

CLARK, CLARK & NOONAN, LLC
 Ryan J. Clark, Esq.
 NJ Attorney ID No. 039312006
 1514 State Route 138, Suite 3
 Wall, NJ 07719
 Tel.: (732) 303-7857
 Attorneys for Plaintiff, D.S.G. & D.G. o/b/o A.G.

D.S.G & D.G. o/b/o A.G., Plaintiff, vs. LACEY TOWNSHIP SCHOOL DISTRICT, LACEY TOWNSHIP BOARD OF EDUCATION, XYZ CORPORATIONS (1- 5), AND JOHN/JANE DOES (1-10), Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION – OCEAN COUNTY DOCKET NO. CIVIL ACTION COMPLAINT
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Plaintiffs, D.S.G. and D.G. o/b/o A.G., residing at 2091 Crestwood Drive, Forked River, County of Ocean, State of New Jersey by way of Complaint do hereby state:

NATURE OF ACTION

This action arises from Defendants’ failure to take prompt and effective remedial measures to prevent, stop and correct the harassment and retaliation against Plaintiff A.G. on the basis of his medical/psychiatric disabilities in a place of public accommodation in violation of the New Jersey Law Against Discrimination (“LAD”), N.J.S.A. 10:5-1, *et. seq.*

IDENTIFICATION OF PARTIES

1. Plaintiff A.G. is a minor who, at all relevant times herein, attended Lacey Township High School in the Lacey School District, a place of public accommodation where the incidents of harassment and retaliation took place.

2. Plaintiffs D.S.G. and D.G. are the mother and father of A.G. and bring suit on behalf of their minor child.

3. Defendant Lacey Township School District is a public school district organized under the laws of the State of New Jersey that, pursuant to L.W. ex rel. L.G. v. Toms River Reg'l Sch. Bd. Of Educ. and Lehmann v. Toys 'R' Us, Inc., is responsible for failing to prevent, deter and end the actual and/or perceived discrimination and retaliation against A.G. based on his medical/psychiatric disabilities.

4. Defendant Lacey Township Board of Education, at all relevant times herein, is an entity conducting business at 200 Western Boulevard, Lanoka Harbor, New Jersey and as such, was responsible for creating, implementing, and overseeing rules, regulations, policies and procedures for the safety and welfare of the students enrolled in the Lacey Township public school system.

5. Defendant Lacey Township Board of Education, pursuant to L.W. ex rel. L.G. v. Toms River Reg'l Sch. Bd. Of Educ. and Lehmann v. Toys 'R' Us, Inc., is responsible for failing to prevent, deter and end the actual and/or perceived discrimination and retaliation against A.G. based on his medical/psychiatric disabilities.

6. Defendants XYZ Corporations (1-5) and John/Jane Does (1-10), currently unidentified, are entities and individuals who, by way of direct acts or under a theory of *respondeat superior*, are answerable to Plaintiffs for the acts set forth herein. Plaintiffs expressly reserve the right to amend the Complaint to join and culpable parties.

7. Dr. Vanessa P. Clark, at all relevant times herein, was Superintendent of Defendant Lacey School District.

8. Gregory Brandis, at all relevant times herein, was Principal of Lacey Township High School.

9. Aimee Del Vento, at all relevant times herein, was Athletic Director of Lacey Township High School.

10. Lou Vercillo, at all relevant times herein, was Head Coach of the football program at Lacey Township High School.

11. Jack Bush, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

12. Shane Allen, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

13. Chris Dimicco, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

14. Matt Keifer, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

15. Sean McAndrew, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

16. Mike Stuppiello, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

17. Warren Smith, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

18. Joe Tobin, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

19. Bob Nanny, at all relevant times herein, was an Assistant Coach of the football team at Lacey Township High School.

FACTUAL BACKGROUND

20. A.G. currently attends Lacey Township High School.

21. Since the age of nine A.G. has suffered from diagnosed irritable bowel syndrome (IBS), and anxiety. These conditions coincide with, and exacerbate, A.G.'s efforts to control his body weight as he is also clinically Obese. As a result of these conditions ready access to a bathroom is a constant concern for A.G..

