

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
DEBRA ZUCKERWISE

Plaintiff,

-against-

STUART M. COPPERMAN, STUART M. COPPERMAN,  
M.D., NORTH SHORE UNIVERSITY LONG ISLAND  
JEWISH MEDICAL CENTER, SCHNEIDER  
CHILDREN'S HOSPITAL A/K/A STEVEN AND  
ALEXANDRA COHEN CHILDREN'S MEDICAL  
CENTER OF NEW YORK, NASSAU COUNTY  
MEDICAL CENTER, NASSAU UNIVERSITY MEDICAL  
CENTER, and NORTHWELL HEALTH, INC.

Defendant(s).

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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(s) within 20 (twenty) days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 (thirty) days after completion of service where service is made in any other manner. 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: Queens, New York

July 13, 2021

/s/Robert Mongeluzzi  
ROBERT MONGELUZZI  
Saltz Mongeluzzi & Bendesky, P.C.  
One Liberty Place, 52<sup>nd</sup> Floor  
1650 Market Street  
Philadelphia, PA 19103

/s/ Michael Della  
MICHAEL DELLA  
Gruenberg Kelly Della  
700 Koehler Avenue  
Ronkonkoma, New York 11779  
631-737-4110  
*Attorneys for Plaintiff*

**E-FILED SUMMONS**

Index No.

Plaintiff designates Queens  
County as the place of trial.

Venue is based on Defendant  
SCH's principal place of  
business

**Child Victims Act**  
**Proceeding 22 NYCRR**  
**202.72**

TO:

Stuart M. Copperman  
6580 Via Vicenza  
Delray Beach, FL 33466-3740

Stuart M. Copperman, M.D.  
6580 Via Vicenza  
Delray Beach, FL 33466-3740

North Shore University Long Island Jewish Medical Center  
270-05 76<sup>th</sup> Avenue  
New Hyde Park, New York

Schneider Children's Hospital A/K/A Steven and Alexandra Cohen Children's Medical Center  
of New York  
270-05 76<sup>th</sup> Avenue  
New Hyde Park, New York

Nassau County Medical Center  
2201 Hempstead Turnpike  
East Meadow, NY 11544

Nassau University Medical Center  
2201 Hempstead Turnpike  
East Meadow, NY 11544

Northwell Health, Inc.  
300 Community Drive  
Manhasset, NY 11030

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
DEBRA ZUCKERWISE,

Plaintiff,

Index No.:

-against-

**E-FILED COMPLAINT**

STUART M. COPPERMAN, STUART M. COPPERMAN,  
M.D., NORTH SHORE UNIVERSITY LONG ISLAND  
JEWISH MEDICAL CENTER, SCHNEIDER  
CHILDREN’S HOSPITAL A/K/A STEVEN AND  
ALEXANDRA COHEN CHILDREN’S MEDICAL  
CENTER OF NEW YORK, NASSAU COUNTY  
MEDICAL CENTER, NASSAU UNIVERSITY MEDICAL  
CENTER, and NORTHWELL HEALTH, INC.

**Child Victims Act**  
**Proceeding 22 NYCRR**  
**202.72**

Defendant(s).

-----X

Plaintiff, by her attorneys, **SALTZ MONGELUZZI & BENDESKY** and **GRUENBERG KELLY DELLA**, complaining of the Defendants, respectfully alleges, upon information and belief:

**INTRODUCTION**

1. This is a civil action to recover damages for serious, lifelong harm, resulting from the sexual predatory acts of Defendant Stuart M. Copperman, M.D., F.A.A.P (hereinafter referred to as, “Defendant Copperman” or “Copperman”), a medical professional, who was permitted, by Defendants, to evade accountability in the face of *multiple* accusations of sexual abuse over a four-decade span.

2. Plaintiff, through this action (as well as other Copperman survivors in other filed actions), will seek judicial accountability against Defendants – the institutions and prominent

professionals who actively permitted Defendant Copperman to evade judgment, dismissal, punishment, and even investigation.

3. This action seeks to vindicate the rights of Plaintiff, and many other women who, as children and pediatric patients, were sexually abused, exploited, harassed, and molested at the hands of Copperman while they were patients at the following enabling facilities: North Shore University Long Island Jewish Medical Center (hereinafter referred to as, "LIJ") located at 270-05 Seventy-Sixth Avenue, New Hyde Park, New York, and/or Defendant Copperman's private practice, STUART COPPERMAN, M.D., located at 3137 Hewlett Avenue, South Merrick, New York 11566 (hereinafter referred to as, "SCMD") (collectively referred herein as "Medical Facilities").

4. Between 1960 and 2001, pediatric female patients, including Plaintiff, went to Defendant Medical Facilities seeking pediatric medical care.

5. While there, they were sexually preyed upon by Defendant Copperman, whom all herein Defendants knew or should have known was a sexual predator.

6. Over the course of those four decades, Defendant Copperman sexually preyed upon *scores* of young women, including Plaintiff, with sexually abusive misconduct including, but not limited to: grooming, sexual exploitation, fondling, and aggressively penetrating and groping his patients' pediatric bodies and genitalia for no medical purpose; digitally penetrating his pediatric patients' vaginas and repeatedly rubbing and stimulating their clitorises; groping, pinching, cupping, and/or fondling female pediatric patients' nipples, chests and/or undeveloped or underdeveloped breasts; making sexually inappropriate remarks and deviant statements to pediatric patients and their parents or guardians to cause them to lower their boundaries and break-down their defenses; performing medically inappropriate and sexually abusive "examinations" of

their vaginas; stripping his pediatric patients fully or partially naked and spreading open their legs and/or gaining access to their vaginas so that he could leer at and/or touch their vaginas for his own deviant sexual gratification; rubbing his erect penis on some of his pediatric patients and/or forcing young girls to touch his erect penis; performing serial vaginal examinations of pediatric patients for no medical or hygienic purpose, but rather as an excuse to access, touch, rub, and/or penetrate their vaginas and/or stimulate their clitorises to satisfy his own prurient and deviant sexual desires; and/or other inappropriate misconduct.

7. Disturbingly, whenever Defendant Copperman's medically inappropriate misconduct was questioned, he responded that he was being "thorough" in his examinations. In fact, in response to a mountain of inquiries and accusations involving why he would stimulate the clitorises of his female pediatric patients and cup and fondle their pre-pubescent chests, Defendant Copperman publicly stated: "I love kids, and most of the time, they love me...a proper examination of young adults, and females, includes a breast exam and an examination of the external genitalia... [and that he] always prided [him]self on being thorough."

8. However, digitally penetrating vaginas and/or anuses with bare fingers and/or other objects, performing serial and prolonged medically inappropriate breast and vaginal examinations, rubbing and stimulating clitorises, pinching, and/or fondling and cupping underdeveloped chests and breasts, are hardly acts that constitute a "thorough" examination or demonstrate medical competence or proper medically appropriate conduct.

9. Defendant Copperman's sexually violative conduct was a gross violation of the trust between physician and pediatric patient and her guardian. It has always been well known that pediatric patients are, of course, at their most vulnerable during examinations of their intimate

body parts and they, along with their guardians, should be able to trust that they will be treated, *at all times*, with dignity, respect, and in a nonsexual and medically appropriate manner.

10. As more fully described herein, Defendant Enabling Facilities knew or should have known that Defendant Copperman was a sexual predator, because all Defendants listed herein, inclusive of their agents, servants, employees, chaperones, other doctors, and other supervisors, repeatedly and actively concealed, conspired, and enabled, the sexual exploitation and abuse that Defendant Copperman committed.

