

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FILED 13
2014 MAY 15 PM 4:28

CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION
CLERK
PROPERTY RESIDENT

JOHN and JANE DOE A, individually and as parents)
and next friends of DOE CHILD A, a minor; JANE DOE)
B, individually and as parent and next friend of DOE)
CHILD B, a minor; JOHN DOE C; JOHN DOE D; and)
JOHN and JANE DOE E, individually and as parents)
and next friends of DOE CHILD E, a minor;)

Plaintiffs,)

v.)

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207;)
EMILIO RODRIGUEZ, individually and as an agent of)
MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207;)
MICHAEL DIVINCENZO, individually and as an agent)
of MAINE TOWNSHIP HIGH SCHOOL DISTRICT)
207,)

Defendants.)

No. 12 L 13081

PLAINTIFFS DEMAND TRIAL
BY JURY

NOTICE OF FILING

TO: All Counsel of Record
(See Attached Service List)

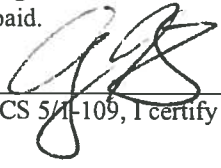
PLEASE TAKE NOTICE that on **May 15, 2014** we have filed the following with the Circuit Court of Cook County, Law Division copies of which are attached hereto:

- Plaintiff's 5th Amended Complaint at Law

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PROOF OF SERVICE

I, the undersigned, on oath, subject to penalty of perjury, state that I served this notice by mailing a copy to all parties shown above at their respective addresses by depositing same in the U.S. Mail at 321 North Clark Street, Chicago, Illinois, at 5:00 p.m. May 15, 2014, with postage prepaid.



[X] Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct

SERVICE LIST
Doe v. Maine West, et al
Court No.: 12 L 13081

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

JOHN and JANE DOE A, individually and as
parents and next friends of DOE CHILD A, a
minor; JANE DOE B, individually and as
parent and next friend of DOE CHILD B, a
minor; JOHN DOE C; JOHN DOE D; and
JOHN and JANE DOE E, individually and as
parents and next friends of DOE CHILD E, a
minor;

Plaintiffs,

v.

MAINE TOWNSHIP HIGH SCHOOL
DISTRICT 207; EMILIO RODRIGUEZ,
individually and as an agent of MAINE
TOWNSHIP HIGH SCHOOL DISTRICT 207;
MICHAEL DIVINCENZO, individually and as
an agent of MAINE TOWNSHIP HIGH
SCHOOL DISTRICT 207,

Defendants.

No. 12 L 13081

**PLAINTIFFS DEMAND TRIAL
BY JURY**

FIFTH AMENDED COMPLAINT AT LAW

NOW COME the Plaintiffs, JOHN and JANE DOE A, individually and as Parents and Next Friends of DOE CHILD A, a minor; JANE DOE B, individually and as Parent and Next Friend of DOE CHILD B, a minor; JOHN DOE C; JOHN DOE D; and JOHN and JANE DOE E, individually and as Parents and Next Friends of DOE CHILD E, a minor (collectively "Plaintiffs"), by and through their attorneys, and complaining against Defendants, MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207; EMILIO RODRIGUEZ, individually and as agent of MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207; and MICHAEL DIVINCENZO

individually and as agent of MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207, (collectively “Defendants”), pleading hypothetically and in the alternative, state as follows:

INTRODUCTION

1. This is a tort action brought by four current and former students at Maine West High School (“Maine West”) located in Des Plaines, Illinois. All four students were subjected to physical and sexual assaults while members of Maine West’s soccer and baseball teams. These assaults were part of a hazing ritual ordered and witnessed by several coaches. Pursuant to this ritual, DOE CHILD A, DOE CHILD B, DOE CHILD E, and JOHN DOE C were “rewarded” for making the varsity boys’ soccer team in the following ways: more senior members of the team grabbed the boys, forced them to the ground, then repeatedly struck them on their arms, legs, head, and torso, tore off their pants and underwear, grabbed their testicles, and sodomized them with their fingers and other foreign objects.

2. Plaintiff JOHN DOE D was similarly “rewarded” for making the varsity boys’ baseball team in the following ways: more senior members of the team grabbed him, tore off his pants and underwear on at least ten different occasions to the point of exposing his penis and tentacles, verbally abused him, and often threatened to harm him.

3. These hazing rituals are a form of bullying and for years have been part of the culture of the Maine West soccer and baseball teams. The teams’ coaches have sanctioned these rituals, while other school officials – including Maine West’s principal – turned a blind eye toward the abuse, even after the abuse was reported to them. Indeed, the Plaintiffs are but a fraction of the students who have been physically and sexually assaulted pursuant to this hazing ritual.

In addition to seeking damages to compensate Plaintiffs for their physical and psychological injuries, DOE CHILDREN A and B, who still attend Maine West, seek injunctive relief that would put an end to the hazing rituals, so that neither they nor future members of any varsity boys' team will be subjected to the same abuse Plaintiffs have suffered.

PARTIES

Plaintiffs

4. Plaintiffs JOHN and JANE DOE A, individually and as parents and next friends of DOE CHILD A, are residents of the City of Des Plaines, Cook County, Illinois.

5. Plaintiff DOE CHILD A was born in 1998, is a minor, and is a resident of the City of Des Plaines, Cook County, Illinois. DOE CHILD A attended Maine West at all relevant times and is still a student there.

6. Plaintiff JANE DOE B, individually and as parent and next friend of DOE CHILD B, is a resident of the City of Des Plaines, Cook County, Illinois.

7. Plaintiff DOE CHILD B was born in 1998, is a minor, and is a resident of the City of Des Plaines, Cook County, Illinois. DOE CHILD B attended Maine West at all relevant times and is still a student there.

8. Plaintiff JOHN DOE C was born in 1993 and is a resident of the City of Des Plaines, Cook County, Illinois. JOHN DOE C attended Maine West at all relevant times and was a minor at the time of the incidents alleged in this Complaint.

9. Plaintiff JOHN DOE D was born in 1993 and is a resident of the City of Des Plaines, Cook County, Illinois. JOHN DOE D attended Maine West at all relevant times and was a minor at the time of the incidents alleged in this Complaint.

10. Plaintiffs JOHN and JANE DOE E, individually and as parents and next friends of DOE CHILD E, are residents of the City of Des Plaines, Cook County, Illinois.

11. Plaintiff DOE CHILD E was born in 1997, is a minor, and is a resident of the City of Des Plaines, Cook County, Illinois. DOE CHILD E attended Maine West at the time of the incidents alleged in this Complaint.

Defendants

12. Defendant MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207 (“DISTRICT 207”), is a municipal corporation existing by and under the laws of the State of Illinois, with its principal place of business located in the City of Park Ridge, Cook County, Illinois.