22. During A.G.'s freshman (2020-2021) and sophomore years (2021-2022) A.G. played football for the Lacey Township High School during which time A.G. was subjected to discrimination, harassment, and retaliation because of medical conditions A.G. suffers from. The discrimination, harassment, and retaliation A.G. suffered was perpetrated by, *inter alia*, Coach Vercillo, Assistant Coach Bush, and Assistant Coach Allen, all of whom were on notice of A.G.'s medical disabilities.

23. Specifically, in August of 2020 when A.G. was on the freshman football team, Assistant Coach Bush, who was in charge of the freshman football team, made comments to A.G. about his need to lose weight in front of other players who were made to line up and step on a scale in front of each other. At various other times during the rest of the freshman football season Assistant Coach Bush made several other unwanted comments about A.G. needing to lose more weight.

24. During A.G.'s sophomore year, the 2021 football season, Coach Bush's comments about A.G.'s weight became more aggressive and demeaning. By the second week of August Coach Bush had made several comments to A.G. in front of A.G.'s teammates regarding his weight stating in sum and substance 'Look at you, lose weight' and, 'look at how fat you got.'

25. On or about August 11, 2021, A.G. called his mother D.S.G. to express that he was anxious about Assistant Coach Bush's negative comments about his weight and expressed that he was experiencing anxiety over whether he would be allowed to use the bathroom during practice as a number of the players had been called out by coaches during practice and accused of trying to avoid running laps around the football field.

26. As a result, on or about August 12, 2021, D.S.G. called Coach McAndrew and fully discussed A.G.'s medical issues with IBS, anxiety, and obesity. In this context D.S.G. explained to Assistant Coach McAndrew that if A.G. needs to use the bathroom it is because of his medical issues and not because he is trying to get out of running laps. D.S.G. also respectfully requested that Coach McAndrew to speak to Coach Bush about his negative comments regarding A.G.'s weight because A.G. had been working hard to control his weight and that that effort was being exacerbated by some of the medication A.G. was prescribed to deal with his IBS/anxiety related medical conditions.

27. On August 13, 2021, Assistant Coach Bush made further negative comments about A.G.'s weight calling him in sum and substance 'fat.' A.G. was distressed by Coach Bush's comments in light of the fact that A.G. was aware that his mother had spoken to Coach McAndrew the day prior. Following Coach Bush's comments A.G. relayed to his mother over the phone what Coach Bush had said. D.S.G. relayed the same to A.G.'s father, D.G..

28. As a result, on or about the evening of August 13th, 2021, D.G. called Coach Nanny and fully discussed A.G.'s medical issues with IBS, anxiety, and obesity and Coach Bush's repeated comments about A.G.'s weight. In response Coach Nanny agreed to speak with Coach Bush and will have Coach Bush keep his distance from A.G.. D.G. then relayed the substance of this conversation to A.G..

29. On or about August 14, 2021, A.G. attended football practice. Coach Bush did not keep his distance from A.G. and acted more harshly than usual toward A.G..

30. On or about August 16th, 2021, Coach Bush approached A.G. at practice and made comments to A.G. stating in sum and substance that A.G. should not take offense to what Coach Bush had been saying about his weight and that A.G. didn't need to involve his father with the issue.

31. On or about September 7, 2021, A.G. tested positive for Covid 19.

32. On or about September 12, 2021, A.G. after being hospitalized at Jersey Shore Medical Center, A.G. was admitted to the Intensive Care Unit. A.G. was given medication, put on a breathing machine, and restricted to his bed.

33. During A.G.'s time in the hospital, Head Coach Vercillo, Athletic Director Del Vento, and Principal Greg Brandis contacted D.S.G. for updates on A.G.'s health.

34. On or about September 21, 2021, A.G. was released from Jersey Shore Medical Center.

35. On or about September 28, 2021, A.G. was cleared to attend school. Although A.G. was not yet cleared to play football, A.G. still attended most practices daily.

36. On or about September 29th, 2021, when A.G. walked onto the football field, Coach Bush stated to him in front of his teammates in sum and substance "Man you got fat; what have you been doing? You need to lose weight."

