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7 MA DOE

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SAN MATEO**

10 MA DOE, a minor, by and through  
11 her guardian ad litem MARY DOE,

12 Plaintiff,

13 v.

14 ST. MATTHEW'S EPISCOPAL DAY  
15 SCHOOL, THE EPISCOPAL CHURCH OF  
16 ST. MATTHEW, EPISCOPAL DIOCESE OF  
17 NORTHERN CALIFORNIA, JULIE GALLES,  
ANTHONY SATRIANO  
18 and ROES 6 through 30, inclusive,

19 Defendants.

**ENDORSED FILED**  
**SAN MATEO COUNTY**

MAR 14 2018  
Clerk of the Superior Court  
By MIRNA P. RIVERA-MARTINEZ  
DEPUTY CLERK

Case Number: **18CIV01309**

**COMPLAINT FOR DAMAGES**

1. Negligence
2. Negligent Supervision and or Retention of Employee, Volunteer or Agent
3. Negligent Supervision of Plaintiff MA DOE
4. Negligent Failure to Comply with Express Requirements of the California Department of Social Services, Community Care Licensing and the California Penal Code
5. Childhood Sexual Abuse
6. Intentional Infliction of Emotional Distress

**File by Fax**

1           1.       Under rights to privacy granted by the Constitution of the State of California and  
2 due to the sensitive nature of this case, Plaintiff MA DOE, a minor, is using a fictitious name in  
3 this Complaint. If, for any reason, any Defendant cannot accurately determine the identity of the  
4 Plaintiff, their attorney can contact Plaintiff’s attorney at the number on the face sheet of the  
5 Complaint, and the name of the Plaintiff will be provided.

6           2.       At all relevant times mentioned herein, Plaintiff is an 8-year old minor who resided  
7 in San Mateo County in the State of California.

8           3.       MARY DOE is the mother of Plaintiff and has been appointed Guardian ad Litem  
9 for Plaintiff.

10          4.       Defendant THE EPISPOCAL DIOCESE OF NORTHERN CALIFORNIA  
11 (hereinafter “DIOCESE”) is a corporation and an ecclesiastical territory or diocese of the  
12 Episcopal Church in the United States of America in Northern California. At all relevant times,  
13 Defendant DIOCESE had responsibility for ST. MATTHEW’S EPISCOPAL DAY SCHOOL in  
14 San Mateo and for EPISCOPAL CHURCH OF ST. MATTHEW in San Mateo.

15          5.       Defendant ST. MATTHEW’S EPISCOPAL DAY SCHOOL (“ST. MATTHEW’S  
16 SCHOOL”) is an entity in the State of California, created and existing under the laws of the State  
17 of California, and located in San Mateo County in the State of California.

18          6.       Defendant EPISCOPAL CHURCH OF ST. MATTHEW (“ST. MATTHEW’S  
19 CHURCH”) is an entity in the State of California, created and existing under the laws of the State  
20 of California, and located in San Mateo County in the State of California.

21          7.       Defendant JULIE GALLES (“Head of School GALLES”) was at all relevant times  
22 alleged herein the Head of School of Defendant ST. MATTHEW’S SCHOOL.

23          8.       Defendant ANTHONY SATRIANO (“Pre-K Teacher Mr. ANTHONY”) was, at  
24 all relevant times alleged herein, employed by the Defendant ST. MATTHEW’S SCHOOL  
25 beginning in August 2014, as Teacher at Defendant ST. MATTHEW’S SCHOOL. Plaintiff is  
26 informed and believes, and on that basis alleges, that Defendant Pre-K Teacher Mr. ANTHONY  
27 was, at all times alleged herein, acting as the employee, agent, and/or servant of the Defendant ST.  
28 MATTHEW’S SCHOOL and/or was under the jurisdiction and control of Defendant ST.

1 MATTHEW'S SCHOOL. Defendant Pre-K Teacher Mr. ANTHONY worked as a full-time  
2 employee for Defendant ST. MATTHEW'S SCHOOL. Defendant Pre-K Teacher Mr.  
3 ANTHONY remained fully employed at Defendant ST. MATTHEW'S SCHOOL until April  
4 2017.

5 9. Plaintiff is informed and believes, and on that basis alleges, that Defendant Pre-K  
6 Teacher Mr. ANTHONY was, at all times alleged herein, acting as the employee, agent, and/or  
7 servant of Defendant ST. MATTHEW'S SCHOOL and/or was under the jurisdiction and control  
8 of Defendant ST. MATTHEW'S SCHOOL.

9 10. Plaintiff is informed and believes, and on that basis alleges, that Defendant Pre-K  
10 Teacher Mr. ANTHONY was, at all times alleged herein, acting as the employee, agent, and/or  
11 servant of Defendant ST. MATTHEW'S CHURCH and/or was under the jurisdiction and control  
12 of Defendant ST. MATTHEW'S CHURCH.

13 11. Plaintiff is informed and believes, and on that basis alleges, that Defendant Pre-K  
14 Teacher Mr. ANTHONY was, at all times alleged herein, acting as the employee, agent, and/or  
15 servant of Defendant DIOCESE and/or was under the jurisdiction and control of Defendant  
16 DIOCESE.

17 12. Plaintiff is ignorant of the true names and capacities of Defendants sued herein as  
18 Defendant ROES 6 through 30 or of the factors linking them to Causes of Action stated herein and  
19 therefore sues such Defendants by such fictitious names. When the true names and capacities of  
20 said Defendants have been ascertained, Plaintiff will seek leave of Court to amend this Complaint  
21 to allege such true names and capacities of ROES when ascertained. Plaintiff is informed and  
22 believes and thereon alleges that each of the Defendants designated as a ROE are responsible in  
23 some manner for the events and happenings hereinafter referred to, thereby proximately causing  
24 injury and damage to the Plaintiff herein alleged.

25 13. Plaintiff is informed and believes and thereon alleges that at all times herein  
26 mentioned, Defendants and each of them were the agents, servants, employees and/or joint  
27 venturers of their co-Defendants and were, as such, acting within the scope, course, and authority  
28 of said agency and/or joint venture and that each and every Defendant, as aforesaid, has ratified

1 and approved of the acts of his or her agent.

2 14. At least some of the wrongful acts mentioned herein occurred in San Mateo  
3 County; therefore, venue is properly placed in San Mateo County.

4 15. At all relevant times, Defendant DIOCESE and Defendant ST. MATTHEW'S  
5 CHURCH owned and operated Defendant ST. MATTHEW'S SCHOOL and the ST.  
6 MATTHEW'S SCHOOL after school program for children called Extended Care.

7 16. At all relevant times, Plaintiff was a parishioner and worshiper at Defendant ST.  
8 MATTHEW'S CHURCH, was a student at Defendant ST. MATTHEW'S SCHOOL and enrolled  
9 in and attended Defendant ST. MATTHEW'S SCHOOL after school program (Extended Care).

10 17. During the course of Pre-K Teacher Mr. ANTHONY's employment with ST.  
11 MATTHEW'S SCHOOL, Pre-K Teacher Mr. ANTHONY volunteered or was paid for multiple  
12 other roles at ST. MATTHEW's SCHOOL including teaching Extended Care classes, the creating,  
13 operating and overseeing multiple summer and winter break camps, coaching the girls basketball  
14 team, coaching the girls cross-country running team, and assisting in Extended Care when short-  
15 staffed. As compared to other teachers/employees at ST. MATTHEW'S SCHOOL, Pre-K  
16 Teacher Mr. ANTHONY was far more involved in activities of supervising, teaching or coaching  
17 young children.

18 18. From at least September 2015 – April 2017, Defendant Pre-K Teacher Mr.  
19 ANTHONY carried out a pattern and practice of childhood sexual abuse of ST. MATTHEW'S  
20 SCHOOL minor students during the time Pre-K Teacher Mr. ANTHONY was employed by  
21 Defendant ST. MATTHEW'S SCHOOL.

22 19. After a criminal investigation of the suspected criminal childhood sexual abuse of  
23 Defendant ST. MATTHEW'S SCHOOL students by Defendant Pre-K Teacher Mr. ANTHONY,  
24 he was arrested (April 2017) and charged with sixteen (16) criminal counts of child sexual abuse.  
25 Thereafter, Defendant Pre-K Teacher Mr. ANTHONY pled nolo contendere (no contest) to five  
26 (5) felony charges:

27 Count 2, lewd act upon a child, a violent and serious felony;  
28 Count 4, using a minor for a sex act, a felony;  
Count 10, using a minor for a sex act, a felony;

1 Count 12, using a minor for a sex act, a felony; and  
2 Count 15, attempted lewd act upon a child, a serious felony.

3 20. Plaintiff MA DOE was the charged victim in Count 15, (attempted lewd act upon a  
4 child, a serious felony) as pled by Pre-K Teacher Mr. ANTHONY. On February 23, 2018, Pre-K  
5 Teacher Mr. ANTHONY was sentenced to serve six (6) years in state prison in the Custody of the  
6 California Department of Corrections.