13. Defendant EMILIO RODRIGUEZ (“RODRIGUEZ”), sued individually and as an agent of DISTRICT 207, was at all relevant times employed by DISTRICT 207 as a teacher and as a coach of the Maine West Freshman Boys’ Soccer Team. As a teacher and coach, RODRIGUEZ had a duty to supervise and protect the physical safety of students at Maine West.

14. Defendant MICHAEL DIVINCENZO (“DIVINCENZO”), sued individually and as an agent of DISTRICT 207, was at all relevant times employed by DISTRICT 207 as a teacher and as a coach of the Maine West Varsity Boys’ Soccer and Baseball Teams. As a teacher and coach, DIVINCENZO had a duty to supervise and protect the physical safety of students at Maine West.

15. AUDREY HAUGAN (“HAUGAN”), was an agent of DISTRICT 207 and was the Principal of Maine West at all relevant times. HAUGAN has been employed by DISTRICT 207 in that position at all relevant times. As Principal, HAUGAN has a duty to supervise and protect the physical safety of students at Maine West. This includes a duty to report any allegations of sexual abuse of a student to appropriate authorities for investigation, pursuant to

the Abused and Neglected Child Reporting Act, 325 Ill. Comp. Stat. 5/1 *et seq.* As Principal, HAUGAN also has the ability and authority to take corrective action on behalf of DISTRICT 207 to stop harassment, violence, hazing and bullying, and to discipline perpetrators of such conduct.

FACTUAL ALLEGATIONS

Doe Child A

16. DOE CHILD A began attending Maine West on August 22, 2012, the first day of Maine West's 2012-13 academic year.

17. During that academic year, DISTRICT 207's "Discipline Procedures and Extracurricular Code of Conduct 2012-2013" ("Code of Conduct") were in effect at Maine West. The Code of Conduct contains provisions that prohibit assault, battery, bullying, intimidation, hazing and harassment, among other things, and describes the consequences of violating those provisions. Under the Code of Conduct, "bullying" includes "any aggressive or negative gesture, or written, verbal, or physical act that places another student in reasonable fear of harm...or that has the effect of insulting or demeaning any student." The Code of Conduct defines "hazing" as "[i]nitiat[ing] or disciplin[ing] fellow students by means of horseplay, practical jokes, or tricks; or to harass by banter, ridicule, or criticism' to play abusive and/or humiliating tricks." The Code of Conduct applies to boys' sports, including soccer at Maine West.

18. In or about August, 2012, DOE CHILD A successfully tried out for the Maine West Boys' Soccer Team.

19. During the soccer season, DOE CHILD A was promoted from the Maine West Freshman Boys' Soccer Team to the Maine West Varsity Boys' Soccer Team.

20. During soccer practice on or about September 27, 2012, Defendants RODRIGUEZ and DIVINCENZO ordered the team to do a “campus run,” which DOE CHILD A did not understand.

21. On or about September 27, 2012, Defendants RODRIGUEZ and DIVINCENZO, and more senior members of the Maine West Varsity Boys’ Soccer Team (collectively “teammates”) understood that a “campus run” involved a hazing ritual where new members of the soccer team would be assaulted, battered, and/or sexually assaulted by their teammates.

22. After Defendants RODRIGUEZ and DIVINCENZO ordered the “campus run,” DOE CHILD A’s teammates grabbed DOE CHILD A, then sexually assaulted and battered him.

23. On or about September 27, 2012, DOE CHILD A’s teammates performed the following acts, while Defendants RODRIGUEZ and DIVINCENZO idly stood by:

- a. tore off DOE CHILD A’s pants and underwear;
- b. pushed DOE CHILD A down to the ground;
- c. shoved DOE CHILD A’s face in the ground/dirt;
- d. held DOE CHILD A down so that he could not resist;
- e. struck DOE CHILD A on his head, torso, back, arms and legs;
- f. grabbed DOE CHILD A’s testicles with their hands; and
- g. sodomized DOE CHILD A with their fingers and other foreign objects.

24. It is a custom, tradition, ritual and/or long-standing practice for veteran members of the Maine West Varsity Boys’ Soccer Team to batter and sexually assault new members of the team, and this was well-known by Defendants RODRIGUEZ and DIVINCENZO.

25. On or about September 27, 2012, at least two other members of the Maine West Varsity Boys’ Soccer Team were battered and sexually assaulted in the same or substantially the

same manner as DOE CHILD A, which was known to Defendants RODRIGUEZ and DIVINCENZO.

26. On or about September 27, 2012, Defendants RODRIGUEZ and DIVINCENZO, while acting as actual agents, apparent agents, employees and/or servants of DISTRICT 207, were present when DOE CHILD A's teammates sexually assaulted and battered DOE CHILD A, sanctioned the conduct, and did nothing to stop it.

27. Defendants RODRIGUEZ and DIVINCENZO knew, or should have known, that the Maine West Varsity Boys' Soccer Team had a long-standing custom, tradition, or practice of battering and sexually assaulting new team members. This is because Defendants RODRIGUEZ and DIVINCENZO had previously witnessed the assault, battery, and sexual assault of new team members.

28. Defendants RODRIGUEZ and DIVINCENZO sanctioned and did nothing to end the custom, tradition, or practice of battering and sexually assaulting new members of the Maine West Varsity Boys' Soccer Team.

29. Defendants RODRIGUEZ and DIVINCENZO perpetuated the custom, tradition, or practice of battering and sexually assaulting new team members by verbally encouraging the "initiation" or hazing rituals, by ordering the "campus runs," and by allowing these assaults to continue after witnessing them.

30. Years before DOE CHILD A was physically and sexually assaulted at Maine West, HAUGAN knew, or should have known, that Maine West's sports teams had a custom, tradition, or practice of battering and sexually assaulting new team members.

31. In August 2008, JOHN DOE D's mother had sent a letter to HAUGAN detailing the culture of hazing and the physical and sexual assaults that her son had endured as part of that

culture while he was a member of the Maine West baseball team coached by Defendant DIVINCENZO. HAUGAN received and read this letter. HAUGAN neither reported the sexual abuse of JOHN DOE D to any authorities for investigation nor disciplined Defendant DIVINCENZO for his role in the abuse.

32. In the years before DOE CHILD A was physically and sexually assaulted at Maine West, HAUGAN took no action to end, and tacitly sanctioned, the aforementioned custom, tradition, or practice of battering and sexually assaulting new members of Maine West's sports teams.

33. It wasn't until after DOE CHILD A was physically and sexually assaulted on September 27, 2012, that HAUGAN finally reported the abuse. DISTRICT 207 then temporarily reassigned Defendants RODRIGUEZ and DIVINCENZO with pay and eventually suspended DIVINCENZO without pay.

