

NEW YORK STATE SUPREME COURT
COUNTY OF NEW YORK

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“ANDY DOE”

Plaintiff,

-against-

Index No.

YESHIVA SHAAREI TORAH OF ROCKLAND F/K/A
ORANGETOWN MONSEY HEBREW;
CORPORATIONS “X, Y, Z” WHOSE IDENTITIES
ARE PRESENTLY UNKNOWN TO PLAINTIFF

SUMMONS

Defendants.

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To the above-named Defendants:

YOU ARE HEREBY SUMMONED to Answer the attached Complaint in this action and to serve upon Plaintiff’s attorneys a copy of your Answer, or, if the Complaint is not served with this Summons to service a notice of appearance, on the Plaintiff’s attorneys within twenty (20) days after the service of this Summons, exclusive of the day of service, or within thirty (30) days after the service is complete if this Summons is not personally delivered to you within the State of New York.

PLEASE TAKE NOTICE in case of your failure to appear or answer, judgement will be taken against you by default for the relief demanded in the Complaint.

Trial is desired in the County of New York. The basis of venue designated above is that Plaintiff maintains his residence in the County of New York.

Dated: April 15, 2026
New York, NY

Respectfully submitted,



Kathleen R. Thomas, Esq.
THOMAS COUNSELORS AT LAW, LLC
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DEFENDANT'S ADDRESS:

YESHIVA SHAAREI TORAH OF ROCKLAND F/K/A
ORANGETOWN MONSEY HEBREW;
91 Carlton Rd. W, Suffern, NY 10901

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ORANGETOWN MONSEY HEBREW;
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ARE PRESENTLY UNKNOWN TO PLAINTIFF

**COMPLAINT
JURY TRIAL
DEMANDED**

Defendants.
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Plaintiff "ANDY DOE" by and through his attorneys, Thomas Counselors at Law, LLC as and for his Complaint in this matter against Defendant YESHIVA SHAAREI TORAH OF ROCKLAND F/K/A ORANGETOWN MONSEY HEBREW; CORPORATIONS "X, Y, Z" WHOSE IDENTITIES ARE PRESENTLY UNKNOWN TO PLAINTIFF; hereby alleges as follows:

NATURE OF CLAIM

1. Plaintiff brings this action alleging personal injuries sustained as a result of institutional negligence and failures, and the sexual offenses perpetrated against him while he was a minor under the care of the above-named Defendant.

2. When New York passed the Child Victims Act (S. 2440) into Law on February 14, 2019, the time which Plaintiff had to commence this action had not expired for Plaintiff.

3. As such, Plaintiff brings this action pursuant to New York's Child Victims Act which extended the infancy tolling of the statute of limitations for Plaintiff's time to file until he reaches the age of fifty-five (CPLR § 208-b).

4. Plaintiff simultaneously files an application to proceed pursuant to the pseudonym

“Andy Doe” by Order to Show Cause as this case involves allegation of sexual assaults committed against Plaintiff as a minor.

CPLR 1603 – NO APPORTIONMENT OF LIABILITY

5. Pursuant to CPLR 1603, the foregoing causes of action are exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602, including but not limited to, CPLR 1602(2), CPLR 1602(5), 1602(7) and 1602(11), thus precluding defendant from limiting their liability by apportioning some portion of liability to any joint tortfeasor.

JURISDICTION AND VENUE

6. This Court has jurisdiction over Defendant YESHIVA SHAAREI TORAH OF ROCKLAND pursuant to CPLR § 301 and § 302, in that the Defendant has its principal place of business within the State of New York, transacts business, and contracts to supply services within the State of New York and committed tortious acts within the State of New York.

7. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceed the jurisdictional limits of all lower courts that would otherwise have jurisdiction.

8. Venue for this action is proper in the County of New York pursuant to CPLR § 503, in that one or more parties reside in this County.