11. At all relevant times, Defendant Copperman was an agent, servant, and/or employee of Defendants, and/or herein Defendants knew or should have known that Defendant Copperman was a sexual predator because they: (1) affiliated with Defendant Copperman; (2) permitted Copperman to teach its residents, interns, physician assistants, and/or medical students; (3) held Copperman out as a Chairman or trusted individual at its hospital, clinic, and/or university and/or referred patients to him or allowed patients to be referred to him; (4) failed to develop, adhere to and/or train its staff to engage in reasonable procedures for reviewing Copperman's qualifications, thereby creating a foreseeable risk of harm; (5) failed to develop, adhere to, and/or train its staff to engage in reasonable procedures for reviewing Copperman's medical fitness, propensity for danger to his pediatric patients, and other risks related to his ability to demonstrate his current fitness as a pediatrician wherein he was permitted unfettered access to pediatric patients, thereby creating a foreseeable risk of harm; (6) failed to address suspicions and/or acts of sexual abuse complaints and misconduct; and/or (7) failed in meeting their obligation to ensure that Defendant Copperman was fit to be a physician, teacher, clinician, or other agent and/or affiliate of its facility thereby increasing the risk of harm to countless female pediatric patients, including Plaintiff.

12. Defendant Enabling Facilities repeatedly and actively concealed, conspired, and enabled this vile sexual misconduct by, among other actions and inactions, ignoring the accusations and reports of sexual abuse and failing to perform the necessary, required, and/or reasonably prudent efforts to confirm that the pediatrician they extended privileges to, provided interns and residents to, marketed with, and affiliated with, was a safe, fit, and competent medical professional.

13. This actively constructed cover-up – designed, among other reasons, to protect and/or enhance Defendants’ own financial profits and reputation – came at great detriment to Plaintiff, and *scores* other young innocent children.

14. Defendants knew or should have known that Defendant Copperman was a sexual predator – because on *hundreds of occasions*, Defendant Copperman sexually abused pediatric patients, many times in front of medical students and other SCMD staff – and all Defendants listed herein, inclusive of their agents, servants, employees, chaperones, other doctors, and other supervisors, repeatedly and actively concealed, conspired, condoned, and enabled, the sexual exploitation and abuse that Defendant Copperman committed and, among other actions and inactions, failed to recognize accusations and reports of sexual abuse and failed to perform the necessary, required, and/or reasonably prudent efforts to confirm that Copperman – the agent and/or affiliate pediatrician they extended medical privileges to, provided interns and residents to, marketed with, and/or affiliated with – was a safe and fit medical professional.

15. Equally, agents, servants, employees, and/or affiliates of Defendants failed to meet its legal, ethical, and moral obligations and duties regarding the report and investigation of suspicions of child abuse and failed to have, or had insufficient, policies and procedures governing the proper reporting of child abuse and suspicions thereof, to appropriate internal and external

authorities. Defendants grossly violated its duties, and as a result, prolonged and permitted systemic sexual abuse and enabled Defendant Copperman to sexually abuse countless female patients of Medical Facilities, in a serial fashion.

16. Defendant Copperman methodically selected pediatric patients he believed would be discredited and/or could not understand and/or articulate the extent of the sexual abuse at the time, and/or had no idea that the medically unnecessary procedures were not only unnecessary, but merely the excuse that Defendant Copperman used to gain access to the genitalia of these young, often prepubescent female patients, to sexually gratify himself.

17. Because, medical examinations, especially those for sore throats or a broken finger, for example, do not and should not involve vaginal inspections or penetration – with a finger or cotton swab-like object – nor clitoral stimulation Defendant Copperman’s misconduct was criminal, as was the conduct of those individuals and institutions, like Defendants, that enabled him; all of whom must be held accountable.

18. Defendants were aware of the cognitive dissonance that pediatric patients – especially those being sexually abused by their pediatrician - would experience with regard to their inability to accept that their own medical doctor, a man trusted within the community and by their guardians, was sexually exploiting and abusing them. Of the children who were comfortable disclosing, most were dismissively met with the normal and customary responses that ‘doctors would not do such deviant things’, ‘Copperman knows what he is doing’, and ‘you are mistaken’.

19. Defendant Copperman used this knowledge to his advantage and leveraged his position of status and authority bestowed on him by Defendants, to continue to sexually abuse and exploit as many children as possible under the guise of performing medical procedures.

20. In all instances, all herein Defendants knew, firsthand from complaints or observations, or should have known had they conducted appropriate due diligence, *that Defendant Copperman was engaging in inappropriate, criminal, and sexually exploitative conduct with children, repeatedly, for approximately four decades.*

21. Defendants' gross negligence and actively constructed cover-up – likely designed, among other reasons, to protect and/or enhance Defendants' own financial profits and reputation – came at great detriment to Plaintiff, and *scores* of other young innocent children.

22. Sadly, Defendant Copperman's sexual misconduct could have ended decades sooner, with many young innocent children's lives, including Plaintiff, protected, except Defendants were too self-concerned with their reputation to protect the very people – pediatric patients, including Plaintiff – they took an oath to protect *and* were legally, morally, and/or ethically obligated to serve.

23. Defendants knowingly and recklessly disregarded the abuse of children, including Plaintiff, and chose to protect Defendant Copperman's wealth and reputation, as well as their own, at the cost of the vulnerable children who relied on their protection. The result of the Defendants' collective agreement, unquestionably fueled by their self-concern of reputation and profit is not surprising: *scores* of innocent children were sexually abused by Defendant Copperman over the course of four decades, while all herein Defendants stood idly, and profited, either financially or otherwise.

24. Significantly, herein Plaintiff represents only *one* of those pediatric patients who were sexually abused due to herein Defendants' wrongful and injurious conduct.

25. The others have filed parallel actions demonstrating substantially similar and equally disturbing instances of abuse at the hand of Defendant Copperman, showing the common

plan or scheme, and similarities between herein Plaintiff's legal action and the legal actions and/or instances of vile sexual abuse Defendant Copperman perpetrated on other female pediatric patients, which Defendants atrociously and negligently ignored.

26. The similarities of Defendants' conduct in Plaintiff's civil action and the civil actions of scores of other survivors of Copperman, tend to establish that Defendants' acts and omissions, collectively, establish a common plan or scheme, involving, among other factors: (1) preying upon the same class of persons – female pediatric patients; (2) engaging in substantially similar misconduct, including, but not limited to vaginal penetration, touching, rubbing, and other indecent unlawful touching; clitoral stimulation, scraping, and/or rubbing; inappropriate and unwarranted breast examinations; (3) recurring sequences of acts by Defendant Copperman, and the active concealment and collective cover-up by all Defendants over a continuous span of time; (4) failures of Defendants to investigate, stop, and/or address accusations of abuse; (5) failures of Defendants to employ reasonable procedures, and ensure that doctors, like Defendant Copperman, whom they permitted privileges to and/or were affiliated with were fit and safe; and/or (5) other factors that may be uncovered after discovery.

27. Plaintiff is permitted to bring forth this action due to the Child Victims Act (the "CVA"), NY C.P.L.R. § 214-g and 22 NYCRR § 202.72, because it pertains to intentional or negligent acts or omissions for physical, psychological, or other injury suffered as a result of child sexual abuse.

28. The CVA opened a historic window for survivors of childhood sexual abuse in the State of New York to pursue lapsed claims.

29. Plaintiff was a minor when Defendant Copperman began to sexually abuse her, and thus she became the victim of one or more criminal sexual acts in the State of New York.

30. Since such criminal violation is the basis for this action, Plaintiff herein is entitled to the protection of Civil Rights Law 50-b and permitted to proceed using a pseudonym.