Doe Child B

34. DOE CHILD B began attending Maine West on August 22, 2012, the first day of Maine West's 2012-13 academic year.

35. During that academic year, DISTRICT 207's Code of Conduct was in effect at Maine West.

36. On or about August 22, 2012, DOE CHILD B successfully tried out for the Maine West Boys' Soccer Team.

37. During the soccer season, DOE CHILD B was promoted from the Maine West Freshman Boys' Soccer Team to the Maine West Varsity Boys' Soccer Team.

38. During soccer practice on or about September 27, 2012, Defendants RODRIGUEZ and DIVINCENZO ordered the team to do a “campus run,” which DOE CHILD B did not understand.

39. On or about September 27, 2012, Defendants RODRIGUEZ and DIVINCENZO, and more senior members of the Maine West Varsity Boys’ Soccer Team (collectively “teammates”) understood that a “campus run” involved a hazing ritual where new members of the soccer team would be assaulted, battered, and/or sexually assaulted by their teammates.

40. After Defendants RODRIGUEZ and DIVINCENZO ordered the “campus run,” DOE CHILD B’s teammates grabbed DOE CHILD B, then sexually assaulted and battered him.

41. On or about September 27, 2012, DOE CHILD B’s teammates performed the following acts, while Defendants RODRIGUEZ and DIVINCENZO idly stood by:

- a. tore off DOE CHILD B’s pants and underwear;
- b. pushed DOE CHILD B down to the ground;
- c. shoved DOE CHILD B’s face in the ground/dirt;
- d. held DOE CHILD B down so that he could not resist;
- e. struck DOE CHILD B on his head, torso, back, arms and legs;
- f. grabbed DOE CHILD B’s testicles with their hands; and
- g. sodomized DOE CHILD B with their fingers and other foreign objects.

42. It is a custom, tradition, ritual and/or long-standing practice for veteran members of the Maine West Varsity Boys’ Soccer Team to batter and sexually assault new members of the team, and this was well-known by Defendants RODRIGUEZ and DIVINCENZO.

43. On or about September 27, 2012, at least two other members of the Maine West Varsity Boys’ Soccer Team were battered and sexually assaulted in the same or substantially the

same manner as DOE CHILD B, which was known to Defendants RODRIGUEZ and DIVINCENZO.

44. On or about September 27, 2012, Defendants RODRIGUEZ and DIVINCENZO, while acting as actual agents, apparent agents, employees and/or servants of DISTRICT 207, were present when DOE CHILD B's teammates sexually assaulted and battered DOE CHILD B, sanctioned the conduct, and did nothing to stop it.

45. Defendants RODRIGUEZ and DIVINCENZO knew, or should have known, that the Maine West Varsity Boys' Soccer Team had a long-standing custom, tradition, or practice of battering and sexually assaulting new team members because Defendants RODRIGUEZ and DIVINCENZO had previously witnessed the assault, battery, and sexual assault of new team members.

46. Defendants RODRIGUEZ and DIVINCENZO sanctioned and did nothing to end the aforementioned custom, tradition, or practice of battering and sexually assaulting new members of the Maine West Varsity Boys' Soccer Team.

47. Defendants RODRIGUEZ and DIVINCENZO perpetuated the custom, tradition, or practice of battering and sexually assaulting new team members by verbally encouraging the "initiation" or hazing rituals, by ordering the "campus runs," and by allowing these assaults to continue after witnessing them.

48. HAUGAN knew, or should have known, that the Maine West High School Boys' Soccer Team had a long-standing custom, tradition, or practice of battering and sexually assaulting new team members.

49. Years before DOE CHILD B was physically and sexually assaulted at Maine West, HAUGAN knew, or should have known, that at least some of Maine West's sports teams had a custom, tradition, or practice of battering and sexually assaulting new team members.

50. In August 2008, JOHN DOE D's mother had sent a letter to HAUGAN detailing the culture of hazing, and the physical and sexual assaults that her son had endured as part of that culture, while he was a member of the Maine West baseball team coached by Defendant DIVINCENZO. HAUGAN neither reported the sexual abuse of JOHN DOE D to any authorities for investigation nor disciplined Defendant DIVINCENZO for his role in the abuse.

51. In the years before DOE CHILD B was physically and sexually assaulted at Maine West, HAUGAN took no action to end, and tacitly sanctioned, the custom, tradition, or practice of battering and sexually assaulting new members of Maine West's sports teams.

52. It wasn't until after DOE CHILD B was physically and sexually assaulted on September 27, 2012, that HAUGAN finally reported the abuse. DISTRICT 207 then temporarily reassigned Defendants RODRIGUEZ and DIVINCENZO with pay and eventually suspended DIVINCENZO without pay.

John Doe C

53. JOHN DOE C began attending Maine West on or about August 20, 2007, the first day of Maine West's 2007-08 academic year.

54. Prior to the start of the 2007-2008 academic year, JOHN DOE C successfully tried out for the Maine West Boys' Soccer Team.

55. Prior to the start of the soccer season, JOHN DOE C was promoted from the Maine West Freshman Boys' Soccer Team to the Maine West Varsity Boys' Soccer Team.

56. During July or August 2007, JOHN DOE C attended summer camp with the Maine West Freshman Boys' Soccer Team and the Varsity Boys' Soccer Team.

57. Defendants RODRIGUEZ and DIVINCENZO also attended the summer camp.

58. During the summer soccer camp, more senior members of the Maine West Boys' Soccer Team (collectively "teammates") grabbed JOHN DOE C, then sexually assaulted and battered him.

59. In July or August 2007, JOHN DOE C's teammates performed the following acts, while Defendants RODRIGUEZ and DIVINCENZO idly stood by:

- a. tore off JOHN DOE C's pants and underwear;
- b. pushed JOHN DOE C down to the ground;
- c. shoved JOHN DOE C's face in the ground/dirt;
- d. held JOHN DOE C down so that he could not resist;
- e. struck JOHN DOE C on his head, torso, back, arms and legs;
- f. grabbed JOHN DOE C's testicles with their hands; and
- g. sodomized JOHN DOE C with their fingers and other foreign objects.

60. It is a custom, tradition, ritual and/or long-standing practice for veteran members of the Maine West Boys' Soccer Team to batter and sexually assault new members of the team, and this was well-known by Defendants RODRIGUEZ and DIVINCENZO.

61. In July or August 2007, Defendants RODRIGUEZ and DIVINCENZO, while acting as actual agents, apparent agents, employees and/or servants of DISTRICT 207, were present when JOHN DOE C's teammates sexually assaulted and battered JOHN DOE C, sanctioned the conduct, and did nothing to stop it.

62. Defendants RODRIGUEZ and DIVINCENZO knew, or should have known, that the Maine West Boys' Soccer Team had a long-standing custom, tradition, or practice of battering and sexually assaulting new team members. This is because Defendants RODRIGUEZ and DIVINCENZO had previously witnessed the assault, battery, and sexual assault of new team members.

