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<p>DONALD LACLAIR</p> <p style="text-align: center;">Plaintiff</p> <p style="text-align: center;">v.</p> <p>TEANECK PUBLIC SCHOOLS; BENJAMIN FRANKLIN MIDDLE SCHOOL; RHETTA MAIDE a/k/a RHETTA ACKERMAN; DEFENDANT DOE 1-10; DEFENDANT DOE INSTITUTION 1-10</p> <p style="text-align: center;">Defendants</p>	<p>NEW JERSEY SUPERIOR COURT LAW DIVISION BERGEN COUNTY</p> <p>DOCKET NO.: BER-L-</p> <p>CIVIL ACTION</p> <p>COMPLAINT; DEMAND FOR JURY TRIAL; DESIGNATION OF TRIAL COUNSEL; CERTIFICATION PURSUANT TO <u>R. 4:5-1</u></p>
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Plaintiff, Donald LaClair, (hereinafter also referred to as “Mr. LaClair” and/or “Don LaClair” and/or “Donald” and/or “Don” and/or “Plaintiff”), residing at 3 Still Pond Terrace, West Nyack, NY 10994, by way of Complaint against the defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Maide a/k/a/ Rhetta Ackerman (hereinafter referred to as “Ms. Ackerman” and/or “Rhetta”), Defendant Doe 1-10, and Defendant Doe Institution 1-10, say as follows:

PARTIES AND VENUE

1. Plaintiff, Donald LaClair, is currently a citizen and resident of New York, residing at 3 Still Pond Terrace, West Nyack, NY 10994.

2. At the time of his abuse, plaintiff was a minor and a resident of or near Teaneck, Bergen County, New Jersey, and the sexual abuse took place in and/or near Teaneck, New Jersey and Fort Lee, New Jersey and/or Queens, New York, among other locations.

3. At all times material hereto, defendant, Teaneck Public Schools, is a comprehensive community public school district serving students in pre-kindergarten through twelfth grade in Teaneck, Bergen County, NJ. As of the 2017-2018 school year, the district and its seven schools had an enrollment of 3,707 students and 358.4 classroom teachers (on an FTE basis), for a student-teacher ratio of 10.3:1. The district is classified by the New Jersey Department of Education as being in District Factor Group “GH”, the third highest of eight groupings. District Factor Groups organize districts statewide, ostensibly to allow comparison by common socioeconomic characteristics of the local districts.

https://en.wikipedia.org/wiki/Teaneck_Public_Schools.

4. Defendant, Teaneck Public Schools, is a public school district organized and existing under the laws of the State of New Jersey, with a principal place of business/administrative address located at 655 Teaneck Road, Teaneck, NJ 07666. Teaneck Public Schools operates under the supervision of the State Board and/or the Commissioner of Education of the State of New Jersey, and is deemed a place/places of public accommodation as defined by N.J.S.A. 10:5-5(1).

5. At all times material hereto, defendant, Benjamin Franklin Middle School was/is a Middle school located in Teaneck, NJ. Currently, Benjamin Franklin Middle School serves approximately 542 students in grades 5-8. At the time of the subject matter, Benjamin Franklin Middle School had students grades 7 through 9 at the middle school.

6. Defendant, Benjamin Franklin Middle School, is a public school organized and existing under the laws of the State of New Jersey, with a principal place of business/administrative address located at 1315 Taft Road, Teaneck, NJ 07666. Benjamin Franklin Middle School operates under the supervision of the State Board and/or the Commissioner of Education of the State of New Jersey, and is deemed a place/places of public accommodation as defined by N.J.S.A. 10:5-5(1).

7. Defendant, Rhetta Maide a/k/a Rhetta Ackerman, is a citizen and resident of New Jersey, residing at 546 Dorchester Drive, Riverdale, NJ 07675-6114.

8. At all times material hereto, Rhetta Ackerman, was a teacher at defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School.

9. Individual defendants in the above caption case identified as Defendant Doe 1-10 (said names being fictitious, and hereinafter referred to as “Defendant Doe”), were, at all relevant times, employees and/or agents of the Defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School, involved in the operation of the schools and/or the Teaneck Public Schools and/or Benjamin Franklin Middle School and the hiring, admitting, assigning, retaining, and supervising of teachers and/or individuals, including Rhetta Ackerman. The identification of these individuals is not known by the plaintiff at this time in the absence of discovery. Plaintiff reserves the right to substitute the name(s) for those agents designated as Defendant Doe when and if such information becomes available.

10. Institutional/corporate defendants in the above caption case identified as Defendant Doe Institution 1-10 (said names being fictitious, and hereinafter referred to as “Defendant Institution”) were, at all relevant times, incorporated and/or established associations, corporations, institutions, entities, schools, facilities, or other establishments that employed, hired, certified, assigned, retained, supervised, managed, oversaw, directed, administrated, and/or otherwise controlled one or more of the defendants at or during all relevant times. These Defendant Institutions were/are vicariously and derivatively liable for the negligent conduct of the aforementioned defendants under the theories of respondeat superior, master-servant, agency, and/or right of control.

11. Defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, were empowered to supervise and control all employees and/or agents within Teaneck Public Schools and/or Benjamin Franklin Middle School, including defendants, Rhetta Ackerman.

12. Defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, had/has access to and knowledge of information regarding the sexual misconduct of employees and/or agents, including knowledge of pedophilia and/or sexually abusive conduct of individuals within the Teaneck Public Schools and/or Benjamin Franklin Middle School’s educational business, including defendant, Rhetta Ackerman.

