

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SENECA

Index No.: ____/2024

SUMMONS

-----X
MELISSA BROWN as administratrix of the estate
of TAYLOR BROWN, MELISSA BROWN,
Individually, and STEPHEN BROWN, Individually,

Plaintiffs,

Plaintiffs designates
SENECA COUNTY
as place of trial.

-against-

The basis of venue is
defendants’ principal
place of business

SENECA FALLS CENTRAL SCHOOL DISTRICT,
MYNDERSE ACADEMY, FAITH LEWIS, SENECA
FALLS MIDDLE SCHOOL, KEVIN RHINEHART,
ELIZABETH CADY STANTON ELEMENTARY
SCHOOL, ANDREW DOELL, and AMY HIBBARD,

Defendants.

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To the above-named defendants:

SENECA FALLS CENTRAL SCHOOL DISTRICT
2 Butler Avenue, Seneca Falls, New York, 13148

MYNDERSE ACADEMY
105 Troy Street, Seneca Falls, New York, 13148

FAITH LEWIS
105 Troy Street, Seneca Falls, New York, 13148

SENECA FALLS MIDDLE SCHOOL
95 Troy Street, Seneca Falls, New York, 13148

KEVIN RHINEHART
95 Troy Street, Seneca Falls, New York, 13148

ELIZABETH CADY STANTON ELEMENTARY SCHOOL
38 Garden Street, Seneca Falls, New York, 13148

ANDREW DOELL
199 Huxley Way, Victor, New York 14564

AMY HIBBARD
38 Garden Street, Seneca Falls, New York, 13148

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on plaintiffs' 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); and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, SENECA COUNTY ON _____ IN COMPLIANCE WITH CPLR §§ 305(a) AND 306(a).

Dated: June 25, 2024
New York, New York

MERSON LAW, PLLC

By: /s/ Nathan Werksman
Jordan K. Merson, Esq.
Nathan E. Werksman, Esq.
Attorneys for Plaintiffs
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SENECA

-----X
MELISSA BROWN as administratrix of the estate
of TAYLOR BROWN, MELISSA BROWN,
Individually, and STEPHEN BROWN, Individually,

Index No.:

_____/2024

Plaintiffs,

-against-

SENECA FALLS CENTRAL SCHOOL DISTRICT,
MYNDERSE ACADEMY, FAITH LEWIS, SENECA FALLS
MIDDLE SCHOOL, KEVIN RHINEHART, ELIZABETH
CADY STANTON ELEMENTARY SCHOOL, ANDREW
DOELL, and AMY HIBBARD,

**VERIFIED
COMPLAINT**

Defendants.
-----X

Plaintiffs, above-named, complaining of defendants, by their attorneys MERSON LAW,
PLLC., respectfully allege, upon information and belief, that:

1. This is wrongful death action arising from the death by suicide on June 24, 2023
of **TAYLOR BROWN**, a 17 year-old student at Mynderse Academy, which was caused by Seneca
Falls Central School District, Mynderse Academy, Faith Lewis, Seneca Falls Middle School,
Kevin Rhinehart, Elizabeth Cady Stanton Elementary School, Andrew Doell, and Amy Hibbard
(collectively “Defendants”) accepting, allowing, approving, adopting, condoning, encouraging
and participating in a years-long campaign of vicious bullying and harassing of **TAYLOR
BROWN** by students and teachers under the control and supervision of Defendants and on
Defendants’ premises.

JURISDICTION AND VENUE

2. On September 18, 2023, Melissa Brown, the mother of Taylor Brown, was duly
appointed administrator of the Estate of Taylor Brown by the Surrogates’ Court of Seneca County.

3. This Court has jurisdiction pursuant to CPLR Section 301, as defendants maintains principal places of business in New York State, and the unlawful conduct described herein occurred in New York State.

4. Venue is proper pursuant to CPLR Section 503, because defendants **SENECA FALLS CENTRAL SCHOOL DISTRICT, MYNDERSE ACADEMY, SENECA FALLS MIDDLE SCHOOL**, and **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** maintain a principal place of business in Seneca County.

5. This action has been timely commenced as against defendants **SENECA FALLS CENTRAL SCHOOL DISTRICT, MYNDERSE ACADEMY, FAITH LEWIS, SENECA FALLS MIDDLE SCHOOL, KEVIN RHINEHART, ELIZABETH CADY STANTON ELEMENTARY SCHOOL, ANDREW DOELL, and AMY HIBBARD** pursuant to CPLR Section 214.

6. Plaintiffs have complied with all of the statutory conditions precedent to the commencement of this action.

PARTIES

7. Melissa Brown, Taylor Brown's mother, is an individual residing in Seneca Falls, New York.

8. Stephen Brown, Taylor Brown's father, is an individual resident in Seneca Falls, New York.

9. At all times herein mentioned, defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** was and is a municipal corporation incorporated in the State of New York and by virtue of the laws of the State of New York.

10. At all times herein mentioned, defendant **SENECA FALLS CENTRAL**

SCHOOL DISTRICT was and is located at 2 Butler Avenue, Seneca Falls, New York, 13148.

11. At all times herein mentioned, defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** oversaw, managed, controlled, and operated schools within its district, including defendant **MYNDERSE ACADEMY**, which was and is located at 105 Troy Street, Seneca Falls, New York, 13148.

12. At all times herein mentioned, Faith Lewis was the principal operating under the direction, control, and supervision of defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT**, and defendant's agents, servants, and/or employees.