37. On or about and in between September 28th, 2021 and October 12th, 2021 A.G. attended numerous football practices. During this time Coach Bush made additional comments about A.G.'s weight and outwardly displayed hostility towards A.G..

38. On or about October 12, 2021, D.G. spoke to Coach Nanny again and informed him that Coach Bush's abusive comments and behavior towards A.G. had not stopped. Coach Nanny expressed his frustration with Coach Bush to D.G. and stated that he would speak with Coach Bush again.

39. On or about October 13th, 2021, Coach Vercillo prior to practice called A.G. into his office and told A.G. in sum and substance that he was upset that A.G. did not go to Coach Vercillo first about Coach Bush's comments and suggested that he didn't believe that Coach Bush was being purposefully mean towards A.G...

40. On or about October 13th, 2021, A.G. was waiting to be picked up after football practice when Coach Bush drove up near A.G. and though the open window of his pickup truck told A.G. to "loose weight" in an abusive tone and then drove off. Following this D.S.G. and D.G. went to Coach Vercillo's office and to Athletic Director Aimee Del Vento's office to address Coach Bush's continuous verbal abuse of their son but was not able to locate either Coach Vercillo or Ms. Del Vento.

41. On or about the evening of October 13th D.G. received a call from Coach Nanny asking what had happened after practice. D.G. briefly explained to Coach Nanny what had happened to A.G. and stated that he would be like to speak with Coach Vercillo.

42. On or about the evening of October 13, 2021, D.G. received a call from Coach Vercillo. D.G. explained the details of each incident to Coach Vercillo and expressed his desire to have Coach Bush removed from the team. Coach Vercillo insisted that he would take care of the situation. D.G. received a text message later that evening from Coach Vercillo stating that Coach Bush would no longer be attending practices and would only be filming games from the box. He assured D.G. that Coach Bush would have nothing to do directly with the area where athletes are

involved. On that same evening D.G. relayed what Coach Vercillo had indicated to A.G. to reassure him that the issue was being taken seriously this time and would not have to worry about Coach Bush any longer.

43. On or about October 14, 2021, D.S.G. received a return call from Ms. Del Vento. D.S.G. relayed the events regarding Coach Bush's abusive comments and explained A.G.'s anxiety and his IBS issues. Ms. Del Vento stated in sum and substance that she would not tolerate such behavior from Coach Bush and was disgusted by what was happening to A.G.. A short time later, D.S.G. received a follow up phone call from Ms. Del Vento and Principal Brandis during which D.S.G. was informed that a harassment investigation was officially opened against Coach Bush on behalf of A.G.. Principal Brandis also assured D.S.G. that while the investigation was pending, Coach Bush would not be allowed to attend practice or be in the locker room and would only be allowed to film the games.

44. On or about October 14, 2021, A.G. attended football practice and noticed that Coach Allen was giving him dirty looks in the locker room which A.G. associated with his parents attempts to intercede on his behalf with Coach Bush who was not present for practice.

45. On or about October 15, 2021, A.G. attended football practice. A.G. was alarmed by the fact that Coach Bush was present at the practice, despite having been told by his parents that Coach Vercillo, Ms. Del Vento, and Mr. Brandis had all indicated that Coach Bush would no longer be allowed at practice or in the locker-room.

46. On or about October 16, 2021, A.G. who was still not yet cleared to play but was present with the team for practice, was instructed by Coach Vercillo to help Coach Bush put Coach Bush's video equipment in the bus. This caused A.G. to suffer substantial anxiety as he was aware

that Coach Vercillo had promised A.G.'s father that Coach Bush will not be permitted to interact with A.G..

47. On or about October 18, 2021, D.S.G. called Principal Brandis to inquire about why Coach Bush was still being allowed to attend practice and be in the locker room with the students. Principal Brandis advised that he would once again speak with Coach Vercillo about Coach Bush.

48. On or about October 18, 2021, Coach Allen approached A.G. and asked him in the locker room in front of the other students in sum and substance 'when are you getting released to practice, not that I am harassing you.' This caused A.G. to feel anxious and embarrassed. A.G. had recently found missing items from his locker and began to suspect his teammates were picking up on the hostility of the coaching staff and targeting A.G. for further harassment.