THE PARTIES

9. Plaintiff “ANDY DOE” (Hereinafter as “Plaintiff” or “Andy”) is an adult resident of the State of New York.

10. At all times relevant, Defendant YESHIVA SHAAREI TORAH OF ROCKLAND F/K/A ORANGETOWN MONSEY HEBREW (Hereinafter as “Defendant” or

“Defendant YSTR”) was, and is, a religious corporation and private educational institution with its principal place of business at 91 Carlton Rd. W, Suffern, NY 10901.

11. Defendant CORPORATIONS “X, Y, Z” are fictitious persons who own, operate, control, manage or do business as Defendant YSTR and/or employed, supervised, controlled and/or oversaw the employees of Defendant YSTR and/or which otherwise owed a legal duty to Plaintiff to prevent the below incident of sexual abuse at the 91 Carlton Rd. W, Suffern, NY 10901 location as is more fully alleged herein. Such defendant or defendants are fictitious persons whose names are not presently know to, or identifiable by, Plaintiff.

THE FACTS

12. Upon information and belief, the facts and background currently known to the Plaintiff are as follows:

13. At all times relevant, Defendant YSTR, was and is, a Jewish affiliated all boys school for grades 9 through 12 located at 91 Carlton Rd. W, Suffern, NY 10901.

14. At all times relevant, Defendant had employees and/or agents assigned by Defendant to supervise, monitor, and educate the students in their care, physical custody and control.

15. From approximately August 2015 – December 2017, Plaintiff was a full-time minor student attending classes at YSTR.

16. In approximately 2016 and 2017, when Plaintiff was 15 and 16 years old in his 9th through 11th grade years, he suffered aggressive and ongoing sexual harassment, sexual misconduct, bullying, and assaults perpetrated by fellow classmates that was willfully ignored and went unaddressed by Defendant YSTR.

17. In approximately 2016, while Plaintiff was 15 years old, he was subjected to a 10th grader, who shall be referred to hereinafter as “S.W.”, groping and fondling his buttocks in the parking lot of the school.

18. On May 25, 2016, on a school trip to Camp Romimu a student, who shall be referred to hereinafter as “DL” pulled down Plaintiff’s pants in the bunkhouse and sexually harassed Plaintiff.

19. On December 31, 2016, at a school sponsored and supported Hanukah party, students from Plaintiff’s class communicated on a class chat on GroupMe, while at the party. On the class chat the students, including “DL”, began a campaign of severe harassment and bullying. The perpetrating students sent explicit messages including but not limited to the following:

[Andy] i wanna stick my 12 incher in yo furry ass
[Andy] ur boobs turn me on.those double D'S! #JACKTHAT!
[Andy] I need ur hairy dick in my ass now!!
Ya def [Andy]. what u hidin under that sweater? Tittttties!
[Andy]! I want ur (.) (.) 's
Eat me [Andy]
[Andy] lemme suck ur city titties
[Andy] go back to solving queer things
[Andy] u once got me so hard that my lil bro ziplined from my shmek all the way 2 japan on it
Ahhhhh [Andy] gives me a boner

20. At least five of the above-stated comments were written by “DL”.

21. Plaintiff’s parents reported the sexual harassment and threats to the principal, and showed the principal the threatening messages.

22. After the report, the school failed to take any appropriate actions and willfully refused to address the reports made by Plaintiff’s parents. The school did not engage in an investigation. The school did not notify any government agency, law enforcement, or any other authority about the harassment and misconduct. Plaintiff was not interviewed or asked to provide

a written statement. The perpetrating students were not disciplined. No accommodations were offered to Plaintiff, and he was not asked about any remedial measures or other incidents of bullying and/or harassment.

23. As a result of the school's deliberate indifference to the known sexual harassment and misconduct and assaults, Plaintiff continued to suffer further harassment and assaults eventually leading to his dropping out of school.