7 21. During the criminal investigation and prosecution, it was learned that ST.  
8 MATTHEW'S SCHOOL employee, Pre-K Teacher Mr. ANTHONY:

9 Had an "encasement fetish," which is a type of bondage fetish in which participants are  
10 encased or enclosed in clothing or other material, such as stockings or masks over the face  
and head, full body stockings of latex, or other material;

11 Possessed a library of encasement fetish pornography and participated in encasement  
12 sexual acts himself. Law enforcement detectives recovered recorded video of Pre-K  
13 Teacher Mr. ANTHONY masturbating in a full body stocking that covered his entire body  
14 and face. Also, Pre-K Teacher Mr. ANTHONY possessed adult pornography adult  
photographs of encasement, child pornography, encasement photographs of children posed  
in the same poses as adults found in pornography and photographs;

15 On multiple different days over a period of 18 months asked some ST. MATTHEW'S  
16 SCHOOL children (including MA DOE) to wear tights, and repeatedly pressured MA  
DOE to wear tights and to allow him to photograph her, alone or with another student;

17 Took MA DOE alone and unsupervised, provided MA DOE tights to wear and pressured  
18 MA DOE to change her undergarments and put on the tights (to be photographed in), MA  
19 DOE refused and then was pressured by Pre-K Teacher Mr. ANTHONY;

20 During Extended Care classes, took over 100+ photographs of Plaintiff MA DOE;

21 Asked some ST. MATTHEW'S SCHOOL children to, before putting on tights, remove  
22 their underwear (Pre-K Teacher Mr. ANTHONY then would photograph (or attempt to  
photograph the child), induced one young girl to remove all her clothes in a supply closet;

23 While videotaping with a hidden camera, took a young girl into a supply closet and asked  
24 her to remove all her clothes (she removed all but her underwear), then induced her to put  
stockings over her arms and stockings over her head and face;

25 Intended to engage in lewd and lascivious conduct with Plaintiff, which would have  
26 dressing, modeling and photographing her in pornographic bondage and encasement poses,  
27 and he intended to groom Plaintiff (and her friend) so that he could model and photograph  
28 them together in pornographic bondage and encasement poses;

1 Photographed a ST. MATTHEW'S SCHOOL student (female) sitting on the toilet while  
2 going to the bathroom and also taught this girl to "pee like a boy", or to stand up over the  
3 toilet while urinating;

4 Possessed thousands of pictures and 16 videos of children wearing leggings, stockings or  
5 tights, many posing provocatively or with their legs spread for the camera;

6 Possessed 68 videos of illegal child pornography with prepubescent boys and girls  
7 engaging in sexual acts, including one picture where a 7 year old girl is on her hands and  
8 knees, dressed in white nylon stockings while an adult man rapes her from behind;

9 Possessed thousands of pictures and videos of ST. MATTHEW'S SCHOOL students  
10 wearing tights and posed in provocative and lascivious poses, with most of the pictures  
11 focused on the girls' vaginal areas or buttocks;

12 Possessed thousands of pictures and hundreds of videos of adult encasement pornography,  
13 many of women nude except for tights and engaging in sex acts;

14 Possessed numerous collapsible boxes containing miscellaneous leggings (several with  
15 holes cut in the crotch area), girl dress-up clothes, wigs, and long socks;

16 Possessed dozens of illegal child pornography videos and thousands of pictures of children  
17 wearing tights, many involving children in provocative poses, including one in which an  
18 adult man raping girl of approximately seven years of age who was wearing nothing but  
19 stockings;

20 Possessed and used numerous tools to groom ST. MATTHEW'S SCHOOL students,  
21 including, prize tickets, party bubbles, girls hair bands, bouncy balls, rubber bug toys, a  
22 face painting kit and decorative band aids;

23 Encouraged and allowed ST. MATTHEW'S SCHOOL students to "rub glitter all over his  
24 body" and that multiple teachers noted a pattern of inappropriate physical contact of  
25 students by Pre-K Teacher Mr. ANTHONY.

26 22. As a result of ST. MATTHEW'S SCHOOL employees', including Defendant Head  
27 of School GALLES's, negligence and failures (including but not limited to negligent supervision,  
28 failure to provide a safe environment, failure to provide adequate monitoring or personnel, failure  
to provide reasonable safety policies and procedures for Extended Care and failure to follow  
Community Care and Penal Code Requirements), Defendant Pre-K Teacher Mr. ANTHONY was  
able to target, groom and injure Plaintiff MA DOE. Defendant Pre-K Teacher Mr. ANTHONY's  
illegal conduct toward Plaintiff MA DOE occurred over a period of approximately one and a half  
years during Defendant ST. MATTHEW'S SCHOOL's Extended Care.

1           23.     Defendant ST. MATTHEW'S SCHOOL and Defendant Head of School GALLES  
2 failed to implement basic and routine safety measures for students, and this failure resulted in  
3 Defendant Pre-K Teacher Mr. ANTHONY being able to engage in criminal activity with Plaintiff  
4 MA DOE. While Defendant ST. MATTHEW'S SCHOOL employed Pre-K Teacher Mr.  
5 ANTHONY and prior to Defendant Pre-K Teacher Mr. ANTHONY's arrest for multiple acts of  
6 child sexual abuse against Defendant ST. MATTHEW'S SCHOOL students, including MA Doe,  
7 Defendant ST. MATTHEW'S SCHOOL failed to adopt any written safety policies for the ST.  
8 MATTHEW'S SCHOOL relating to child sexual abuse or child pornography. For example,  
9 Defendant ST. MATTHEW'S SCHOOL failed to implement, train staff on or enforce basic  
10 policies necessary for maintaining the safety of students, such as policies regarding 1:1 contact  
11 with students, photographing students and use of personal cameras for photographing and video-  
12 recording students.

13           24.     Defendant ST. MATTHEW'S SCHOOL failed to adopt any written safety or  
14 operating policies for ST. MATTHEW'S SCHOOL Extended Care, such as policies regarding 1:1  
15 contact or policies or procedures regarding supervision and monitoring of students, students'  
16 ability to leave supervised areas, or effective check-in or monitoring procedures.

17           25.     Defendant ST. MATTHEW'S SCHOOL failed to hire qualified Extended Care  
18 staff and instead negligently hired Extended Care staff who had no education or training in  
19 institutional child care. Defendant ST. MATTHEW'S SCHOOL failed to educate or train  
20 Extended Care staff on basic safety issues such as recognizing sexual abuse or grooming,  
21 responding to emergency situations such as missing or abducted children and proper supervision  
22 of children of different ages.

23           26.     At all relevant times, Defendant ST. MATTHEW'S SCHOOL employees were  
24 aware that Pre-K Teacher Mr. ANTHONY regularly removed ST. MATTHEW'S SCHOOL  
25 children from the classroom during the regular school day, removed students for "1:1 teaching  
26 time" in ST. MATTHEW'S SCHOOL locations (i.e. kitchen, storage closet), and took children  
27 1:1 or in small groups in Extended Care. During these times, Pre-K Teacher Mr. ANTHONY  
28 coerced the children into posing for photographs.

1           27. Defendant ST. MATTHEW'S CHURCH, Defendant ST. MATTHEW'S SCHOOL  
2 and Defendant Head of School GALLES were aware that safety and security measures were  
3 dangerously inadequate and failed to take action. During the 2015/2016 school year Defendant  
4 ST. MATTHEW'S CHURCH and Defendant ST. MATTHEW'S SCHOOL organized a security  
5 committee (the "2016 Committee") to investigate security issues at the school. At the conclusion  
6 of the 2015/2016 school year, the 2016 Committee presented a number of conclusions and  
7 suggestions to Defendant Head of School GALLES and Tiffany Bassett, (the President of the  
8 Board of Trustees of Defendant ST. MATTHEW'S SCHOOL). Although the 2016 Committee  
9 focused on "external threats" – threats caused by "outsider" people who are not employees or  
10 members of the school or church community– many of the suggestions addressed issues relating to  
11 internal security. If followed, the Committee's recommendations would have prevented  
12 Defendant Pre-K Teacher Mr. ANTHONY 's criminal conduct, but those measures were ignored  
13 by ST. MATTHEW'S SCHOOL's security was both inadequate and far inferior to the security of  
14 similar schools. Some of the Committee conclusions were:

- 15                   We are not meeting best practices, we aren't even meeting current standards at
- 16                   California Public Schools (Secure exterior, secure interior, drills, etc.);
- 17                   We have gaping holes in security;
- 18                   Limited security within the interior;
- 19                   We are not competitive with many of our peer schools — Nueva, OLA, St. Matt's
- 20                   Catholic, etc. Sgt. Decker echoed this, but I've also talked to friends at these
- 21                   schools and with the little information I have, it's clear we are not doing near
- 22                   enough;
- 23                   Cameras throughout the campus (interior & exterior, video monitoring);
- 24                   Implement Best Practice Security Measures (secure perimeter, secure interior,
- 25                   cameras, locks, staffing, monitoring, etc.) — shouldn't we at least be doing what
- 26                   local public schools have to do?
- 27                   Educate parents on what's in place, what's being worked on, etc.;
- 28                   Onsite security personnel.