#### **JURISDICTION AND VENUE**

31. Jurisdiction in this action is based on CPLR Sections 301 and 302.

32. Venue for this action is proper in the County of Queens.

#### **FACTS**

##### **LONG ISLAND JEWISH HOSPITAL AND STUART COPPERMAN, M.D., F.A.A.P.**

33. As early as 1955, when LIJ was built, Defendant LIJ held itself out as an academically superior teaching hospital, with the nation's best physicians and scientists, offering high quality educational opportunities to young medical students, graduates, and doctors, and high-quality care for its patients.

34. From the beginning, agents, servants, board members, and trustees at Defendant LIJ held itself out as medically superior to other hospitals, with a broad support base and large Board who "monitored day-to-day functions and strategic planning". They also claimed to "hire physicians to run the hospital, rather than administrators with a business background." *See* Northwell Health: Shaping the Future of Health Care, p. 45 <https://www.northwell.edu/sites/northwell.edu/files/d7/ShapingTheFutureOfHealthcare.pdf>.

35. Defendant LIJ praised itself as "the first [hospital] on Long Island to offer research and educational facilities" and in addition to being appealing to patients, its represented that its emphasis on education was used to attract reputable physicians, scientists, and students, throughout the nation. *Id.* at 40.

LIJ became the first federation-sponsored hospital and the first on Long Island to offer research and educational facilities. In 1953, the *LIJ Reporter* proudly declared, "It was the first contribution of the entire Jewish community to the health and welfare of the Island. The hospital marks the coming of age of the Long Island Jewish community. The hospital has already shown evidence that it will continue in the great traditions set by Jewish hospitals in the United States."<sup>24</sup>

LIJ's focus on education would help Long Island's reputation evolve from a small town to a place of cutting-edge medical innovation and research. The hospital's reputation would attract the nation's top physicians and scientists, such as Dr. Kanti Rai, who began his career as a resident at North Shore Hospital and was quickly recruited to LIJ in 1959 as a hematology and nuclear medicine Fellow when the hospital was just five years old. "These were very new institutions, trying to establish excellence in clinical care in Long Island, because Long Island had been traditionally known to be boondocks. [When] anybody with any means got sick on Long Island, the natural tendency was to go to Manhattan," he said. Today, Rai is the worldwide authority in chronic lymphoid leukemia."<sup>25</sup>

36. In fact, at its inception, Defendant LIJ represented itself as a **quality teaching hospital**, valuing the importance of quality education and training during a medical graduate's internship and residency, claiming that its "***primary goal***" and ***mission*** – **since inception** – ***was to train "young doctors"***. *Id.* at 38- 39 (emphasis added) ("[t]he board of trustees decided that LIJ would be a teaching hospital...According to an internal LIJ memo, '[i]t was recognized that a teaching hospital was not only essential to the practice of good medicine, but such a hospital would provide sorely needed training...').

**One of the primary goals of the hospital's founders was for LIJ to train young doctors.**

37. With an emphasis on teaching competent doctors, in 1955, Defendant LIJ partnered with the State University of New York ("SUNY") Downstate Medical Center College of Medicine, the Medical College Defendant Copperman attended. *Id.* at 38 (this partnership lasted until 1970).

38. Thereafter, in 1960, Defendant Copperman began his rotating internship and residency in the Pediatric Department at Defendant LIJ. It was during this residency, where Defendant LIJ's agents, servants, and/or employees unreasonably disregarded its policies,

procedures, and representations of high quality care and oversight over its trainees, like Copperman, and grossly failed to properly safeguard a young pediatric patient that Defendant Copperman sexually preyed on.

39. A medical graduate's internship and residency is an important stage of formal medical education that begins right after graduation from medical school and ends after the educational requirements for the medical specialty certifying board has been completed.

40. Generally during the first year of the program, the trainee (or medical school graduate) receives a broad introduction to pediatrics, and, *with supervision*, cares for patients, often times as a member of a team consisting of medical students, residents, chief residents, and attending physicians.

41. During the second and third years of the program, residents generally offer care in the hospital setting and are directly supervised by faculty employed by the Hospital or they offer medical care at a private practice and are directly supervised by a designated practicing pediatrician.

42. During Defendant Copperman's internship and residency at Defendant LIJ, he was an agent, servant, and/or employee of Defendant LIJ and its medical clinics, facilities, and locations, and/or was under its complete control and/or direct supervision, and thus Defendant LIJ was responsible for ensuring timely and proper supervision of Defendant Copperman – its agent, servant, and/or employee – *and* exercising reasonable care in hiring, retaining, monitoring, investigating, and/or supervising Defendant Copperman.

43. Upon information and belief, during Defendant Copperman's three-year internship and residency with Defendant LIJ, Defendant Copperman's responsibilities included patient care activities within the scope of his clinical privileges commensurate with the level of training,

attendance at clinical rounds and seminars, timely completion of medical records, and other responsibilities as assigned or as required by all members of Defendant LIJ's medical personnel and/or staff.

44. All of Defendant Copperman's responsibilities should have been supervised.

45. All of Defendant Copperman's responsibilities should have been completed in accord with Defendant LIJ's represented high standard of prioritizing quality education and training of young future physicians, like then-Defendant Copperman.

46. In conjunction with its representation, Defendant LIJ had a duty and obligation to heavily supervise and scrutinize its interns and/or residents, and this duty and obligation should have continued throughout the entirety of any medical school graduate's internship and residency.

47. As organizations and individuals responsible for, and entrusted with, the welfare of patients (particularly pediatric patients), and the oversight, education of, and supervision over medical interns and residents, like Defendant Copperman, Defendant LIJ had a duty to protect, supervise, monitor, and prevent its pediatric patients from being preyed upon by sexual predators.

48. This is especially true given that Defendant Copperman was a Defendant LIJ intern and resident *in the Pediatric Division* – and thus all the medical patients were vulnerable medical patients.

49. Defendant LIJ failed in this duty beginning as early as late 1961 or early 1962.

50. In addition to a duty to safeguard its patient, Defendant LIJ had a duty to supervise and monitor Defendant Copperman, in his position of trust and authority, such that his interactions with vulnerable medical patients were properly monitored.

51. Defendant LIJ failed in this duty and unreasonably disregarded a risk of misconduct, and as a result, a pediatric patient was sexually preyed upon and abused, and

Copperman, a serial predator, was permitted to continue sexually prey on other young female pediatric patients, like Plaintiff.

52. By virtue of that pediatric patient's special relationship with Defendant LIJ, and Defendant's obligations *to* its patients and *over* Defendant Copperman, Defendant LIJ owed that patient a duty to provide reasonable supervision over Defendant Copperman and use reasonable care in investigating Defendant Copperman's background *before allowing him alone with patients*, and to provide adequate warning to this and other patients, including Plaintiff, of Defendant Copperman's dangerous propensities and unfitness.

53. Defendant LIJ's negligence and recklessness further lies in having placed Defendant Copperman in a position to cause foreseeable harm, of which ***Plaintiff would have been spared***, had Defendant LIJ taken reasonable care in the hiring, retention, termination, supervision, oversight, and monitoring of employees, agents, servants, interns, and residents - including, but not limited to, Defendant Copperman.

54. With Defendant LIJ's represented focus on education and training, input, oversight, and management by skilled physicians and the board, all of which Defendant Copperman was to be the recipient of, it is purely abhorrent that as a rotating intern and pediatric resident at Defendant LIJ, Defendant Copperman was able to gain access to and sexually exploit and abuse ***at least*** one pediatric patient.

