



KRANTZ & BERMAN LLP

PRESS RELEASE

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FIRST LAWSUITS FILED AGAINST NEW YORK PUBLIC SCHOOLS AS CHILD VICTIMS ACT TAKES EFFECT.

VICTIMS CALL ON SCHOOLS TO RELEASE LIST OF CREDIBLY ACCUSED SEXUAL ABUSERS

Manhattan, New York – Attorneys representing victims of child sexual abuse in New York public schools today announced the filing of the first of many lawsuits under the New York Child Victims Act. [Click here for Love complaint.](#)
[Click here for Schoonmaker Complaint.](#)

The New York Child Victims Act was signed into law by Governor Andrew Cuomo February 14, 2019. It opens up a one-year, one-time only period to allow all victims access to the courts regardless of how long ago the abuse occurred.

This law allows survivors to seek justice against perpetrator or institution, including the Catholic Church and the New York Public Schools.

A group of prominent attorneys and their clients held a news conference today in front of the New York City Department of Education to announce the filing of the first lawsuits against New York School Districts.

The attorneys and their clients also called upon all public schools in New York to follow the lead of the Archdiocese of New York who released a list of 120 clergy who it said have been “credibly accused” of sexually abusing a minor, possessing child pornography or whose actions led to related paid compensation claims.

In a lawsuit filed against the New York City Department of Education, , plaintiff Auset Love alleges that she was physically and sexually abused by her teacher, Mr. Jean Pamphile, beginning in the fourth grade when she was nine years old.

According to the Complaint, Pamphile would call Ms. Love, then about 10 years old, to desk behind the chalkboard to review and grade her homework. While she stood to the right of

Pamphile, who was seated behind the desk, he would put his right hand under her skirt, go inside her stockings and underwear and rub his hand on her private areas. He did this for between three to five minutes each time and it occurred multiple times per week. The lawsuit also alleges that Ms. Love was also abused at Pamphile's house where she went for extra tutoring with other students. She said she was always the last student at his home after all others had gone home. While waiting for her mother to pick her up, Pamphile sat on the couch and had Ms. Love sit on his lap. Pamphile then placed his hand under her skirt and stockings to rub her private areas. Ms. Love said she went to Pamphile's house at least 20 times and was abused at least half of the time.

According to the lawsuit, Ms. Love reported the abuse to Child Protective Services several years later when she was about 15 or 16 years old in a peer group therapy class. A social worker took Ms. Love to the 67th precinct and reported the abuse to the police. Ms. Love doesn't remember ever being contacted again by the NYPD and does not believe Pamphile was ever disciplined by the school or the NYPD.

In a lawsuit filed against the Wellsville Central School District in Allegany County, plaintiff Joanne Schoonmaker alleges rape by Robert Alexander Wade who was employed as a janitor at the Wellsville Middle School / High School attended by Ms. Schoonmaker. According to the Complaint, Ms. Schoonmaker was 12 years old Wade began sexually abusing her.

The lawsuit alleges Wade raped Ms. Schoonmaker nearly every day both on and off school premises. In addition, Wade threatened to kill Ms. Schoonmaker's mother if she tried to date boys at her school. Wade also threatened to kill Ms. Schoonmaker's mother, baby brother and rape all of her girlfriends as a means of keeping control over her.

It is alleged that Ms. Schoonmaker reported Wade's sexual assaults and threats to the Principal, Joseph Backus, also named as a defendant, when she was in the eighth grade. According to the lawsuit, Mr. Backus told Ms. Schoonmaker to "stay away from him (Wade)" but did not report him to the police or discipline him in any way.

Wade was subsequently convicted of third-degree rape of another woman and served 4 years in prison between 2002 and 2006. In 2007 Ms. Schoonmaker reported her own abuse by Wade to the police and was told that they could not act because the statute of limitation had lapsed.

Former federal prosecutor and prominent New York trial attorney Larry H. Krantz said, "New York's Child Victim's act gives survivors of child sexual abuse one year to step forward and seek justice against their abusers and the institutions that enabled their abuse. This includes public schools throughout New York State. We are proud to represent Ms. Love and Ms. Schoonmaker and we encourage other victims of child sexual abuse in New York public schools to come forward and seek justice."

Survivor's advocate and Attorney Sarah Klein said, "When the New York Archdiocese released its list of credibly accused priests it shed light on the abuse of a generation of child victims of

sexual abuse. As public institutions, New York public schools have an even greater responsibility to make this information public and allow survivors like Ms. Love and Ms. Schoonmaker to find healing and protect current students from abuse by teachers, coaches, administrators and school employees.

John Manly, a New York licensed attorney and nationally known child sexual abuse lawyer said, “In California and other states we have represented hundreds of victims of sexual abuse that was suffered in the public schools. In nearly all of these cases we found that school officials knew the abuser was a danger to children, did not report them to law enforcement as required by law and failed to stop the abuse. In many cases these officials destroyed documents and attempted to intimidate, silence and blame victims. Our message to school administrators throughout New York should be clear – if you fail to protect the children in your care from sexual predators, you will be held accountable in Court.”

[Manly, Stewart & Finaldi](#) is California’s leading law firm representing child victims of sexual abuse. The firm has represented more than 150 victims of clergy sexual abuse in California and hundreds of others throughout the United States. The firm also represented plaintiffs in the \$140,000,000 settlement against LAUSD in the Miramonte case, the largest sex abuse settlement against a School District in the US. The firm currently represents more than 180 alleged victims of former Michigan State University and U.S. Women’s Gymnastics Olympic Team doctor Larry Nassar. Michigan State University has settled this case for \$500,000,000, this is the largest settlement of any personal injury case against a University.

[Dalton Law Firm](#) is a Delaware based law firm representing victims of child abuse, medical malpractice and automobile accidents. Founding partner Bart Dalton is a former Delaware Deputy Attorney General and past president of the American College of Trial Lawyers. Mr. Dalton holds the largest Medical Malpractice and automobile accident verdicts in the history of Delaware. Sarah Klein, a victim’s advocate and former gymnast who is Larry Nassar’s first known victim s an attorney with Dalton and Associates.

[Krantz & Berman LLP](#) is a distinguished civil and criminal litigation boutique founded in 1998 by Larry Krantz and Marjorie Berman. It handles white-collar criminal and regulatory matters, business litigation, civil rights and employment litigation and FINRA Arbitrations. Larry H. Krantz is a former federal prosecutor with over thirty years of trial and appellate litigation experience. He is a Fellow and Regent of the American College of Trial Lawyers, a Director of the Federal Bar Council (Ex Officio) and a Director (former) of the New York Council of Defense Lawyers.