27 ///  
28 ///



1           28.     Defendant ST. MATTHEW'S CHURCH and Defendant ST. MATTHEW'S  
2 SCHOOL did not address most of the recommendations from the 2016 Committee, and most of  
3 the general security shortcomings and lapses continued into the following (2016/2017) school  
4 year. As noted by the 2016 Committee, ST. MATTHEW'S SCHOOL continued to have  
5 inadequate security and to lag far behind other similar private schools and local public schools.  
6 The 2017 Committee engaged an external security consultant firm (Chameleon Associates) to  
7 analyze security issues at the school and provide recommendations. Chameleon Associates'  
8 findings and report were consistent with the 2016 Committee's concerns and conclusions.

9           29.     More specifically, based on feedback from Extended Care staff and parents,  
10 Defendant Head of School GALLES, Defendant ST. MATTHEW'S CHURCH and Defendant ST.  
11 MATTHEW'S SCHOOL were well aware at the end of the 2015/2016 school year that Extended  
12 Care staffing, policies and procedures were inadequate, and would be even more overwhelmed in  
13 the 2016/2017 school year when a significantly larger number of students were expected to use  
14 Extended Care. Notwithstanding this awareness of the safety issues posed by Extended Care,  
15 Defendant Head of School GALLES, Defendant ST. MATTHEW'S CHURCH and Defendant ST.  
16 MATTHEW'S SCHOOL did not improve supervision and safety and replaced staff who had some  
17 experience in group child care with staff who had no experience or training.

18           30.     Father Eric Hinds, the Rector of Defendant ST. MATTHEW'S CHURCH, was  
19 sufficiently concerned about the lack of focus on security and safety relating to child abuse that in  
20 February 2017 he engaged an outside organization called Praesidium to present a program on  
21 recognizing and preventing child sexual abuse (the "Abuse Training"). The Abuse Training was a  
22 half-day session that covered, among other things, mandated reporting requirements, what  
23 grooming is, and how to identify and recognize grooming and surreptitious sexual conduct. Father  
24 Eric invited members of the Vestry of Defendant ST. MATTHEW'S CHURCH, members of the  
25 Board of Trustees of Defendant ST. MATTHEW'S SCHOOL, members of the Security  
26 Committee organized by Defendant ST. MATTHEW'S SCHOOL and select other members of the  
27 church and school community, including Defendant Head of School GALLES. Defendant Head  
28 of school GALLES and members of the Board of Trustees of Defendant ST. MATTHEW'S

1 SCHOOL attended the training. Father Hinds stated that he organized the Abuse Training because  
2 the risk of “internal threats” – abuse of children perpetrated by employees or other members of the  
3 community – was a greater threat than the risk of “external threats” from outsiders, and he was  
4 concerned that with all the focus on external threats, preparation for and awareness of internal  
5 threats had been inadequate. Although Father Eric and the vestry of Defendant ST.  
6 MATTHEW’S CHURCH supervise and have authority over Defendant Head of School GALLES  
7 and the Board of Trustees of ST. MATTHEW’S SCHOOL, Father Eric and the vestry of  
8 Defendant ST. MATTHEW’S CHURCH made no effort to follow up or demand greater safety  
9 measures.

10 31. On September 20, 2016 the Working Parent Group (WPG), an organization of  
11 parents sponsored by Defendant ST. MATTHEW’S SCHOOL, met with Head of School  
12 GALLAS and a member of the Board of Trustees. During this meeting, the WPG co-chairs  
13 provided several examples and names of individual parents reaching out to WPG with Extended  
14 Care complaints. They also informed Head of School GALLES of the following:

15 Multiple parent complaints of Extended Care staff failing to check adult identification at  
16 pickup;

17 A Board member’s son was left on the curb for an hour because the Extended Care staff  
18 failed to bring him inside after parent pickup concluded;

19 Extended Care staff were not requiring the children to go to their registered Extended Care  
20 classes;

21 Extended Care staff never knew the location of the children when parents came to pickup  
22 and the Extended Care staff require the parents to walk around and find their children;

23 The Extended Care staff did not seem to be trained on emergency and safety protocols; and

24 Request for written protocol and procedures relating to child check in/check out, tracking  
25 the children and Extended Care staff training for accidents, illness and emergency in  
26 Extended Care.

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1           32.    In addition, employees of the Defendant ST. MATTHEW'S SCHOOL Extended  
2 Care staff members repeatedly complained to Defendant ST. MATTHEW'S SCHOOL  
3 administration:

4                    about their inability to monitor the children;

5                    that during Extended Care staff didn't know where the kids were;

6                    that there were not enough Extended Care staff employees; and

7                    were tired of the problems and resulting parent complaints.  
8

9           33.    In response, incredibly, Defendant ST. MATTHEW'S SCHOOL employee Head of  
10 School GALLES said she had "higher priorities" and failed to address the safety issues raised by  
11 ST. MATTHEW'S SCHOOL parents and ST. MATTHEW'S SCHOOL Extended Care staff  
12 employees.

13           34.    Defendant ST. MATTHEW'S SCHOOL employees, including Head of School  
14 GALLES knew of and/or received reports of numerous instances of security failings and had  
15 actual knowledge that children as young as six were regularly and routinely unsupervised, and had  
16 unrestricted ability to roam around the school unsupervised. For example:

17                    "Bathroom dance party" – in the fall of 2016, mother Milly Doe, a parent at the  
18 school, arrived to pick up her 2<sup>nd</sup> grade daughter from Extended Care. The  
19 Extended Care staff informed her that her daughter had gone to the bathroom  
20 earlier but did not know where she was. Milly Doe found her daughter and several  
21 other students in the bathroom playing, unsupervised in what they called a  
"bathroom dance party," which had been underway for a significant amount of  
time. Extended Care staff was not able monitor the students' location or the time  
they were gone. Head of School GALLES was notified about this issue.

22                    In the fall of 2016, an Extended Care kindergarten student was observed by a  
23 parent wandering around the school unsupervised. This child was in a part of the  
24 school that was dark and not in use, and had direct access to two unmonitored exits  
and an industrial kitchen. Head of School GALLES was notified about this issue.

25                    In the fall of 2016, a parent arrived at school to pick up her children, (third grader  
26 and kindergartner), only to find that they were not checked in to Kinderlime, and  
27 Extended Care staff did not know if the children were at school. The Mother had to  
search the ST. MATTHEW'S SCHOOL campus for her children and find them  
28 herself. Head of School GALLES was notified about this issue.

1 In the spring of 2017, Marie Doe, a parent at the school, arrived to pick up her child  
2 from Extended Care. A different kindergarten child attempted to leave the building  
3 with Marie Doe and Extended Care staff made no effort to prevent the child from  
4 leaving. Marie Doe instructed the child to go back into the Extended Care room.  
5 Head of School GALLES was notified about this issue.

6 In the spring of 2017, two children were injured on the ST. MATTHEW'S  
7 SCHOOL playground. Only one Extended Care staff was available, and the  
8 Extended Care staff could only attend to one of the injured children. Two second  
9 grade children decided to care for the second child and entered the ST.  
10 MATTHEW'S SCHOOL unsupervised and went to the kitchen to retrieve ice from  
11 the industrial freezer units. The freezer units are located in the kitchen, which has  
12 unsafe appliances and kitchen tools, and has direct access to an unmonitored exit.  
13 Extended Care staff observed the students' actions and praised them for it. Head of  
14 School GALLES was notified about this issue.

15 In March 2017, Plaintiff and a number of other students were on the playground for  
16 official Extended Care. Plaintiff fell from the monkey bars on the playground  
17 during Extended Care and broke her wrist. No Extended Care staff was on the  
18 playground at the time and the child was left without assistance or medical care.

