

OCT - 9 2025

JENNIFER A. SULLIVAN, ESQ  
CLERK/MAGISTRATE

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

SUPERIOR COURT  
C.A. NO: 2573CV00790

CARLA CRUZ

Plaintiff

v.

FALL RIVER PUBLIC SCHOOL DEPT.,  
MARIA PONTES, (former) Superintendent  
Fall River Public School Department;  
THOMAS COOGAN, (former) Director of  
Human Resources Fall River Public School  
Department;  
TRACY CURLEY, Superintendent Fall  
River Public School Department;  
BRIAN J. LALLY, Director of Human  
Resources Fall River Public School  
Department;  
JOSEPH CORREIA,  
KYLE FRIZADO, and  
JORDAN PERIQUITO,

Defendants

**COMPLAINT AND DEMAND FOR JURY TRIAL**

**PARTIES**

1. The Plaintiff Carla Cruz, is a resident of the County of Bristol in the Commonwealth of Massachusetts.
2. The Defendant, Fall River School Department, is located within the County of Bristol in the Commonwealth of Massachusetts.
3. The Defendant, Thomas Coogan, Executive Director of Human Resources, is a resident of the County of Bristol in the Commonwealth of Massachusetts.
4. The Defendant, Maria Pontes, former Superintendent of the Fall River Public School Department, is a resident of the County of Bristol in the Commonwealth of Massachusetts.

5. The Defendant, Tracy Curley, Superintendent of the Fall River Public School Department, is a resident of the County of Bristol in the Commonwealth of Massachusetts.
6. The Defendant, Brian J. Lally, Title IX Coordinator, is a resident of the County of Bristol in the Commonwealth of Massachusetts.
7. The Defendant, Joseph Correia, is a resident of the County of Bristol in the Commonwealth of Massachusetts.
8. The Defendant, Kyle Frizado, is a resident of the County of Bristol in the Commonwealth of Massachusetts.
9. The Defendant, Jordan Periquito, is a resident of the County of Bristol in the Commonwealth of Massachusetts.

**COUNT I**  
**VIOLATION OF M.G.L.A. 151B**

10. Plaintiffs incorporate and re-allege all paragraphs preceding and following as if fully set forth herein.
11. From October 25, 2021 until present, Plaintiff Carla Cruz (Ms. Cruz) was/is employed by the Fall River Public School Department as a Safety Officer.

**JOSEPH CORREIRA**

12. Defendant Joseph Correia (Mr. Correia) was employed by the Fall River Public School Department and was Ms. Cruz's Director of Security from October 2021, until about March 2023.
13. Ms. Cruz and Karleigh Prinzo (Ms. Prinzo) were co-workers. Ms. Cruz and Ms. Prinzo were assigned to Durfee High School, Fall River, Massachusetts as Safety Officers.
14. Ms. Cruz alleges that she became aware of an extra-marital affair between Mr. Correia, Director of Security for the Fall River Public School Department and Ms. Prinzo, Safety Officer assigned to Durfee High School.
15. Ms. Cruz alleges that she received confirmation of said affair, from Ms. Prinzo, alleged in paragraph 14.

16. Ms. Cruz alleges that on multiple occasions she heard Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, engage in sexual relations with Ms. Prinzo in Mr. Correia's office during regularly scheduled work hours.
17. Ms. Cruz alleges that she heard sexual moans and other sexual sounds emanating from Mr. Correia's office on multiple occasions during regularly scheduled work hours.
18. Ms. Cruz alleges that Ms. Prinzo had informed Ms. Cruz of specific details of the extra-marital affair.
19. Ms. Cruz alleges that multiple security staff personnel and Fall River Public School Department employees were aware of Mr. Correia's and Ms. Prinzo's ongoing relationship.
20. Ms. Cruz alleges that she informed Ms. Prinzo that she was uncomfortable, mentally disturbed, and offended on multiple occasions.
21. Ms. Cruz alleges that Ms. Prinzo continued to engage in inappropriate and graphic sexual conversation with Ms. Cruz discussing the alleged affair.
22. Ms. Cruz alleges that another specific conversation between Ms. Cruz and Ms. Prinzo, Ms. Prinzo shared how her and Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, would engage in sex in the Fall River Public School Department provided vehicle/cruiser while parked at Bristol Community College during regularly scheduled work hours.
23. Ms. Cruz alleges that Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, requested that Ms. Cruz and Ms. Prinzo engage in sexual conduct with each other.
24. Ms. Cruz alleges that Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, showed Ms. Cruz a pair of "vibrating panties" on a sexually graphic website on Mr. Correia's school department issued computer while in Mr. Correia's office in the presence of Ms. Prinzo.
25. Ms. Cruz alleges that Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, asked Ms. Cruz to wear a pair of "vibrating panties" so that Ms. Cruz and Ms. Prinzo could engage in sexual activity with each other while holding a device which allowed each other to activate the others "vibrating panties".