55. During that time, Defendant Copperman, as an intern and resident, was an agent, servant, and/or employee of Defendant LIJ and its medical clinics, facilities, and locations, and/or was under its complete control and/or direct supervision, and thus Defendant LIJ is liable and responsible for unreasonably disregarding the risk of misconduct, failing to safeguard its patients from foreseeable risks and harm, its negligence or recklessness in failing to timely and properly

supervise Defendant Copperman – its agent, servant, and/or employee – *and* for failing to exercise reasonable care in hiring, retaining, monitoring, investigating, and/or supervising Defendant Copperman – its actual or apparent agent, servant, and/or employee.

56. The abuse *that* pediatric patient endured was in no manner caused by any act or failure to act on the part of her, but was caused solely and exclusively by the negligence, carelessness and/or recklessness of Defendants Copperman *and* LIJ because prior to, during, and after this instance of child sexual abuse, Defendant LIJ knew and/or should have known that Defendant Copperman had, and was capable of, sexually, physically, and mentally abusing, exploiting, and harassing this young pediatric patient, Plaintiff, and so many others.

57. Additionally, among other failures, Defendant LIJ permitted Copperman to engage in independent interactions with that pediatric patient and also failed to: (1) provide a safe environment; (2) adequately evaluate, train, monitor, control, and/or supervise its residents, interns, employees, agents and/or servants, like Defendant Copperman, whom they permitted and enabled to have access to its pediatric patients; (3) prevent Defendant Copperman from engaging in wrongful sexual acts with pediatric patients; and (4) ensure that the hospital was safe for its patients and free of any danger.

58. Defendant LIJ was required to train and monitor its employees, residents, interns, employees, agents and/or servants, including Defendant Copperman, and have appropriate policies and procedures in place to: (1) prevent its residents or interns from engaging in sexually violative acts with its patients, *especially its pediatric patients*; **and**, (2) train its employees, residents, interns, employees, agents and/or servants, inclusive of pediatric nurses and physicians, of indicators of child physical and sexual abuse.

59. Defendant LIJ had a duty to prevent any dangerous and/or unsafe conditions and was required to take steps to prevent any dangerous and/or unsafe condition from developing at its facility, and to ensure that its residents, interns, employees, agents and/or servants worked in an appropriate and/or safe manner.

60. Defendant LIJ was required to ensure a safe environment for its patients, *especially its pediatric patients*, and if Defendant LIJ was unable to correct an unsafe condition, Defendant LIJ had an obligation to provide others with appropriate notice and/or warning, particularly in light of its representations.

61. It did not.

62. Defendant LIJ breached its duties and obligations, creating an opportunity where, as a result, *scores of young pediatric patients, including Plaintiff, were sexually preyed upon by Defendant Copperman's horrific and vile predatory ways.*

63. Defendant Copperman was grossly negligent as to the effect of his conduct in performing unwanted sexual acts without the consent of that pediatric patient (as well as Plaintiff and other women) during the course and scope of his purported medical treatment of her.

64. Defendant LIJ, its agents, servants, and/or employees were grossly negligent as to the effect of their conduct in allowing and enabling Defendant Copperman to perform unwanted sexual acts on that pediatric patient, failing to properly safeguard that pediatric patient, failing to properly supervise Defendant Copperman, and failing to warn others of Defendant Copperman's dangerous propensities, and because of this negligence, Defendant Copperman was not stopped and permitted to perform unwanted sexual acts on Plaintiff and other women, during the course and scope of his purported medical treatment.

65. Had Defendant Copperman been appropriately monitored, guided, and supervised, and if appropriate and/or sufficient policies, procedures, and other safeguards been in place, Defendant Copperman would not have been granted credentials to continue to practice medicine *and/or* the unfettered ability to continue to sexually abuse herein Plaintiff, and other innocent young girls.



**DEFENDANT COPPERMAN’S PREDATORY CLOAK**

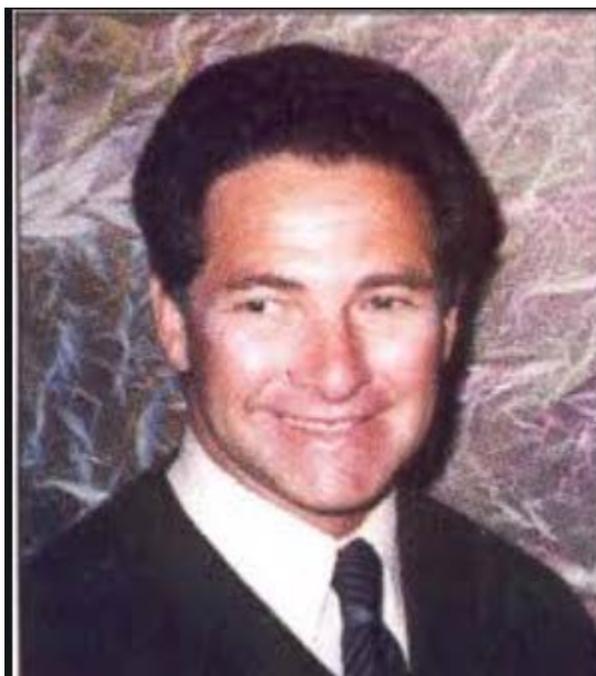
66. Thereafter around 1965, Defendant Copperman, now a Pediatrician, founded Defendant SCMD, a private practice located in the basement of his residential home.



67. Defendant Copperman owned and operated Defendant SCMD between 1965 and 2001, when the New York Department of Health took away his license.

68. There he, and other medical staff, inclusive of physicians, were entrusted with caring for and medically treating pediatric patients, including Plaintiff.

69. During his time as a practicing physician – 1965 to 2001 – Defendant Copperman used his position of access, trust, and authority, to access, select, groom, and sexually exploit and abuse scores of other pediatric patients, including Plaintiff, in the eerily similar manner that he sexually abused Defendant LIJ’s pediatric patient in 1961 or 1962.



70. In fact, upon information and belief, at all relevant times herein – throughout the time Defendant Copperman was sexually preying upon Plaintiff and others – he was also affiliated with at several major hospitals in the area and could have used this to increase referrals and access patients.

71. These Hospitals included:

- a. LIJ also known as North Shore Long Island Jewish Medical Center and is currently located at 270-05 Seventy-Sixth Avenue, New Hyde Park, New York. Upon information and belief, in 1983, Defendant Schneider Children's Hospital a/k/a Steven and Alexandra Cohen Children's Medical Center of New York (hereinafter referred to as "SCH") opened in LIJ. Upon information and belief, LIJ owned, operated, maintained, and/or controlled Defendant SCH, then a pediatric acute care teaching hospital named Cohen Children's Medical Center of New York. In March 2010, it was temporarily renamed to North Shore-LIJ children's hospital and the following month (April 2010) it was named Cohen Children's Medical Center of New York. SCH is located at 269-01 Seventy-Sixth Avenue, Queens, New York (all herein collectively referred to as "LIJ");
- b. New York University Langone Hospital a/k/a Winthrop University Hospital, a hospital in Mineola, New York, was initially named Nassau Hospital, but in 1985 changed its name to Winthrop University Hospital. In 2019, Winthrop University Hospital merged with and thus, upon information and belief, is owned, operated, maintained, and/or controlled by NYU Langone Hospital and in November of 2020 changed its name to New York University Langone Hospital (all herein collectively referred to as "Winthrop"), located at 259 First Street, Mineola, New York 11501;

- c. Nassau University Medical Center (“NUMC”) is a public teaching hospital affiliated with the Health Sciences Center of Stony Brook University located at 2201 Hempstead Turnpike, East Meadow, New York 11554. NUMC opened in 1935 under the name of Meadowbrook Hospital and changed its name to the Nassau County Medical Center in 1974 and then around 1985 changed its name to Winthrop-University Hospital, and in 2000, changed that name to Nassau University Medical Center (all herein collectively referred to as “NUMC”); and
- d. North Shore University Hospital (“NSUH”) (formerly known as Manhasset Hospital) is, since 1997, a part of Northwell Health, and is located at 300 Community Drive, Manhasset, New York 11030 (all herein collectively referred to as “NSUH”).