49. On or about October 19, 2021, Principal Brandis called D.S.G. with an update on the harassment investigation. Principal Brandis stated that he definitively found grounds for an HIB and that he would be conducting some additional follow up before the outcome of the investigation. Principal Brandis also stated to D.S.G. that Coach Vercillo was once again instructed that Coach Bush was not allowed at practices and home games.

50. On or about October 19, 2021, A.G. attended practice and Coach Bush was present.

51. On or about October 20, 2021, D.S.G. attempted to call Ms. Del Vento, but was unable to reach her and did not receive a call back. D.S.G. then called Principal Brandis and informed him that Coach Bush was still attending practice and was on school grounds. Principal Brandis stated to D.S.G. that he would once again speak to Coach Vercillo and make it clear that Coach Bush was not to be on school grounds.

52. On or about October 20, 2021, A.G. was too anxious to attend football practice. D.G. did go to the football practice and observed Coach Bush attending practice that day, clearly

visible to all present as he was standing on the goal post during the practice. Coach Bush's pickup truck was parked in the woods near the football field, next to Coach Vercillo's truck.

53. On or about October 20, 2021, D.S.G. called Principal Brandis again to inform him that Coach Bush was at practice that day. D.S.G. also informed Principal Brandis that she had written communication from Coach Vercillo on October 13, 2021 stating that he completely understood the situation and directives regarding Coach Bush. D.S.G. then emailed the written communication between herself and Coach Vercillo to Principal Brandis at his request.

54. On or about October 22, 2021, A.G. attended the home game versus Central, as he was finally cleared to play. Coach Bush was again present with the football team. While in the locker room, A.G. was instructed by Coach Vercillo to get his uniform pants from Coach Bush. A number of the other defendant coaches were present and A.G. saw them smile at Coach Vercillo's instruction. A.G. became distressed by this instruction as he was aware that Coach Vercillo had already been instructed to bar Coach Bush from being with the team. A.G. was so distressed by this that he called D.S.G. and expressed in sum and substance that he 'can't anymore' and 'I'm about to go to a different school.' In response to A.G.'s call, D.S.G. called Ms. Del Vento and Principal Brandis, but was unable to reach them. D.S.G. then called Lisa Locha, a parent who was helping to set up for the game. Ms. Locha was able to speak to Coach Dimicco, who was also on the field, and he was able to assist A.G. with getting his uniform.

55. On or about October 25, 2021, A.G. was present at the away game versus Central. Coach Bush was also present at this game and videotaping in the tower. After the students returned from the game, A.G. was instructed by Coach Allen to help Coach Bush get the equipment out of his truck, which A.G. ignored. Coach Allen also told A.G. to "shut up" in front of the other players.

This prompted A.G. to send a text message to D.S.G. stating in sum and substance that he no longer wanted to play football.

56. On or about October 25, 2021, D.S.G. went to pick up A.G. after the team arrived back to the school from their away game. D.S.G. observed Coach Bush's car in the parking lot of the school and learned that Coach Bush was in the Coach's Office located inside the locker room.

57. On or about October 26, 2021, A.G. attended practice during which Coach Bush was again present.

58. On or about October 27, 2021, A.G. was unable to attend practice due to a class project that needed to be completed after school. Coach Smith sent a text message to D.G. inquiring why A.G. was not at practice. D.G. replied that A.G. informed Coach Allen about his absence from practice. Coach Smith later replied that only he or Coach Vercillo should be told about missing practice. He also replied "But let's not forget. Football at Lacey is a privilege and is fun and is important to a lot of people in this town (you and I). That means sacrifice and time management with schoolwork and social life and family time. We need to emphasize brotherhood so we can continue this tradition. Again, was just checking on A.G. today bc I didn't see at practice. See you Friday brother."

59. On or about October 28, 2021 and October 29, 2021, A.G. attended practice but was never put it on any plays by the Coaches.

60. On or about November 1, 2021, A.G. attended practice and was once again not put in on any plays. A.G. sent D.S.G. a text message that the coaches had won.

61. On or about November 2, 2021, A.G. did not attend practice. A.G. then received a phone call from Coach Allen to turn in his gear.