13. At all relevant times, defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10 in this action were acting by and through themselves in their individual capacities, and/or additionally by and through their actual and/or ostensible/aided agents, servants, employees, which include entities and/or individuals over whom they had control or right of control.

14. At all times material hereto, defendants, Rhetta Ackerman was acting as an teacher, employee, agent, servant, representative and/or ostensible/aided agent hired, certified, assigned, retained, supervised, managed, overseen, directed, administrated, and/or otherwise controlled by and for one or more of the Defendants, Teaneck Public Schools, Benjamin Franklin Middle School , Defendant Doe 1-10, Defendant Doe Institution 1-10, and was engaged to perform services for the Defendants, Teaneck Public Schools , Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, and was subject to the Defendants, Teaneck Public Schools, Benjamin Franklin Middle School , Defendant Doe 1-10, Defendant Doe Institution 1-10's oversight, supervision, management, direction, control, ostensible/aided control, and/or right to control the physical conduct required to perform such services.

15. The defendants, Teaneck Public Schools, Benjamin Franklin Middle School , Defendant Doe 1-10, Defendant Doe Institution 1-10, were the principals of Rhetta Ackerman, and the defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, acted only through the natural persons who were its employees, agents, servants, representatives, and/or ostensible/aided agents hired, certified, assigned, retained, supervised, managed, overseen, directed, administrated, and/or otherwise controlled by and for said defendants.

16. Rhetta Ackerman acted as the teacher, employee, agent, servant, representative, and/or ostensible/aided agent of the defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, acted negligently while in the scope of his duties or

authority, such that the negligence as a matter of law charged to the principal, here the defendants, Teaneck Public Schools , Benjamin Franklin Middle School , Defendant Doe 1-10, and Defendant Doe Institution 1-10.

17. At all times material hereto, the defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, are deemed negligent for the wrongdoing to the same extent as the employer, employee, agent, servant, representative, and/or ostensible/aided agent, Rhetta Ackerman.

18. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School , Defendant Doe 1-10, Defendant Doe Institution 1-10, through its employee, teacher, agent, and servant, had authority and responsibility to address discrimination and harassment (sexual or otherwise) and to institute corrective measures, and who had actual or constructive knowledge of harassment and discrimination in the school, and who despite such knowledge, failed to adequately respond to stop harassment and discrimination against the plaintiff and took affirmative steps which resulted directly in severe sexual harassment and assaults of the plaintiff.

19. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, were responsible for promulgation and enforcement of all policies, customs and practices for the schools and school district.

20. As recognized by the United States Department of Education in a July 1, 1998 press release, "Schools owe students a safe environment that is conducive to learning and that affords children equal educational opportunity regardless of sex."

21. Plaintiff, Donald LaClair, was a student at defendant, Teaneck Public Schools and/or Benjamin Franklin Middle School in approximately 1974-1976.

22. Plaintiff, Donald LaClair, suffered extraordinary and severe harm due to the sexual assaults committed during 1974-1976 by defendant, Rhetta Ackerman, and the sexually hostile environment at Teaneck Public Schools and/or Benjamin Franklin Middle School that was created by

defendant, Teaneck Public Schools and/or Benjamin Franklin Middle School, which the defendants failed to correct and to properly address despite their actual and/or constructive knowledge thereof and due to the negligence outlined below.

23. Before and/or during the school year of 1974-1976, defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School, actually knew and/or had reason to know that defendants, Rhetta Ackerman, engaged in a sexual offense of flagrantly lewd and inappropriate conduct and/or sexual abuse/assault which would violate the laws of New Jersey.

24. Defendants, Teaneck Public Schools and Benjamin Franklin Middle School, failed to take appropriate actions to protect plaintiff against sexual harassment/abuse at Teaneck Public Schools and/or Benjamin Franklin Middle School despite having actual notice of the past lewd and/or inappropriate conduct and/or sexual abuse by defendants, Rhetta Ackerman, all in violation of the rights guaranteed to plaintiff by the laws of New Jersey.

25. Defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School, acted individually and through its employees and agents whose names and identities are not currently known, all of which acted with actual or apparent authority and all of whom aided in carrying out and/or permitting the sexual harassment/abuse and assaults of the plaintiff by the actions and inactions of defendants.

26. Defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School, acting through its administrators, and other employees and agents, knew and/or should have known about the specific misconduct and sexual harassing conduct committed by defendant, Rhetta Ackerman, and was deliberately or recklessly indifferent to this conduct, as demonstrated by the specific failures described below, thereby exposing and continuing to expose students in general, and plaintiff in particular, to a sexually hostile educational environment.

27. Defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School, should have been aware of the misconduct and sexual harassment committed by Defendant Rhetta Ackerman, for which plaintiff asserts claims pursuant to the New Jersey Law Against Discrimination (“LAD”) violations.

28. Defendants, through their actions and inactions described herein, and through a pattern of deliberate and/or reckless indifference, created and permitted a severe, pervasive, and persistently sexually hostile environment, in violation of New Jersey’s Law Against Discrimination (“LAD”).

29. During and/or before 1974-1976, defendants, Teaneck Public Schools and/or Benjamin Franklin Middle School, knew and/or had reason to know that defendants, Rhetta Ackerman, posed a risk to students and other male students and yet permitted him to serve as public school teacher in their school system.

30. The indifference of defendants, Teaneck Public Schools, Benjamin Franklin Middle School, to the risks posed by defendant, Rhetta Ackerman, and its affirmative acts created and/or permitted the opportunity for Rhetta Ackerman to commit sexual abuses of plaintiff, which resulted in a sexually and hostile educational environment.