26. Ms. Cruz alleges that she refused Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, requests in which Mr. Correia called Ms. Cruz "boring".
27. Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, after calling Ms. Cruz "boring" opened a three (3) draw desk top filing container which was situated on the left-hand side of his desk. Mr. Correia opened one draw in the presence of Ms. Cruz and Ms. Prinzo. Inside the draw were prepackaged bags containing white powder, numerous pills, and marijuana. In addition, Mr. Correia had a foot locker in his office which contained hard liquor and malt spirits.
28. Ms. Cruz alleges that Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, offered her drugs for the purposes of making her more comfortable in engaging in sexual behaviors with Mr. Correia and Ms. Prinzo.
29. Ms. Cruz alleges on one occasion Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, during the course of their employment, instructed Ms. Prinzo and Ms. Cruz to fill up the Fall River Public School Department issued vehicle/cruiser with gas and go to Solar Therapeutics located on 1400 Brayton Point Road, Somerset, MA to purchase marijuana during regularly scheduled work hours.
30. Ms. Cruz alleges that upon arrival at Solar Therapeutics, in the Fall River Public School Department vehicle, Ms. Prinzo exited the driver's seat and went inside the marijuana dispensary store. Moments later Ms. Prinzo exited holding a small package of products purchased at Solar Therapeutics.
31. On one occasion, Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, brought approximately 2-3 ounces of marijuana into Durfee High School and gave it to Ms. Cruz.
32. Ms. Cruz alleges that Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, would often threaten her and others stating that he was a member of the Hell's Angels Motorcycle Club and is one to be feared.
33. Ms. Cruz alleges that in late summer 2022 Ms. Prinzo's finance was informed of Ms. Prinzo's affair with her supervisor Mr. Correia.
34. Ms. Cruz alleges that Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, on August 13, 2022, instructed Fall River School Department employee Dennis Borges to take the Fall River Public School Department box truck, a misappropriation of school department equipment, after work commenced to assist Ms. Prinzo to move out of her finance's home located on Elsbree Street. Also

present were Tyler Borges (nephew/cousin of Dennis Borges), Ms. Cruz, Ms. Prinzo and Ms. Prinzo's mother.

35. Ms. Cruz complained in person to then Director of Human Resources for the Fall River Public School Department Thomas Coogan informing him of her alleged sexual harassment, supervisor Correia's sexual affair with a subordinate co-worker, drugs, alcohol, and inappropriate use of Fall River Public School Department vehicles and/or equipment.
36. Ms. Cruz complained to then Superintendent of the Fall River Public School Department, Maria Pontes, informing him of her alleged sexual harassment, Supervisor Correia's sexual affair with a subordinate co-worker, drugs, alcohol, and inappropriate use of Fall River Public School Department vehicles and/or equipment.
37. Ms. Cruz alleges that Mr. Correia, in his capacity as Director of Security for the Fall River Public School Department, was responsible for creating a culture conducive to inappropriate sexual behavior, harassment, and retaliation.
38. Ms. Cruz alleges that she suffered retaliation both expressly and indirectly after complaining about the behavior she was subjected to.
39. Due to unspecified reasons, unknown to Complainant, Mr. Correia was removed from his position as Director of Security for the Fall River Public School Department.
40. Mr. Correia's conduct had the effect of unreasonably interfering with Ms. Cruz's work performance by creating an intimidating, hostile, humiliating or sexually offensive environment.