62. On or about November 3, 2021, through November 5, 2021, A.G. did not attend practice. There was no communication from any of the coaches. D.S.G. learned that Coach Bush was present at all of the practices that week.

63. On or about November 5, 2021, D.S.G. was at the school setting up the snack stand for the football game. Upon arrival, D.S.G. noticed Coach Bush's truck in the school parking lot and then later his truck was on the football field. D.S.G. went to Ms. Del Vento's office to confront her about Coach Bush being at practices and games over the past three weeks and why she had not returned any of D.S.G.'s phone calls. Ms. Del Vento claimed that she was unaware of Coach Bush's presence at the practices and games. She then had Coach Bush removed from the game.

64. On or about November 8, 2021, A.G. went into the locker room after school to get items out of his locker and discovered that the lock had been cut off. A.G. had not been given notice that the lock would be cut off. A.G. learned that the contents of his locker had been taken out of his locker and locked in Coach Keifer's office. There were no coaches present to unlock the door. A.G. eventually was able to find a custodian to let him in the room to get his belongings, at which time A.G. discovered that all of his school issued equipment and uniforms were not present with his personal belongings.

65. On or about November 8, 2021, Principal Brandis contacted D.S.G. to apologize for what had occurred the week prior, as he was on vacation. D.S.G. then informed Principal Brandis about the lock being cut off A.G.'s locker and the note about the missing items. D.S.G. further stated that A.G. was not responsible for the missing items, as he was not the one who opened the locker. Principal Brandis expressed that he understood.

66. On or about November 18, 2021, D.G and D.S.G. attended the Lacey Township School Board Meeting. Principle Brandis had indicated that the HIB investigation related to Coach

Bush would be addressed by the Board, that the Board would go into closed session, discuss the findings, and make a motion regarding what actions the Board was to take with respect to the HIB investigation results. At the meeting D.S.G. spoke in the public session of the meeting and asked if she would be given a copy of the HIB findings from the board. The board was unclear in their response to D.S.G., and gave conflicting statements as to what she was entitled to regarding the HIB findings, how to get the findings, and the time frame in within which they needed to provide the findings to D.S.G.. The board meeting concluded without the Board indicating what if anything was going to be done to protect A.G. going forward.

67. As of the date of the filing of this complaint A.G., D.S.G., and D.G. have not been told what exactly has been done to remedy Coach Bush's abusive behavior.

68. A.G. who has played football for many years prior to high school has a deep desire to continue to play high school football, and a desire to make the varsity squad, however, he does not want to play football this coming year at Lacey Township High School because of the harassment and retaliation he has suffered.

69. Specifically, A.G. wants to be free from further discriminatory verbal abuse from Coach Bush who remains a fixture at the Lacey Township High School Athletics, and to be free from the direct retaliation he was subjected to by, *inter alia*, Coach Vercillo and Coach Allen.

70. At all relevant times, Defendants were on actual or constructive notice of the above-described harassment and retaliation.

71. Despite their obligations under New Jersey law and the District's own HIB policy, neither the Board of Education, Superintendent, Athletic Director, High School Principal, nor any other District representative took sufficient steps to assure that the rights of A.G. were protected

from verbal assault, harassment, intimidation and bullying, retaliation, and other unlawful conduct by, *inter alia*, Coach Bush, Coach Vercillo, and Coach Allen.

72. Plaintiff who suffers from anxiety, IBS, and obesity which exacerbate his ability to control his weight, was directly and/or through their agents, willfully, recklessly, negligently and with deliberate indifference, placed Plaintiff in a hostile educational environment in which he was regularly and continuously subjected to mental, verbal emotional abuse and retaliation because of his clinical obesity that is related to his diagnoses of IBS and anxiety.

73. As a result of the harassment and retaliation that he was subjected to, and due to Defendants' failure to take prompt and effective remedial measures to stop it, Plaintiff was deprived of his ability to participate in Lacey Township High School football program.

74. All harassment complained of herein is alleged to be severe and/or pervasive.

75. All harassment herein is because of Plaintiff's diagnoses for IBS, anxiety, and obesity, and/or retaliation for Plaintiff making complaints about the harassment.