31. Venue is properly laid in the Superior Court of Bergen County, New Jersey pursuant to R.4:3-2(a) and/or (b).

FACTUAL SUMMARY

32. At all times material hereto, Plaintiff, Donald LaClair (DOB: 02/11/1960) was a minor, and was approximately age fourteen (14) years old in 1974.

33. In 1974-1976, Donald LaClair was a student at the Teaneck Public Schools and/or Benjamin Franklin Middle School.

34. At all times material hereto, defendant, Rhetta Ackerman, was a teacher (and employee, agent and/or apparent/ostensible/aided agent) at Teaneck Public Schools and/or Benjamin Franklin Middle School.

35. The sexual abuse of Donald LaClair by Rhetta Ackerman first began in approximately September of 1974 when Donald was fourteen (14) years old and a student at Benjamin Franklin Middle School. The sexual abuse occurred from September 1974 and continued until the Spring 1976 for approximately two (2) years.

36. Defendant, Rhetta Ackerman, was Donald LaClair's 7th grade English teacher at Benjamin Franklin Middle School. From Donald's perspective, Ms. Ackerman was a young and attractive woman. To the best of Don's knowledge, Don's 7th grade school year was Rhetta's first year teaching. She was very friendly and students often gathered around her in her classroom to seek her praise and approval. Don and his friends typically hung out in Rhetta's classroom after school in 7th and 8th grade nearly every day. Rhetta Ackerman drove a White Corvette car, and she was perceived by Don and other students as the "cool teacher."

37. During this time when Don was 13 years old, Don's parents were going through a contentious divorce. His parents still lived together while getting divorced rendering Don's home life chaotic and unsettled. Don's siblings were often out of the house at time of the divorce avoiding the familial disharmony, so Don was often the only child living at home.

38. Don attended Benjamin Franklin Middle School from 7th through 9th grades before continuing his education at Teaneck High School in 10th grade.

39. One day at the beginning of school in 9th grade (September 1974), Rhetta Ackerman offered to drive Don home after school. Before Don exiting her white Corvette to go into his parents' house, Rhetta Ackerman asked if she could kiss Don. Ms. Ackerman then proceeded to lick Don's lips seductively and kiss Don. Don then exited her car and entered his home.

40. Shortly thereafter, Rhetta Ackerman invited Don to her apartment in Queens, New York, where she lived with her husband. When Don visited Rhetta Ackerman, Don, Rhetta Ackerman's husband (Gary), and Rhetta smoked pot and listened to music. No sexual abuse occurred during this initial visit. Rhetta Ackerman asked Don not to say anything about the visit to the other students or

anyone else. Don did not tell his parents where he was going. At this point, Rhetta Ackerman gave Don her private phone number, and she encouraged Don to call her "Rhetta" when outside the presence of the other students. Rhetta Ackerman was married the entire time that she sexually abused Don.

41. When Don's parents were engaged in marital discord, Don typically called Rhetta and asked her to pick him up. On at least one occasion, Rhetta picked Don up after his parents had had a bad disagreement.

42. In November 1974, Rhetta invited Don back to her apartment. Rhetta's husband, Gary, was at the apartment and then left for work. When Gary left, Rhetta told Don: "*If you don't kiss me soon, I'm going to have to ask you to leave.*" Don was nervous, but he kissed Rhetta. The sexual abuse escalated very quickly. Rhetta Ackerman removed her clothes, removed Don's clothes and the two of them proceeded to have intercourse at Rhetta's apartment. On this date, Don lost his virginity to Rhetta Ackerman. This was Don's first sexual experience in his life and he was only fourteen (14) years old. Thereafter, Don went to Rhetta's apartment every Saturday and engaged in sexual intercourse with Rhetta.

43. During the school work week, Rhetta Ackerman typically waited for Don to finish his sports practice (football, basketball and/or baseball), and she would pick him up in her car and drive to Memorial Park located nearby. At Memorial Park, Don and Rhetta engaged in sexual activity in Rhetta's car. The sexual abuse at Memoria Park included mutual masturbation, mutual oral sex and intercourse. After this sexual abuse took place, Rhetta customarily drove Don home. Don's parents who were consumed with their divorce never questioned why Rhetta was always driving Don home.

44. Rhetta and Don mainly engaged in sexual intercourse at Rhetta's apartment. Rhetta moved to Fort Lee, NJ in the summer of 1975. During this time, Don visited her apartment and they hung out by the apartment pool. During this summer, Rhetta Ackerman also supplied to Don illicit drugs/narcotics, and the two of them took those drugs, which included Quaaludes, cannabis and cocaine. Customarily, Rhetta would pick Don up with her car after her husband went to work. They would do drugs and engage in sexual acts at Rhetta's apartment.

45. On one occasion, Don and Rhetta were in Rhetta's vehicle parked in a Synagogue parking lot where Rhetta had just performed oral sex to Don. A police officer pulled up and asked if everything was okay and they both assured the police officer that all was fine.

46. During the time the abuse occurred, Don also went on outings with Rhetta and her husband. Don attended basketball games and concerts with Rhetta and her husband.

47. Rhetta repeatedly warned and cautioned Don that she would lose her job if Don told anyone about their sexual behavior. She made it very clear that Don could not tell anyone.

48. In the Spring 1975, Rhetta had a water color painting commissioned. The painting was of Don pitching a baseball during a high school game. Rhetta wrote dates on the back of the painting that were important to their relationship. Rhetta also gave Don one of her gold bracelets for Don to wear.