19 In the spring of 2017, a second grade child went to normal after school pickup on a  
20 day when the child was supposed to attend Extended Care. A teacher escorted the  
21 child inside to see if the child's parents had emailed about pickup. Upon finding  
22 that the parents had not emailed, the child was instructed to go to Extended Care,  
23 and was sent unsupervised. The 8 year old elected not to go to Extended Care and  
24 instead wandered around the school. When the child's parent arrived to pick the  
25 child up, the parent was informed by Extended Care staff that the child was not at  
26 school. The parent was then instructed to look around to see if the parent could  
27 find the child. Head of School GALLES was notified about this issue.

28 In the spring of 2017, a pre-kindergarten child was lost for an extended period of  
time. Extended care staff was not able to locate the child and believed parents had  
picked the child up already. Head of School GALLES was notified about this  
issue.

On March 16, 2017, Sarah Doe reported to Mary Doe that "I found two  
kindergarten kids roaming the halls... I'm to my wits end. Can't we just email  
someone and say Pleaseeeee [sic] can we just get 100% attention for 3 hours. The  
Extended Care staff is constantly on their personal phones. Unacceptable...  
Head of School GALLES was notified about this issue.

On March 15, 2017 a parent went to pick up her daughter, who was not on the  
playground. Extended Care staff said she was in the library. The parent said, no, I  
was just there. Extended Care staff then said that the daughter was watching the  
rehearsal for the school play but then opened the door and saw that rehearsal was  
over. The parent asked, where is she? Extended Care staff said she didn't know,  
but that her friend was gone also. The parent found the girls unsupervised in one of

1 the ST. MATTHEW'S SCHOOL bathroom, and felt that staff being okay with not  
2 knowing where the girls were and not showing any emotion – concern,  
3 befuddlement, frustration – was very disturbing. Head of School GALLES was  
4 notified about this issue

5 35. Defendant ST. MATTHEW'S SCHOOL had actual knowledge that young children  
6 were regularly and routinely unsupervised. Defendant ST. MATTHEW'S SCHOOL's security  
7 failings were so well known by school officials that after the arrest of Pre-K Teacher Mr.  
8 ANTHONY, a ST. MATTHEW'S SCHOOL Board Member actually disclosed: "we knew it was  
9 only a matter of time before something awful happened in aftercare."

10 36. During the period of time Defendant ST. MATTHEW'S SCHOOL employed Pre-  
11 K Teacher Mr. ANTHONY and prior to Defendant Pre-K Teacher Mr. ANTHONY's arrest for  
12 multiple acts of child abuse against Defendant ST. MATTHEW'S SCHOOL students, multiple  
13 Defendant ST. MATTHEW'S SCHOOL employees, including Head of School GALLES, were  
14 aware of Pre-K Teacher Mr. ANTHONY's improper conduct with ST. MATTHEW'S SCHOOL  
15 students.

16 **Off Campus Activity**

17 Defendant Pre-K Teacher Mr. ANTHONY engaged in improper conduct with a 6<sup>th</sup> grader,  
18 who participated on a sports team coached by Pre-K Teacher Mr. ANTHONY. Without  
19 the approval of the student's parents and without notifying the parents, Pre-K Teacher Mr.  
20 ANTHONY took the student off campus for ice cream. The above conduct was known by  
21 multiple Defendant ST. MATTHEW'S SCHOOL employees, including Head of School  
22 GALLES.

23 **1:1 Time With Child Who Was Not In Extended Care Program**

24 Prior to Defendant Pre-K Teacher Mr. ANTHONY's arrest, ST. MATTHEW'S SCHOOL  
25 Extended Care reported that during the Extended Care program Pre-K Teacher Mr.  
26 ANTHONY had a young girl with him. Staff believed the young girl was not on the  
27 enrichment list and not in aftercare. Pre-K Teacher Mr. ANTHONY told staff that the girl  
28 was going to "help him set things up in the classroom" and that "he was going to have the  
girl stay in class with him."

**1:1 Time And Infatuation With Being With Children**

It was known to multiple Defendant ST. MATTHEW'S SCHOOL employees, including  
Head of School GALLES, that Defendant Pre-K Teacher Mr. ANTHONY was far more  
active with Defendant ST. MATTHEW'S SCHOOL students (than other teachers) and  
created opportunities to spend as much time as possible with children. For example,  
Defendant Pre-K Teacher Mr. ANTHONY, taught Enrichment Classes, coached sports, led  
holiday camps for students and babysat students. A fascination and constant desire to be  
around children is a classic warning sign of a pedophile. In a meeting after Defendant

1 Pre-K Teacher Mr. ANTHONY was arrested, Head of School GALLES stated that Pre-K  
2 Teacher Mr. ANTHONY was far more involved with the children than other teachers and  
3 that in hindsight that it was obvious, but that "but how would the school have known to  
4 watch for that" and "how could they have seen it before." The ST. MATTHEW'S  
5 SCHOOL's failure to monitor excessive activity by staff with students is alarming because  
6 this topic was specifically addressed at a child abuse prevention program presented and  
7 attended by Head of School GALLES. The training highlighted that a strong desire to be  
8 with children as a common warning sign of abuse and one that must be monitored. In spite  
9 of this being a warning sign that any educator should be aware of, and in spite of being  
10 specifically informed about this warning sign, Head of School GALLES and Defendant  
11 ST. MATTHEW'S SCHOOL employees made no effort to monitor staff interactions with  
12 students or to monitor teachers who showed a desire to spend excess time with children.

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**Physical Contact: Bear Hugs**

Defendant ST. MATTHEW'S SCHOOL employee, teacher Tammy, reported to other employees (including Head of School GALLES) of Defendant ST. MATTHEW'S SCHOOL, that Defendant Pre-K Teacher Mr. ANTHONY's conduct was alarming. On numerous occasions Defendant ST. MATTHEW'S SCHOOL employee, teacher Tammy observed that Defendant Pre-K Teacher Mr. ANTHONY giving the Defendant ST. MATTHEW'S SCHOOL children very prolonged bear hugs, at times in excess of 20 minutes. Defendant ST. MATTHEW'S SCHOOL employee, teacher Tammy, was shocked by this highly inappropriate behavior and reported it to Defendant ST. MATTHEW'S SCHOOL employees, including Head of School GALLES.

In addition Defendant ST. MATTHEW'S SCHOOL employee, teacher Tammy observed and reported that Defendant Pre-K Teacher Mr. ANTHONY, gave prolonged "bear hugs" to at least three Defendant ST. MATTHEW'S SCHOOL children. At times, while Defendant Pre-K Teacher Mr. ANTHONY was giving the "bear hugs" to the children, they were visibly crying and trying to escape Defendant Pre-K Teacher Mr. ANTHONY's "bear hug." On other occasions, Defendant Pre-K Teacher Mr. ANTHONY, removed at least two other children out of class and gave them "bear hugs" in either the hallway or on play yard.

**Physical Contact: The House Game**

On numerous occasions during the school day and/or the extended program, (with the encouragement of Defendant Pre-K Teacher Mr. ANTHONY) Defendant ST. MATTHEW'S SCHOOL children (girls) played "house" with Pre-K Teacher Mr. ANTHONY, wherein Pre-K Teacher Mr. ANTHONY would be the dad, would lay on the ground and let the girls climb on him. The above conduct was known by multiple Defendant ST. MATTHEW'S SCHOOL employees, including Head of School GALLES.

**Physical Contact: The Twister Game**

On numerous occasions during the school day and/or the extended program, (with the encouragement of Defendant Pre-K Teacher Mr. ANTHONY) Defendant ST. MATTHEW'S SCHOOL children played "twister" with Pre-K Teacher Mr. ANTHONY, wherein Pre-K Teacher Mr. ANTHONY would have physical contact with school children. The above conduct was known by multiple Defendant ST. MATTHEW'S SCHOOL employees, including Head of School GALLES.

1           **Physical Contact: The Wolf game**

2           On numerous occasions during the school day and/or the extended program, (with the  
3           encouragement of Defendant Pre-K Teacher Mr. ANTHONY) Defendant ST.  
4           MATTHEW'S SCHOOL children played "Wolf" with Pre-K Teacher Mr. ANTHONY,  
5           wherein Pre-K Teacher Mr. ANTHONY would have physical contact with school children.  
6           The ST. MATTHEW'S SCHOOL child who was the "winner" of the "Wolf" game would  
7           be "rewarded" by crawling under a blanket that Pre-K Teacher Mr. ANTHONY had spread  
8           across his lap. The above conduct was known by multiple Defendant ST. MATTHEW'S  
9           SCHOOL employees, including Head of School GALLES.