13. At all times herein mentioned, the principal, Faith Lewis, was an agent, servant, and/or employee of defendant **MYNDERSE ACADEMY**.

14. At all times herein mentioned, defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** oversaw, managed, controlled, and operated schools within its district, including defendant **SENECA FALLS MIDDLE SCHOOL**, which was and is located at 95 Troy Street, Seneca Falls, New York, 13148.

15. At all times herein mentioned, Kevin Rhinehart was the principal operating under the direction, control, and supervision of defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT**, and defendant's agents, servants, and/or employees.

16. At all times herein mentioned, the principal, Kevin Rhinehart, was an agent, servant, and/or employee of defendant **SENECA FALLS MIDDLE SCHOOL**.

17. At all times herein mentioned, defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** oversaw, managed, controlled, and operated schools within its district, including defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL**, which was and is located at 38 Garden Street, Seneca Falls, New York, 13148.

18. At all times herein mentioned, Andrew Doell, and Amy Hibbard was the principal operating under the direction, control, and supervision of defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT**, and defendant's agents, servants, and/or employees.

19. At all times herein mentioned, the principals, Andrew Doell, and Amy Hibbard, were agents, servants, and/or employees of defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL**.

20. At all times herein mentioned, the music teacher was operating under the direction, control, and supervision of defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT**, and defendant's agents, servants, and/or employees.

21. At all times herein mentioned, the music teacher was an agent, servant, and/or employee of defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL**.

22. At all times herein mentioned, defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** was and is a public school district incorporated in the State of New York and by virtue of the laws of the State of New York.

23. At all times herein mentioned, defendants **SENECA FALLS CENTRAL SCHOOL DISTRICT, MYNDERSE ACADEMY, FAITH LEWIS, SENECA FALLS MIDDLE SCHOOL, KEVIN RHINEHART, ELIZABETH CADY STANTON ELEMENTARY SCHOOL, ANDREW DOELL, and AMY HIBBARD** were agents, servants, employees and/or alter egos of each other.

FACTS OF THE CASE

24. On June 24, 2023, **TAYLOR BROWN** died because the Defendants negligently failed to take appropriate action to protect Taylor Brown from persistent and unaddressed, ruthless bullying, harassment, and threats by other students and faculty, despite actual knowledge.

25. Defendants' negligence and recklessness caused **TAYLOR BROWN** to be bullied, harassed and/or discriminated against by other students despite their knowledge that the students bullied, harassed, and/or discriminated against students including, but not limited to plaintiff **TAYLOR BROWN**, and/or had the propensity to bully, harass and/or discriminate against students including but not limited to plaintiff **TAYLOR BROWN** and therefore are responsible for the injuries that plaintiffs incurred because but for defendants' unlawful conduct, plaintiffs would not have suffered the mental and physical anguish inflicted by the students that destroyed plaintiff's will to survive. Defendants' gross negligence, reckless, wanton, willful and/or intentional conduct supports punitive liability.

26. Plaintiff **TAYLOR BROWN** was a student at **MYNDERSE ACADEMY, SENECA FALLS MIDDLE SCHOOL, and ELIZABETH CADY STANTON ELEMENTARY SCHOOL.**

27. The defendants failed to remove and/or adequately supervise the students from the Academy, the Middle School and/or the Elementary School or to take any steps to protect students, including **TAYLOR BROWN** safe from other bullying students at the Academy, the Middle School, and/or the Elementary School.

28. At all times herein mentioned defendant **FAITH LEWIS** was responsible for investigating and remedying any complaints of bullying, harassment and discrimination between students at defendant **MYNDERSE ACADEMY.**

29. In approximately 2019 through 2023, **TAYLOR BROWN** was a student at and of the Academy.

30. In addition to the above bullying, harassment, and/or discrimination, students including regularly intimidated plaintiff **TAYLOR BROWN** with threats of physical violence.

31. At all times herein mentioned defendant **KEVIN RHINEHART** was responsible for investigating and remedying any complaints of bullying, harassment and discrimination between students at defendant **SENECA FALLS MIDDLE SCHOOL**.

32. In approximately 2016 through 2019, **TAYLOR BROWN** was a student at and of the Middle School.

33. In addition to the above bullying, harassment, and/or discrimination, students regularly took plaintiff's jacket and threw it into trees.

34. At all times herein mentioned defendants **ANDREW DOELL, and AMY HIBBARD** were responsible for investigating and remedying any complaints of bullying, harassment and discrimination between students and teachers at defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL**.

35. In approximately 2013 through 2016, **TAYLOR BROWN** was a student at and of the Elementary School.

36. In approximately 2019 through 2024, defendants **MYNDERSE ACADEMY** and **FAITH LEWIS** knew and/or should have known about the bullying, harassment, and/or discrimination plaintiff **TAYLOR BROWN** was suffering, and they did nothing to stop it.

37. In approximately 2016 through 2019, defendants **SENECA FALLS MIDDLE SCHOOL** and **KEVIN RHINEHART** knew and/or should have known about the bullying, harassment, and/or discrimination plaintiff **TAYLOR BROWN** was suffering, and they did nothing to stop it.

38. In approximately 2013 through 2016, defendants **ELIZABETH CADY STANTON ELEMENTARY SCHOOL, ANDREW DOELL, and AMY HIBBARD** knew and/or should have known about the bullying, harassment, and/or discrimination plaintiff

TAYLOR BROWN was suffering, and they did nothing to stop it.

