

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

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LG 51 DOE

Plaintiff,

vs.

**SUMMONS**

GERALD P. HAYES  
68 Remington Place  
Buffalo, New York 14210

Defendant.

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TO THE ABOVE NAMED DEFENDANT:

**YOU ARE HEREBY SUMMONED** to answer the Complaint in this action and to serve a copy of your answer, or, if the Complaint is not served with this Summons, to serve a notice of appearance, on the Plaintiff's Attorneys within TWENTY (20) DAYS after the service of this Summons, exclusive of the day of service (or within THIRTY (30) DAYS after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Erie County is designated as the place of trial on the basis on the Plaintiff's residence located in West Seneca, New York.

DATED: Buffalo, New York  
March 3, 2020

LIPSITZ GREEN SCIME CAMBRIA LLP

By:   
RICHARD P. WEISBECK, JR., ESQ.  
CHRISTINA M. CROGLIO, ESQ.

Attorneys for Plaintiff  
42 Delaware Avenue, Suite 120  
Buffalo, New York 14202-3924  
(716) 849-1333  
[RPW: # 67149.0001]

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

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LG 51 DOE

Plaintiff,

vs.

**COMPLAINT**

GERALD P. HAYES,

Index No.:

Defendant.

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Plaintiff, above named, by his attorneys, LIPSITZ GREEN SCIME  
CAMBRIA LLP, for his Complaint against Defendant, alleges:

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST  
DEFENDANT, ABOVE NAMED, HEREIN,  
PLAINTIFF, LG 51 DOE, ALLEGES AS FOLLOWS:**

1. Plaintiff, LG 51 DOE, is a resident of the County of Erie and State of  
New York.

2. This action is commenced pursuant to the provisions of the Child  
Victims Act.

3. At the time of the incidents set forth herein, Plaintiff, LG 51 DOE,  
(hereinafter referred to as "THE CHILD") was an infant having been born in 1973.

4. Upon information and belief, Defendant, GERALD P. HAYES (hereinafter  
referred to as "THE CHILD MOLESTER") resides in the City of Buffalo and State of New  
York.

5. At times hereinafter mentioned, THE CHILD, was a player and  
member of Cazenovia Park Hockey Association, Inc.

6. Beginning on or about the 1<sup>st</sup> day of January 1983, and continuing  
through sometime in 1985, the CHILD MOLESTER sexually assaulted and

committed battery upon THE CHILD at various hockey events and at other locations, said assault and battery constituted sexual offenses as defined in Article 130 of the Penal Law.

7. The sexual crimes by THE CHILD MOLESTER herein were willful, malicious and intentional and resulted in injury to THE CHILD.

8. As a direct result of conduct by THE CHILD MOLESTER as described herein, THE CHILD, has suffered, and continues to suffer great physical and emotional pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, flashbacks, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life, was prevented and will continue to be prevented from performing daily activities and obtaining full enjoyment of life, and has incurred and will continue to incur expenses for medical psychological treatment, therapy and counseling.

9. This action falls within one or more of the exceptions set forth in CPLR §1602.

10. As a result of the foregoing, THE CHILD, has sustained general and special damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

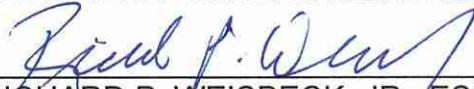
11. As a result of the foregoing, THE CHILD, claims punitive damages in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**WHEREFORE**, Plaintiff demands judgment against Defendant in the First Cause of Action in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction, and for such other, further or

different relief as the Court may deem just and proper, together with the costs and disbursements of the action.

DATED: Buffalo, New York  
March 3, 2020

LIPSITZ GREEN SCIME CAMBRIA LLP

By:   
RICHARD P. WEISBECK, JR., ESQ.  
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