#### KYLE FRIZADO

41. Ms. Cruz and Kyle Frizado (Mr. Frizado) worked as Security Officers for the Fall River Public School Department.
42. Ms. Cruz alleges that she was invited to Mr. Frizado's daughter's birthday party outside of work hours.
43. Ms. Cruz alleges during this birthday party Mr. Frizado asked Ms. Cruz if she was interested in starting an only fans page and if Ms. Cruz was interested in creating pornography.
44. Ms. Cruz alleges that she made it known to Mr. Frizado that she was uninterested.

45. On September 11, 2022 Ms. Cruz was working a football game at Durfee High School as a security guard.
46. Ms. Cruz and Mr. Frizado were the only security guards assigned to said assignment.
47. Mr. Frizado told Ms. Cruz that they should stick together given the sheer size of the crowd and being the only two Fall River School Department Security Officers assigned to oversee said crowd.
48. While Ms. Cruz and Mr. Frizado were on assignment both were sitting in a golf cart provided to them by the Fall River Public School Department as a tool to conduct their business as Security Officers.
49. Ms. Cruz alleges that while Ms. Cruz and Mr. Frizado were both sitting in the golf cart, Mr. Frizado began making inappropriate sexual comments in regards to minor women who were attendees that were walking pass the golf cart.
50. Ms. Cruz alleges that Mr. Frizado made comments such as "I took her to the X and she gave me head," "I tittie fucked that one," "I clapped those cheeks all the time," "I fucked that one" among other inappropriate sexually explicit comments, regarding attendees of the football game, as said attendees walked by the golf cart.
51. Ms. Cruz alleges that she repeatedly asked Mr. Frizado to stop making inappropriate comments.
52. Ms. Cruz alleges that shortly after that Mr. Frizado decided to take a drive in said same golf cart.
53. Ms. Cruz alleges that Mr. Frizado continued to swerve the golf cart in a sharp and intention manner.
54. Ms. Cruz alleges that Mr. Frizado after said maneuver, would grope Ms. Cruz's breasts while pushing her back into her seat in the golf cart.
55. Ms. Cruz alleges that Mr. Frizado intentionally operated said golf cart in such manner with the intention of inappropriately groping her breasts and body.
56. Ms. Cruz alleges she became physically sick shortly after this traumatic experience.

57. Ms. Cruz alleges that she vomited minutes after the golf cart incident.
58. Ms. Cruz complained about the incident to her co-worker Luis Semedo who reported to work to relieve Mr. Frizado. Luis Semedo instructed Ms. Cruz to report this incident to their supervisor Joseph Correia. On October 17, 2022 Ms. Cruz, after complaining about the incident with Mr. Frizado, Ms. Cruz was relocated to Watson Middle School.
59. On October 18, 2022 Ms. Cruz once again formally complained to then Executive Director of Human Resources for the Fall River Public School Department Thomas Coogan.
60. Mr. Frizado's conduct had the effect of unreasonably interfering with Ms. Cruz's work performance by creating an intimidating, hostile, humiliating or sexually offensive environment.
61. Thomas Coogan, "investigated" the matter and found the allegations to be un-sustained.
62. Ms. Cruz was notified of the result of said investigation on May 30, 2023.
63. Mr. Coogan was put on notice of a culture of inappropriate sexual behavior.
64. Mr. Coogan's failure to remediate said conduct had the effect of unreasonably interfering with Ms. Cruz's work performance by creating an intimidating, hostile, humiliating or sexually offensive environment.

JORDAN PERIQUITO

65. On or about April 18, 2024 Ms. Cruz alleges that Jordan Periquito unbuckled his belt, unzipped his pants, and pulled his pants down exposing his green undershorts and told Ms. Cruz.... "You're going to suck my dick".
66. On or about April 18, 2024 through June 2024 Mr. Periquito on multiple occasions grabbed Ms. Cruz buttock, played with her hair, pinch her, and touched her an inappropriate and sexual manner.
67. As a result of Ms. Cruz's complaint of sexual harassment against Safety Officer Jordan Periquito, Ms. Cruz was relocated from Stone School to Watson School.