10           **The Kissing Game**

11           On numerous occasions during the school day and/or the extended program, (with the  
12           encouragement of Defendant Pre-K Teacher Mr. ANTHONY) Defendant ST.  
13           MATTHEW'S SCHOOL children played "kissing game," wherein Pre-K Teacher Mr.  
14           ANTHONY assigned students to an opposite sex partner and were instructed to pretend to  
15           get married and to pretend to kiss. The above conduct was known by multiple Defendant  
16           ST. MATTHEW'S SCHOOL employees, including Head of School GALLES.

17           **Nicknames**

18           Defendant Pre-K Teacher Mr. ANTHONY publicly and openly engaged in "grooming"  
19           behavior to help him identify and target as many as a dozen ST. MATTHEW'S SCHOOL  
20           children. For example, Pre-K Teacher Mr. ANTHONY had nicknames for all the school  
21           children in his class and for other children who he groomed, including Plaintiff MA DOE.  
22           The nicknames were posted in his classroom and were known by multiple Defendant ST.  
23           MATTHEW'S SCHOOL employees, including Head of School GALLES. The use of  
24           nicknames is a grooming technique that should have been recognized as a red flag of child  
25           abuse.

26           Pre-K Teacher Mr. ANTHONY also had the children call him "Teacher Anthony" instead  
27           of Mr. Satriano, the standard practice for teachers at Defendant ST. MATTHEW'S  
28           SCHOOL. The use of informal names is a grooming technique.

          After Defendant Pre-K Teacher Mr. ANTHONY was allowed to resign, the Defendant ST.  
          MATTHEW'S SCHOOL employee who took over his class disclosed that she believed  
          that the nicknames were inappropriate, that she was alarmed by the intimate nature of Pre-  
          K Teacher Mr. ANTHONY's use of nicknames and that she quickly stopped using  
          nicknames in ST. MATTHEW'S SCHOOL.

          This teacher also found small toys, raffle tickets and trinkets in the storage closet in the  
          classroom used by Pre-K Teacher Mr. ANTHONY, and a number of teachers noted that  
          Pre-K Teacher Mr. ANTHONY gave tickets, play gems and other small toys to students.  
          This teacher expressed the opinion that these items were used as part of Pre-K Teacher Mr.  
          ANTHONY's grooming of students, an opinion that was shared by the investigating police  
          officer. This grooming occurred publicly and openly, where any administrator of  
          Defendant ST. MATTHEW'S SCHOOL could observe it.

1           37.     During the period of time Defendant ST. MATTHEW'S SCHOOL employed Pre-  
2 K Teacher Mr. ANTHONY and prior to Defendant Pre-K Teacher Mr. ANTHONY's arrest for  
3 multiple acts of child abuse against Defendant ST. MATTHEW'S SCHOOL students, multiple  
4 Defendant ST. MATTHEW'S SCHOOL employees knew that ST. MATTHEW'S SCHOOL  
5 parents, including the parents of MA DOE, reasonably relied on the ST. MATTHEW'S SCHOOL  
6 to provide a safe environment for their children, and that is especially true from a small, expensive  
7 private school like the ST. MATTHEW'S SCHOOL. Also, parents reasonably relied on ST.  
8 MATTHEW'S SCHOOL administration to be truthful and honest about the steps that ST.  
9 MATTHEW'S SCHOOL was making to ensure that children attending ST. MATTHEW'S  
10 SCHOOL were safe. ST. MATTHEW'S SCHOOL employees, including Head of School  
11 GALLES either negligently or willfully misled ST. MATTHEW'S SCHOOL parents and  
12 negligently misrepresented that "security upgrades" were being made at ST. MATTHEW'S  
13 SCHOOL.

14           38.     Head of School GALLES frequently promised that security changes were made.  
15 Thereafter, when ST. MATTHEW'S SCHOOL parents learned that Head of School GALLES'  
16 assurances were false, Head of School GALLES would then offer excuses and assure the ST.  
17 MATTHEW'S SCHOOL parents that security improvements were imminent, when Head of  
18 School GALLES knew they were not. Some examples of ST. MATTHEW'S SCHOOL and Head  
19 of School GALLES falsehoods included:

20           Head of School GALLES assured parents that a ST. MATTHEW'S SCHOOL Extended  
21 Care supervisor would be hired to oversee ST. MATTHEW'S SCHOOL Extended Care  
22 and to monitor the Enrichment Classes. When the ST. MATTHEW'S SCHOOL Extended  
23 Care supervisor was finally hired, the "supervisor" was immediately transitioned into  
24 another role and not replaced.

25           Head of School GALLES assured parents repeatedly that changes were forthcoming to  
26 ensure parents could contact ST. MATTHEW'S SCHOOL Extended Care by telephone  
27 and that Extended Care staff could contact each other by wireless radio. This was false.

28           Head of School GALLES repeatedly stated that ST. MATTHEW'S SCHOOL Kinderlime  
would be able to track children as they moved between locations at the school, and that  
Kinderlime could be used to determine where a student was on campus. This was false.



1 Head of School GALLES repeatedly stated that ST. MATTHEW'S SCHOOL's  
2 Extended Care policies and procedures were forthcoming. This was false. In fact,  
3 ST. MATTHEW'S SCHOOL's Extended Care policies and procedures were not  
prepared for many months after Defendant Pre-K Teacher Mr. ANTHONY's arrest.

4 39. Defendant ST. MATTHEW'S SCHOOL employees violated a multitude of express  
5 requirements of The California Department of Social Services, Community Care Licensing  
6 Division.

7 To ensure that young children have proper supervision and monitoring, California  
8 law requires that child care programs be supervised by a "qualified" teacher with a  
9 legally mandated amount of relevant education and experience. Defendant ST.  
10 MATTHEW'S SCHOOL failed to have the legally required "qualified" teacher  
11 supervision for Extended Care. In August 2015, the ST. MATTHEW'S SCHOOL  
12 Extended Care Director, who was a "qualified" teacher, left the employment of ST.  
13 MATTHEW'S SCHOOL. Afterwards, specifically during the  
14 period of time Defendant ST. MATTHEW'S SCHOOL employed  
15 Pre-K Teacher Mr. ANTHONY and prior to Defendant Pre-K Teacher  
16 Mr. ANTHONY's arrest for multiple acts of child abuse against  
Defendant ST. MATTHEW'S SCHOOL students, the ST. MATTHEW'S  
SCHOOL failed to employ any "qualified" teachers to oversee Extended Care as  
specifically required by 22 CCR § 101158 (in order to avoid licensing as a child  
care program, a school-run after school program must  
be operated by the school and run by qualified teachers employed by  
the school or the school district.)

17 **Type A Citation**  
18 After completing random annual inspection, The California  
19 Department of Social Services, Community Care Licensing Division,  
20 on or about October 2, 2016, issued Defendant ST. MATTHEW'S  
21 SCHOOL a Type A Citation (Section 101170(e)(2)) for Criminal  
Record Clearance violation. Prior to working or volunteering in a  
licensed child care facility, all individuals subject to a criminal  
record review shall request s transfer of criminal record clearance  
from another facility or Trustline. LPA observed a staff (S1) who  
has fingerprint clearance, but is not associated with the facility.

22 **Type A Citation**  
23 On or about August 25, 2017, The California Department of Social  
24 Services, Community Care Licensing Division, issued Defendant  
25 ST. MATTHEW'S SCHOOL a Type A Citation (Section  
101223(a)(1)) for Personal Rights violation. Each child shall be  
accorded dignity in his/her personal relationships with staff, and  
other persons. S1 has been arrested and charged with 16 felony  
counts involving inappropriate photos of children in care.

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**Type B Citation**

On or about August 25, 2017, The California Department of Social Services, Community Care Licensing Division, issued Defendant ST. MATTHEW'S SCHOOL a Type B Citation (Section 101212(d) for Reporting Requirement violation. A report shall be made to the Department within 24 hours of the occurrence of any unusual incident as specified. "All evidence supports that S1 sexually abused children in care. S1 has been arrested and charged with 16 felony counts. In addition, interviews and evidence support that the school failed to report to the department that an investigation with the police department was taking place." Facility failed to report to the Department (CCL) that the San Mateo Police Department was conducting an investigation.

Defendant ST. MATTHEW'S SCHOOL failed to obtain fingerprints from an Extended Care teacher and only identified this failure after the arrest of Defendant Pre-K Teacher Mr. ANTHONY.