63. Defendants RODRIGUEZ and DIVINCENZO sanctioned and did nothing to end the aforementioned custom, tradition, or practice of battering and sexually assaulting new members of the Maine West Boys' Soccer Team.

64. Defendants RODRIGUEZ and DIVINCENZO perpetuated the aforementioned custom, tradition, or practice of battering and sexually assaulting new team members by verbally encouraging the "initiation" or hazing rituals, by ordering the rituals to take place, and by allowing these assaults to continue after witnessing them.

65. JOHN DOE C quit the Maine West Varsity Boys' Soccer Team after playing just two games because of adverse effects that the team's "hazing" ritual had on him.

John Doe D

66. JOHN DOE D began attending Maine West on or about August 20, 2007, the first day of Maine West's 2007-08 academic year.

67. On or about March 20, 2007, JOHN DOE D successfully tried out for the Maine West Boys' Baseball Team.

68. Prior to the baseball season, JOHN DOE D was promoted from the Maine West "B" Baseball team to the Maine West "A" or Varsity Baseball Team.

69. In May 2008, Defendant DIVINCENZO ordered more senior members of the Maine West Boys' Baseball Team (collectively "teammates") to participate in a hazing ritual that included sexually assaulting and battering JOHN DOE D.

70. In May 2008, JOHN DOE D's teammates performed the following acts, while Defendant DIVINCENZO idly stood by:

- a. tore off JOHN DOE D's pants;
- b. tore of JOHN DOE D's underwear; and
- c. exposed JOHN DOE D's genitals.

71. Defendant DIVINCENZO knew, or should have known, that the Maine West Baseball Team had a long-standing custom, tradition, or practice of battering and sexually assaulting new team members because Defendant DIVINCENZO had previously witnessed the assault, battery, and sexual assault of new team members.

72. Defendant DIVINCENZO sanctioned and did nothing to end the custom, tradition, or practice of battering and sexually assaulting new members of the Maine West Boys' Baseball Team.

73. Defendant DIVINCENZO perpetuated the custom, tradition, or practice of battering and sexually assaulting new team members by verbally encouraging the "initiation" or hazing rituals and by allowing these assaults to continue after witnessing them.

74. In May 2008, Defendant DIVINCENZO, while acting as actual agent, apparent agent, employee and/or servant of DISTRICT 207, was present when JOHN DOE D's teammates sexually assaulted and battered JOHN DOE D, sanctioned the conduct, and did nothing to stop it.

75. After JOHN DOE D was sexually and physically assaulted, his parents reported this to several Maine West employees, including the Dean of Students, the head of Special Education, the school's social worker, and HAUGAN.

76. Maine West employees assured JOHN DOE D's parents that they would take appropriate action to protect JOHN DOE D from further abuse. However, in the months following the report of the hazing incident, JOHN DOE D's teammates harassed and verbally abused him on a regular basis.

77. Defendant DIVINCENZO participated in some of the abuse of JOHN DOE D. In addition, Defendant DIVINCENZO witnessed some of the abusive conduct, took no action to stop it, and sanctioned the conduct.

78. On or about August 5, 2008, JOHN DOE D's mother sent a letter to HAUGAN to address the continuing abuse of her son. The letter describes the physical and sexual assaults that her son endured as part of a hazing ritual performed by the Maine West Boys' Baseball Team. The letter also details the retaliatory abuse of her son by his teammates and Defendant DIVINCENZO, following the report of the hazing incident.

79. HAUGAN neither reported the sexual and physical abuse of JOHN DOE D to any authorities for investigation nor disciplined Defendant DIVINCENZO for his role in the abuse or the subsequent retaliatory conduct.

80. HAUGAN took no action to discipline any of the students for their roles in the abuse and retaliation suffered by JOHN DOE D.

81. HAUGAN took no action to alter, change, edit, or add to the Code of Conduct in order to minimize the abuse and retaliation suffered by JOHN DOE D.

82. HAUGAN took no action to enforce the provisions of the Code of Conduct with respect to hazing, assault, battery, harassment, verbal abuse, and sexual assault in order to minimize the abuse and retaliation suffered by JOHN DOE D.

83. HAUGAN took no action to enforce the provisions of the Code of Conduct with respect to hazing, assault, battery, harassment, verbal abuse, and sexual assault in order to minimize the abuse and retaliation that was eventually suffered by DOE CHILD A and DOE CHILD B.

84. HAUGAN took no action to educate students, parents, teachers, or coaches about hazing, assaults, sexual assaults, and/or batteries in order to minimize the abuse and retaliation suffered by JOHN DOE D.

85. HAUGAN took no action to investigate the incidents outlined in the letter in order to minimize the likelihood of future abuse and retaliation that was eventually suffered by DOE CHILD A and DOE CHILD B.

86. HAUGAN took no action to report the incidents outlined in the letter to the police, to the Department of Children and Family Services, or to any other agency in order to minimize the abuse and retaliation that was suffered by JOHN DOE D.

87. HAUGAN took no action to report the incidents outlined in the letter to the police, to the Department of Children and Family Services, or to any other agency in order to minimize the likelihood of future abuse and retaliation that was eventually suffered by DOE CHILD A and DOE CHILD B.

88. By taking no action, HAUGAN sanctioned and did nothing to end the aforementioned custom, tradition, or practice of battering and sexually assaulting new members of the Maine West High School boys' sports teams.

89. As a result, HAUGAN affirmatively sanctioned Maine West's custom, tradition, or practice of battering and sexually assaulting new male members of teams coached by Defendant DIVINCENZO.

90. HAUGAN's failure to report the abuse of JOHN DOE D to any authorities for investigation, or to otherwise address the hazing ritual reported by his parents, resulted in the sexual and physical abuse of future Maine West students, including DOE CHILD A and DOE CHILD B.

Doe Child E

91. DOE CHILD E began attending Maine West on August 22, 2012, the first day of Maine West's 2012-13 academic year.

92. During that academic year, DISTRICT 207's "Discipline Procedures and Extracurricular Code of Conduct 2012-2013" ("Code of Conduct") were in effect at Maine West. The Code of Conduct contains provisions that prohibit assault, battery, bullying, intimidation, hazing and harassment, among other things, and describes the consequences of violating those provisions. Under the Code of Conduct, "bullying" includes "any aggressive or negative gesture, or written, verbal, or physical act that places another student in reasonable fear of harm...or that has the effect of insulting or demeaning any student." The Code of Conduct defines "hazing" as "[i]nitiating or disciplining fellow students by means of horseplay, practical jokes, or tricks; or to harass by banter, ridicule, or criticism' to play abusive and/or humiliating tricks." The Code of Conduct applies to boys' sports, including soccer at Maine West.