68. Ms. Cruz alleges that she complained about Mr. Periquito's behavior to Edward Gomes, Vice Principal of Stone School.
69. Ms. Cruz alleges that she complained to Mrs. Mary-Ellen Shaw, the Principal of Stone School about Mr. Periquito's behavior.
70. Ms. Cruz, in the presence of Principal Shaw, viewed surveillance video on Ms. Shaw's computer confirming Ms. Cruz's allegations against Mr. Periquito.
71. On or about May 22, 2024 Ms. Cruz complained to Maria Pontes, Fall River Public School Department Superintendent and Thomas Coogan, Executive Director of Human Resources for the Fall River Public School Department, that Jordan Periquito sexually harassed her.
72. In an emailed dated July 19, 2024, Brian J. Lally, Director of Human Resources for the Fall River Public School Department, informed Ms. Cruz that "these camara's were reviewed by the building principal (Mary-Ellen Shaw) during the initial investigation and they did not produce any evidence in support of your claims". The video has since been deleted.
73. Ms. Cruz alleges that this is in stark contradiction to the video previously viewed by Ms. Cruz, Assistant Principal Edward Gomes, and Principal Shaw in Principal Shaw's office on Principal Shaw's computer.
74. Mr. Lally confirmed that Christina Winsor confirmed that Ms. Cruz informed her of the alleged sexual harassment by Jordan Periquito.
75. On April 12, 2024 Ms. Cruz received a three-day suspension without pay for allegedly failure to maintain professional boundaries in her role in the security department.
76. Said suspension was the result of Ms. Cruz asking and receiving formal permission from the Fall River Public School Department to visit a student with whom Ms. Cruz was friendly with due to her longstanding personal relationship with the student's mother.
77. In written Notice of Suspension dated April 12, 2024, Ms. Cruz was informed that the suspension was the result of *the mother of the ill student, calling* the Fall River Public School Department, stating Ms. Cruz's visit, "was concerning to the mother who contacted the school about the visit".
78. In response, Ms. Cruz contacted the mother with whom she has had a long-standing relationship, and inquired if she did in fact called the school to complain about Ms. Cruz's visit. The Mother responded No.



79. The mother of the student in written correspondence dated April 17, 2024 stated the following: "On April 8th Carla went to go see my daughter at the hospital. Everything went great. April 9th *Cicchinelli called me* and asked if I knew Carla but made it specific i (sic) didn't need to answer any questions that i (sic) said okay. Then said yes, I know Carla she came to see my daughter at the hospital and explained to him how happy I was about going to see her. That's when he hung up the phone."
80. The Mother never called the Fall River Public School Department to complain about Carla visiting her daughter. Mr. Cicchinelli initiated the phone call to the mother and made a material misrepresentation in written correspondence dated April 12, 2024 about Ms. Cruz's visit to the hospital, in an attempt to justify Ms. Cruz's three-day suspension after Ms. Cruz made multiple allegations against the Fall River Public School Department employees for sexual harassment.
81. Ms. Cruz appealed her suspension but was denied.
82. On or about December 3, 2024 Ms. Cruz verbally complained to her supervisor, John Ventura, current Director of Security for the Fall River Public School Department, that she had been sexually harassed by Jordan Periquito (Mr. Periquito).
83. On December 4, 2024 Ms. Cruz filed a written complaint to Brian Lally, Title IX Coordinator, alleging Mr. Periquito solicited her to engage in sex and made sexual gestures toward her with his hands.
84. On November 16, 2024 both Ms. Cruz and Mr. Periquito were working a shift at Westall School.
85. Approximately 10:55 am on November 16, 2024 Ms. Cruz arrived at Westall School to work an overtime shift.
86. Prior to accepting the assignment, Ms. Cruz was informed by the overtime coordinator that the overtime shift entailed "making sure nobody goes on the new playground" and "you might not even have to get out of the car."
87. Ms. Cruz arrived a short time before her shift was scheduled to begin at 11 am.
88. Upon arrival Ms. Cruz drove back to the back of the building near the playground.
89. When Ms. Cruz drove to the back of the building, she saw that she would be relieving Mr. Periquito.
90. Ms. Cruz and Mr. Periquito had a conversation in the parking lot near the playground.