76. All harassment herein is such that the Plaintiff's educational environment was made hostile and/or intimidating and/or abusive.

77. By virtue of the L.W. v. Toms River decision's adoption of the "employment model" of resolving harassment cases in the school setting, teachers, coaches, and mid-level professionals in the school setting become "supervisors" and the administrators of the school and of the school district become members of "upper management".

78. Plaintiff and his parents complained orally and in writing on multiple occasions to Coach Vercillo, Principal Brandis, and Athletic Director DelVento, that A.G. was being subjected to harassment and retaliation related to his medical conditions, but at no time were sufficient actual putative, deterrent, or preventative measures taken.

79. In that preventative measures were promised, i.e. that Coach Vercillo was going bar Coach Bush from being with the team, the fact that Coach Vercillo not only did not bar Coach Bush from being with the team, but also directed A.G. to interact with Coach Bush, A.G. was rendered completely powerless to stop the harassment and retaliation he was suffering.

80. Further, whatever measures the Defendant Board was supposed to have taken were not made clear to A.G. or his parents and have not resulted in Coach being removed from his involvement in a number of athletics programs at Lacey High School, further injuring A.G..

81. All harassment set forth herein is such that a reasonable student in A.G.'s circumstance would have found the school environment altered to have become hostile, intimidating and abusive.

82. The School's environment did so alter.

83. The harassment of Plaintiff was purposeful, intentional, and willful, and was undertaken by, *inter alia*, Coach Bush and Coach Vercillo.

84. Because the harassment was intentional, egregious, and because employees and supervisors of the Defendant Board were complicit and/or willfully indifferent to the harassment, punitive damages are warranted.

85. The Defendant Board is further responsible for the harassment because it failed to reasonably promulgate and enforce a policy prohibiting the same and because members of the staff were willfully indifferent to the harassment.

86. The Defendant Board is further liable in this matter because members of the school district staff were notified of the harassment and failed to take prompt and effective remedial measures to correct the harassment. The individual Defendants ignored reports and

complaints of continuous abusive conduct and retaliation in blatant disregard of their obligations and responsibilities to A.G..

87. Plaintiff has suffered and continues to suffer from the abuse and retaliation to which he was subjected and to experience substantial change to his emotional well-being caused by such abuse and retaliation and Defendants' failure to prevent it.

88. The abuse, the retaliation for reporting the abuse, and the continuing fear of being forced to interact with Coach Bush who remains connected to the Lacey Football program and other sports at the school, has left A.G. in a constant and debilitating state of anxiety and fear. A.G. feels completely helpless under the authority of Coach Vercillo.

COUNT I – LAW AGAINST DISCRIMINATION

89. Plaintiff repeats and incorporates by reference the preceding paragraphs of the Complaint as if fully set forth herein.

90. For the reasons set forth above, the aforementioned conduct constitutes actionable harassment in a place of public accommodation by virtue of the Law Against Discrimination's application to the school environment under L.W. ex rel. L.G. v. Toms River Reg'l Sch. Bd. Of Educ.

WHEREFORE, Plaintiff demands judgment against the defendants jointly, severally and in the alternative, together with compensatory damages, punitive damages, interest, cost of suit, attorney's fees, enhanced attorneys' fees, and such other relief as the Court deems just and proper.

COUNT II – LAD Retaliation

91. Plaintiff repeats and incorporates by reference the preceding paragraphs of the Complaint as if fully set forth herein.

92. As mentioned above, Plaintiff brought a good faith complaint for discriminatory harassment against Coach Bush.

93. Thereafter, Plaintiff was retaliated against by, *inter alia*, Coach Vercillo, Coach Allen, and Coach Bush.

94. Defendants failed to implement prompt and effective remedial measures following A.G.'s complaints and later purposely, with knowledge of the harm it would do to A.G., failed to separate Coach Bush from the football team despite promises to do so while also directing A.G. to interact directly with Coach Bush during football activities.