93. On or about June 1, 2012, during soccer practice, Defendant DIVINCENZO watched as older members of the Maine West High School Boys' Soccer Team (hereinafter

referred to as “DOE CHILD E’s teammates”) physically and sexually assault a younger player, a minor.

94. In or about August, 2012, DOE CHILD E successfully tried out for the Maine West Boys’ Soccer Team.

95. On or about August 31, 2012, during soccer practice, Defendant DIVINCENZO threatened DOE CHILD E and DOE CHILD E’s teammates that he would have older players sodomize the younger players if “they did not start to communicate.”

96. During soccer practice on or about September 26, 2012, Defendants RODRIGUEZ and DIVINCENZO ordered the team to do a “campus run,” which DOE CHILD E did not understand.

97. On or about September 26, 2012, Defendants RODRIGUEZ and DIVINCENZO, and more senior members of the Maine West Varsity Boys’ Soccer Team (collectively “teammates”) understood that a “campus run” involved a hazing ritual where new members of the soccer team would be assaulted, battered, and/or sexually assaulted by their teammates.

98. After Defendants RODRIGUEZ and DIVINCENZO ordered the “campus run,” DOE CHILD E’s teammates grabbed DOE CHILD E, then sexually assaulted and battered him.

99. On or about September 26, 2012, DOE CHILD E’s teammates performed the following acts, while Defendants RODRIGUEZ and DIVINCENZO idly stood by:

- a. tore off DOE CHILD E’s pants and underwear;
- b. pushed DOE CHILD E down to the ground;
- c. shoved DOE CHILD E’s face in the ground/dirt;
- d. held DOE CHILD E down so that he could not resist;
- e. struck DOE CHILD E on his head, torso, back, arms and legs;

- f. grabbed DOE CHILD E's testicles with their hands; and
- g. sodomized DOE CHILD E with their fingers and other foreign objects.

100. It is a custom, tradition, ritual and/or long-standing practice for veteran members of the Maine West Varsity Boys' Soccer Team to batter and sexually assault new members of the team, and this was well-known by Defendants RODRIGUEZ and DIVINCENZO.

101. On or about September 26, 2012, at least two other members of the Maine West Varsity Boys' Soccer Team were battered and sexually assaulted in the same or substantially the same manner as DOE CHILD E, which was known to Defendants RODRIGUEZ and DIVINCENZO.

102. On or about September 26, 2012, Defendants RODRIGUEZ and DIVINCENZO, while acting as actual agents, apparent agents, employees and/or servants of DISTRICT 207, were present when DOE CHILD E's teammates sexually assaulted and battered DOE CHILD E, sanctioned the conduct, and did nothing to stop it.

103. Defendants RODRIGUEZ and DIVINCENZO knew, or should have known, that the Maine West Varsity Boys' Soccer Team had a long-standing custom, tradition, or practice of battering and sexually assaulting new team members. This is because Defendants RODRIGUEZ and DIVINCENZO had previously witnessed the assault, battery, and sexual assault of new team members.

104. Defendants RODRIGUEZ and DIVINCENZO sanctioned and did nothing to end the custom, tradition, or practice of battering and sexually assaulting new members of the Maine West Varsity Boys' Soccer Team.

105. Defendants RODRIGUEZ and DIVINCENZO perpetuated the custom, tradition, or practice of battering and sexually assaulting new team members by verbally encouraging the

“initiation” or hazing rituals, by ordering the “campus runs,” and by allowing these assaults to continue after witnessing them.

106. Years before DOE CHILD E was physically and sexually assaulted at Maine West, HAUGAN knew, or should have known, that Maine West’s sports teams had a custom, tradition, or practice of battering and sexually assaulting new team members.

107. In August 2008, JOHN DOE D’s mother had sent a letter to HAUGAN detailing the culture of hazing and the physical and sexual assaults that her son had endured as part of that culture while he was a member of the Maine West baseball team coached by Defendant DIVINCENZO. HAUGAN received and read this letter. HAUGAN neither reported the sexual abuse of JOHN DOE D to any authorities for investigation nor disciplined Defendant DIVINCENZO for his role in the abuse.

108. In the years before DOE CHILD E was physically and sexually assaulted at Maine West, HAUGAN took no action to end, and tacitly sanctioned, the aforementioned custom, tradition, or practice of battering and sexually assaulting new members of Maine West’s sports teams.

109. It wasn’t until after DOE CHILD E was physically and sexually assaulted on or about September 26, 2012, that HAUGAN finally reported the abuse. DISTRICT 207 then temporarily reassigned Defendants RODRIGUEZ and DIVINCENZO with pay and eventually suspended DIVINCENZO without pay.

COUNT I—WILFUL AND WANTON CONDUCT

(Brought by John and Jane Doe A and Doe Child A against Maine Township High School District 207 and Emilio Rodriguez and Michael Divincenzo, as agents)

110. Plaintiffs incorporate by reference all preceding paragraphs.

111. During the 2012-13 academic year, DISTRICT 207, by and through its agents, HAUGAN, RODRIGUEZ and DIVINCENZO, had a duty to supervise and protect the physical safety of Maine West students and to refrain from acting with an utter indifference and/or conscious disregard for the safety of DISTRICT 207 students attending Maine West, including DOE CHILD A.

112. DISTRICT 207 by and through its agents breached their duty to DOE CHILD A because: (a) Defendants knew or should have known that male students were being physically and sexually assaulted and battered during Maine West soccer practices as part of a longstanding hazing ritual; (b) Defendants RODRIGUEZ and DIVINCENZO promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' soccer team to physically and sexually assault new team members, including DOE CHILD A; (c) DISTRICT 207 and HAUGAN knew or should have known that their failure to properly investigate and report previous complaints about the abusive hazing rituals practiced by Defendant DIVINCENZO's teams posed a high probability of serious harm to students, including DOE CHILD A; and (d) Defendants recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

113. As a direct and proximate result of these willful and wanton acts and/or omissions, DOE CHILD A sustained serious injuries and suffered severe emotional distress.

114. WHEREFORE, Plaintiffs JOHN and JANE DOE A, individually and as parents and next friends of DOE CHILD A, and DOE CHILD A pray for judgment against Defendant MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207 and Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, as agents of DISTRICT 207, for money damages in excess of

FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, costs incurred in bringing this action, and injunctive relief set forth in the Prayer for Relief below.

COUNT II—WILFUL AND WANTON CONDUCT

(Brought by John and Jane Doe A and Doe Child A against Emilio Rodriguez and Michael Divincenzo, individually)

115. Plaintiffs incorporate by reference all preceding paragraphs.

116. During the 2012-13 academic year, Defendants RODRIGUEZ and DIVINCENZO had a duty to supervise and protect the physical safety of the Maine West students they coached and to refrain from acting with an utter indifference and/or conscious disregard for the safety of DISTRICT 207 students, including DOE CHILD A.