Post-report Harassment and Assaults in 2017:

24. In approximately January or February of 2017, Plaintiff was talking with a friend in an empty classroom at the school during school hours when "DL" came into the classroom and began demanding that Plaintiff "do it" with him. "DL" then began taking off his own clothing. "DL" demanded that Plaintiff remove his clothing too, and continued to harass, demand, and bully Plaintiff to engage in nonconsensual sexual acts. This bullying and sexual harassment continued for approximately 10 – 15 minutes without any adult intervention.

25. In Spring of 2017, Plaintiff continued to be bullied and sexually harassed and assaulted on multiple occasions.

26. For example, on one occasion in 2017 when Plaintiff was talking with a friend at a shtender located at the school when another student "M.S." walked past, and groped Plaintiff's genitals. This incident was witnessed by another student. "M.S." was a fellow student who was on the identified GroupMe chats and previously messaged on December 31, 2016, "Ooooo u mske [sic] me so horny [Andy]."

27. In the Spring of 2017, the harassment was so severe that Plaintiff began missing classes and his grades suffer significantly. By Fall of 2017, Plaintiff barely attended classes and eventually dropped out. During school hours at the school, on at least seven (7) separate

occasions students sexually harassed Plaintiff at school by making comments such as they “fantasize about [Plaintiff]” and “he has sexy feet”. In addition, Plaintiff was told during a “quiet contest” they he would have to show his genital area if he lost

28. In the Fall of 2017, Plaintiff suffered two additional assaults perpetrated by “Y.S.” Plaintiff was groped by “Y.S.” at the school as part of a prank carried out by other students. “Y.S.” also kissed Plaintiff on the shoulder without Plaintiff’s consent. “Y.S.” was also on the GroupMe December 31, 2016 messaging.

29. In early December 2017, “S.W.” groped, fondled and squeezed Plaintiff’s buttocks multiple times in front of a large crowd of students at the school during school hours.

30. The mental anguish and emotional distress from the ongoing sexual harassment and assaults continued to plague Plaintiff, who missed many classes in the Spring of 2017, and eventually caused Plaintiff to drop out of school in December, never returning to complete his studies and graduate.

31. Plaintiff suffered, and continues to suffer serious emotional, mental and physical injuries, including post-traumatic stress disorder as result of institutional negligence and failures, and the sexual offenses perpetrated against her while she was a minor under the care of the above-named Defendants.

AS AND FOR A FIRST CAUSE OF ACTION AS AGAINST ALL DEFENDANTS FOR NEGLIGENCE, GROSS NEGLIGENCE, RECKLESSNESS, AND FAILURE TO EXERCISE A REASONABLE STANDARD OF CARE

32. Plaintiff re-alleges and incorporates by reference each and every allegation contained in the proceeding and subsequent paragraphs as though fully set forth herein.

33. Prior to and at the time of the sexual assaults perpetrated against Plaintiff as described herein, Defendant and their agents and/or employees, had actual knowledge of “DL” and other student sexual harassment, threats and intimidation perpetrated against Plaintiff.

34. At all relevant times, Defendants and their agents and/or employees, had a duty to Plaintiff and similarly situated minor students to use the same degree of care as a reasonably prudent parent would use to provide a safe and secure school environment to students, free from foreseeable harms.

35. At all times relevant, Defendants and their agents and/or employees, willingly and knowingly undertook a special duty to Plaintiff while Plaintiff was in their care, physical custody, and control of Defendant and its employees/agents.

36. At all relevant times, Defendants and their agents and/or employee, negligently, recklessly, and carelessly breached their duty owed to Plaintiff to provide reasonable care, including, but not limited to, the following:

- a. Defendants failed to institute and/or implement and execute proper policies and procedures to ensure the safety of their minor students, including Plaintiff;
- b. Defendants failed to institute and/or implement and execute proper policies and security measures that would have prevented student-on-student sexual misconduct and harassment to freely solicit to minors and their families, and engage in insolated, private meetings with Plaintiff and other young children that resulted in foreseeable sexual abuse occurrences;
- c. Defendants failed to properly notify, train, and otherwise educate its agents and employees and students concerning the impropriety of sexual and non-sexual touching,

