** 02/11/1960

**Est. date of first incident of abuse:** 01/01/1974

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category: Putative Class Action?** NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

01/11/2022

Dated

/s/ GRANT WILLIAM MC GUIRE

Signed