72. Significantly, Defendant Copperman was also a Preceptor in the Residency Program at Winthrop.

73. Defendant Copperman also played several roles at the State University of New York School at Stony Brook of Health Technology and Management (“SUNY”), his *alma matter*. There, Defendant Copperman was a: (1) Preceptor in Pediatrics in the Physician Assistant Program; (2) Assistant Professor in Pediatrics; and (3) Clinical Associate Professor of Pediatrics.

74. Further, in 1983, and likely before *and* after, Defendant Copperman was a teacher at NUMC.

75. Defendant Northwell Health, Inc. (“Northwell” or “Northwell Health”) is a nonprofit integrated healthcare network that is New York State’s largest healthcare provider.

Northwell Health was formerly called North Shore-Long Island Jewish Health System and renamed in 2015.

76. Upon information and belief, the flagship hospitals of Northwell are North Shore University Hospital and Defendant LIJ, and thus, upon information and belief, are both owned, operated, maintained, and/or controlled by Northwell Health.

77. At all times relevant herein Defendant SCMD was a business entity, duly incorporated and existing under and by virtue of the laws of the State of New York.

78. At all times herein mentioned Defendant LIJ was a professional corporation, duly incorporated and existing under and by virtue of the laws of the State of New York.

79. At all times herein mentioned Defendant SCH was a professional corporation, duly incorporated and existing under and by virtue of the laws of the State of New York.

80. At all times herein mentioned Defendant Winthrop was a professional corporation, duly incorporated and existing under and by virtue of the laws of the State of New York.

81. At all times herein mentioned Defendant NUMC was a professional corporation, duly incorporated and existing under and by virtue of the laws of the State of New York.

82. At all times herein mentioned Defendant NSUH was a professional corporation, duly incorporated and existing under and by virtue of the laws of the State of New York.

83. Defendants SCMD, LIJ, SCH, NUMC, and Northwell Health, are herein collectively referred to as “Enabling Facilities”.

84. Defendant Copperman advertised his affiliation with many, if not all, of these hospitals on his website and on his curriculum vitae and resume.

**HOSPITAL AFFILIATIONS:**

**Schneider Children's Hospital at Long Island Jewish Medical Center,  
North Shore University Hospital, Winthrop University Hospital and  
Nassau County Medical Center**

85. Generally, hospital affiliations for a doctor affords the doctor privileges to examine, treat, and manage a particular patient as outpatient or inpatient within that hospital; the hospital credentials that doctor, essentially mandating and ensuring that high-quality service is tendered and that patients and others will be safe; and often times serves to refer patients to the physicians private practice.

86. Credentialing and/or renewing the credentials of a physician-applicant or candidate typically involves confirming that the physician is fit to be around patients.

87. Of pertinence to this action, this process also involves and obligates Enabling Facilities to review documents including, proof of current medical licensure, letters of reference, malpractice insurance, medical notes and/or records, a claims history, criminal and conduct background inquiries and/or investigations, and/or sanction and/or complaint history; as well as confirming that the physician it fit.

88. Upon information and belief, Copperman's affiliation with these major hospitals afforded him these privileges and obligated all hospitals to credential, and ensure the fitness and safety of him. In return, upon information and belief, the Defendant Enabling Facilities that Defendant Copperman was affiliated with, used Defendant Copperman's reputation to market itself as a premier facility and/or served as a source of potential patients for Defendants Copperman and/or SCMD.

89. In addition to affiliations, Defendant Copperman also taught and provided clinical training for many of the medical students, medical professionals, and/or resident physicians of Defendant.

90. In fact, Defendant Copperman was a Preceptor, giving personal instruction, training, and supervision to medical students, medical professionals, residents, interns, and/or physicians at both the Winthrop's Residency Program, as well as for the Pediatric Physician Assistant Programs at the SUNY's School of Health Technology and Management; all institutions of which had an ongoing, and likely heightened, obligation to confirm that Defendant Copperman was a safe and fit preceptor, teaching medically necessary procedures.

91. Defendant Copperman also played several roles at SUNY at Stony Brook of Health Technology and Management, his *alma matter*.

92. There, Defendant Copperman was: (1) Preceptor in Pediatrics in the Physician Assistant Program; (2) Assistant Professor in Pediatrics; and (3) Clinical Associate Professor of Pediatrics.

93. Moreover, between 1979 and 1980, Defendant Copperman was the Acting Chairman of the Department Pediatrics at the Kingstown Medical College of Grenada in Saint Vincent ("KMC").

94. Notably "since its inception," KMC touted itself as "provid[ing] outstanding preclinical training for St. George's University medical students during their fifth and sixth term." *Kingstown Medical College Celebrates 25 Years Of Academic Excellence*, <https://www.sgu.edu/news-and-events/kingstown-medical-college-celebrates-25-years-academic-excellence/> (last visited November 19, 2020).

SGU's medical students spend a critical period of their medical training at KMC in a semester whose curriculum bridges knowledge from the basic sciences to the clinical program. Their program includes frequent visits to the Milton Cato Memorial Hospital where students obtain clinical experience in core rotations and certain specialties.

95. At all relevant times, Defendant Copperman was also a teacher at NUMC.

96. Upon information and belief, Defendant Copperman was also on the Board of Directors for Defendants LIJ Independent Practice Organization (hereinafter "IPO") (legal entity in which physicians enter an arrangement to provide services through an entity while maintaining their own private practices) and the North-Shore Physicians Organization, the Advisory Board and Board of Directors for the North Shore Hospital Independent Practice Association (hereinafter "IPA") (a network of physicians who agree to participate in an association to contract with health insurance plans) and a Medical Liability Case Reviewer for MLMIC, a professional liability insurance company, and PRI, a "physician-owned professional liability insurance company exclusive to New York" that prides itself on "put[ting] the needs of New York Pediatricians first," as all herein Defendants did.

97. Thus, Defendant Copperman's cloak of deceit was thick and complex, and his reputation and success were intricately linked with the reputation and success of the Defendant Enabling Facilities and other institutions.

98. And, because Defendant Copperman's practice was beneficial, financially and otherwise, to many institutions, including Defendant Enabling Facilities, his sexually exploitive ways were disturbingly ignored, dismissed, overlooked, and/or actively concealed.

99. Consequently, it was easy for him to pull the cloak over the eyes of his pediatric patients' parents and guardians, as well as his pediatric patients, including Plaintiff, the young girls he sexually abused, many of whom discounted their discomfort to continue to trust this authoritative figure; all of whom, unlike Enabling Facilities were obligated by law, by-laws, policy, procedure, and other guidelines to ensure Copperman's was fit to practice; and not a sexual predator.

100. With this clout, it is also understandable to see why many of the pediatric patients Copperman sexually abused felt they had no one to turn to. Those survivors or other witnesses who did confront Defendant Copperman and/or expose Defendant Copperman's misconduct to Copperman, and/or agents, servants, and other employees of Enabling Facilities – were dismissed and discounted.

**DEBRA ZUCKERWISE**

101. Plaintiff is an individual who resides in the state of California.

102. At all relevant times, Plaintiff was a pediatric patient of Defendants Copperman and SCMD.

103. On or about 1965, when Plaintiff was approximately 8 years old, she became a pediatric patient of Defendants Copperman and SCMD.