39. In approximately 2019 through 2024, the Academy by and through its agents, servants and/or employees, was aware that plaintiff **TAYLOR BROWN** was being bullied, harassed and/or discriminated against by other students of the Academy, and the Academy and Lewis failed to take any action to stop and/or prevent the harassment or bullying from recurring. As a result of the Academy's negligent acts and/or omissions, plaintiff **TAYLOR BROWN** continued to be bullied and harassed which caused plaintiff **TAYLOR BROWN's** death.

40. In approximately 2016 through 2019, the Middle School by and through its agents, servants and/or employees, was aware that plaintiff **TAYLOR BROWN** was being bullied, harassed and/or discriminated against by other students of the Middle School, and the Middle School and Reinhardt failed to take any action to stop and/or prevent the harassment or bullying from recurring. As a result of the Middle School's negligent acts and/or omissions, plaintiff **TAYLOR BROWN** continued to be bullied and harassed which caused plaintiff **TAYLOR BROWN's** death.

41. In approximately 2013 through 2016, the Elementary School by and through its agents, servants and/or employees, was aware that plaintiff **TAYLOR BROWN** was being bullied, harassed and/or discriminated against by other students of the Elementary School, including the music teacher, and the Elementary School and Hibbard failed to take any action to stop and/or prevent the harassment or bullying from recurring. As a result of the Elementary School's negligent acts and/or omissions, plaintiff **TAYLOR BROWN** continued to be bullied and harassed which caused plaintiff **TAYLOR BROWN's** death.

42. Plaintiff **TAYLOR BROWN** died on June 24, 2023.

43. Plaintiff **MELISSA BROWN** brings this lawsuit on behalf of her daughter,

TAYLOR BROWN to recover for the emotional and physical suffering plaintiff **TAYLOR BROWN** endured and her wrongful death because of the negligence of the defendants and to make sure no other child is forced to suffer the bullying, harassment, and discrimination and physical and mental trauma plaintiff **TAYLOR BROWN** felt.

44. Plaintiffs **MELISSA BROWN** and **STEPHEN BROWN** additionally bring this lawsuit to recover from the emotional suffering they have suffered and the loss of services of their daughter.

AS AND FOR A FIRST CAUSE OF ACTION FOR
NEGLIGENCE
AS TO SENECA FALLS CENTRAL SCHOOL DISTRICT

45. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

46. At all times mentioned herein, defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** owed a duty of care, including, but not limited to a duty *in loco parentis*, like that of a parent of ordinary prudence, to keep the children of and attending defendant's schools, including **TAYLOR BROWN**, safe from the bullying, harassment and/or discrimination by other students and teachers under its supervision, custody, and control, or otherwise within the orbit of defendant's authority, such as that which ultimately befell plaintiff, whether on or off premises.

47. At all times mentioned herein, defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** and/or defendant's agents, servants, and/or employees breached the above-stated duty in a negligent, reckless, willful, and wanton manner, and caused plaintiff to be bullied, harassed, discriminated against, and harmed or injured, destroying her will to survive.

48. As a result of the negligence of defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** and/or defendant's agents, servants, and/or employees, plaintiff was

caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not yet been ascertained.

49. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

50. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

AS AND FOR A SECOND CAUSE OF ACTION FOR
NEGLIGENCE
AS TO MYNDERSE ACADEMY

53. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

54. At all times mentioned herein, defendant **MYNDERSE ACADEMY** owed a duty of care, including, but not limited to a duty *in loco parentis*, like that of a parent of ordinary prudence, to keep the children of and attending defendant's schools, including **TAYLOR BROWN**, safe from the bullying, harassment and/or discrimination by other students and teachers under its supervision, custody, and control, or otherwise within the orbit of defendant's authority, such as that which ultimately befell plaintiff, whether on or off premises.

55. At all times mentioned herein, defendant **MYNDERSE ACADEMY** and/or defendant's agents, servants, and/or employees breached the above-stated duty in a negligent, reckless, willful, and wanton manner, and caused plaintiff to be bullied, harassed, discriminated

against and harmed or injured, destroying her will to survive.

56. As a result of the negligence of defendant **MYNDERSE ACADEMY** and/or defendant's agents, servants, and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not yet been ascertained.

57. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

58. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

AS AND FOR A THIRD CAUSE OF ACTION FOR
NEGLIGENCE
AS TO FAITH LEWIS

61. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

62. At all times mentioned herein, defendant **FAITH LEWIS** owed a duty of care, including, but not limited to a duty *in loco parentis*, like that of a parent of ordinary prudence, to keep the children of and attending defendant's schools, including **TAYLOR BROWN**, safe from the bullying, harassment and/or discrimination by other students and teachers under its supervision, custody, and control, or otherwise within the orbit of defendant's authority, such as that which ultimately befell plaintiff, whether on or off premises.

63. At all times mentioned herein, defendant **FAITH LEWIS** and/or its agents,

servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wonton manner, and caused **TAYLOR BROWN** to be bullied, harassed, discriminated against and harmed or injured, destroying her will to survive.

64. As a result of the negligence of defendant **FAITH LEWIS** and/or her agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not as of yet been ascertained.

65. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

66. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

AS AND FOR A FOURTH CAUSE OF ACTION FOR
NEGLIGENCE
AS TO SENECA FALLS MIDDLE SCHOOL

69. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

70. At all times mentioned herein, defendant **SENECA FALLS MIDDLE SCHOOL** owed a duty of care, including, but not limited to a duty *in loco parentis*, like that of a parent of ordinary prudence, to keep the children of and attending defendant's schools, including **TAYLOR BROWN**, safe from the bullying, harassment and/or discrimination by other students and teachers under its supervision, custody, and control, or otherwise within the orbit of defendant's authority,

such as that which ultimately befell plaintiff, whether on or off premises.