49. It was known in the community that Rhetta and Don were in a relationship with each other during the time that Don was a student at Benjamin Franklin Middle School and in 10th grade at Teaneck High School. Rhetta and Don were inseparable.

50. Other teachers at Teaneck Public Schools and Benjamin Franklin Middle School were aware that Rhetta and John were in a relationship together. Mark Gruber, a social studies teacher, in 9th grade, in front of the whole class, called Don out and stated to Don: *"You want her [Rhetta] to be your girlfriend, don't you."* Don threatened physical violence against Mr. Gruber for embarrassing him in front of the class. Don was sent to the vice principal's office where he told the vice principal why he threatened Mr. Gruber. Don also suspected Donna Harrington, another teacher in 7th grade, the teaching partner with Rhetta, also knew about the sexual relationship between Rhetta and Don. Other teachers, students and administrators knew or certainly should have known that Don and Rhetta were in an inappropriate relationship.

51. Throughout the two (2) year sexual abuse of Don by Rhetta Ackerman, Don and Rhetta customarily kissed openly in the parking lot of Benjamin Franklin Middle School.

52. In 10th grade, Don was trying to date girls his own age, and Rhetta Ackerman became very jealous and would try to “interfere.” Don’s girlfriends were students at the school and Rhetta was not nice to Don’s girlfriends. Don told Rhetta that he wanted to date other girls his own age and eventually Don cut off the relationship with Rhetta in the Spring of 1976. Rhetta was upset, but they remained friendly. Periodically, over the years, Don has reached out to Rhetta, because he still has feelings for her as she was his first childhood love and sexual experience at the age of only fourteen (14) year old.

53. Rhetta Ackerman sexually abused Donald LaClair over approximately two (2) years from September 1974 to the Spring of 1976. The same type and manner of sexual abuse described and outlined above occurred repeatedly over the period. Overall, it is estimated that Rhetta Ackerman sexual abused Don in excess of two hundred (200) times.

54. These interactions with Rhetta Ackerman were the first sexual experiences of Don’s life – namely, engaging in mutual masturbation, oral sex and sexual intercourse, and utilizing drugs with his teacher, Rhetta Ackerman, and being sexually violated by the teacher beginning at the age of fourteen (14) years old.

55. It is further believed that plaintiff was abused in additional ways and/or on additional occasions, but has emotionally suppressed partially and/or in whole these additional details and/or episodes of abuse.

56. Rhetta Ackerman engaged in a calculated series of manipulation and grooming of Plaintiff as described and outlined above.

57. Rhetta Ackerman abused and molested plaintiff, Donald LaClair, while he was a minor during the period described above.

58. During his tenure as a teacher, employee, agent, servant, representative and/or ostensible/aided agent hired, certified, assigned, retained, supervised, managed, overseen, directed, administrated, and/or otherwise controlled by and for one or more of the defendants, Teaneck Public

Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, and Defendant Doe Institution 1-10, Rhetta Ackerman, was a serial molester and sexual abuser of children, including plaintiff, Donald LaClair.

59. Defendants, Rhetta Ackerman, committed his acts of sexual abuse and molestation against plaintiff, Donald LaClair, in and around Teaneck, New Jersey, Fort Lee, New Jersey, Queens, New York, as well as other locations.

60. Rhetta Ackerman's sexual abuse of plaintiff gradually increased in frequency and intensity over time and included, but was not limited to, plaintiff being sexually abused by Rhetta Ackerman, his teacher, engaging in mutual masturbation, oral sex and sexual intercourse, and utilizing drugs with his teacher, Rhetta Ackerman, and being sexually violated by the teacher beginning at the age of fourteen (14) years old.

61. At all material times hereto, defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, knew or should have known that Rhetta Ackerman sexually abused children and/or was not fit to serve as employee, agent, servant, representative and/or ostensible/aided agent.

62. At all material times hereto, defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, knew or should have known that Rhetta Ackerman had been and/or was abusing plaintiff and/or other children at Teaneck Public Schools and/or Benjamin Franklin Middle School, and other locations visited by and/or related to the Teaneck Public Schools and/or Benjamin Franklin Middle School's school/education activities, events, and/or duties.

63. At all material times hereto, defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, took no action and/or or failed to timely and adequately take action to warn or otherwise protect children of the Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, including plaintiff, from defendants, Rhetta Ackerman.

64. At all times material hereto, as a result of the sexual abuse perpetrated by Rhetta Ackerman, Donald developed depression, anxiety, feelings of worthlessness, shame, and anger issues.

65. At all times material hereto, as a result of the sexual abuse perpetrated by Rhetta Ackerman, Donald has felt enormous shame, humiliation, embarrassment, and self-loathing, and was extremely confused and conflicted about the role of sex, love, and intimacy in his life.

66. At all times material hereto, as a result of the sexual abuse perpetrated by Rhetta Ackerman, Donald suffered from extreme difficulty navigating intimate relationships, and he has experienced and continues to experience bouts of anger, difficulties when involved in relationships with women and attempting to be intimate in the context of these relationships with women.

67. At all times material hereto, as a result of the sexual abuse perpetrated by Rhetta Ackerman, throughout the years in an effort to quell these negative emotions generated by the sexual abuse, Donald misguidedly resorted to consuming and abusing drugs and/or alcohol, and engaged in destructive and dysfunctional behaviors.

