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Nayeli Sanchez and Sadeishy Garcia  
Ventura,

:SUPERIOR COURT OF NEW JERSEY  
:LAW DIVISION: HUDSON COUNTY

Plaintiffs,

:DOCKET NO:

vs.

:CIVIL ACTION

Jersey City Board of Education,  
City of Jersey City, James J. Ferris High  
School, Jamie Morales, Michael J. Voza and  
John Doe I-III,

Defendants.

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**COMPLAINT AND JURY DEMAND**

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Plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, both residing in Jersey City, Hudson County, New Jersey by way of Complaint against the defendants, hereby alleges and says:

**FACTS COMMON TO ALL COUNTS**

1. On May 3, 2019, Plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, were students at defendant, James J. Ferris High School, in defendant, City of Jersey City, Hudson County, New Jersey.

2. On May 3, 2019, defendant, James J. Ferris High School, located at 35 Colgate Street, Jersey City, New Jersey, was a high school under the government, management and supervision of the defendant, Jersey City Board of Education, for the employment, regulation of, conduct, and discharge of its employees.

3. On May 3, 2019, defendant, Jamie Morales, was the acting principal of defendant, James J. Ferris High School.

4. On May 3, 2019, defendant, Michael J. Voza, was a teacher employed by

defendant, Jersey City Board of Education, who instructed at defendant, James J. Ferris High School.

5. On May 3, 2019, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, were students of defendant, Michael J. Voza, at defendant, James F. Ferris High School.

6. At the said place and time, Plaintiff, Nayeli Sanchez, was inappropriately touched, assaulted, battered, humiliated and caused to suffer emotional distress by the defendant, Michael J. Voza, while he was in the course of his employment with defendant, Jersey City Board of Education. Specifically, while inside the classroom, defendant, Michael J. Voza, grabbed plaintiff's, Nayeli Sanchez, purse and spilled the contents within it. Defendant, Michael J. Voza, then punched Nayeli Sanchez on the left side of her neck and head.

7. At the said place and time, Plaintiff, Sadeishy Garcia Ventura, was inappropriately touched, assaulted, battered, humiliated and caused to suffer emotional distress by defendant, Michael J. Voza, while he was in the course of his employment with defendant, Jersey City Board of Education. Specifically, while inside the classroom, defendant, Michael J. Voza, pulled plaintiff's, Sadeishy Garcia Ventura, hair, grabbed her face, squeezed her cheeks with force and attempted to put lipstick on her lips. Defendant, Michael J. Voza, then kicked plaintiff, Sadeishy Garcia Ventura, on the buttocks.

8. Plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, sustained injuries related to the incidents described hereinabove, including personal injuries and psychological damages, they incurred medical expenses, and were otherwise damaged.

9. Defendants, John Doe I-III (fictitious names), are persons or entities whose names are currently unknown to plaintiffs, who may have been responsible for causing this incident and plaintiffs', Nayeli Sanchez and Sadeishy Garcia Ventura, damages.

**FIRST COUNT**

**ASSAULT AND BATTERY**

10. Defendant, Michael J. Voza, did intentionally commit the acts described

herein above with intent to cause a harmful or offensive contact with the persons of plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, or an imminent apprehension of such a contact.

11. Defendant, Michael J. Voza, did put plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, in such imminent apprehension of a harmful or offensive contact of their persons.

12. Defendant, Michael J. Voza, made actual, nonconsensual contact with plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura.

WHEREFORE, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, demand judgment against defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, for personal injuries and psychological damages, medical expenses, costs of suit, and reasonable attorneys fees.

## **SECOND COUNT**

### **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

13. Defendant, Michael J. Voza, acted intentionally in that he intended to both do the actions and to produce emotional distress upon plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura.

14. Defendant, Michael J. Voza, acted recklessly in that he acted in deliberate disregard of a high degree of probability that emotional distress upon plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, would follow his actions.

15. Defendant's, Michael J. Voza, actions were the proximate cause of plaintiffs', Nayeli Sanchez and Sadeishy Garcia Ventura, emotional distress.

16. Plaintiffs', Nayeli Sanchez and Sadeishy Garcia Ventura, suffered severe emotional distress, of which no reasonable person could be expected to endure such distress.

WHEREFORE, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, demand judgment against defendants, Michael J. Voza, Jersey City Board of Education, The City of

Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, for personal injuries and psychological damages, medical expenses, costs of suit, and reasonable attorneys fees.

**THIRD COUNT**

**NEGLIGENCE**

17. Defendant, Michael J. Voza, did negligently commit the acts referred to herein above.

18. As a result of the negligence acts of defendant, Michael J. Voza, the plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, sustained the injuries set forth herein above.

WHEREFORE, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, demand judgment against defendants, Michael J. Voza, Jersey City Board of Education, The City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, for personal injuries and psychological damages, medical expenses, costs of suit, and reasonable attorneys fees.