71. At all times mentioned herein, defendant **SENECA FALLS MIDDLE SCHOOL** and/or defendant's agents, servants, and/or employees breached the above-stated duty in a negligent, reckless, willful, and wanton manner, and caused plaintiff to be bullied, harassed, discriminated against and harmed or injured, destroying her will to survive.

72. As a result of the negligence of defendant **SENECA FALLS MIDDLE SCHOOL** and/or defendant's agents, servants, and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not yet been ascertained.

73. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

74. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

AS AND FOR A FIFTH CAUSE OF ACTION FOR
NEGLIGENCE
AS TO KEVIN RHINEHART

77. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

78. At all times mentioned herein, defendant **KEVIN RHINEHART** owed a duty of care, including, but not limited to a duty *in loco parentis*, like that of a parent of ordinary

prudence, to keep the children of and attending defendant's schools, including **TAYLOR BROWN**, safe from the bullying, harassment and/or discrimination by other students and teachers under its supervision, custody, and control, or otherwise within the orbit of defendant's authority, such as that which ultimately befell plaintiff, whether on or off premises.

79. At all times mentioned herein, defendant **KEVIN RHINEHART** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wonton manner, and caused **TAYLOR BROWN** to be bullied, harassed, discriminated against and harmed or injured, destroying her will to survive.

80. As a result of the negligence of defendant **KEVIN RHINEHART** and/or her agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not as of yet been ascertained.

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

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

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

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

AS AND FOR A SIXTH CAUSE OF ACTION FOR
NEGLIGENCE
AS TO ELIZABETH CADY STANTON ELEMENTARY SCHOOL

85. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

86. At all times mentioned herein, defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** owed a duty of care, including, but not limited to a duty *in loco parentis*, like that of a parent of ordinary prudence, to keep the children of and attending defendant's schools, including **TAYLOR BROWN**, safe from the bullying, harassment and/or discrimination by other students and teachers under its supervision, custody, and control, or otherwise within the orbit of defendant's authority, such as that which ultimately befell plaintiff, whether on or off premises.

87. At all times mentioned herein, defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** and/or defendant's agents, servants, and/or employees breached the above-stated duty in a negligent, reckless, willful, and wanton manner, and caused plaintiff to be bullied, harassed, discriminated against and harmed or injured, destroying her will to survive.

88. As a result of the negligence of defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** and/or defendant's agents, servants, and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not yet been ascertained.

89. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

90. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

AS AND FOR A SEVENTH CAUSE OF ACTION FOR
NEGLIGENCE
AS TO ANDREW DOELL

93. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

94. At all times mentioned herein, defendant **ANDREW DOELL** owed a duty of care, including, but not limited to a duty *in loco parentis*, like that of a parent of ordinary prudence, to keep the children of and attending defendant's schools, including **TAYLOR BROWN**, safe from the bullying, harassment and/or discrimination by other students and teachers under its supervision, custody, and control, or otherwise within the orbit of defendant's authority, such as that which ultimately befell plaintiff, whether on or off premises.

95. At all times mentioned herein, defendant **ANDREW DOELL** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wonton manner, and caused **TAYLOR BROWN** to be bullied, harassed, discriminated against and harmed or injured, destroying her will to survive.

96. As a result of the negligence of defendant **ANDREW DOELL** and/or her agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not as of yet been ascertained.

97. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

98. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

99. The amount of damages sought exceeds the jurisdiction of all lower courts which

would otherwise have jurisdiction.

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

AS AND FOR AN EIGHTH CAUSE OF ACTION FOR
NEGLIGENCE
AS TO AMY HIBBARD

101. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

102. At all times mentioned herein, defendant **AMY HIBBARD** owed a duty of care, including, but not limited to a duty *in loco parentis*, like that of a parent of ordinary prudence, to keep the children of and attending defendant's schools, including **TAYLOR BROWN**, safe from the bullying, harassment and/or discrimination by other students and teachers under its supervision, custody, and control, or otherwise within the orbit of defendant's authority, such as that which ultimately befell plaintiff, whether on or off premises.

103. At all times mentioned herein, defendant **AMY HIBBARD** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wonton manner, and caused **TAYLOR BROWN** to be bullied, harassed, discriminated against and harmed or injured, destroying her will to survive.

104. As a result of the negligence of defendant **AMY HIBBARD** and/or her agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not as of yet been ascertained.

105. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendant in such sums as a jury would find fair, just and adequate.

106. By reason of the foregoing, plaintiffs are entitled to punitive damages from

defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A NINTH CAUSE OF ACTION FOR
NEGLIGENT HIRING, RETENTION AND SUPERVISION
AS TO SENECA FALLS CENTRAL SCHOOL DISTRICT**

109. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

110. Defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** and defendants' agents, servants, and/or employees had a duty to supervise and prevent known risks of harm to defendants' students, including **TAYLOR BROWN**, by defendants' employees and by other students.

111. Defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** and defendants' agents, servants, and/or employees negligently hired, retained, and supervised defendants' personnel, and other school officials, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge, skill, and moral character of school officials who should have properly been supervising the teachers and students to ensure the safety of the students, including **TAYLOR BROWN**.

112. Defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT**, and defendants' agents, servants, and/or employees knew or should have known that the students and teachers bullied, harassed and/or discriminated against and/or had the propensity to bully, harass and/or discriminate against students, including **TAYLOR BROWN** and did nothing to stop it.

113. As a result of such negligent hiring, supervising and retention, plaintiffs were

caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not yet been ascertained.

114. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

115. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A TENTH CAUSE OF ACTION FOR
NEGLIGENT HIRING, RETENTION AND SUPERVISION
AS TO MYNDERSE ACADEMY**

118. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

119. Defendant **MYNDERSE ACADEMY** and defendants' agents, servants, and/or employees had a duty to supervise and prevent known risks of harm to defendants' students, including **TAYLOR BROWN**, by defendants' employees and by other students.

120. Defendant **MYNDERSE ACADEMY** and defendants' agents, servants, and/or employees negligently hired, retained, and supervised defendants' personnel, and other school officials, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge, skill, and moral character of school officials who should have properly been supervising the teachers and students to ensure the safety of the students, including **TAYLOR BROWN**.

121. Defendant **MYNDERSE ACADEMY**, and defendants' agents, servants, and/or employees knew or should have known that the students and teachers bullied, harassed and/or discriminated against and/or had the propensity to bully, harass and/or discriminate against students, including **TAYLOR BROWN** and did nothing to stop it.

122. As a result of such negligent hiring, supervising and retention, plaintiffs were caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not yet been ascertained.

123. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

124. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR AN ELEVENTH CAUSE OF ACTION FOR
NEGLIGENT HIRING, RETENTION AND SUPERVISION
AS TO SENECA FALLS MIDDLE SCHOOL**

127. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

128. Defendant **SENECA FALLS MIDDLE SCHOOL** and defendants' agents, servants, and/or employees had a duty to supervise and prevent known risks of harm to defendants' students, including **TAYLOR BROWN**, by defendants' employees and by other students.

129. Defendant **SENECA FALLS MIDDLE SCHOOL** and defendants' agents,

servants, and/or employees negligently hired, retained, and supervised defendants' personnel, and other school officials, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge, skill, and moral character of school officials who should have properly been supervising the teachers and students to ensure the safety of the students, including **TAYLOR BROWN**.

130. Defendant **SENECA FALLS MIDDLE SCHOOL**, and defendants' agents, servants, and/or employees knew or should have known that the students and teachers bullied, harassed and/or discriminated against and/or had the propensity to bully, harass and/or discriminate against students, including **TAYLOR BROWN** and did nothing to stop it.

131. As a result of such negligent hiring, supervising and retention, plaintiffs were caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not yet been ascertained.

132. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

133. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A TWELTH CAUSE OF ACTION FOR
NEGLIGENT HIRING, RETENTION AND SUPERVISION
AS TO ELIZABETH CADY STANTON ELEMENTARY SCHOOL**

136. Plaintiffs repeat and reallege each and every allegation set forth above as though

set forth herein at length.

137. Defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** and defendants' agents, servants, and/or employees had a duty to supervise and prevent known risks of harm to defendants' students, including **TAYLOR BROWN**, by defendants' employees and by other students.

138. Defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** and defendants' agents, servants, and/or employees negligently hired, retained, and supervised defendants' personnel, and other school officials, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge, skill, and moral character of school officials who should have properly been supervising the teachers and students to ensure the safety of the students, including **TAYLOR BROWN**.

139. Defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL**, and defendants' agents, servants, and/or employees knew or should have known that the students and teachers bullied, harassed and/or discriminated against and/or had the propensity to bully, harass and/or discriminate against students, including **TAYLOR BROWN** and did nothing to stop it.

140. As a result of such negligent hiring, supervising and retention, plaintiffs were caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, destroying her will to survive, and other losses, all of which have not yet been ascertained.

141. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

142. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A THIRTEENTH CAUSE OF ACTION FOR
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
AS TO SENECA FALLS CENTRAL SCHOOL DISTRICT**

145. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

146. Defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** and defendants' agents, servants, and/or employees knew or reasonably should have known that the failure to properly advise and supervise the students that bullied, harassed and/or discriminated against **TAYLOR BROWN** would and did proximately result in physical and emotional distress to plaintiffs.

147. Defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** and defendants' agents, servants, and/or employees knew or reasonably should have known that the bullying, harassment and/or discrimination and other improper conduct would have did proximately result in physical and emotional distress to plaintiffs.

148. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in **TAYLOR BROWN** being bullied, harassed and/or discriminated against by its students and/or employees, agents and/or servants.

149. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in its students and/or employees', agents, servants' bullying, harassing and/or discriminating against **TAYLOR BROWN**.

150. By reason of the foregoing, plaintiffs are entitled to compensatory damages from

defendants in such sums as a jury would find fair, just and adequate.

151. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A FOURTEENTH CAUSE OF ACTION FOR
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
AS TO MYNDERSE ACADEMY**

154. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

155. Defendant **MYNDERSE ACADEMY** and defendants' agents, servants, and/or employees knew or reasonably should have known that the failure to properly advise and supervise the students that bullied, harassed and/or discriminated against **TAYLOR BROWN** would and did proximately result in physical and emotional distress to plaintiffs.

156. Defendant **MYNDERSE ACADEMY** and defendants' agents, servants, and/or employees knew or reasonably should have known that the bullying, harassment and/or discrimination and other improper conduct would have did proximately result in physical and emotional distress to plaintiffs.

157. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in **TAYLOR BROWN** being bullied, harassed and/or discriminated against by its students and/or employees, agents and/or servants.

158. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in its students and/or employees',

agents, servants' bullying, harassing and/or discriminating against **TAYLOR BROWN**.

159. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

160. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A FIFTEENTH CAUSE OF ACTION FOR
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
AS TO FAITH LEWIS**

163. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

164. Defendant **FAITH LEWIS** and defendant's agents, servants, and/or employees knew or reasonably should have known that the failure to properly advise and supervise the students that bullied, harassed and/or discriminated against **TAYLOR BROWN** would and did proximately result in physical and emotional distress to plaintiffs.

165. Defendant **FAITH LEWIS** and defendants' agents, servants, and/or employees knew or reasonably should have known that the bullying, harassment and/or discrimination and other improper conduct would have did proximately result in physical and emotional distress to plaintiffs.

166. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in **TAYLOR BROWN** being bullied, harassed and/or discriminated against by its students and/or employees, agents and/or servants.

167. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in its students and/or employees', agents, servants' bullying, harassing and/or discriminating against **TAYLOR BROWN**.

168. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

169. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A SIXTEENTH CAUSE OF ACTION FOR
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
AS TO SENECA FALLS MIDDLE SCHOOL**

172. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

173. Defendant **SENECA FALLS MIDDLE SCHOOL** and defendants' agents, servants, and/or employees knew or reasonably should have known that the failure to properly advise and supervise the students that bullied, harassed and/or discriminated against **TAYLOR BROWN** would and did proximately result in physical and emotional distress to plaintiffs.

174. Defendant **SENECA FALLS MIDDLE SCHOOL** and defendants' agents, servants, and/or employees knew or reasonably should have known that the bullying, harassment and/or discrimination and other improper conduct would have did proximately result in physical and emotional distress to plaintiffs.

175. Defendant had the power, ability, authority and duty to intervene with and/or stop

the improper conduct that resulted in **TAYLOR BROWN** being bullied, harassed and/or discriminated against by its students and/or employees, agents and/or servants.

176. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in its students and/or employees', agents, servants' bullying, harassing and/or discriminating against **TAYLOR BROWN**.

177. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

178. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

AS AND FOR A SEVENTEENTH CAUSE OF ACTION FOR
NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS
AS TO KEVIN RHINEHART

181. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

182. Defendant **KEVIN RHINEHART** and defendant's agents, servants, and/or employees knew or reasonably should have known that the failure to properly advise and supervise the students that bullied, harassed and/or discriminated against **TAYLOR BROWN** would and did proximately result in physical and emotional distress to plaintiffs.

183. Defendant **KEVIN RHINEHART** and defendants' agents, servants, and/or employees knew or reasonably should have known that the bullying, harassment and/or discrimination and other improper conduct would have did proximately result in physical and

emotional distress to plaintiffs.

184. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in **TAYLOR BROWN** being bullied, harassed and/or discriminated against by its students and/or employees, agents and/or servants.

185. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in its students and/or employees', agents, servants' bullying, harassing and/or discriminating against **TAYLOR BROWN**.

186. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

187. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR AN EIGHTEENTH CAUSE OF ACTION FOR
NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS
AS TO ELIZABETH CADY STANTON ELEMENTARY SCHOOL**

190. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

191. Defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** and defendants' agents, servants, and/or employees knew or reasonably should have known that the failure to properly advise and supervise the students that bullied, harassed and/or discriminated against **TAYLOR BROWN** would and did proximately result in physical and emotional distress to plaintiffs.

192. Defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** and defendants' agents, servants, and/or employees knew or reasonably should have known that the bullying, harassment and/or discrimination and other improper conduct would have did proximately result in physical and emotional distress to plaintiffs.

193. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in **TAYLOR BROWN** being bullied, harassed and/or discriminated against by its students and/or employees, agents and/or servants.

194. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in its students and/or employees', agents, servants' bullying, harassing and/or discriminating against **TAYLOR BROWN**.

195. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

196. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A NINETEENTH CAUSE OF ACTION FOR
NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS
AS TO ANDREW DOELL**

199. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

200. Defendant **ANDREW DOELL** and defendant's agents, servants, and/or employees knew or reasonably should have known that the failure to properly advise and

supervise the students that bullied, harassed and/or discriminated against **TAYLOR BROWN** would and did proximately result in physical and emotional distress to plaintiffs.

201. Defendant **ANDREW DOELL** and defendants' agents, servants, and/or employees knew or reasonably should have known that the bullying, harassment and/or discrimination and other improper conduct would have did proximately result in physical and emotional distress to plaintiffs.

202. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in **TAYLOR BROWN** being bullied, harassed and/or discriminated against by its students and/or employees, agents and/or servants.

203. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in its students and/or employees', agents, servants' bullying, harassing and/or discriminating against **TAYLOR BROWN**.

204. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

205. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

AS AND FOR A TWENTIETH CAUSE OF ACTION FOR
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
AS TO AMY HIBBARD

208. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

209. Defendant **AMY HIBBARD** and defendant's agents, servants, and/or employees knew or reasonably should have known that the failure to properly advise and supervise the students that bullied, harassed and/or discriminated against **TAYLOR BROWN** would and did proximately result in physical and emotional distress to plaintiffs.

210. Defendant **AMY HIBBARD** and defendants' agents, servants, and/or employees knew or reasonably should have known that the bullying, harassment and/or discrimination and other improper conduct would have did proximately result in physical and emotional distress to plaintiffs.