104. Plaintiff remained under the care of Defendants Copperman and SCMD until 1978, during which time she was sexually exploited and abused by Defendant Copperman – all acts of which all herein Defendants and their staff, agents, servants, and/or employees actively or passively concealed and/or enabled.

105. As a pediatric patient, Plaintiff and her parents or guardians paid Defendants Copperman and SCMD a fee, expecting to receive medical care from Defendant Copperman and Defendant SCMD's staff, agents, servants, and/or employees.

106. Instead, Defendant Copperman subjected Plaintiff and her parents or guardians to a course of predatory grooming, boundary violating, mental, emotional, and/or sexual abuse, while Defendants' staff, agents, servants, and/or employees sat idly by

107. During a visit, Defendant Copperman then made her lie down on the examination table.

108. Defendant Copperman then gained access to her vagina.

109. Defendant Copperman then placed his ungloved finger on her vagina and clitoris and repeatedly penetrated, rubbed, and touched and scraped her vagina and clitoris, causing her great discomfort.

110. Defendant Copperman invasively touched and rubbed Plaintiff's vagina for no medical or hygienic purpose.

111. Moreover, clitoral stimulation and vaginal penetration and rubbing, are never medically appropriate, and especially not when a pediatric patient makes no complaint as to vaginal injury, discharge, or pain.

112. Defendant Copperman engaged in this sexually exploitive behavior against Plaintiff on multiple occasions.

113. Plaintiff, as a child and as a pediatric patient, could not consent to any of the sexual acts perpetrated upon her.

114. Sadly, Defendant Copperman sexually preyed upon Plaintiff, therein subjecting her to trauma and emotional distress that she feels to this current day.

115. Significantly, Plaintiff was not the first person that Copperman sexually abused, and sadly, she was also not the last.

116. Defendant Enabling Facilities knew or should have known of Copperman's propensity for danger and other misconduct.

117. Defendant Enabling Facilities and its agents, servants, and/or employee's actions and/or omissions gave Copperman unfettered access to vulnerable pediatric patients, created a foreseeable risk of harm, and increased the risk of harm to countless female pediatric patients, including Plaintiff.

118. Defendants knew or should have known that Defendant Copperman was unfit and a sexual predator – because on *several occasions with multiple children*, Defendant Copperman sexually abused pediatric patients, many times in front of Defendants' agents, servants, employees, chaperones, students, and/or other doctors.

119. Defendants' agents, servants, employees, chaperones, students, and/or other doctors also failed to recognize accusations, reports, and/or signs of sexual abuse and failed to perform the necessary, required, and/or reasonably prudent efforts to confirm that Copperman – the agent and/or affiliate pediatrician they extended medical privileges to, provided interns and residents to, marketed with, referred clients to, offered clinical and/or academic appointments, and/or affiliated with – was a safe and fit professional and/or actively concealed, conspired, condoned, and enabled, the sexual exploitation and abuse that Defendant Copperman committed.

120. Defendants failed to meet its legal, ethical, and moral obligations and duties regarding mandatory reporting of suspicions of child abuse and/or had insufficient policies and procedures governing the training to prevent and identify child abuse, and proper methods and avenues to report child abuse to appropriate authorities.

121. Defendants grossly violated its duties, and as a result, prolonged and permitted systemic sexual abuse and enabled Defendant Copperman to sexually abuse countless pediatric patients in a serial fashion.

122. Plaintiff's harm resulted from the negligence and/or recklessness of Defendants and was due in no manner whatsoever to any act or failure to act on the part of Plaintiff.

123. This and Defendant Enabling Facilities' other actions, omissions, and/or failures to take the necessary and obligatory steps to protect Plaintiff – which, among other things, permitted Defendant Copperman unfettered access to this vulnerable, unsuspecting female patient – caused Plaintiff to experience shame, embarrassment, great discomfort, and other trauma.

124. As a result of Defendants' conduct, Plaintiff was violated and forced to undergo vile atrocious acts of sexual abuse and as a result has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and/or loss of enjoyment of life; distrust, anxiety, and/or distress related to authority figures; depression, nightmares, nervousness, stress, and/or other trauma; mental anguish, humiliation, sexual dysfunction, embarrassment, insomnia, fear, and/or other emotional distress; was prevented and/or will continue to be prevented from performing daily activities and/or obtaining the full enjoyment of life; has sustained and/or will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and/or psychological treatment, therapy, and/or counseling.

125. The harms, injuries, losses, and damages suffered by Plaintiff, and that she will continue to suffer from, were directly and proximately caused by the negligent, willful, wanton, reckless, and outrageous conduct of Defendants, individually and by and through their agents,

servants, and/or employees, which consisted of, among other things, all conduct described more fully herein.

126. As a direct and proximate result of the negligence, gross negligence, willfulness, reckless, and outrageous behavior and conduct of Defendants, individually acting by and through its agents, servants, and/or employees, Plaintiff has incurred and will continue to incur medical and/or psychological treatment and/or services.

127. Sadly, Defendants' negligence only further emboldened Defendant Copperman's predatory behavior and allowed him to continue his reign of sexually preying upon young female patients, like Plaintiff, in the same signature way.

128. This not only caused further harm to these children, including Plaintiff, but also assisted to conceal Defendant Copperman's sexual abuse *for decades*, and all in a deceitful and disdainful attempt to protect Defendants Copperman's and Enabling Facilities' and its affiliated and related entities' reputation and stature amongst other medical institutions and universities in New York and nationally, and their own personal, corporate, and financial interests.

**DEFENDANTS FAILED PLAINTIFF AND MANY OTHER INNOCENT YOUNG SURVIVORS**

129. As aforementioned, *for decades, complaints and reports about Defendant Copperman were ignored by Enabling Facilities.*

130. In fact, between 1965 and 1975, Defendant Copperman was confronted by the parents and/or guardians of at least two different pediatric patients for engaging in inappropriate contact with their minor-daughters.

131. And, in 1973, an employee, servant and/or agent of Defendant Copperman and SCMD walked in while another child lay naked on the examination table. Disturbingly this was

not the only employee, servant and/or agent of Defendants Copperman and SCMD that observed Defendant Copperman sexually abusing a pediatric patient and fail to inquire and/or render aid.

132. During this time, particularly between 1975 and 1979, Defendant Copperman was widely known amongst the females at John F. Kennedy High School in the Bellmore-Merrick School District (New York) (“JFK High School”), for being a “pervert” and engaging in sexually explicit misconduct with his female patients.

133. In fact, many of the students referred to Defendant Copperman as ‘Doctor Cop-a-Feel’.

134. Moreover, between 1979 and 1984, at least two medical agents, servants, residents, interns, and/or employees of Defendant SCMD, Defendant Copperman, and/or Defendant Enabling Facilities became aware of Defendant Copperman’s sexual misconduct.

135. Specifically, in 1979, one patient left SCMD to seek care with another physician, believed to work at Defendant LIJ, who had previously worked with Defendant Copperman.

136. In a conversation with that patient, it became clear that the physician was aware of Defendant Copperman’s sexual misconduct prior to 1979, and while she was an agent, servant, and/or employee of Defendants SCMD and/or Enabling Facilities.

137. Upon information and belief, this physician was an agent, servant, and/or employee of Defendant LIJ, and performed her residency at NSUH.

138. The other Defendants SCMD, Copperman, and/or Enabling Facilities employee, servant, and/or agent were informed in 1983 or 1984.

139. Between that time – 1979 to 1984 – Defendant Copperman was confronted by at least two *more* parents and/or guardians about his vile, horrendous, sexually explicit conduct.

140. Moreover at least two survivors informed their therapists around 1984.

141. Further between 1974 and 1984, a SCMD employee(s), servant(s) and/or agent(s) was present in the room while Defendant Copperman sexually preyed on children on at least two separate occasions.