40. Defendant ST. MATTHEW'S SCHOOL failed to train and educate its employees, including Head of School GALLES as to the express written reporting requirements of The California Department of Social Services, Community Care Licensing Division. In an undated "Dear ECC families," letter concerning the citations issued to ST. MATTHEW'S SCHOOL, Head of School GALLES stated (in part):

...we did not also call CCL, falsely assuming that the government agencies would communicate with each other.

41. In addition to the multiple violations and citations issued by The California Department of Social Services, Community Care Licensing Division, ST. MATTHEW'S SCHOOL employees failed to comply with the express written requirements of the Child Abuses and Neglect Reporting Act. At all relevant time ST. MATTHEW'S SCHOOL employees, including Head of School GALLES, were all mandated reporters of reasonable suspicion of child abuse, as expressly stated in the California Penal Code. The Child Abuse and Neglect Reporting Act (California Penal Code sections 11164 – 11174.3) expressly required:

The mandated reporter shall make an initial report by telephone to the agency immediately or as soon as is practically possible, and shall prepare and send, fax, or electronically transmit a written follow up report within 36 hours of receiving the information concerning the incident. 11166(a).

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1           42.     On April 4 at 10:46pm, ST. MATTHEW'S SCHOOL parent Paul Doe first notified  
2 (via electronic mail) Head of School GALLES about Defendant Pre-K Teacher Mr. ANTHONY's  
3 conduct. Paul Doe wrote:

4           Hi Julie,

5           Would you please let us know a time we can come in and talk tomorrow? We have an  
6 important teacher related issue that has come to our attention.

7           43.     The next day (April 5, at 7:32 a.m.) Head of School GALLES, responded:

8           Unfortunately, I am fully booked today from 7:45-4:45, when I have to head up to the City  
9 for a meeting. I am including Marilyn here to help us find a time to meet or talk on the  
10 phone soon. I have more availability tomorrow. If this is a teacher concern, have you  
11 already reached out to the appropriate division director?

12           44.     At 7:53 a.m., Paul Doe, responded and made clear to Defendant GALLES that the  
13 issue involved potential abuse by a teacher and was very serious:

14           This relates to potential abuse-related behavior by a teacher. Given the sensitivity and  
15 seriousness of the matter, I think it's appropriate to bring to you first. I've removed  
16 Marilyn from this email and will respond to the other to work on timing.

17           45.     At 8:56 a.m. Head of School GALLES responded:

18           OK, thank you for the further info. I will try to call you in between my meetings today. I  
19 assume your cell is the best number?

20           46.     Head of School GALLES made no attempt to contact Paul Doe immediately, or  
21 even promptly. Finally, at 12:55 p.m. Head of School GALLES, telephoned parent Paul Doe. In  
22 the 13 minute telephone call, parent Paul Doe disclosed:

- 23           1. On multiple different school days, Defendant Pre-K Teacher  
24 Mr. ANTHONY asked MA DOE (and 1 other student) to wear tights so he  
25 could take pictures of them together;
- 26           2. That on another day, Defendant Pre-K Teacher Mr. ANTHONY  
27 brought tights to ST. MATTHEW'S SCHOOL and gave MA DOE and  
28 requested her to undress, put the tights on in order for her to be photographed  
by Pre-K Teacher Mr. ANTHONY;
3. That as a result of Pre-K Teacher Mr. ANTHONY's conduct,  
MA DOE was extremely upset and hysterical, experienced stomach problems  
and experienced inability to calm down and experienced issues of going to  
sleep and staying asleep;

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4. That he (Parent Paul Doe) and Head of School GALLES had just attended child abuse training and that this looks like classic grooming behavior. Paul Doe noted that MA DOE is very upset, and that the parents and school do not know what else Pre-K Teacher Mr. ANTHONY might have done or if there are other kids he might have done this with.

47. Even though employee, Head of School GALLES recently attended Abuse Training that detailed Head of School GALLES's duties as a mandated reporter, parent Paul Doe believed that Head of School GALLES had no intent to contact the local law enforcement agency or the local child welfare agency as required by law. Head of School GALLES responded:

"I'm sure he'll be horrified that she (MA DOE) is upset and will want to apologize."

and

"I'll talk to him (Pre-K Teacher Mr. ANTHONY) and let him know that it upset her and everyone needs some distance."

48. In response to Head of School GALLES's statement that she would talk to Pre-K Teacher Mr. ANTHONY, parent Paul Doe expressed that he was alarmed and concerned that Head of School GALLES did not immediately recognize the possibility that the conduct reported by MA DOE was just a small part of what Pre-K Teacher Mr. ANTHONY did to her, especially since a main topic of the Sex Abuse training was that children often are uncomfortable talking about abuse and will only tell the full story over time. Paul Doe also expressed that he was alarmed that Head of School GALLES seemed to have no interest in determining whether Pre-K Teacher Mr. ANTHONY had engaged in similar behavior with other children, or had other issues that might be concerning in light of the information from MA DOE. Only after a pointed discussion did Head of School GALLES agree to talk to school Human Resources and consider whether further consideration of Pre-K Teacher Mr. ANTHONY's conduct was warranted.

49. After the telephone call, parent Paul Doe contacted the assistant to Head of School GALLES and scheduled an April 6<sup>th</sup> meeting with Head of School GALLES and parents Paul Doe and Mary Doe.

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1           50.    At 4:43 p.m., Head of School GALLES transmitted an electronic mail and  
2 attempted to cancel the meeting scheduled for the next day and indicating that Head of School  
3 GALLES intended to investigate this matter prior to contacting law enforcement, in express  
4 violation of guidance provided by the State of California:

5                         Since speaking with you, I have informed Cherie as the school's HR representative,  
6 contacted the school's legal counsel, and had a call (with Cherie) with Praesidium,  
7 the firm who conducted the training that Paul Doe and I attended with the other  
8 Board, Vestry, and Security Committee members. I have also spoken with  
9 [Redacted: Parents of other victim] to get their input.

10                        At the moment, I am still gathering information, but I have initiated a full  
11 investigation into this matter, which I am taking very seriously. To this end, if there  
12 is any further information that you have, learn, or remember, I would appreciate  
13 you passing that along. I see that you are on my calendar for tomorrow; if there is  
14 new information, I am happy to keep that meeting. However, I will not have new  
15 information for you at that point, since it will take us some time to conduct our  
16 investigation. To the extent that I can, given privacy protections of all involved  
17 parties, I will keep you informed of our progress.

18           51.    At the time of the transmission of her electronic mail ST. MATTHEW'S SCHOOL  
19 employee and mandated reporter Head of School GALLES, choose not to contact law enforcement  
20 and instead "initiated a full investigation into this matter" before determining whether to contact  
21 law enforcement. The California Child Abuse and Neglect Reporting Act for mandated reporters  
22 makes clear that immediate reporting is required (by the California Penal Code), and that reporting  
23 must not be delayed to conduct an internal investigation.

24                         Q: How much proof do I need to provide that abuse or neglect has occurred?

25                         A: No proof of abuse or neglect is needed, only "reasonable suspicion" that child  
26 abuse or neglect may have occurred. If you are at all concerned about the  
27 possibility of abuse or neglect, you should report. Investigations will be conducted  
28 by law enforcement and/or the county child welfare department to determine if  
abuse or neglect has occurred. Delayed reporting while awaiting further  
information may hinder investigation by the appropriate agencies.

52.    Parent Paul Doe responded to Head of School GALLES's attempt to cancel the  
April 6<sup>th</sup> meeting and informed Head of School GALLES that he and Mary Doe would not cancel  
their meeting with Head of School GALLES. Only after Head of School GALLES realized that

1 Mary Doe and Paul Doe would not relent and intended to follow up on the matter, did the ST.  
2 MATTHEW'S SCHOOL finally contact the police after an extended delay that was well in excess  
3 of 24 hours.

4 **FIRST CAUSE OF ACTION**

5 **Negligence**

6 **(Against Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH**  
7 **Defendant ST. MATTHEW'S SCHOOL and Defendant Head of School GALLES and**  
8 **Defendants ROES 6-30)**

9 53. Plaintiff MA DOE realleges and incorporates herein by reference each and every  
10 General Allegation as if fully set forth herein and with the same force and effect.

11 54. At all times, Defendant Pre-K Teacher Mr. ANTHONY was under the direction,  
12 supervision and control of Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH,  
13 Defendant ST. MATTHEW'S SCHOOL, Defendant Head of School GALLES and ROES 6  
14 through 30 and was otherwise their agent.

15 55. By establishing, staffing, and/or operating ST. MATTHEW'S SCHOOL and after  
16 school programs and encouraging the membership and instruction of Plaintiff MA DOE in school  
17 and after school programs to be safe environments for learning and growth, Defendant DIOCESE,  
18 Defendant ST. MATTHEW'S CHURCH, Defendant ST. MATTHEW'S SCHOOL, Defendant  
19 Head of School GALLES and ROES 6 through 30 entered into an express and/or implied duty to  
20 provide a reasonably safe environment for children, including Plaintiff MA DOE.