91. Ms. Cruz informed Mr. Periquito that he is relieved of his duties and subsequently drove to the front of the building where she parked and waited for him to leave.
92. A couple minutes later Mr. Periquito drove up and parked next to her.
93. During a fifteen-minute (15) conversation Mr. Periquito told Ms. Cruz that “we need to have this conversation,” and then he said he “was going to find it in his heart to forgive me for everything I’ve done to him.”
94. Mr. Periquito then stated “the only time we should be talking is when we do this,” he then demonstrated by making hand gesture simulating sex. Mr. Periquito repeated the hand gesture two times and subsequently offered Ms. Cruz money to engage in sex.
95. Mr. Periquito’s conduct had the effect of unreasonably interfering with Ms. Cruz’s work performance by creating an intimidating, hostile, humiliating or sexually offensive environment.
96. On December 3, 2024 Ms. Cruz submitted an internal formal Complaint to the Fall River Public School Department.
97. An investigation was conducted by independent outside legal counsel, Jeffrey M. Sankey, Esq., retained by the Fall River Public School Department. Outside and independent legal counsel found Ms. Cruz to be credible.
98. Mr. Periquito, based on the independent outside legal counsel, Jeffrey M. Sankey, Esq., retained by the Fall River Public School Department listed above in paragraph 97, Mr. Periquito was found to be responsible for sexual harassment under the District’s policy and Massachusetts law.
99. On June 30, 2025, Mr. Periquito sent a string of text messages and phone calls to a former female Fall River Public School Department Security Officer, soliciting the former Fall River Public School Department Security Officer, to engage in sex for a fee with other individuals.
100. Ms. Cruz was subjected to a culture of sexual harassment that created a hostile work environment.
101. The Fall River School Department was put on notice of said culture.

102. Ms. Cruz complained to Thomas Coogan, then Director of Human Resources for the Fall River Public School Department, regarding the behavior she was subjected by Mr. Correia, Mr. Frizado, and Mr. Paquito.
103. Ms. Cruz suffered economic loss and mental and emotional distress throughout her employment as a Safety Officer for the Fall River Public School Department by being subjected to a culture of sexual harassment and retaliation.
104. Defendant's conduct was part of a culture evidenced by the continuing patterns of harassment creating a hostile working environment for Ms. Cruz.
105. Ms. Cruz alleges that Defendant's conduct is sufficiently related and considered the same unlawful employment practice.

WHEREFORE, the Plaintiff demands judgment against the Defendants, in the amount which the Court would deem fair and reasonable, together with interest and the cost of this action, together with any other relief the Court finds to be just and proper.

## **COUNT II** **RETALIATION**

106. Plaintiff repeats each and every allegation set forth in paragraphs 1-105 as if expressly rewritten herein.
107. Ms. Cruz made multiple attempts both informally and formally to report said behavior listed in this Complaint by Defendant's Mr. Correia, Mr. Frizado and Mr. Periquito.
108. On July 15, 2025 Ms. Cruz worked an overtime shift at Durfee High School covering a basketball game in her capacity as a Peace Officer from five (5) pm, to eight (8) pm.
109. There were six (6) Security Officers assigned to said basketball game.
110. Ms. Cruz alleges, immediately after Ms. Cruz's shift began, she was left alone to conduct all bag searches on her own.
111. Ms. Cruz alleges that due to the sheer volume of searches required, she immediately radioed for help and received no response.
112. Ms. Cruz alleges that she left her post to attempt and retain assistance.