117. Defendants RODRIGUEZ and DIVINCENZO breached their duty to DOE CHILD A because: (a) they knew or should have known that male students were being physically and sexually assaulted and battered during Maine West soccer practices as part of a longstanding hazing ritual; (b) they promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' soccer team to physically and sexually assault new team members, including DOE CHILD A; (c) they knew or should have known that the abusive hazing rituals practiced by their teams posed a high probability of serious harm to students, including DOE CHILD A; and (d) they recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

118. As a direct and proximate result of these willful and wanton acts and/or omissions, DOE CHILD A sustained serious injuries and suffered severe emotional distress.

119. WHEREFORE, Plaintiffs JOHN and JANE DOE A, individually and as parents and next friends of DOE CHILD A, and DOE CHILD A pray for judgment against Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, individually, for money damages in

excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT III—INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Brought by John and Jane Doe A and Doe Child A against Emilio Rodriguez and Michael Divincenzo, individually)

120. Plaintiffs incorporate by reference all preceding paragraphs.

121. While serving as DOE CHILD A's coaches during the 2012-13 academic year, Defendants RODRIGUEZ and DIVINCENZO had a duty to refrain from acting with extreme and outrageous conduct toward the Maine West students they coached, including DOE CHILD A.

122. While serving as DOE CHILD A's coaches, and despite duties, Defendants RODRIGUEZ and DIVINCENZO engaged in extreme and outrageous conduct by ordering a "campus run," which they knew was highly likely to cause DOE CHILD A's teammates to batter and/or physically and sexually assault DOE CHILD A.

123. While serving as DOE CHILD A's coaches, and despite their aforementioned duties, Defendants RODRIGUEZ and DIVINCENZO engaged in extreme and outrageous conduct by watching DOE CHILD A's teammates physically and sexually assault and batter DOE CHILD A, failing to intervene to stop the abuse, and effectively sanctioning the abusive conduct.

124. Defendants RODRIGUEZ and DIVINCENZO intended their conduct to inflict severe emotional distress on DOE CHILD A or knew there was a high probability that their conduct would cause DOE CHILD A severe emotional distress.

125. As a direct and proximate result of Defendants RODRIGUEZ and DIVINCENZO's extreme and outrageous conduct, DOE CHILD A has suffered severe emotional distress.

126. WHEREFORE, Plaintiffs JOHN and JANE DOE A, individually and as parents and next friends of DOE CHILD A, and DOE CHILD A pray for judgment against Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, individually, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT IV—WILFUL AND WANTON CONDUCT
(Brought by John and Jane Doe B and Doe Child B against Maine Township High School District 207 and Emilio Rodriguez and Michael Divincenzo, as agents)

127. Plaintiffs incorporate by reference all preceding paragraphs.

128. During the 2012-13 academic year, DISTRICT 207, by and through its agents, HAUGAN, RODRIGUEZ and DIVINCENZO, had a duty to supervise and protect the physical safety of Maine West students and to refrain from acting with an utter indifference and/or conscious disregard for the safety of DISTRICT 207 students attending Maine West, including DOE CHILD B.

129. DISTRICT 207 by and through its agents breached their duty to DOE CHILD B because: (a) they knew or should have known that male students were being physically and sexually assaulted and battered during Maine West soccer practices as part of a longstanding hazing ritual; (b) Defendants RODRIGUEZ and DIVINCENZO promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' soccer team to physically and sexually assault new team members, including DOE CHILD B; (c) DISTRICT 207 and HAUGAN knew or should have known that their failure to properly investigate an

report previous complaints about the abusive hazing rituals practiced by Defendant DIVINCENZO's teams posed a high probability of serious harm to students, including DOE CHILD B; and (d) Defendants recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

130. As a direct and proximate result of these willful and wanton acts and/or omissions, DOE CHILD B sustained serious injuries and suffered severe emotional distress.

131. WHEREFORE, Plaintiffs JOHN and JANE DOE B, individually and as parents and next friends of DOE CHILD B, and DOE CHILD B pray for judgment against Defendant MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207 and Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, as agents of DISTRICT 207, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, costs incurred in bringing this action, and injunctive relief set forth in the Prayer for Relief below.

COUNT V—WILFUL AND WANTON CONDUCT

(Brought by John and Jane Doe B and Doe Child B against Emilio Rodriguez and Michael Divincenzo, individually)

132. Plaintiffs incorporate by reference all preceding paragraphs.

133. During the 2012-13 academic year, Defendants RODRIGUEZ and DIVINCENZO had a duty to supervise and protect the physical safety of the Maine West students they coached and to refrain from acting with an utter indifference and/or conscious disregard for the safety of its students, including DOE CHILD B.

134. Defendants RODRIGUEZ and DIVINCENZO breached their duty to DOE CHILD B because: (a) they knew or should have known that male students were being physically and sexually assaulted and battered during Maine West soccer practices as part of a longstanding hazing ritual; (b) they promoted the hazing culture at Maine West by ordering

and/or encouraging senior members of the boys' soccer team to physically and sexually assault new team members, including DOE CHILD B; (c) they knew or should have known that the abusive hazing rituals practiced by their teams posed a high probability of serious harm to students, including DOE CHILD B; and (d) they recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

135. As a direct and proximate result of these willful and wanton acts and/or omissions, DOE CHILD B sustained serious injuries and suffered severe emotional distress.

136. WHEREFORE, Plaintiffs JOHN and JANE DOE B, individually and as parents and next friends of DOE CHILD B, and DOE CHILD B pray for judgment against Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, individually, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT VI—INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Brought by John and Jane Doe B and Doe Child B against Emilio Rodriguez and Michael Divincenzo, individually)

137. Plaintiffs incorporate by reference all preceding paragraphs.

138. While serving as DOE CHILD B's coaches during the 2012-13 academic year, Defendants RODRIGUEZ and DIVINCENZO had a duty to refrain from acting with extreme and outrageous conduct towards the Maine West students they coached, including DOE CHILD B.

139. While serving as DOE CHILD B's coaches, and despite their aforementioned duties, Defendants RODRIGUEZ and DIVINCENZO engaged in extreme and outrageous conduct by ordering a "campus run," which they knew was highly likely to cause DOE CHILD B's teammates to batter and/or physically and sexually assault DOE CHILD B.

140. While serving as DOE CHILD B's coaches, and despite their aforementioned duties, Defendants RODRIGUEZ and DIVINCENZO engaged in extreme and outrageous conduct by watching DOE CHILD B's teammates physically and sexually assault and batter DOE CHILD B, failing to intervene to stop the abuse, and effectively sanctioning the abusive conduct.

141. Defendants RODRIGUEZ and DIVINCENZO intended their conduct to inflict severe emotional distress on DOE CHILD B or knew there was a high probability that their conduct would cause DOE CHILD B severe emotional distress.

