

STATE OF NEW YORK  
SUPREME COURT: COUNTY OF ERIE

KAREN SHULIN  
8001 Colonial Drive, Unit 2  
Mentor, Ohio 44060,

Plaintiff,

v.

STEPHEN HURWITZ  
180 Leonore Road  
Amherst, New York 14226,

Defendant.

**SUMMONS**

**Index No.:**

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 a Summons, to serve a Notice of Appearance, on Plaintiff's attorney within **twenty** (20) days after the service of this Summons, exclusive of the day of service, or within **thirty** (30) days after completion of service where service is made in any other manner than by personal delivery within the State. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

This action is brought in ERIE COUNTY based upon Defendant's residence and the location of the incidents.

DATED: July 31, 2020  
Amherst, New York

*William A. Lorenz, Jr.*  
William A. Lorenz, Jr., Esq.  
HoganWillig, PLLC  
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STATE OF NEW YORK  
SUPREME COURT: COUNTY OF ERIE

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KAREN SHULIN,

Plaintiff,

**VERIFIED COMPLAINT**

**Index No.:**

v.

STEPHEN HURWITZ,

Defendant.

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Plaintiff KAREN SHULIN, by and through her attorneys, HOGANWILLIG, PLLC, as and for her Verified Complaint against Defendant STEPHEN HURWITZ herein, alleges as follows:

1. At all relevant times hereinafter mentioned, Plaintiff was and still is a resident of the County of Lake, State of Ohio.
2. Upon information and belief, and at all times hereinafter mentioned, Defendant was and still is a resident of the County of Erie, State of New York.
3. Defendant is the biological brother of Plaintiff's father, and therefore Plaintiff's uncle.

**FACTS COMMON TO ALL CLAIMS**

4. In or about 1966, Plaintiff, then an infant, would visit her grandparents in the County of Erie, State of New York.
5. While then-infant Plaintiff was visiting her grandparents, Defendant would stop over to the home as well.

6. In or about 1966, when Plaintiff was approximately four (4) years old, Plaintiff was the victim of sexual harassment, sexual abuse, and violence by or at the direction of Defendant.

7. Some of the incidents experienced by then-infant Plaintiff over a period of twelve (12) years included, but are not limited to, the following:

- A. On numerous occasions, then-infant Plaintiff would be taken by Defendant into Defendant's car and forced to sit on Defendant's lap and grind on him.
- B. On numerous occasions, then-infant Plaintiff would be forced to watch Defendant masturbate.
- C. On numerous occasions, then-infant Plaintiff would be forced to perform oral sex on Defendant in Defendant's car.
- D. On numerous occasions, then-infant Plaintiff would be vaginally raped by Defendant in Defendant's car.
- E. On numerous occasions, then-infant Plaintiff would be forced to perform oral sex on Defendant in a bedroom at Plaintiff's grandparents' house.
- F. On numerous occasions, then-infant Plaintiff would be vaginally raped by Defendant in a bedroom at Plaintiff's grandparents' house.
- G. On numerous occasions, Defendant would place a chain around the bedroom door at Plaintiff's grandparents' house to prevent Plaintiff from escaping.

8. Upon information and belief, Defendant sexually abused then-infant Plaintiff each day while Plaintiff was staying with her grandparents, which would range from approximately one week to one month at time.

9. Defendant only ceased to abuse then-infant Plaintiff when then-infant Plaintiff obtained her driver's license and could drive away from him.

10. Upon information and belief, Defendant admitted his abuse to Plaintiff's aunt, his wife, in or about 2017, after Plaintiff wrote a letter to her describing the abuse.

11. As a result of the abuse suffered at the hands of Defendant, Plaintiff has required mental health treatment for at least the past thirty (30) years.

12. As a result of the abuse suffered at the hands of Defendant, Plaintiff attempted suicide in or about 2014.

13. As a result of the abuse suffered at the hands of Defendant, Plaintiff has required the help of psychiatrists and a service dog to engage in daily life.

14. Venue is proper in Erie County based upon the residences of the parties and the location of the incidents.

15. This action is brought pursuant to CPLR § 214-G, as added by the New York Child Victims Act, which has revived claims of child sexual abuse for a period of one year beginning on August 14, 2019, six months after the effective date of the section (February 14, 2019). This action is timely commenced.

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST DEFENDANT:**  
**ASSAULT**

16. Plaintiff repeats, reiterates, and realleges each and every allegation contained in paragraphs "1" through "15" as though more fully set forth herein.

17. Defendant's actions in sexually abusing his niece, then-infant Plaintiff, over a period of approximately twelve (12) years placed Plaintiff in apprehension of an imminent harmful and offensive bodily contact.

18. That the aforesaid assaults were unwarranted, unjustified, and unprovoked by Plaintiff and without her consent, as Plaintiff did not and could not give consent.

19. That by reason of the foregoing actions of Defendant, Plaintiff sustained injuries and damages, with accompanying pain and suffering and was greatly injured emotionally and mentally, was subject to humiliation and embarrassment, all to her damage in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION AGAINST DEFENDANT:**  
**BATTERY**

20. Plaintiff repeats, reiterates, and realleges each and every allegation contained in paragraphs "1" through "19" as though more fully set forth herein.