- sexual misconduct, sexual harrassment; and proper identification and intervention of foreseeable sexual abuse occurrences;
- d. Defendants failed to create and/or follow a safety protocol and any corresponding and related rules, regulations, policies, practices, and procedures that would have discovered, prevented, and/or intervened the causes of action that resulted in Plaintiff's injuries;
 - e. Defendants failed to properly investigate reports of misconduct perpetrated by "DL"; and
 - f. Defendants failed to report and take the appropriate and necessary actions upon discovery and notification of the other students' misconduct.
35. Defendants had a duty and opportunity to intervene and prevent the sexual assaults perpetrated against Plaintiff but failed to do so.
36. Defendant and their agents and/or employees, observed or readily could have observed the sexual misconduct committed by "DL" and other students.
37. Defendants and their agents and/or employees, failed to properly observe, supervise, and monitor student conduct where it was known and foreseeable that fellow students could be victims of inappropriate touch, sexual misconduct, sexual assault and abuse, grooming, and inappropriate behavior.
38. Defendant, and their agents and/or employees, were negligent by failing to provide sufficient, competent and qualified adults for the care and supervision of Plaintiff and other similarly situated students at the YSTR school.
39. As a direct and proximate result of Defendants, and their agents and/or employees', negligence, gross negligence, negligent supervision, and careless and reckless conduct, Plaintiff

sustained in the past, and will continue to sustain in the future, injuries including pain and suffering.

40. Plaintiff sustained said injuries by reason of carelessness, recklessness, breach of duties, and negligence of Defendants, and their agents and/or employees, without any negligence on the part of Plaintiff.

**AS AND FOR THE SECOND CAUSE OF ACTION AS AGAINST DEFENDANT
FOR NEGLIGENT SUPERVISION**

41. Plaintiff re-alleges and incorporates by reference each and every allegation contained in the proceeding and subsequent paragraphs as though fully set forth herein.

42. Prior to and at the time of the sexual assaults perpetrated against Plaintiff as described herein, Defendant and their agents and/or employees, had actual knowledge of “DL” and other student sexual harassment, threats and intimidation perpetrated against Plaintiff.

43. Defendant, and their agents and/or employees, had actual notice of “DL’s” misconduct and sexually explicit threats perpetrated against Plaintiff. Yet, Defendant did nothing to address the misconduct.

44. Defendants, and their agents and/or employees, breached their duty as they failed to do any investigation or take any actions upon Plaintiff’s report.

45. At all relevant times, Defendant, and their agents and/or employees, knowingly, negligently, recklessly, and carelessly placed Plaintiff in a position, wherein it was foreseeable that Plaintiff would continue suffer if the known harassment and sexually explicit threats were not addressed.

46. At all relevant times, Defendants, and their agents and/or employees, placed “DL” in a position to cause foreseeable harm to Plaintiff, which harm would not have occurred had

Defendant taken reasonable care in supervising and monitoring the student body and addressing reports of sexual misconduct threats.

47. At all relevant times, Defendants, and their agents and/or employees, failed to properly observe, supervise, inspect, and monitor the conduct of the students where it was known and foreseeable that minor students could be victims of inappropriate touch, sexual misconduct, sexual assault, and abuse.

48. As a direct and proximate result of Defendants, and their agents and/or employees', negligent supervision, Plaintiff sustained in the past, and will continue to sustain in the future, injuries including pain and suffering.

49. Plaintiff sustained said injuries by reason of carelessness, recklessness, breach of duties, and negligence of Defendants, and their agents and/or employees, without any negligence on the part of Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants, for general, compensatory, special and punitive damages, in a sum which exceeds the jurisdictional limits of all lower Courts which might otherwise have jurisdiction; together with the costs and disbursements of this action and for such other and further relief as this Court deems just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: April 15, 2026
New York, New York

Respectfully submitted,
_____/s/_____
Kathleen R. Thomas, Esq.

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