211. Defendant had the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in **TAYLOR BROWN** being bullied, harassed and/or discriminated against by its students and/or employees, agents and/or servants.

212. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in its students and/or employees', agents, servants' bullying, harassing and/or discriminating against **TAYLOR BROWN**.

213. By reason of the foregoing, plaintiffs are entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

214. By reason of the foregoing, plaintiffs are entitled to punitive damages from defendant in such sums as a jury would find fair, just and adequate.

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

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

**AS AND FOR A TWENTY-FIRST CAUSE OF ACTION FOR
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO SENECA FALLS CENTRAL SCHOOL DISTRICT**

217. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

218. Defendant **SENECA FALLS CENTRAL SCHOOL DISTRICT** and defendant's agents, servants, and/or employees engaged in outrageous conduct toward plaintiff **TAYLOR BROWN** with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by ignoring plaintiffs' complaints regarding bullying, harassment, and/or discrimination, disciplining **TAYLOR BROWN** instead of other students who were bullying, harassing, and/or discriminating against her.

219. As a proximate result of the aforementioned violations committed against plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, destroying her will to survive, and death as well as economic losses, all her damage in amounts to be proven at trial.

220. Defendant **SENECA FALL SCHOOL DISTRICT** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff **TAYLOR BROWN** from an improper and evil motive amounting to malice and in conscious disregard of plaintiffs' rights, entitling plaintiffs to recover punitive damages in amounts to be proven at trial.

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

222. This action falls within the exception to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SECOND CAUSE OF ACTION FOR
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO MYNDERSE ACADEMY

223. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

224. Defendant **MYNDERSE ACADEMY** and defendant's agents, servants, and/or employees engaged in outrageous conduct toward plaintiff **TAYLOR BROWN** with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by ignoring plaintiffs' complaints regarding bullying, harassment, and/or discrimination, disciplining **TAYLOR BROWN** instead of other students who were bullying, harassing, and/or discriminating against her.

225. As a proximate result of the aforementioned violations committed against plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, destroying her will to survive, and death as well as economic losses, all her damage in amounts to be proven at trial.

226. Defendant **MYNDERSE ACADEMY** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff **TAYLOR BROWN** from an improper and evil motive amounting to malice and in conscious disregard of plaintiffs' rights, entitling plaintiffs to recover punitive damages in amounts to be proven at trial.

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

228. This action falls within the exception to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-THIRD CAUSE OF ACTION FOR
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO FAITH LEWIS

229. Plaintiffs repeat and reallege each and every allegation set forth above as though

set forth herein at length.

230. Defendant **FAITH LEWIS** and defendant's agents, servants, and/or employees engaged in outrageous conduct toward plaintiff **TAYLOR BROWN** with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by ignoring plaintiffs' complaints regarding bullying, harassment, and/or discrimination, disciplining **TAYLOR BROWN** instead of other students who were bullying, harassing, and/or discriminating against her.

231. As a proximate result of the aforementioned violations committed against plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, destroying her will to survive, and death as well as economic losses, all her damage in amounts to be proven at trial.

232. Defendant **FAITH LEWIS** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff **TAYLOR BROWN** from an improper and evil motive amounting to malice and in conscious disregard of plaintiffs' rights, entitling plaintiffs to recover punitive damages in amounts to be proven at trial.

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

234. This action falls within the exception to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-FOURTH CAUSE OF ACTION FOR
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO SENECA FALLS MIDDLE SCHOOL

235. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

236. Defendant **SENECA FALLS MIDDLE SCHOOL** and defendant's agents,

servants, and/or employees engaged in outrageous conduct toward plaintiff **TAYLOR BROWN** with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by ignoring plaintiffs' complaints regarding bullying, harassment, and/or discrimination, disciplining **TAYLOR BROWN** instead of other students who were bullying, harassing, and/or discriminating against her.

237. As a proximate result of the aforementioned violations committed against plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, destroying her will to survive, and death as well as economic losses, all her damage in amounts to be proven at trial.

238. Defendant **SENECA FALLS MIDDLE SCHOOL** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff **TAYLOR BROWN** from an improper and evil motive amounting to malice and in conscious disregard of plaintiffs' rights, entitling plaintiffs to recover punitive damages in amounts to be proven at trial.

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

240. This action falls within the exception to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-FIFTH CAUSE OF ACTION FOR
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS
AS TO KEVIN RHINEHART

241. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

242. Defendant **KEVIN RHINEHART** and defendant's agents, servants, and/or employees engaged in outrageous conduct toward plaintiff **TAYLOR BROWN** with the

intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by ignoring plaintiffs' complaints regarding bullying, harassment, and/or discrimination, disciplining **TAYLOR BROWN** instead of other students who were bullying, harassing, and/or discriminating against her.

243. As a proximate result of the aforementioned violations committed against plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, destroying her will to survive, and death as well as economic losses, all her damage in amounts to be proven at trial.

244. Defendant **KEVIN RHINEHART** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff **TAYLOR BROWN** from an improper and evil motive amounting to malice and in conscious disregard of plaintiffs' rights, entitling plaintiffs to recover punitive damages in amounts to be proven at trial.

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

246. This action falls within the exception to Article 16 of the C.P.L.R.

**AS AND FOR A TWENTY-SIXTH CAUSE OF ACTION FOR
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ELIZABETH CADY STANTON ELEMENTARY SCHOOL**

247. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

248. Defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** and defendant's agents, servants, and/or employees engaged in outrageous conduct toward plaintiff **TAYLOR BROWN** with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by ignoring plaintiffs' complaints regarding

bullying, harassment, and/or discrimination, disciplining **TAYLOR BROWN** instead of other students who were bullying, harassing, and/or discriminating against her.