21. Defendant's actions in sexually abusing his niece, then-infant Plaintiff, over a period of approximately twelve (12) years constitutes Defendant intentionally making offensive bodily contact with Plaintiff.

22. That the aforesaid offensive bodily contact was unwarranted, unjustified, and unprovoked by Plaintiff and without her consent, as Plaintiff did not and could not give consent as an infant.

23. By reason of the foregoing, Plaintiff sustained injuries and damages, with accompanying pain and suffering and was greatly injured emotionally and mentally, and was subject to humiliation and embarrassment, all to her damage in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A THIRD CAUSE OF ACTION AGAINST DEFENDANT:  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

24. Plaintiff repeats, reiterates, and realleges each and every allegation contained in paragraphs “1” through “23” as though more fully set forth herein.

25. Defendant intentionally and recklessly touched Plaintiff on the aforementioned occasions over a period of twelve (12) years, including forcible penile rape.

26. Defendant’s conduct in repeatedly sexually abusing his niece, then-infant Plaintiff, was extreme, outrageous, shocking, and exceeding all reasonable bounds of decency.

27. That the aforesaid conduct was done with the intention of causing Plaintiff severe emotional distress.

28. By reason of the foregoing, Plaintiff sustained injuries and damages, with accompanying pain and suffering and was greatly injured emotionally and mentally, and was subject to humiliation and embarrassment, all to her damage in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A FOURTH CAUSE OF ACTION AGAINST DEFENDANT:  
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

29. Plaintiff repeats, reiterates, and realleges each and every allegation contained in paragraphs “1” through “28” as though more fully set forth herein.

30. Defendant owed a duty to then-infant Plaintiff to reasonably protect her from harm and not sexually abuse her.

31. Defendant intentionally and recklessly breached that duty by touching Plaintiff on the aforementioned occasions over a period of twelve (12) years, including her vagina.

32. Defendant’s conduct in repeatedly sexually abusing his niece, then-infant Plaintiff, unreasonably endangered Plaintiff’s physical safety and caused Plaintiff to fear for her

own safety over the period of abuse lasting approximately twelve (12) years and which continues to this day.

33. Plaintiff suffered several emotional and mental suffering and distress due to Defendant's actions, as well as fear for her own physical safety.

34. By reason of the foregoing, Plaintiff sustained injuries and damages, with accompanying pain and suffering and was greatly injured emotionally and mentally, and was subject to humiliation and embarrassment, all to her damage in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A FIFTH CAUSE OF ACTION AGAINST DEFENDANT:  
PUNITIVE DAMAGES**

35. Plaintiff repeats, reiterates, and realleges each and every allegation contained in paragraphs "1" through "34" as though more fully set forth herein.

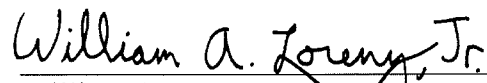
36. Defendant's actions in being violent, sexually harassing, and/or committing other misconduct against Plaintiff, his niece, is tantamount to a wanton and conscious disregard for the safety of Plaintiff, and warrants the imposition of punitive damages.

37. By reason of the malicious, intentional, willful, and/or negligent conduct of Defendant herein, and by such other acts that were morally reprehensible, Defendant's conduct evidenced a callous disregard for the safety of Plaintiff, and said acts constituted a wanton, reckless and/or malicious disregard for the rights of others and, as a result thereof, Plaintiff demands punitive damages.

38. By reason of the foregoing, Plaintiff has been damaged in an amount exceeding the jurisdictional limits of all lower courts, which would otherwise have jurisdiction.

**WHEREFORE**, Plaintiff demands judgment against Defendant in an amount which exceeds the jurisdictional limits of all other courts which might otherwise have jurisdiction, and for such other and further relief to Plaintiff as this Court deems just and proper.

DATED: July 31, 2020  
Amherst, New York

  
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William A. Lorenz, Jr., Esq.  
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ATTORNEY VERIFICATION PURSUANT TO CPLR § 3020(d)(3)

STATE OF NEW YORK )
COUNTY OF ERIE ) SS:

WILLIAM A. LORENZ, JR., ESQ., being duly sworn deposes and says: that he is the attorney for Plaintiff KAREN SHULIN, in the above matter; that he has read the foregoing Complaint and knows the contents thereof; that the same is true to his knowledge except as to those matters alleged to be upon information and belief, and as to those matters, he believes them to be true; that the grounds of his belief as to all matters not stated upon his personal knowledge are correspondence and other writings furnished to him by and through interviews with Plaintiff; and that the reason this Verification is not made by Plaintiff is that Plaintiff does not reside in the county where the undersigned attorney maintains his office.

Handwritten signature of William A. Lorenz, Jr.
WILLIAM A. LORENZ, JR. ESQ.

Sworn to before me this
31st day of July, 2020

Handwritten signature of Paul Samuel Pinto
Notary Public

Paul Samuel Pinto
NOTARY PUBLIC, STATE OF NEW YORK
No. 01PI6328944
Qualified in Erie County
Commission Expires 8/10/23