142. Upon information and belief, during this time, two individuals contacted law enforcement agencies – one around 1980 and one around 1984 – and reported Defendant Copperman’s sexual misconduct.

143. While the Nassau County Police Department and/or District Attorney’s Office declined to charge Defendant Copperman for sexually assaulting the pediatric patient that reported Defendant Copperman around 1984, knowledge of this complaint and the aforementioned conduct, and thus, Defendant Copperman’s serial sexually predatory conduct, was known or should have been known by Defendant Enabling Facilities – had they fulfilled their obligations and exercised proper and appropriate diligence, including to properly credential, screen and investigate the medical and criminal background of Defendant Copperman, terminate Copperman’s privileges, and/or inquire further after observing clear indications of suspicions of child abuse.

144. After the Nassau County Police Department and/or District Attorney’s Office declined to charge Defendant Copperman, this pediatric patient filed a complaint with the New York Department of Health (“NYDOH” or the “Board”).

145. While the NYDOH declined to bring forth administrative disciplinary charges at that time for Defendant Copperman sexually abusing this pediatric patient, knowledge of this complaint, and potentially others, *in addition to the above clear indicators of misconduct worthy of termination of privileges*, was known or should have been known by Defendant Enabling Facilities – had they fulfilled their obligation and exercised proper and appropriate diligence, including to properly credential, screen and investigate the medical and criminal background of

Defendant Copperman, terminate Copperman's privileges, and/or inquire further after observing clear indicators of suspicions of child abuse.

146. *Knowledge of each and every one of these complaints* should have caused Defendant Enabling Facilities to suspect child abuse and/or initiate an independent investigation into Defendants Copperman and SCMD, the individual they were choosing to be affiliated with, providing medical privileges to, sending residents, interns, or other medical students to, affording academic and clinical appointments to, and/or profiting from.

147. When the NYDOH received another substantially similar complaint of sexual abuse wherein Defendant Copperman had employed his signature sexual predatory ways, it lodged administrative disciplinary charges against Defendant Copperman.

148. The disciplinary proceeding was held before a three-person panel.

149. In 1987, the three-person panel — consisting of two physicians (perhaps associated and/or affiliated with Defendant Enabling Facilities) and a minister — voted two to one to dismiss the complaint against Defendant Copperman.

150. Upon information and belief, the minister was the only person on the three-person panel to vote against dismissal of the complaints lodged by the NYDOH on behalf of the two pediatric patients.

151. While the two physicians refused to hold Defendant Copperman accountable for sexually abusing these two pediatric patients, knowledge of this complaint, and all the other substantially similar complaints, rumors, and clear indicia of child abuse, were known or should have been known by Defendant Enabling Facilities.

152. Knowledge of these rumors *and* complaints *and* a State Disciplinary Hearing *should* have caused Defendant Enabling Facilities to suspect child abuse and/or initiate an

independent investigation into Defendants Copperman and SCMD, the individual they were choosing to be affiliated with, providing medical privileges to, sending residents, interns, or other medical students to, affording academic and clinical appointments to, and/or profiting from.

153. Moreover, given the sheer volume of young girls Defendant Copperman sexually preyed upon, and the magnitude of substantially similar complaints *and* witnesses, Defendants either aggressively concealed Defendant Copperman's vile acts or actively ignored the complaints. Either way, none of the Defendant Enabling Facilities performed an ongoing thorough background check on Defendant Copperman, and their failures to do this in the face of a mountain of rumors, complaints, reports, and/or other indicia of child abuse, and before and after the administrative proceedings allowed Defendant Copperman to continue to practice pediatric medicine, gaining unfettered access to children – one of society's most vulnerable populations – and continuing his sexual predatory reign upon them.

154. This led to the harm of many innocent children, including Plaintiff.

155. Their negligence only further emboldened Defendant Copperman's predatory behavior and allowed him to continue to prey upon young female patients, including Plaintiff.

156. This not only caused further harm to these children, but also assisted to conceal Defendant Copperman's sexual abuse for decades, and all in a deceitful and disdainful attempt to protect Defendants and its affiliated and related entities' reputation and stature amongst other medical institutions and universities in New York and nationally, and their own corporate and financial interests and/or gains.

157. Sadly, during Defendant Copperman's predatory reign, more young girls were sexually preyed upon.

158. During this time, *more* complaints about Defendant Copperman's sexual misconduct were made.

159. Between 1986 and 1988, at least one other survivor informed her therapist.

160. And, in 1989, a Defendant SCMD, Copperman, and/or Enabling Facilities' agent, staff, and/or employee remained in the room as Defendant Copperman sexually assaulted another pediatric patient.

161. Similarly, in 1991 a Defendant SCMD, Copperman, and/or Enabling Facilities' agent, staff, and/or employee, introduced as a physician in training or fellow, remained in the room as Defendant Copperman sexually abused yet another pediatric patient.

162. That same year, another pediatric patient's mother contacted law enforcement and reported that her daughter was sexually abused by Defendant Copperman.

163. Moreover, upon information and belief, between 1986 and 1992, Defendant Copperman had at least five complaints filed against him sounding in medical malpractice, one of which named Defendant LIJ as a Defendant in the civil action.

164. Further, on April 6, 1992, Plaintiff wrote a letter to the Nassau County Medical Society informing it that she wanted to "submit a formal complaint against [Defendant] Copperman, M.D., Merrick, Long Island, NY" whom she stated "committed sexual abuse against [her] when [she] was a child."

April 6, 1992

Nassau County Medical Society  
1200 Stewart Avenue  
Garden City, NY 11530

Attention Peer Review Committee

After years of intensive therapy and living with shame, I have decided to come forward and submit a formal complaint against **Stuart Copperman, M.D., Merrick, Long Island, NY**. Dr. Copperman committed sexual abuse against me when I was a child. This abuse took place in his office on several different visits, beginning when I was 10 years old. Although the incidences occurred 20-25 years ago, I remember every incident as if it happened yesterday.

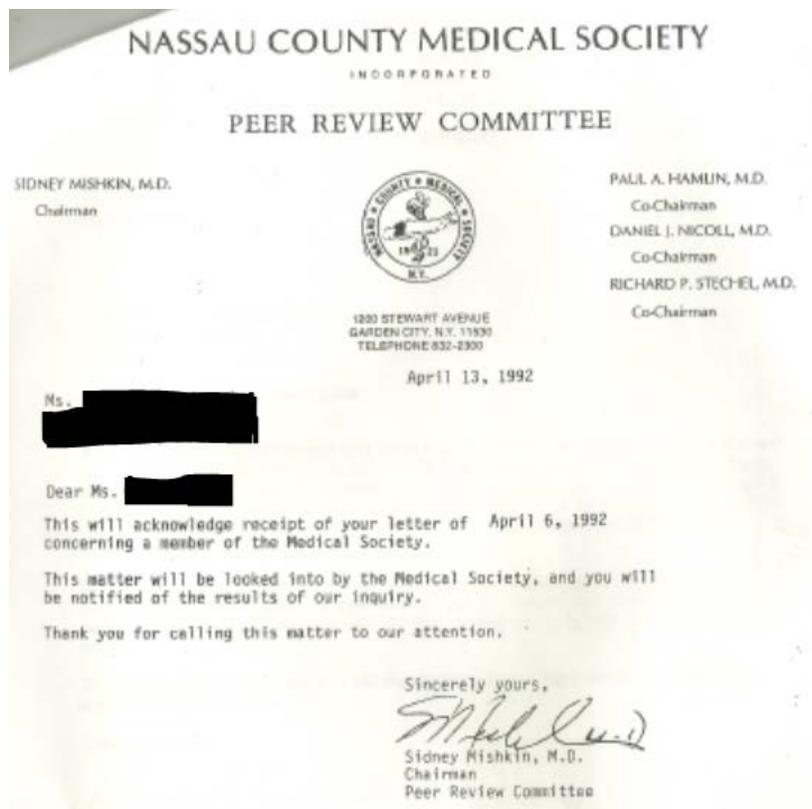
Please conduct an investigation into Dr. Copperman's practice to: (1) determine if there are any other allegations against him, and (2) prevent any other children from being damaged psychologically with the fear, confusion, guilt, and anger I have had to endure.