21 56. Plaintiff MA DOE attended ST. MATTHEW'S CHURCH and ST. MATTHEW'S  
22 SCHOOL. By having minor children, including Plaintiff MA DOE, attend ST. MATTHEW'S  
23 CHURCH and ST. MATTHEW'S SCHOOL, each and every Defendant (Defendant DIOCESE,  
24 Defendant ST. MATTHEW'S CHURCH, Defendant ST. MATTHEW'S SCHOOL and Defendant  
25 Head of School GALLES and ROES 6 through 30) agreed to provide a safe environment for  
26 children, including Plaintiff MA DOE.

27 57. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
28 MATTHEW'S SCHOOL, Defendant Head of School GALLES and ROES 6 through 30 further  
assumed this duty by holding Defendant Pre-K Teacher Mr. ANTHONY out to the public.

1 including Plaintiff MA DOE and her family, as an admired, competent and trustworthy teacher.  
2 Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST. MATTHEW'S  
3 SCHOOL, Defendant Head of School GALLES and ROES 6 through 30 accepted, trained, failed  
4 to train, failed to supervise, negligently employed and/or controlled Defendant Pre-K Teacher Mr.  
5 ANTHONY.

6 58. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
7 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 knew  
8 that parents put faith and trust in their teachers, employees, volunteers and agents. Further,  
9 Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST. MATTHEW'S  
10 SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 knew and allowed  
11 those parents to trust Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant  
12 ST. MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30  
13 employees, teachers, volunteers and agents to care for their children's well-being, which in turn  
14 provides the employees, volunteers and agents with opportunities to undermine that trust.

15 59. Grooming, a process by which a sex offender draws a victim into a sexual  
16 relationship and maintains that relationship in secrecy, was employed by Pre-K Teacher Mr.  
17 ANTHONY. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
18 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 were  
19 aware that grooming (for the purposes of committing acts of childhood sexual abuse) by its  
20 employees could occur on its premises.

21 60. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
22 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30  
23 negligently failed to adopt child protection policies and/or failed to enforce child protection  
24 policies, when Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
25 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 knew  
26 or had reason to know that Defendant Pre-K Teacher Mr. ANTHONY posed a threat of childhood  
27 sexual abuse to minor students including Plaintiff MA DOE.





1 Teacher Mr. ANTHONY was a dangerous and unfit agent. Despite such knowledge, Defendants  
2 negligently supervised and retained Defendant Pre-K Teacher Mr. ANTHONY in positions of  
3 trust and authority as a teacher.

4 67. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
5 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 knew,  
6 or had reason to know, that Defendant Pre-K Teacher Mr. ANTHONY was acting inappropriately  
7 with minor students, including Plaintiff MA DOE. Defendant DIOCESE, Defendant ST.  
8 MATTHEW'S CHURCH, Defendant ST. MATTHEW'S SCHOOL and Defendant Head of  
9 School GALLES and ROES 6 through 30 failed to supervise Defendant Pre-K Teacher Mr.  
10 ANTHONY and continued to employ Defendant Pre-K Teacher Mr. ANTHONY despite evidence  
11 that his conduct was inappropriate.

12 68. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
13 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 knew  
14 or had reason to know, of Defendant Pre-K Teacher Mr. ANTHONY's dangerous and exploitive  
15 propensities and/or that Defendant Pre-K Teacher Mr. ANTHONY was a dangerous and unfit  
16 agent. Defendants knew, or had reason to know, that Defendant Pre-K Teacher Mr. ANTHONY  
17 was acting inappropriately with minor students, including Plaintiff MA DOE. Despite such  
18 knowledge, Defendants negligently failed to supervise, and/or provide reasonable supervision of  
19 Defendant Pre-K Teacher Mr. ANTHONY. Defendant Pre-K Teacher Mr. ANTHONY was  
20 thereby able to abuse his positions of trust and authority so as to commit wrongful acts against the  
21 Plaintiff MA DOE. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant  
22 ST. MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30  
23 allowed Defendant Pre-K Teacher Mr. ANTHONY to remain in positions of trust and authority.  
24 Defendant Pre-K Teacher Mr. ANTHONY was thereby able to abuse his positions of trust and  
25 authority so as to commit wrongful acts against Plaintiff MA DOE.

26 69. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
27 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30  
28 also failed to take reasonable measures to prevent further childhood sexual abuse of Plaintiff MA

1 DOE which could have been abated had Defendant DIOCESE, Defendant ST. MATTHEW'S  
2 CHURCH, Defendant ST. MATTHEW'S SCHOOL and Defendant Head of School GALLES and  
3 ROES 6 through 30 properly supervised Defendant Pre-K Teacher Mr. ANTHONY. Defendant  
4 DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST. MATTHEW'S SCHOOL  
5 and Defendant Head of School GALLES and ROES 6 through 30 breach was a substantial factor  
6 in Defendant Pre-K Teacher Mr. ANTHONY's childhood sexual abuse of Plaintiff MA DOE.

7 70. As a direct and proximate result of the above-described conduct, Plaintiff MA DOE  
8 was harmed and suffered physical, psychological, emotional and economic harm as more fully set  
9 forth below.

10 **THIRD CAUSE OF ACTION**  
11 **Negligent Supervision of Plaintiff MA DOE**  
12 **(Against Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH**  
13 **Defendant ST. MATTHEW'S SCHOOL and Defendant Head of School GALLES and**  
14 **Defendants ROES 6-30)**

15 71. Plaintiff MA DOE realleges and incorporates herein by reference each and every  
16 General Allegation as if fully set forth herein and with the same force and effect.

17 72. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
18 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 had a  
19 duty to provide reasonable supervision of Plaintiff MA DOE, a minor student at Defendant ST.  
20 MATTHEW'S SCHOOL and member of Defendant ST. MATTHEW'S CHURCH

21 73. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
22 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 by  
23 and through their agents, servants and employees, knew or had reason to know of Defendant Pre-  
24 K Teacher MR. ANTHONY's dangerous and exploitive propensities and/or that Defendant Pre-K  
25 Teacher Mr. ANTHONY was a dangerous and unfit agent.

26 74. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
27 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30  
28 allowed Defendant Pre-K Teacher Mr. ANTHONY to remain in positions of trust and authority.  
Defendant Pre-K Teacher Mr. ANTHONY was thereby able to abuse his positions of trust and

1 authority so as to commit wrongful acts against Plaintiff MA DOE. Despite such knowledge,  
2 Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST. MATTHEW'S  
3 SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 negligently allowed,  
4 assigned and instructed Defendant Pre-K Teacher Mr. ANTHONY and other employees to  
5 supervise Plaintiff MA DOE.

6 75. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
7 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30  
8 breach was a substantial factor in Defendant Pre-K Teacher Mr. ANTHONY childhood sexual  
9 abuse of Plaintiff MA DOE.

10 76. As a direct and proximate result of the above-described conduct, Plaintiff MA DOE  
11 was harmed and suffered physical, psychological, emotional and economic harm as more fully set  
12 forth below.

13 **FOURTH CAUSE OF ACTION**

14 **Negligent Failure to Comply with Express Requirements of the California Department of**  
15 **Social Services, Community Care Licensing and the California Penal Code**  
16 **(Against Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH**  
**Defendant ST. MATTHEW'S SCHOOL and Defendant Head of School GALLES and**  
**Defendants ROES 6-30)**

17 77. Plaintiff MA DOE realleges and incorporates herein by reference each and every  
18 General Allegation as if fully set forth herein and with the same force and effect.

19 78. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
20 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 are  
21 liable for the acts and omissions of its employees acting within the scope of their employment. At  
22 all times herein, Defendant ST. MATTHEW'S SCHOOL employees, including Head of School  
23 GALLES and Pre-K Teacher Mr. ANTHONY, were acting within the scope of their employment.

24 79. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
25 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 and  
26 its employees had a special relationship with Plaintiff MA DOE (a vulnerable child who was  
27 legally incapable of caring for herself) who was entrusted and placed in custody, care and control  
28 of Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST. MATTHEW'S

1 SCHOOL and Defendant Head of School GALLES and ROES 6 through 30.

2 80. Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH, Defendant ST.  
3 MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6 through 30 failed  
4 to satisfy the express requirements of 22 CCR § 101158 (The program offered by a school must be  
5 operated by the school and run by qualified teachers employed by the school or the school  
6 district.)