68. At all times material hereto, as a result of the sexual abuse perpetrated by Rhetta Ackerman, Donald suffered great permanent harm, including, but not limited to, the following: severe emotional distress, extreme trauma, depression, anxiety, mental health issues, post-traumatic stress disorder, humiliation, embarrassment, fear, shame, emotional dissociation, and/or loss of self-esteem and self-worth, all of which has and/or will continue to require counseling, therapy, and/or other treatment.

69. Also, as a result of the sexual abuse set forth above and its consequential trauma and harm, Plaintiff has suffered a severe impairment and disruption of his enjoyment of life, identity, intimacy with loved ones, sexuality, and/or belief structure, including, but not limited to, the impairment and disruption of his relationship with members of his family, friends, acquaintances, and/or others.

70. Also, as a result of the sexual abuse set forth above and its consequential trauma and harm, the Plaintiff suffered from destructive and dysfunctional behaviors, including, but not limited to, drug use and/or alcohol abuse and/or other mental health issues, all of which have required and/or will require counseling, therapy, and/or other treatment.

71. Also, as a result of the sexual abuse set forth above and its consequential trauma and harm, the Plaintiff has incurred significant past loss of wages and future loss of earning capacity to his permanent detriment.

72. Plaintiff's youth, together with the power imbalance and authoritative inequity between the plaintiff and defendants, created a culture and social dynamic that weakened plaintiff's ability to resist Rhetta Ackerman.

73. The sexual abuse set forth above and its consequential trauma and harm, in turn, caused plaintiff to suppress and/or emotionally dissociate his feelings about his traumatic experience(s), thereby exacerbating its devastating psychological, physical, and social consequences.

74. Plaintiff was not fully aware of the causal relationship between the sexual abuse set forth above, and its consequential trauma and harm, until recently, and continues to endure and/or discover trauma and harm relative to the sexual abuse at the present time, which inflictions of trauma and harm shall and will continue in the future.

75. Other victims' declarations and/or revelations of their experiences with sexual abuse and corresponding damages caused by such abuse prompted Plaintiff to realize he is not alone, and to acknowledge, address, and/or discover the connection between his abuse and his corresponding emotional distress, social dysfunction and/or other damages and to speak out concerning same.

76. Now, in conformity with N.J. Stat. Section 2A:14-2a, Statute of Limitations for Action at Law resulting from Certain Sexual Crimes [*Effective December 1, 2019*], plaintiff brings the within action for damages.

77. As alleged in greater detail herein above and/or below, all of plaintiff's harm and damages were caused by the culpable acts and/or omissions of defendants.

78. As set forth more fully herein, the negligence, gross negligence, recklessness, and/or punitive behavior of the defendants, jointly and severally, was a direct and proximate cause of harm and damages to plaintiff.

79. Plaintiff's injuries and/or damages were caused solely by the negligence, gross negligence, recklessness, and/or punitive behavior of the defendants, as set forth more fully herein, and were not caused or contributed thereto by any negligence, gross negligence, recklessness and/or punitive behavior on the part of the Plaintiff.

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. The previous paragraphs set forth above are incorporated herein by reference.

81. The recklessness, negligence and/or carelessness of Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, by and through their actual or apparent teachers, employees, agents, servants, representatives, and/or ostensible/aided agents hired, certified, assigned, retained, supervised, managed, overseen, directed, administrated, and/or otherwise controlled by and for said defendants, consisted of, among other things, the following:

- a. Failing to properly screen teachers, employees, agents, servants, representatives, and ostensible/aided agents adequately before placing them in close contact with children;
- b. Failure to properly investigate complaints of sexual abuse, inappropriate behavior and/or other abusive behavior;
- c. Providing “cover” and/or rationalizations for inappropriate/abusive misconduct by applying euphemistic and false designations to and/or contrived and imagined explanations for their conduct and/or the reasons for same;
- d. Minimizing, ignoring or excusing inappropriate or questionable behavior and/or misconduct by teachers, employees, agents, servants, representatives, and ostensible/aided agents over a period of months, years and/or decades;
- e. Failure to properly and/or adequately warn parents, children, and/or the public at large, including, but not limited to, plaintiff and similarly situated children, and their parents and/or family members, regarding the inappropriate behavior and/or misconduct of Rhetta Ackerman, other defendants, and/or other abusive teachers,

employees, agents, servants, representatives, and/or ostensible/aided agents, despite knowledge of the dangers they presented and the harmful and complicit culture and environment created by such failures to warn;

- f. Assigning employees, agents, servants, representatives, and/or ostensible/aided agents known to have engaged in questionable and/or inappropriate behavior or misconduct and/or known to be pedophiles and/or sexual predators, including but not limited to, Rhetta Ackerman, and/or other defendants, to a position in the business where said individual(s) had/have regular contact with children;
- g. Failure to report criminal activity, including child abuse, to appropriate law enforcement agencies;
- h. Negligent failure to provide a safe environment and protective culture to children within the schools, and/or other external locations operated, visited, and/or owned and/or operated by defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10;
- i. Failure to implement and maintain proper and effective policies and procedures to prevent sexual abuse of and/or other abusive behavior toward children;
- j. Negligently maintaining custody, supervision and protection of children placed in their care by virtue of their authority and solicitation of minors to participate in their business and/or activities;
- k. Failure to properly train teachers, employees, agents, servants, representatives, and/or ostensible/aided agents to identify signs of child molestation or inappropriate sexually related behavior to children by fellow teachers, employees, associates, and/or individuals within its control, oversight, supervision, and/or ostensible/aided control;
- l. Negligent reliance on persons who claimed they could treat child molesters and/or sexually abusive individuals;
- m. Negligent retention of and/or failure to terminate Rhetta Ackerman, other defendants, and/or other sexually inappropriate and/or abusive individuals from or associated with the Teaneck Public Schools and/or Benjamin Franklin Middle School 's schools, promoting a culture and environment of complicity, denial and deception regarding child abuse within the business;
- n. Failure to exercise due care under the relevant circumstances;
- o. Recklessly, negligently and/or carelessly failing to observe, manage, direct, oversee, and supervise the relationship between Plaintiff, Donald LaClair, and Rhetta Ackerman;
- p. Recklessly, negligently and/or carelessly failing to have proper and effective policies and procedures to require adequate observation, management, oversight, and supervision of the relationship between Donald LaClair and Rhetta Ackerman, and/or other defendants;