142. As a direct and proximate result of Defendants RODRIGUEZ and DIVINCENZO's extreme and outrageous conduct, DOE CHILD B has suffered severe emotional distress.

143. WHEREFORE, Plaintiffs JOHN and JANE DOE B, individually and as parents and next friends of DOE CHILD B, and DOE CHILD B pray for judgment against Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, individually, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT VII—WILFUL AND WANTON CONDUCT
(Brought by John Doe C against Maine Township High School District 207 and Emilio Rodriguez and Michael Divincenzo, as agents)

144. Plaintiffs incorporate by reference all preceding paragraphs.

145. In the summer of 2007, while JOHN DOE C attended Maine West's soccer camp, DISTRICT 207, by and through its agents, Defendants RODRIGUEZ and DIVINCENZO, had a duty to supervise and protect the physical safety of students attending that camp and to refrain

from acting with an utter indifference and/or conscious disregard for the safety of its students, including JOHN DOE C.

146. DISTRICT 207, by and through its agents breached their duty to JOHN DOE C because: (a) they knew or should have known that male students were being physically and sexually assaulted and battered during Maine West soccer practices as part of a longstanding hazing ritual; (b) Defendants RODRIGUEZ and DIVINCENZO promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' soccer team to physically and sexually assault new team members, including JOHN DOE C; (c) Defendants knew or should have known that the abusive hazing rituals posed a high probability of serious harm to students, including JOHN DOE C; and (d) Defendants recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

147. As a direct and proximate result of these willful and wanton acts and/or omissions, JOHN DOE C sustained serious injuries and suffered severe emotional distress.

148. WHEREFORE, Plaintiff JOHN DOE C prays for judgment against Defendant MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207 and Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, as agents of DISTRICT 207, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT VIII—WILFUL AND WANTON CONDUCT
(Brought by John Doe C against Emilio Rodriguez and Michael Divincenzo, individually)

149. Plaintiffs incorporate by reference all preceding paragraphs.

150. In the summer of 2007, while JOHN DOE C attended Maine West's soccer camp, Defendants RODRIGUEZ and DIVINCENZO had a duty to refrain from acting with an utter

indifference and/or conscious disregard for the safety of its students and to supervise and protect the physical safety of the Maine West students they coached, including JOHN DOE C.

151. Defendants RODRIGUEZ and DIVINCENZO breached their duty to JOHN DOE C because: (a) they knew or should have known that male students were being physically and sexually assaulted and battered during Maine West soccer practices as part of a longstanding hazing ritual; (b) they promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' soccer team to physically and sexually assault new team members, including JOHN DOE C; (c) they stood idly by and watched more senior members of the Maine West Varsity Boys' Soccer Team physically and sexually assault and batter JOHN DOE C; (d) they knew or should have known that the abusive hazing rituals practiced by their teams posed a high probability of serious harm to students, including JOHN DOE C; and (e) they recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

152. As a direct and proximate result of these willful and wanton acts and/or omissions, JOHN DOE C sustained serious injuries and suffered severe emotional distress.

153. WHEREFORE, Plaintiff JOHN DOE C prays for judgment against Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, individually, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT IX—INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Brought by John Doe C against Emilio Rodriguez and Michael Divincenzo, individually)

154. Plaintiffs incorporate by reference all preceding paragraphs.

155. While serving as JOHN DOE C's coaches, Defendants RODRIGUEZ and DIVINCENZO had a duty to refrain from acting with extreme and outrageous conduct toward the Maine West students they coached, including JOHN DOE C.

156. While serving as JOHN DOE C's coaches, and despite their aforementioned duties, Defendants RODRIGUEZ and DIVINCENZO engaged in extreme and outrageous conduct by watching JOHN DOE C's teammates physically and sexually assault and batter JOHN DOE C, failing to intervene to stop the abuse, and effectively sanctioning the abusive conduct.

157. Defendants RODRIGUEZ and DIVINCENZO intended their conduct to inflict severe emotional distress on JOHN DOE C or knew there was a high probability that their conduct would cause JOHN DOE C severe emotional distress.

158. As a direct and proximate result of Defendants RODRIGUEZ and DIVINCENZO's extreme and outrageous conduct, JOHN DOE C has suffered severe emotional distress.

159. WHEREFORE, Plaintiff JOHN DOE C prays for judgment against Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, individually, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT X—WILFUL AND WANTON CONDUCT
(Brought by John Doe D against Maine Township High School District 207 and Michael Divincenzo, as agent)

160. Plaintiffs incorporate by reference all preceding paragraphs.

161. During the 2007-08 academic year, DISTRICT 207, by and through its agents, HAUGAN and DIVINCENZO, had a duty to refrain from acting with an utter indifference

and/or conscious disregard for the safety of its and to supervise and protect the physical safety of students attending Maine West, including JOHN DOE D.

162. DISTRICT 207 by and through its agents breached their duty to JOHN DOE D because: (a) they knew or should have known that male students were being physically and sexually assaulted and battered during Maine West baseball practices as part of a longstanding hazing ritual; (b) Defendant DIVINCENZO promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' baseball team to physically and sexually assault new team members, including JOHN DOE D; (c) DISTRICT 207 and HAUGAN knew or should have known that their failure to properly investigate and report the sexual and physical abuse of JOHN DOE D posed a high probability of additional serious harm to JOHN DOE D; (d) Defendants knew or should have known that the abusive hazing rituals posed a high probability of serious harm to students, including JOHN DOE D; and (e) Defendants recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

163. As a direct and proximate result of these willful and wanton acts and/or omissions, JOHN DOE D sustained serious injuries and suffered severe emotional distress.

164. WHEREFORE, Plaintiff JOHN DOE D prays for judgment against Defendant MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207 and Defendant MICHAEL DIVINCENZO, as agent of DISTRICT 207, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT XI—WILFUL AND WANTON CONDUCT
(Brought by John Doe D against Michael Divincenzo, individually)

165. Plaintiffs incorporate by reference all preceding paragraphs.

166. During the 2007-08 academic year, Defendant DIVINCENZO had a duty to supervise and protect the physical safety of the Maine West and to refrain from acting with an utter indifference and/or conscious disregard for the safety of its students he coached, including JOHN DOE D.

167. Defendant DIVINCENZO breached his duty to JOHN DOE D because: (a) he knew or should have known that male students were being physically and sexually assaulted and battered during Maine West baseball practices as part of a longstanding hazing ritual; (b) he promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' baseball team to physically and sexually assault new team members, including JOHN DOE D; (c) he knew or should have known that the abusive hazing rituals practiced by his baseball team posed a high probability of serious harm to students, including JOHN DOE D; and (e) he recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

168. As a direct and proximate result of these willful and wanton acts and/or omissions, JOHN DOE D sustained serious injuries and suffered severe emotional distress.

