

STATE OF NEW YORK
SUPREME COURT: COUNTY OF NIAGARA

<p>PB-17 Doe,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>DOUGLAS J. ROHRING,</p> <p style="text-align: center;">Defendants.</p>
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SUMMONS

Index No.:

TO THE ABOVE NAMED DEFENDANTS :

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 attorney within 20 days after the service of this summons, exclusive of the day of service (or within 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.

DATED: New York, New York
 March 9, 2020

Phillips & Paolicelli, LLP
Attorneys for Plaintiff



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TO:

DOUGLAS J. ROHRING
114 Hunter St
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NIAGARA

<p>PB-17 Doe,</p>	<p>Plaintiff,</p>
<p>vs.</p>	
<p>DOUGLAS J. ROHRING,</p>	<p>Defendant.</p>

COMPLAINT

Index No.:

PB-17 Doe, by and through his undersigned attorneys, as and for his Complaint, alleges as follows:

NATURE OF THE ACTION

1. This action is brought pursuant to the Child Victims Act, codified at CPLR 214-g.
2. From approximately 1983-1983, Defendant Douglas J. Rohring (“Rohring” or “Defendant”) sexually abused Plaintiff on multiple occasions when Plaintiff was approximately age twelve (12) to thirteen (13) years old.
3. The sexual abuse, which was extreme and violent, occurred in the basement of Defendant’s home in Wilson, New York.

PARTIES

4. Plaintiff is an individual residing in Niagara County, New York.
5. Plaintiff was born in 1970.
6. Defendant Douglas J. Rohring, at all relevant times, was and is Plaintiff’s relative, who currently resides in Charlotte County, Florida.

FACTUAL ALLEGATIONS

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7. Plaintiff repeats and realleges all preceding paragraphs of this Complaint.

8. At all relevant times, Defendant Douglas J. Rohring was and is Plaintiff's relative.

9. The sexual abuse took place while Plaintiff was a visitor to Defendant's house in Wilson, New York, and lawfully present thereat.

10. From approximately 1982 to 1983, on multiple occasions, Defendant engaged in unlawful, unpermitted, forcible, harmful sexual contact with Plaintiff.

11. At the time of the abuse, Plaintiff was approximately twelve (12) to thirteen (13) years old and did not consent to the sexual contact by Defendant Douglas J. Rohring.

12. At the time of the abuse, Rohring was approximately 17 years old.

13. Defendant Douglas J. Rohring coerced and manipulated Plaintiff to comply and stay silent.

14. At all relevant times, Plaintiff was a vulnerable child, unable to protect himself, and Defendant asserted his authority and control over him to sexually abuse him.

15. The conduct alleged herein would constitute a sexual offense as defined in article one hundred thirty of the penal law.

16. As a result of the foregoing, Plaintiff has suffered and continues to suffer great physical and mental pain and anguish, severe and permanent emotional distress, psychological injuries, fear and anxiety; was prevented and will continue to be prevented from performing his normal daily activities; was and will continue to be deprived of the enjoyment of life's pleasures; has suffered and will continue to suffer loss of earnings and earning capacity; has incurred and will in the future incur expenses for medical and psychological treatment, and was otherwise damaged in an amount that exceeds the jurisdiction of the lower courts of this State.

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COUNT I

BATTERY

17. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

18. Defendant Douglas J. Rohring, with intent to do so, engaged in sexual and unlawful acts with Plaintiff which amounted to a series of harmful and offensive contacts to Plaintiff's person.

19. At all relevant times, Plaintiff was a minor and did not consent to these sexual and unlawful acts.

20. As a direct and proximate result of Defendant Douglas J. Rohring's sexual and unlawful acts, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

21. By reason of the foregoing, Defendant Douglas J. Rohring is liable to Plaintiff for compensatory and punitive damages in an amount to be determined at trial, plus interest and costs in an amount that exceeds the jurisdiction of the lower courts of this State.

COUNT II

ASSAULT

22. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

23. Defendant Douglas J. Rohring, with intent to do so, engaged in sexual and unlawful acts with Plaintiff, which created a reasonable apprehension in Plaintiff of immediate harmful or offensive contact to Plaintiff's person.

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24. At all relevant times, Plaintiff was a minor and did not consent to these sexual and unlawful acts.

25. As a direct and proximate result of Defendant Douglas J. Rohring's sexual and unlawful acts, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

26. By reason of the foregoing, Defendant Douglas J. Rohring is liable to Plaintiff for compensatory and punitive damages in an amount to be determined at trial, plus interest and costs in an amount that exceeds the jurisdiction of the lower courts of this State.

COUNT III

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

27. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

28. Defendant Douglas J. Rohring engaged in sexual and unlawful acts with Plaintiff with intent to cause, or with reckless disregard for the probability of causing, Plaintiff to suffer severe emotional distress.

29. Defendant Douglas J. Rohring's conduct was both extreme and outrageous in character, beyond all possible bounds of decency, atrocious and intolerable in a civilized world.

30. Defendant Douglas J. Rohring committed these sexual and unlawful acts maliciously, fraudulently, and oppressively with the wrongful intention of injuring Plaintiff and in disregard to Plaintiff's rights.

31. As a direct and proximate result of Defendant Douglas J. Rohring' conduct, Plaintiff suffered severe emotional distress including psychological and emotional injury as described above.

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32. By reason of the foregoing, Defendant Douglas J. Rohring is liable to Plaintiff for compensatory and punitive damages in an amount to be determined at trial, plus interest and costs in an amount that exceeds the jurisdiction of the lower courts of this State.

WHEREFORE, Plaintiff prays for judgment as follows:

- a. Awarding Plaintiff compensatory damages for his injuries, in an amount to be determined at trial;
- b. Awarding Plaintiff punitive damages for his injuries, in an amount to be determined at trial;
- c. Awarding Plaintiff prejudgment interest, to the extent available by law;
- d. Awarding Plaintiffs costs and disbursements and attorneys' fees to the extent available by law; and
- e. Awarding such other and further relief as this Court may deem just and proper.

JURY TRIAL DEMANDED

33. Plaintiff demands a trial by jury of all issues triable by jury in this action.

Dated: March 9, 2020

Yours, etc.

PHILLIPS & PAOLICELLI, LLP


By: _____

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