- q. Recklessly, negligently and/or carelessly failing to recognize Rhetta Ackerman's conduct and behavior prior to the events in question and/or as described herein as creating a risk of sexual abuse toward children, including, but not limited to, Donald LaClair;
- r. Recklessly, negligently and/or carelessly failing to have proper policies and procedures to require adequate observation, management, oversight, and supervision of Donald LaClair and Rhetta Ackerman, and/or other defendants;
- s. Failing to investigate complaints that Rhetta Ackerman was behaving inappropriately and/or touching children inappropriately, including, but not limited to, Donald LaClair;
- t. Recklessly, negligently and/or carelessly failing to identify Rhetta Ackerman as a sexual abuser;
- u. Recklessly, negligently and/or carelessly failing to investigate behavior of Rhetta Ackerman that put the defendants on notice and/or should have placed defendants on notice that Rhetta Ackerman was and/or might have been a potential pedophile and/or sexual predator;
- v. Recklessly, negligently and/or carelessly failing to identify Rhetta Ackerman was a potential pedophile and/or sexual predator;
- w. Failure to use due care under the circumstances; and/or
- x. Negligence as may be proven from facts now exclusively in the possession of defendants, which may be ascertained after the filing of this Complaint.

82. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, were negligent under the facts as detailed within this complaint in that these defendants failed to use that degree of care, precaution and vigilance which a reasonably prudent person or entity would use under the same or similar circumstances, including, but not limited to, the negligent affirmative acts detailed in this complaint which a reasonably prudent person or entity would not have done, and also the negligent omission or failure to act and/or take precautions as detailed in this complaint which a reasonably prudent person or entity would have done or taken under these circumstances.

83. Rhetta Ackerman's actions as described herein are evidence of negligence per se in that these actions violated a provision of New Jersey Statute, known as the Child Sexual Abuse Act ("CSAA"), N.J.S.A. 2a:61b-1, et al., which statute sets up a standard of conduct that Rhetta Ackerman violated per se.

84. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, are vicariously liable for both the negligent and intentional acts of Rhetta Ackerman, their employee(s), under the CSAA, which recognizes the vulnerability of children and demonstrates a legislative intent to protect said children from victimization, and imposes responsibility upon those individuals and institutions in the best position to know of and stop the abuse to said children, such as the defendants herein.

WHEREFORE, Plaintiff, Donald LaClair, demands judgment against defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly and severally, in an amount in excess of Fifty Million Dollars (\$50,000,000.00), exclusive of prejudgment interest, costs and damages for pre-judgment delay, attorney's fees, and such other legal and equitable relief as the Court deems appropriate.

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. The previous paragraphs set forth above are incorporated herein by reference.

86. Defendants, Teaneck Public Schools , Benjamin Franklin Middle School , Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, knew or should have known of the need to properly and effectively observe, manage, direct, oversee, and/or supervise employees, agents, servants, representatives, and/or ostensible/aided agents in their relationships with young children.

87. Defendants, Teaneck Public Schools , Benjamin Franklin Middle School , knew or should have known of the particular risk posed by Rhetta Ackerman based on, among other things, her inappropriate and/or questionable conduct, her history of sexually abusing children, and/or her behavior indicative of an intent to isolate, groom, and/or facilitate sexually contacting and/or abusing a young minor child, included, but was not limited to, forcing plaintiff to engage in mutual masturbation, oral sex, sexual intercourse, and drug use with his teacher, Rhetta Ackerman, and being sexually violated by the teacher beginning at the age of fourteen (14) years old.

88. Rhetta Ackerman’s sexual abuse of plaintiff gradually increased in frequency and intensity over time and included, but was not limited to, forcing plaintiff to engage in mutual masturbation, oral sex, sexual intercourse, and drug use with his teacher, Rhetta Ackerman, and being sexually violated by the teacher beginning at the age of fourteen (14) years old.

89. The negligence, carelessness, and/or recklessness of Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, for the conduct of their actual or apparent employees, agents, servants, representatives, and/or ostensible/aided agents, in the hiring, certifying, assigning, observation, retaining, supervision, management, oversight,

direction, administration, and/or otherwise control of Rhetta Ackerman consists of one or more of the following:

- a. Negligent hiring, certifying, assigning, observation, retaining, supervision, management, oversight, direction, administration, and/or otherwise control of individuals in the employ of Teaneck Public Schools and/or Benjamin Franklin Middle School;
- b. Failing to use due care in hiring, certifying, assigning, observation, retaining, supervision, management, oversight, direction, administration, and/or otherwise control of Rhetta Ackerman and her respective relationship with plaintiff, Donald LaClair; and
- c. Failing to investigate and supervise Rhetta Ackerman and her relationship with Donald LaClair.

WHEREFORE, Plaintiff, Donald LaClair, demands judgment against Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly and severally, in an amount in excess of Fifty Million Dollars (\$50,000,000.00), exclusive of prejudgment interest, costs and damages for pre-judgment delay, attorney's fees, and such other legal and equitable relief as the Court deems appropriate.