7 81. On or about October 2, 2016, Defendant ST. MATTHEW'S SCHOOL was cited by  
8 the California Department of Social Services, Community Care Licensing Division, and issued  
9 Defendant ST. MATTHEW'S SCHOOL a Type A Citation (Section 101170(e)(2)) for Criminal  
10 Record Clearance violation. Prior to working or volunteering in a licensed child care facility, all  
11 individuals subject to a criminal record review shall request s transfer of criminal record clearance  
12 from another facility or Trustline. LPA observed a staff (S1) who has fingerprint clearance, but is  
13 not associated with the facility.

14 82. On or about October 2, 2016, Defendant ST. MATTHEW'S SCHOOL was cited by  
15 the California Department of Social Services, Community Care Licensing Division, and issued  
16 Defendant ST. MATTHEW'S SCHOOL a Type A Citation (Section 101223(a)(1)) for Personal  
17 Rights violation. Each child shall be accorded dignity in his/her personal relationships with staff,  
18 and other persons. S1 has been arrested and charged with 16 felony counts involving  
19 inappropriate photos of children in care.

20 83. On or about August 25, 2017, Defendant ST. MATTHEW'S SCHOOL was cited  
21 by the California Department of Social Services, Community Care Licensing Division, and issued  
22 Defendant ST. MATTHEW'S SCHOOL a Type B Citation (Section 101212(d)) for Reporting  
23 Requirement violation. A report shall be made to the Department within 24 hours of the  
24 occurrence of any unusual incident as specified. "All evidence supports that S1 sexually abused  
25 children in care. S1 has been arrested and charged with 16 felony counts. In addition, interviews  
26 and evidence support that the school failed to report to the department that an investigation with  
27 the police department was taking place." Facility failed to report to the Department (CCL) that the  
28 San Mateo Police Department was conducting an investigation.

1 84. Defendant ST. MATTHEW'S SCHOOL failed to obtain fingerprints from an  
2 Extended Care teacher and only identified this failure after the arrest of Defendant Pre-K Teacher  
3 Mr. ANTHONY.

4 85. Defendant ST. MATTHEW'S SCHOOL by and through its mandated reporter  
5 employees violated The Child Abuse and Neglect Reporting Act (California Penal Code sections  
6 11164 – 11174.3).

7 86. Plaintiff MA DOE was within the class of persons specifically designed to be  
8 protected by the aforementioned regulations and code sections, and her injuries resulted from an  
9 occurrence of the nature which the statute was designed to prevent. Defendants' violations caused  
10 Plaintiff MA DOE harm more fully set forth below.

11 87. As a result of Defendant DIOCESE, Defendant ST. MATTHEW'S CHURCH,  
12 Defendant ST. MATTHEW'S SCHOOL and Defendant Head of School GALLES and ROES 6  
13 through 30's failures, Pre-K Teacher Mr. ANTHONY was able to commit acts of childhood  
14 sexual abuse against, ST. MATTHEW'S SCHOOL students, including Plaintiff MA DOE

15 88. As a direct and proximate result of the above-described conduct, Plaintiff MA DOE  
16 was harmed and suffered physical, psychological, emotional and economic harm as more fully set  
17 forth below.

18 **FIFTH CAUSE OF ACTION**

19 **Childhood Sexual Abuse**

20 **(Against Defendant Pre-K Teacher Mr. ANTHONY Only)**

21 89. Plaintiff MA DOE incorporates by reference all General Allegations as though  
22 fully set forth herein and with the same force and effect.

23 90. Defendant Pre-K Teacher Mr. ANTHONY engaged in illegal, harmful and  
24 offensive childhood sexual abuse (as defined by California Code of Civil Procedure section 340.1)  
25 for committing numerous acts of "Annoy or Molest a Child Under 18" (Penal Code section 647.6)  
26 and "Attempted lewd act upon a child, a serious felony" (Penal Code section 664/288).

27 91. Plaintiff MA DOE did not and could not consent to said childhood sexual abuse.  
28 The childhood sexual abuse was undertaken when Defendant Pre-K Teacher Mr. ANTHONY was

1 a teacher and employee of Defendant ST. MATTHEW'S SCHOOL and while in the course and  
2 scope of employment with Defendant ST. MATTHEW'S SCHOOL.

3 92. As a result of Defendant Pre-K Teacher Mr. ANTHONY's childhood sexual abuse  
4 of Plaintiff MA DOE, Plaintiff MA DOE was harmed and suffered physical, psychological,  
5 emotional and economic harm as more fully set forth below.

6 **SIXTH CAUSE OF ACTION**  
7 **Intentional Infliction of Emotional Distress**  
8 **(Against Defendant Pre-K Teacher Mr. ANTHONY Only)**

9 93. Plaintiff MA DOE incorporates herein by reference each and every allegation in the  
10 Fifth Cause of Action as if fully set forth herein and with the same force and effect.

11 94. Defendant Pre-K Teacher Mr. ANTHONY's criminal childhood sexual abuse of  
12 Plaintiff MA DOE as described above was outrageous and extreme.

13 95. In subjecting Plaintiff MA DOE to the criminal childhood sexual abuse and  
14 committing the acts herein alleged, Defendant Pre-K Teacher Mr. ANTHONY's conduct was  
15 outrageous. In addition, Defendant Pre-K Teacher Mr. ANTHONY acted willfully, maliciously,  
16 and with the intent to cause Plaintiff MA DOE emotional distress. In addition, Defendant Pre-K  
17 Teacher Mr. ANTHONY's criminal childhood sexual abuse was committed with conscious  
18 disregard of Plaintiff MA DOE's rights, so as to constitute malice and or oppression under  
19 California Civil Code Section 3294. Plaintiff MA DOE is therefore entitled to assert a claim for  
20 the recovery of punitive damages in an amount to be determined by the Court against this  
21 Defendant.

22 96. As a result of Defendant Pre-K Teacher Mr. ANTHONY's childhood sexual abuse  
23 of Plaintiff MA DOE, Plaintiff MA DOE suffered severe emotional distress.

24 97. Defendant Pre-K Teacher Mr. ANTHONY's childhood sexual abuse of Plaintiff  
25 MA DOE was a substantial factor in causing Plaintiff MA DOE severe emotional distress.

26 98. As a result of Defendant Pre-K Teacher Mr. ANTHONY's Intentional Infliction of  
27 Emotional Distress of Plaintiff MA DOE, Plaintiff MA DOE was harmed and suffered physical,  
28 psychological, emotional and economic harm as more fully set forth below.

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**DAMAGES**

99. As a direct, legal and proximate result of each and all of the Causes of Action hereinabove alleged, Plaintiff MA DOE has been damaged as herein below set forth.

100. Plaintiff MA DOE has suffered physical, psychological and emotional injury and harm, including not only the immediate distress caused by Defendants and their conduct, but also long-term psychological injuries which were to a large extent only latent at the time of the wrongful conduct, and which have developed and occurred, and will in the future continue to develop and occur in Plaintiff MA DOE, all to Plaintiff MA DOE's general damages in a sum to be proven. Plaintiff MA DOE has further suffered an exacerbation of any emotional difficulties, which pre-existed the harmful conduct of Defendants.

101. Plaintiff MA DOE has suffered physical, mental and emotional health problems as a result of which she has had to employ, and will in the future continue to have to employ, medical and mental health professionals for diagnosis and treatment and have incurred and will in the future continue to incur expenses therefor, in a sum as yet unascertained. Plaintiff MA DOE will ask leave of Court to amend this Complaint to state the exact amount of expenses when they are ascertained.

102. Plaintiff MA DOE has suffered and will in the future continue to suffer a loss of earnings and of earning capacity, in a sum as yet unascertained. Plaintiff MA DOE will ask leave of Court to amend this Complaint to state the exact amount of such losses when the sums are ascertained.

**WHEREFORE**, Plaintiff MA DOE for judgment as follows:

1. For damages for past and future medical, psychotherapy, and related expenses according to proof at the time of trial;
2. For general damages for physical pain and suffering, mental pain and suffering and emotional distress in a sum to be proven at the time of trial;
3. For damages loss of earning capacity according to proof at the time of trial;
4. For punitive damages against Defendant Pre-K Teacher Mr. ANTHONY;
5. Any appropriate statutory damages;

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- 6. For prejudgment interest pursuant to statute;
- 7. For costs of suit herein; and
- 8. For such other and further relief as the Court deems proper.

Dated: March 14, 2018

LAW OFFICES OF JOSEPH C. GEORGE, Ph.D.

By:   
\_\_\_\_\_  
Joseph C. George, Jr.  
Attorneys for Plaintiff  
**MA DOE**