113. Ms. Cruz alleges that she saw another Security Officer, John Ventura, speaking to another Security Officer Corey Elias. Ms. Cruz subsequently waived to get both Security Officers attention.
114. Ms. Cruz alleges Supervisor John Ventura went to Ms. Cruz where she asks for assistance. Mr. Ventura informs Ms. Cruz that someone had called out.
115. Ms. Cruz alleges that Supervisor John Ventura helped her for ten (10) minutes, then proceeded to go into the gym with the other four (4) security guards.
116. Ms. Cruz alleges that sometime later, a student stormed out of the gym cursing and yelling while heading the men's restroom.
117. Ms. Cruz alleges she could hear banging and screaming in the men's restroom.
118. Ms. Cruz alleges she radioed for back-up where she received no response. Ms. Cruz subsequently left her post to attempt to retrieve help where she again waived Supervisor John Ventura for attention and informed him of the situation.
119. Ms. Cruz alleges that Supervisor John Ventura informed her that the student had threatened him and punched a glass door on the south entrance and that said student needs to leave the school.
120. Ms. Cruz alleges that Supervisor John Ventura called the police.
121. Ms. Cruz alleges that the student and the student's father exited the school per Supervisor John Mr. Ventura's request. Ms. Cruz alleges that a few minutes later Ms. Cruz saw both the student and the father approaching the school again.
122. Ms. Cruz alleges that she radioed for assistance but no-one answered. Ms. Cruz then called Supervisor John Ventura and he did not answer.
123. Ms. Cruz alleges that when student and father entered into the school, she asked both to wait at the bag check until she received clearance from her Supervisor John Ventura to proceed to let both back into the basketball game.
124. Ms. Cruz alleges that she asked another security guard for help where she was informed that said security guard will inform Supervisor John Ventura.

125. Ms. Cruz alleges that Supervisor John Ventura arrived and allowed the father to go back to the gym to retrieve student's sneakers.
126. During this point the Fall River Police arrive.
127. Defendant Mr. Frizado arrives to Durfee to respond to the situation.
128. Ms. Cruz alleges that she saw Mr. Frizado and Supervisor John Ventura speaking and she felt uncomfortable.
129. Ms. Cruz alleges that she went to the Security Office until Mr. Frizado left.
130. Ms. Cruz alleges that once Mr. Frizado left, she went back to her post to conduct bag checks alone once again.
131. Ms. Cruz alleges that she had asked to leave an hour early due to the fact that she felt out of place and "not wanted".
132. Ms. Cruz suffered economic loss and mental and emotional distress throughout her employment as a Safety Officer for the Fall River Public School Department by being subjected to a culture of sexual harassment and retaliation.

WHEREFORE, the Plaintiff demands judgment against the Defendants, in the amount which the Court would deem fair and reasonable, together with interest and the cost of this action, together with any other relief the Court finds to be just and proper.

**COUNT III**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

133. Plaintiff repeats each and every allegation set forth in paragraphs 1-132 as if expressly rewritten herein.
134. Defendant, Joseph Correia, Director of Security for the Fall River Public School Department, engaged in malicious and inappropriate behavior while Director of Security.

135. Defendant Joseph Correira's alleged sexual harassment was extreme and outrageous. Defendant's wrongful conduct indicated in paragraphs 14-39 was extreme and outrageous, and it was calculated to cause harm to the Plaintiff.
136. Defendant's Mr. Correira's conduct is so outrageous in character and so extreme in degree that it is beyond all possible bounds of decency and is to be regarded as atrocious and utterly intolerable in a civilized community and they were specifically intended to cause Plaintiff harm.
137. Defendant Mr. Frizado's alleged sexual harassment was extreme and outrageous. Defendant's wrongful conduct indicated in paragraphs 41-59 was extreme and outrageous, and it was calculated to cause harm to the Plaintiff.
138. Defendant's Mr. Frizado's conduct is so outrageous in character and so extreme in degree that it is beyond all possible bounds of decency and is to be regarded as atrocious and utterly intolerable in a civilized community and they were specifically intended to cause Plaintiff harm.
139. Defendant Mr. Periquito's alleged sexual harassment was extreme and outrageous. Defendant's wrongful conduct indicated in paragraphs 64-103 was extreme and outrageous, and it was calculated to cause harm to the Plaintiff.
140. Defendant's Mr. Periquito's conduct is so outrageous in character and so extreme in degree that it is beyond all possible bounds of decency and is to be regarded as atrocious and utterly intolerable in a civilized community and they were specifically intended to cause Plaintiff harm.
141. Defendant's conduct inflicted severe emotional distress on the Plaintiff.
142. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered significant general, actual, incidental and special damages including, without limitation, emotional distress, overwhelming stress and anxiety, lost earnings, and other pecuniary loss.