95. Defendants' actions were retaliatory under the Law Against Discrimination.

WHEREFORE, Plaintiff demands judgment against the defendants jointly, severally and in the alternative, together with compensatory damages, punitive damages, interest, cost of suit, attorney's fees, enhanced attorneys' fees, and such other relief as the Court deems just and proper.

COUNT III- Vicarious Liability

96. Plaintiff hereby repeats and incorporates each of the foregoing as if set forth at Length herein.

97. Defendants Lacey Township School District, Lacey Township Board of Education, and XYZ Corporations 1-5 are deemed persons pursuant to N.J.S.A. 10: 5-1, et. seq.

98. Upper management and administrative staff were aware of the egregious and ongoing harassment and retaliation against Plaintiff A.G.

99. Defendants failed to take prompt and effective remedial measures to prevent, stop and correct the harassment and retaliation aimed at Plaintiff A.G..

WHEREFORE, Plaintiff demands judgment against the defendants jointly, severally and in the alternative, together with compensatory damages, punitive damages, interest, cost of suit, attorney's fees, enhanced attorneys' fees, and such other relief as the Court deems just and proper.

COUNT IV – Request for Equitable Orders

100. Plaintiff hereby repeats and realleges the preceding paragraphs of the Complaint as though fully set forth herein.

101. Plaintiff hereby requests that the Court issue Equitable Orders requiring the following:

- (a) That the school immediately initiate, and then continue year-to-year, proper assemblies, student gatherings, administrative and teacher gatherings and other in-service training to make certain that the medical disability based harassment complained of herein does not recur and, if it does occur, that it is properly and immediately responded to;
- (b) That all Coaches be required to undergo annual HIB training;
- (c) That all administrators who failed to respond to the harassment be required to undergo training regarding HIB investigations, timelines therefor, and regarding remedial measures.

WHEREFORE, Plaintiff demands judgment against the defendants jointly, severally and in the alternative, together with compensatory damages, punitive damages, interest, cost of suit, attorney's fees, enhanced attorneys' fees, and such other relief as the Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all issues contained herein.

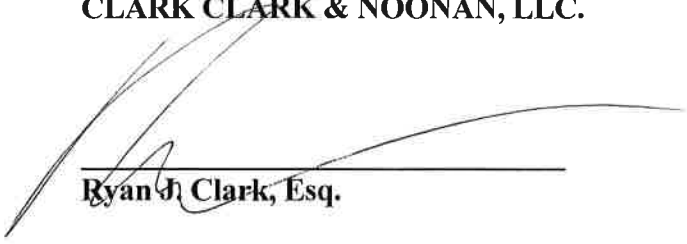
DESIGNATION OF TRIAL COUNSEL

Pursuant to the provisions of R: 4:25-4, the Court is advised that Ryan J. Clark, Esq. is hereby designated as trial counsel.

CERTIFICATION

It is hereby certified pursuant to R. 4:50-1 that the matter in controversy herein is not the subject of any other action pending or contemplated which arise from the same transactional facts as this matter. Also, to the best of our belief, no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this pleading, we know of no other parties that should be joined in the above action.

CLARK CLARK & NOONAN, LLC.



Ryan J. Clark, Esq.

DATED: June 24th, 2022

Civil Case Information Statement

Case Details: OCEAN | Civil Part Docket# L-001366-22

Case Caption: G. D. VS LACEY TOWNSHIP SCHOO L
DISTRIC

Case Initiation Date: 06/27/2022

Attorney Name: RYAN J CLARK

Firm Name: CLARK, CLARK & NOONAN, LLC

Address: 1514 STATE ROUTE 138 STE 3
WALL NJ 07719

Phone: 7323037857

Name of Party: PLAINTIFF : G., D., S

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: LAW AGAINST DISCRIMINATION (LAD) CASES

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

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

Does this case involve claims related to COVID-19? NO

Are sexual abuse claims alleged by: D. S G.? NO

Are sexual abuse claims alleged by: D. G.? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

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

Do parties have a current, past, or recurrent relationship? YES

If yes, is that relationship: Other(explain) A.G. is a student at Lacey Twp High School

Does the statute governing this case provide for payment of fees by the losing party? YES

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

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

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

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

06/27/2022
Dated

/s/ RYAN J CLARK
Signed