COUNT III – NEGLIGENCE 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. The previous paragraphs set forth above are incorporated herein by reference.

91. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, knew and/or should have known prior to and/or contemporaneous with the relevant time frame during which Donald LaClair was sexually abused by Rhetta Ackerman that plaintiff and other young children affiliated and/or associated with the school were vulnerable to and potential victims of sexual abuse.

92. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, also knew and/or should have known prior to and/or contemporaneous with the relevant time frame during which Donald LaClair was sexually

abused by Rhetta Ackerman that the access to vulnerable youths, together with the trust and authority placed in his position, makes the position an enticing vocation to pedophiles, sexual predators, and/or others seeking to abuse and exploit children.

93. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, owed a duty to exercise reasonable care in the hiring, certifying, assignment, control, selection and/or retention of employees, agents, servants, representatives, and/or ostensible/aided agents, situated in and/or located at the Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, and specifically a duty to be on high look out for possible pedophiles, sexual predators, and others seeking to abuse and exploit children.

94. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, failed to exercise reasonable care in the hiring, certifying, assignment, control, selection and/or retention of Rhetta Ackerman as a teacher, employee, agent, servant, representative, and/or ostensible/aided agent, among other things, the following:

- a. Failing to conduct a thorough and proper background check of Rhetta Ackerman;
- b. Failing to thoroughly and reasonably investigate Rhetta Ackerman's sexual history;
- c. Failing to learn of or investigate Rhetta Ackerman's history of sexual impropriety with young boys and her proclivity to sexually abuse young boys;
- d. Failing to conduct a thorough and proper interview with Rhetta Ackerman;
- e. Failing to investigate whether Rhetta Ackerman had any inappropriate sexual interest in young boys;
- f. Failing to use due care in the selection of Rhetta Ackerman as a teacher rendering services, and interacting with children;
- g. Failing to use due care in the retention of Rhetta Ackerman as a teacher and/or providing service near young vulnerable children;
- h. Recklessly, negligently and/or carelessly failing to adequately check Rhetta Ackerman's background, before employment and/or entrustment with teaching children;
- i. Recklessly, negligently and/or carelessly failing to have policies and procedures in place to screen individuals for the possibility of being sexual predators.

WHEREFORE, Plaintiff, Donald LaClair, demands judgment against Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly and severally, in an amount in excess of Fifty Million Dollars (\$50,000,000.00), exclusive of prejudgment interest, costs and damages for pre-judgment delay, attorney's fees, and such other legal and equitable relief as the Court deems appropriate.

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. The previous paragraphs set forth above are incorporated herein by reference.

96. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe Institution 1-10, were grossly negligent under the facts as detailed within this Complaint in that these defendants acted or failed to act: with complete disregard of the rights, safety, and well-being of others; in a palpably unreasonable manner; in an outlandish fashion; with discriminatory behavior; and/or failed to exercise slight care or diligence under these circumstances.

WHEREFORE, Plaintiff, Donald LaClair, demands judgment against Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly and severally, in an amount in excess of Fifty Million Dollars (\$50,000,000.00), exclusive of prejudgment interest, costs and damages for pre-judgment delay, attorney's fees, and such other legal and equitable relief as the Court deems appropriate.

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. The previous paragraphs set forth above are incorporated herein by reference.

98. The actions and/or inactions of Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly, severally, and/or through the conduct of Rhetta Ackerman intentionally inflicted emotional distress upon plaintiff in that Rhetta Ackerman acted intentionally, willfully, and/or recklessly, in that his actions were intended to cause, or done with deliberate disregard to a high degree of probability that such behavior would cause emotional distress.

99. The actions and/or inactions of Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly, severally, and/or through the conduct of Rhetta Ackerman, against plaintiff were extreme and outrageous; with discriminatory behavior; so outrageous in character and so extreme in degree as to go beyond all possible bounds of decency and are regarded as atrocious and utterly intolerable in our civilized community.

100. The actions and/or inactions of Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly, severally, and/or through the conduct of Rhetta Ackerman, was the direct and/or proximate cause of emotional distress to the plaintiff, which was so severe that no reasonable person could be expected to endure such distress.

101. The conduct of Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly, severally, and/or through the conduct of Rhetta Ackerman was sufficiently severe to cause genuine and substantial emotional distress and/or mental harm to the average person, including the plaintiff.

102. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe Institution 1-10, are vicariously liable for the damages caused by Rhetta Ackerman's intentional infliction of emotional distress upon the plaintiff.

WHEREFORE, Plaintiff, Donald LaClair, demands judgment against Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly and severally, in an amount in excess of Fifty Million Dollars (\$50,000,000.00), exclusive of prejudgment interest, costs and damages for pre-judgment delay, attorney's fees, and such other legal and equitable relief as the Court deems appropriate.

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. The previous paragraphs set forth above are incorporated herein by reference.

104. By virtue of their status as education and/or adult authorities, Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, bore a fiduciary relationship to plaintiff and other children and persons within and/or affiliated, employed, and/or near the school.

105. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, had fiduciary duties to avoid harming children and to protect them from harm at the hands of employees, agents, servants, representatives,

and/or ostensible/aided agents hired, certified, assigned, retained, supervised, managed, overseen, directed, administrated, and/or otherwise controlled by and for said defendants.

106. Defendants breached their fiduciary duties by acting or failing to act in accordance with their fiduciary duties and/or as alleged in this Complaint.