249. As a proximate result of the aforementioned violations committed against plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, destroying her will to survive, and death as well as economic losses, all her damage in amounts to be proven at trial.

250. Defendant **ELIZABETH CADY STANTON ELEMENTARY SCHOOL** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff **TAYLOR BROWN** from an improper and evil motive amounting to malice and in conscious disregard of plaintiffs' rights, entitling plaintiffs to recover punitive damages in amounts to be proven at trial.

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

252. This action falls within the exception to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SEVENTH CAUSE OF ACTION FOR
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ANDREW DOELL

253. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

254. Defendant **ANDREW DOELL** and defendant's agents, servants, and/or employees engaged in outrageous conduct toward plaintiff **TAYLOR BROWN** with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by ignoring plaintiffs' complaints regarding bullying, harassment, and/or discrimination, disciplining **TAYLOR BROWN** instead of other students who were

bullying, harassing, and/or discriminating against her.

255. As a proximate result of the aforementioned violations committed against plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, destroying her will to survive, and death as well as economic losses, all her damage in amounts to be proven at trial.

256. Defendant **ANDREW DOELL** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff **TAYLOR BROWN** from an improper and evil motive amounting to malice and in conscious disregard of plaintiffs' rights, entitling plaintiffs to recover punitive damages in amounts to be proven at trial.

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

258. This action falls within the exception to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-EIGHTH CAUSE OF ACTION FOR
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS
AS TO AMY HIBBARD

259. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

260. Defendant **AMY HIBBARD** and defendant's agents, servants, and/or employees engaged in outrageous conduct toward plaintiff **TAYLOR BROWN** with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by ignoring plaintiffs' complaints regarding bullying, harassment, and/or discrimination, disciplining **TAYLOR BROWN** instead of other students who were bullying, harassing, and/or discriminating against her.

261. As a proximate result of the aforementioned violations committed against plaintiff,

she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, destroying her will to survive, and death as well as economic losses, all her damage in amounts to be proven at trial.

262. Defendant **AMY HIBBARD** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff **TAYLOR BROWN** from an improper and evil motive amounting to malice and in conscious disregard of plaintiffs' rights, entitling plaintiffs to recover punitive damages in amounts to be proven at trial.

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

264. This action falls within the exception to Article 16 of the C.P.L.R.

**AS AND FOR A TWENTY-NINTH CAUSE OF ACTION FOR
WRONGFUL DEATH**

265. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

266. Plaintiff's decedent was survived by her mother, **MELISSA BROWN**, and her father, **STEPHEN BROWN**.

267. The foregoing negligence, reckless, and wanton conduct of defendants caused the death of **TAYLOR BROWN** on or about June 24, 2023.

268. Plaintiffs are entitled to all damages permitted by law.

**AS AND FOR A THIRTIETH CAUSE OF ACTION FOR
LOSS OF SERVICES**

269. Plaintiffs repeat and reallege each and every allegation set forth above as though set forth herein at length.

270. By reasons of the foregoing occurrence the resulting injuries and death to plaintiff's decedent, **TAYLOR BROWN**, plaintiffs **MELISSA BROWN** and **STEPHEN BROWN** were deprived of the services, love, society, and companionship of their daughter and were caused to become obliged to spend sums of money for medical and hospital care on her behalf.

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

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

WHEREFORE, plaintiffs demand judgement against defendants in such sum as a jury would find fair, adequate and just.

Dated: June 25, 2024
New York, New York

MERSON LAW, PLLC

By: /s/ Nathan Werksman
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**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SENECA**

-----X
**MELISSA BROWN as administratrix of the estate
of TAYLOR BROWN, MELISSA BROWN,
Individually, and STEPHEN BROWN, Individually,**

Index No.: _____/2024

Plaintiffs,

-against-

**ATTORNEY
VERIFICATION**

**SENECA FALLS CENTRAL SCHOOL DISTRICT,
MYNDERSE ACADEMY, FAITH LEWIS, SENECA
FALLS MIDDLE SCHOOL, KEVIN RHINEHART,
ELIZABETH CADY STANTON ELEMENTARY
SCHOOL, ANDREW DOELL, and AMY HIBBARD,**

Defendants.
-----X

NATHAN E. WERKSMAN, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC., attorneys for plaintiffs in the within action, hereby affirms under penalty of perjury:

That affirmant has read the within complaint and knows the contents thereof, and that the same is true to affirmant's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters affirmant believes them to be true.

That the sources of affirmant's information and knowledge are investigations and records in the file maintained in affirmant's office.

That the reason this verification is made by affirmant and not by plaintiff is that plaintiff does not reside within the County where affirmant maintains his office.

Dated: June 25, 2024
New York, New York

/s/ Nathan Werksman
NATHAN E. WERKSMAN, ESQ.

Index No.

Year 2024

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COUNTY OF SENECA

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MYNDERSE ACADEMY, FAITH LEWIS, SENECA
FALLS MIDDLE SCHOOL, KEVIN RHINEHART,
ELIZABETH CADY STANTON ELEMENTARY
SCHOOL, ANDREW DOELL, and AMY HIBBARD,

Defendants,

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC,

Attorneys for Plaintiffs

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To: All Parties