169. WHEREFORE, Plaintiff JOHN DOE D prays for judgment against Defendant MICHAEL DIVINCENZO, individually, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT XII—INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Brought by John Doe D against Michael Divincenzo, individually)

170. Plaintiffs incorporate by reference all preceding paragraphs.

171. While serving as JOHN DOE D's coach, Defendant DIVINCENZO had a duty to refrain from acting with extreme and outrageous conduct toward the Maine West students he coached, including JOHN DOE D.

172. While serving as JOHN DOE D's coach, and despite duties, Defendant DIVINCENZO engaged in extreme and outrageous conduct by ordering a hazing ritual which he knew was highly likely to cause JOHN DOE D's teammates to batter and/or physically and sexually assault JOHN DOE D.

173. While serving as JOHN DOE D's coach, and despite duties, Defendant DIVINCENZO engaged in extreme and outrageous conduct by witnessing JOHN DOE D's teammates physically and sexually assault and batter JOHN DOE D, failing to intervene to stop the abuse, and effectively sanctioning the abusive conduct.

174. Defendant DIVINCENZO intended his conduct to inflict severe emotional distress on JOHN DOE D or knew there was a high probability that his conduct would cause JOHN DOE D severe emotional distress.

175. As a direct and proximate result of Defendant DIVINCENZO's extreme and outrageous conduct, JOHN DOE D has suffered severe emotional distress.

176. WHEREFORE, Plaintiff JOHN DOE D prays for judgment against Defendant MICHAEL DIVINCENZO, individually, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT XIII—WILFUL AND WANTON CONDUCT

(Brought by John and Jane Doe E and Doe Child E against Maine Township High School District 207 and Emilio Rodriguez, and Michael Divincenzo, as agents)

177. Plaintiffs incorporate by reference all preceding paragraphs.

178. During the 2012-13 academic year, DISTRICT 207, by and through its agents, HAUGAN, RODRIGUEZ and DIVINCENZO, had a duty to supervise and protect the physical safety of Maine West students and to refrain from acting with an utter indifference and/or conscious disregard for the safety of DISTRICT 207 students attending Maine West, including DOE CHILD E.

179. DISTRICT 207 by and through its agents breached their duty to DOE CHILD E because: (a) they knew or should have known that male students were being physically and sexually assaulted and battered during Maine West soccer practices as part of a longstanding hazing ritual; (b) Defendants RODRIGUEZ and DIVINCENZO promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' soccer team to physically and sexually assault new team members, including DOE CHILD E; (c) DISTRICT 207 and HAUGAN knew or should have known that their failure to properly investigate and report previous complaints about the abusive hazing rituals practiced by Defendant DIVINCENZO's teams posed a high probability of serious harm to students, including DOE CHILD E; and (d) Defendants recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

180. As a direct and proximate result of these willful and wanton acts and/or omissions, DOE CHILD E sustained serious injuries and suffered severe emotional distress.

181. WHEREFORE, Plaintiffs JOHN and JANE DOE E, individually and as parents and next friends of DOE CHILD E, and DOE CHILD E pray for judgment against Defendant MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207 and Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, as agents of DISTRICT 207, for money damages in excess of

FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, costs incurred in bringing this action, and injunctive relief set forth in the Prayer for Relief below.

COUNT XIV—WILFUL AND WANTON CONDUCT
(Brought by John and Jane Doe E and Doe Child E against Emilio Rodriguez and Michael Divincenzo, individually)

182. Plaintiffs incorporate by reference all preceding paragraphs.

183. During the 2012-13 academic year, Defendants RODRIGUEZ and DIVINCENZO had a duty to supervise and protect the physical safety of the Maine West students they coached and to refrain from acting with an utter indifference and/or conscious disregard for the safety of its students, including DOE CHILD E.

184. Defendants RODRIGUEZ and DIVINCENZO breached their duty to DOE CHILD E because: (a) they knew or should have known that male students were being physically and sexually assaulted and battered during Maine West soccer practices as part of a longstanding hazing ritual; (b) they promoted the hazing culture at Maine West by ordering and/or encouraging senior members of the boys' soccer team to physically and sexually assault new team members, including DOE CHILD E; (c) they knew or should have known that the abusive hazing rituals practiced by their teams posed a high probability of serious harm to students, including DOE CHILD E; and (d) they recklessly or consciously disregarded the substantial risks posed by the abusive hazing rituals.

185. As a direct and proximate result of these willful and wanton acts and/or omissions, DOE CHILD E sustained serious injuries and suffered severe emotional distress.

186. WHEREFORE, Plaintiffs JOHN and JANE DOE E, individually and as parents and next friends of DOE CHILD E, and DOE CHILD E pray for judgment against Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, individually, for money damages in

excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

COUNT XV—INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Brought by John and Jane Doe E and Doe Child E against Emilio Rodriguez and Michael Divincenzo, individually)

187. Plaintiffs incorporate by reference all preceding paragraphs.

188. While serving as DOE CHILD E's coaches during the 2012-13 academic year, Defendants RODRIGUEZ and DIVINCENZO had a duty to refrain from acting with extreme and outrageous conduct towards the Maine West students they coached, including DOE CHILD E.

189. While serving as DOE CHILD E's coaches, and despite their aforementioned duties, Defendants RODRIGUEZ and DIVINCENZO engaged in extreme and outrageous conduct by ordering a "campus run," which they knew was highly likely to cause DOE CHILD E's teammates to batter and/or physically and sexually assault DOE CHILD E.

190. While serving as DOE CHILD E's coaches, and despite their aforementioned duties, Defendants RODRIGUEZ and DIVINCENZO engaged in extreme and outrageous conduct by watching DOE CHILD E's teammates physically and sexually assault and batter DOE CHILD E, failing to intervene to stop the abuse, and effectively sanctioning the abusive conduct.

191. Defendants RODRIGUEZ and DIVINCENZO intended their conduct to inflict severe emotional distress on DOE CHILD E or knew there was a high probability that their conduct would cause DOE CHILD E severe emotional distress.

192. As a direct and proximate result of Defendants RODRIGUEZ and DIVINCENZO's extreme and outrageous conduct, DOE CHILD B has suffered severe emotional distress.

193. WHEREFORE, Plaintiffs JOHN and JANE DOE E, individually and as parents and next friends of DOE CHILD E, and DOE CHILD E pray for judgment against Defendants EMILIO RODRIGUEZ and MICHAEL DIVINCENZO, individually, for money damages in excess of FIFTY THOUSAND DOLLARS (\$50,000), interest on any damages awarded, and costs incurred in bringing this action.

Respectfully Submitted,

ROMANUCCI & BLANDIN, LLC

By: 

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