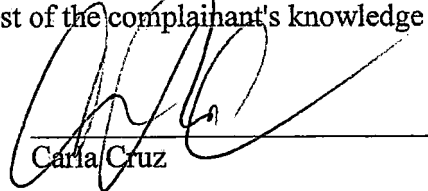
WHEREFORE, the Plaintiff demands judgment against the Defendants, in the amount which the Court would deem fair and reasonable, together with interest and the cost of this action, together with any other relief the Court finds to be just and proper.

**COUNT IV**  
**NEGLIGENT HIRING/RETENTION/FAILURE TO SUPERVISE/INVESTIGATE**

143. Defendant's Joseph Correia, Kyle Frizado and Jordan Periquito were employees of the Fall River School department.
144. Defendants came into contact with members of the public in the course of their employment capacity as Fall River School Department Employees in their capacity as Security Officers.
145. The Fall River School Department was put on notice of Mr. Correia's unfitness as indicated in paragraphs 12-40 of this Complaint.
146. The Fall River School Department was put on notice of Mr. Frizado's unfitness as indicated in paragraphs 41-64 of this Complaint.
147. The Fall River School Department was put on notice of Mr. Periquito's unfitness as indicated in paragraphs 65-105 of this Complaint.
148. The Defendant, Thomas Coogan, Executive Director of Human Resources; Defendant, Maria Pontes, former Superintendent of the Fall River Public School Department; Defendant, Tracy Curley, Superintendent of the Fall River Public School Department and Brian J. Lally, Executive Director of Human Resources were aware and/or should have been aware of the problems of Defendant Mr. Correia, Mr. Frizado and Mr. Periquito's fitness and/or work place behavior.
149. Defendant's Mr. Coogan, Ms. Pontes, Ms. Curley and Mr. Lally failed to use reasonable care in selection, retention, investigating, discharging and/or reassignment.
150. Fall River School Department failed to take necessary action such as investigating, discharging or reassignment.
151. Failure to use reasonable care resulted in the proximate cause of harm to Ms. Cruz. Ms. Cruz was subjected to years of a pattern of sexual harassment and retaliation during which the Fall River School Department was aware of such behavior that Ms. Cruz was subjected to.
152. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered significant general, actual, incidental and special damages including, without limitation, emotional distress, overwhelming stress and anxiety, lost earnings, and other pecuniary loss.

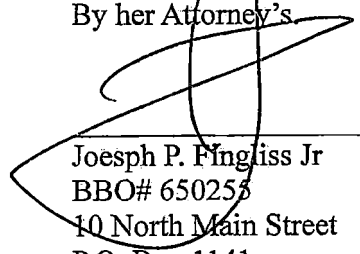

WHEREFORE, the Plaintiff demands judgment against the Defendants, in the amount which the Court would deem fair and reasonable, together with interest and the cost of this action, together with any other relief the Court finds to be just and proper.

The Plaintiff, Carla Cruz, verifies and confirms under the pains and penalties of perjury that the allegations within the complaint are true to the best of the complainant's knowledge and belief.

  
Carla Cruz

A TRIAL BY JURY IS DEMANDED UPON ALL ISSUES.

Respectfully submitted,  
PLAINTIFF,  
By her Attorney's.

  
Joseph P. Fingliss Jr  
BBO# 650253  
10 North Main Street  
P.O. Box 1141  
Fall River, MA 02722-1141  
(508) 726-1600  
Lenine Camacho  
BBO# 714711  
P.O. Box 15624  
Springfield, MA 01115  
(401) 559-9618