107. Plaintiff suffered the above-averred harms and damages as a result of Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, Defendant Doe Institution 1-10, breach of their fiduciary duty.

WHEREFORE, Plaintiff, Donald LaClair, demands judgment against Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly and severally, in an amount in excess of Fifty Million Dollars (\$50,000,000.00), exclusive of prejudgment interest, costs and damages for pre-judgment delay, attorney's fees, and such other legal and equitable relief as the Court deems appropriate.

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. The previous paragraphs set forth above are incorporated herein by reference.

109. Despite defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, and/or Defendant Doe Institution 1-10, actual and/or constructive knowledge of Rhetta Ackerman's sexually inappropriate and harassing conduct, defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, and Defendant Doe Institution 1-10, failed to reasonably protect plaintiff, Donald LaClair, against harassing conduct on the basis of his sex (male), age (minor), and permitted a hostile education environment.

110. These defendants violated New Jersey's Law Against Discrimination ("LAD"), contained within N.J.S.A. Section 10:5-1 et seq., and such failures created an intimidating, offensive or hostile

educational environment for Plaintiff, Donald LaClair, and discriminated against plaintiff based upon his sex (male), age (minor).

111. Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, and/or Defendant Doe Institution 1-10, are vicariously liable for the actions and/or inactions of its supervisory employees.

112. Defendants, Teaneck Public Schools , Benjamin Franklin Middle School, Defendant Doe 1-10, and/or Defendant Doe Institution 1-10, knew, or should have known, of the past lewd conduct and/or sexual abuse committed by Rhetta Ackerman and failed to take effective remedial measures to end his offensive conduct.

113. The harassing conduct would not have occurred, but for the plaintiff's gender (male), age (minor), which is/are a protected category under New Jersey's Law Against Discrimination. At all times material hereto and to the best knowledge of plaintiff, the defendant, Rhetta Ackerman, sexually abused multiple students at Benjamin Franklin Middle School and all of the sexually abused students were young boys of minority age. At all times material hereto, the conduct of defendant, Rhetta Ackerman, sexually infantilized these sexually abused students, including, but not limited to plaintiff, Donald LaClair.

114. The sexual harassment created or permitted by these defendants of Plaintiff was so severe such that any reasonable person would believe that the conditions of education were altered and that the educational environment was intimidating, hostile, offensive or abusive.

115. As a direct and proximate result of the breaches and failures by these defendants, plaintiff was caused to suffer bodily injury, emotional distress/injury, injuries which are likely to be permanent in nature and denial of the full education he was entitled to receive.

116. In the alternative, defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Defendant Doe 1-10, and/or Defendant Doe Institution 1-10, defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, and/or Defendant Doe Institution 1-10, are liable for damages caused to Plaintiff for the reasons outlined through this Complaint and within this Court and such violations caused Plaintiff's injuries and damages.

117. As a direct and proximate result of defendants' conduct described herein, plaintiff, Donald LaClair, was caused to suffer emotional and physical injuries and symptoms as described in this Complaint, and has incurred and/or will likely incur future expenses for medical and psychological treatment.

WHEREFORE, Plaintiff, Donald LaClair, demands judgment against Defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, Defendant Doe Institution 1-10, jointly and severally, in an amount in excess of Fifty Million Dollars (\$50,000,000.00), exclusive of prejudgment interest, costs and damages for pre-judgment delay, attorney's fees, and such other legal and equitable relief as the Court deems appropriate.

COUNT IX – PUNITIVE 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. The previous paragraphs set forth above are incorporated herein by reference.

119. The aforesaid acts of defendants, Teaneck Public Schools, Benjamin Franklin Middle School, Rhetta Ackerman, Defendant Doe 1-10, and/or Defendant Doe Institution 1-10, were committed in outrageous and wanton and willful disregard for the safety, protection, and well-being of minors, including the plaintiff, and including, but not limited to discriminatory behavior; and overall behavior so beyond the pale warranting the imposition of punitive damages.

JURY TRIAL

PLEASE TAKE NOTICE that plaintiff, Donald LaClair, demands a trial by jury on all issues raised herein.

LEVY, BALDANTE, FINNEY, & RUBENSTEIN, P.C.

By: /s/ John W. Baldante
John W. Baldante, Esquire
Attorney for Plaintiff, Donald LaClair

DATED: August 26, 2021

DESIGNATION OF TRIAL COUNSEL

PLEASE BE NOTIFIED that pursuant to Rule 4:25-4, John W. Baldante, Esquire is hereby designated as trial counsel in the aforementioned litigation on behalf of the law firm of Levy, Baldante, Finney, & Rubenstein, P.C.

LEVY, BALDANTE, FINNEY, & RUBENSTEIN, P.C.

By: /s/ John W. Baldante
John W. Baldante, Esquire
Attorney for Plaintiff, Donald LaClair

DATED: August 26, 2021

CERTIFICATION PURSUANT TO RULE 4:5-1

The matter in controversy in this case is not subject to any other action pending in any Court or arbitration proceeding, nor is any other action or arbitration proceeding contemplated.

LEVY, BALDANTE, FINNEY, & RUBENSTEIN, P.C.

By: /s/ John W. Baldante
John W. Baldante, Esquire
Attorney for Plaintiff, Donald LaClair

DATED: August 26, 2021

CERTIFICATION

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

LEVY, BALDANTE, FINNEY, & RUBENSTEIN, P.C.

By: /s/ John W. Baldante
John W. Baldante, Esquire
Attorney for Plaintiff, Donald LaClair

DATED: August 26, 2021