**FOURTH COUNT**

**NEGLIGENT HIRING, TRAINING AND SUPERVISION**

19. On information and belief, the defendants, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, were negligent in the hiring, training and supervision of defendant, Michael J. Voza.

20. Defendants, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, had a duty to protect the plaintiffs from the conduct of defendant, Michael J. Voza as described herein above.

21. Defendants', Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, negligence caused plaintiffs to suffer the damages referred to herein above.

WHEREFORE, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, demand judgment against defendants, Michael J. Voza, Jersey City Board of Education, City of

Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, for personal injuries and psychological damages, medical expenses, costs of suit, and reasonable attorneys fees.

**FIFTH COUNT**

**RESPONDEAT SUPERIOR**

22. Defendants, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales and John Does I-III, were the employers, supervisors and/or principals of defendant, Michael J. Voza.

23. Defendants, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales and John Does I-III, are responsible for the actions of defendant, Michael J. Voza, under the doctrine of *respondeat superior*.

WHEREFORE, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, demand judgment against defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales and John Does I-III, for personal injuries and psychological damages, medical expenses, costs of suit, and reasonable attorneys fees.

**SIXTH COUNT**

**BREACH OF DUTY OF TEACHER AND SCHOOL PERSONNEL TO STUDENT**

24. Defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, owed a duty to exercise reasonable care for the safety of students entrusted to them, namely, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura.

25. Plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, suffered from injuries and damages resulting from the failure of defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, to discharge their duty.

WHEREFORE, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, demand

judgment against defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, for personal injuries and psychological damages, medical expenses, costs of suit, and reasonable attorneys fees.

**SEVENTH COUNT**

**VIOLATION OF CIVIL RIGHTS**

26. Plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, were protected persons under the Federal Civil Rights Act (42 U.S.C. Section 1983), the Constitution of the United States and the Constitution of the State of New Jersey.

27. Defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, violated and/or failed to protect the civil rights of plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, causing plaintiffs to sustain the injuries and damages referenced herein above.

WHEREFORE, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, demand judgment against defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, for personal injuries and psychological damages, medical expenses, costs of suit, and any penalties payable under Federal and State civil rights laws, plus reasonable attorneys fees.

**EIGHT COUNT**

**PUNITIVE DAMAGES**

28. The injury, loss, and/or harm suffered by plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, was the result of the acts and omissions by defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III.

29. The conduct of defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, was malicious and/or defendants acted in wanton and willful disregard of the rights of plaintiffs,

Nayeli Sanchez and Sadeishy Garcia Ventura.

30. Plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, were persons who foreseeably might be harmed by the acts or omissions of defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, and defendants' reckless indifference to the consequence of their acts or omissions.

31. Plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, seek punitive damages pursuant to N.J.S.A. 2A:15-5.9, Punitive Damages Act.

WHEREFORE, plaintiffs, Nayeli Sanchez and Sadeishy Garcia Ventura, demand judgment against defendants, Michael J. Voza, Jersey City Board of Education, City of Jersey City, James J. Ferris High School, Jamie Morales, and John Does I-III, herein for punitive damages in an amount sufficient to compensate plaintiffs' injuries, together with interest and costs of suit and other remedies.

**AGRAPIDIS & MAROULES, P.C.**  
**Attorneys for Plaintiffs**

BY:   
**PAUL E. AGRAPIDIS, ESQ.**

DATED: July 8, 2022

**DEMAND FOR TRIAL BY JURY**

Plaintiffs hereby demand a trial by jury as to all issues raised in the Complaint.

**AGRAPIDIS & MAROULES, P.C.**  
**Attorneys for Plaintiffs**

BY:

  
**PAUL E. AGRAPIDIS, ESQ.**

DATED: July 8, 2022

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, Paul E. Agrapidis, Esq. #247682018, is hereby designated as Trial Counsel of this matter.

**AGRAPIDIS & MAROULES, P.C.**  
**Attorneys for Plaintiffs**

BY:

  
**PAUL E. AGRAPIDIS, ESQ.**

DATED: July 8, 2022

**CERTIFICATION**

I certify that pursuant to R. 4:5-1, to my knowledge and based on the information available to me at this time, the matter in controversy is not the subject of any other action pending in any Court, or of a pending arbitration proceeding and that no additional parties are known at this time who should be added.

**AGRAPIDIS & MAROULES, P.C.**  
**Attorneys for Plaintiffs**

BY:

  
**PAUL E. AGRAPIDIS, ESQ.**

DATED: July 8, 2022

**DEMAND FOR ANSWERS TO INTERROGATORIES**

Pursuant to R. 4:17-1(b), the plaintiff hereby demands that the defendant provide answers to the Uniform Interrogatories set forth in Form C and C(2) of Appendix II of the Rules Governing the Courts of the State of New Jersey.



**AGRAPIDIS & MAROULES, P.C.**  
**Attorneys for Plaintiffs**

**BY:**

  
**PAUL E. AGRAPIDIS, ESQ.**

DATED: July 8, 2022