165. At that time, Defendant Copperman was still practicing and seeing countless pediatric patients.

166. Upon information and belief, Defendant Copperman was also still affiliated with Defendant Enabling Facilities, including Defendant LIJ.

167. *In her April 6, 1992 letter, Plaintiff urged the Nassau County Medical Society to “[p]lease conduct an investigation into Dr. Copperman’s practice to: (1) determine if there are any other allegations against him, and (2) prevent any other children from being damaged psychologically with the fear, confusion, guilt, and anger [she has] had to endure.”*

168. On April 13, 1992, the Peer Review Committee of Nassau County Medical Society *acknowledged receipt of her April 6, 1992 letter*, and stated that the “matter [would] be looked into by the Medical Society” and that she would “be notified of the results”.



169. The letter closed by thanking Plaintiff for bringing “this matter to [their] attention.”

170. The letter was signed by Sidney Mishkin, M.D. (“Mishkin”), Chairman of the Peer Review Committee.

171. Upon information and belief, at the time of this letter, Mishkin was an employee, agent, servant, and/or affiliate of Defendant LIJ.

172. The co-chairmen listed on the letterhead were: Paul A. Hamlin, M.D. (“Hamlin”); Daniel J. Nicoll, M.D. (“Nicoll”); and Richard P. Stechel, M.D. (“Stechel”).

173. Upon information and belief, at the time of this letter, Hamlin was an employee, agent, servant, and/or affiliate of Defendant LIJ.

174. Upon information and belief, at the time of this letter, Nicoll was an employee, agent, servant, and/or affiliate of NSUH.

175. Upon information and belief, at the time of this letter, Stechel was an employee, agent, servant, and/or affiliate of LIJ and NSUH.

176. Importantly, at the time of this letter, Defendant Copperman was still a practicing physician, associated and/or affiliated with Defendant Enabling Facilities, with unfettered access to pediatric patients, many of whom he was sexually preying on in the same way that he sexually preyed on Plaintiff.

177. In fact, approximately a year after Plaintiff notified Hamlin, Nicoll, and Stechel of the Nassau County Medical Society about Defendant Copperman's criminal, sexually predatory acts *towards his pediatric patients*, another survivor informed an employee, agent, and/or staff member of Defendants SCMD and Copperman that she no longer wanted to be treated by Defendant Copperman and insisted, *in the office, and to that Defendant SCMD employee, agent, and/or staff member* that her mandate – to avoid Copperman – be written in her medical file.

178. That same year, the *same* employee, agent, and/or staff member of Defendants SCMD and Copperman informed at least one other survivor's mother that her daughter should *only* be treated by the female physician.

179. Moreover, sometime between 1988 and 1994, yet another Defendant SCMD, Copperman, and/or Enabling Facilities' agent, staff, and/or employee walked in as Defendant Copperman was sexually preying on yet another pediatric patient.

180. Disturbingly, all these substantially similar complaints, reports, and/or instances evidence Defendant Copperman's, Defendant Enabling Facilities', and Defendant SCMD's efforts to conceal Defendant Copperman's sexually inappropriate misconduct and/or inability to properly observe, investigate, and report clear indications of child abuse.

181. On May 1, 2001, Plaintiff, who wrote to Hamlin, Nicoll, and Stechel of the Nassau County Medical Society close to a decade earlier wrote *again* to the Nassau County Medical Society to inquire as to the status of her request for an investigation into the sexual misconduct of Defendant Copperman and to alert them that she was very dissatisfied with their lack of response.

182. On May 15, 2001, the Peer Review Committee of the Nassau County Medical Society acknowledged receipt of her May 1, 2001 letter, stating that “[t]he *Peer Review Committee does not have the jurisdiction to review matters that allege facts which could form the basis of a complaint of unprofessional conduct.*”

183. The letter also indicated that the complaint *was likely* forwarded to the Board of Censors division of the Nassau County Medical Society.

184. The letter was signed by Martin Greenfield, M.D. (“Greenfield”), the Chairman of the Peer Review Committee at that time.

185. Upon information and belief, at the time of the letter, Greenfield was an employee, agent, servant, and/or affiliate of LIJ and NSUH.

186. The co-chairmen listed on the letterhead were: Mishkin, Nicoll, and Stechel.

187. Upon information and belief, at the time of the letter Mishkin was an employee, agent, servant, and/or affiliate of Defendant LIJ.

188. Upon information and belief, at the time of the letter, Nicoll was an employee, agent, servant, and/or affiliate of NSUH.

189. Upon information and belief, at the time of the letter, Stechel was an employee, agent, servant, and/or affiliate of LIJ and NSUH.

190. Between 1992 – when the Nassau County Medical Society Peer Review Committee and likely the Board of Censors was made aware of Defendant Copperman’s sexual misconduct – and 2000, more children were sexually preyed upon and assaulted by Defendant Copperman.

191. All the tragically severe and permanent harm that these children, including Plaintiff, endured was preventable.

192. Defendants herein, however, put their own prurient and/or financial and reputational interests above that of minor female children, and need to be held accountable for the harm their negligence caused.

193. All rumors, complaints, reports, observations, and/or instances of sexual abuse were similar.

**DEFENDANT COPPERMAN’S MEDICAL LICENSE GETS REVOKED**

194. Despite all the rumors, complaints, reports, observations, and/or instances of sexual abuse, Defendant Copperman’s reputation remained pristine; that is until January 27, 2001.

195. During the summer and fall of 2000, the NYDOH held a hearing regarding the numerous, years-old, complaints against Defendant Copperman.

196. These hearings were based on the complaints of six former Defendant SCMD pediatric patients.

197. These former pediatric patients described similar accounts of Defendant Copperman engaging in sexually explicit misconduct of scraping and/or penetrating, stimulating, rubbing, and/or touching of their vaginas and/or clitorises and/or inappropriate breast examinations.

198. Once the media outlets publicized information about this individual who appeared to be a serial pedophilic predator, hundreds more victims and survivors contacted the NYDOH.

199. Not only does the sheer volume of complaints disturb and shock the conscience, it also reveals the depth of the cover-up and concealment, and evidences that Defendant Enabling Facilities knew or should have known of Defendant Copperman's sexually vile misconduct, yet did nothing to stop it.

200. In November 2000, the NYDOH handed down a *unanimous* decision to revoke Defendant Copperman's medical license, determining it was the only way to ensure protection for the public.

201. The Panel consisted of at least two physicians, both of whom were duly appointed members of the Board and appointed by the Commission of Health of the State of New York.

202. The Panel stated that Defendant Copperman "engag[ed] in professional misconduct by reason of harassing, abusing, or intimidating a patient either physically or verbally," and "engag[ed] in conduct that evidences moral unfitness to practice."

203. The Panel also stated that "[r]ubbing the female genitalia during a physical examination is *always* inappropriate, whether or not gloves are used," and that Defendant Copperman's "denial" of any inappropriateness and "inability or unwillingness" to remedy his behavior made him a danger to the public and that revocation was the only remedy available that would offer protection.

204. The Board then revoked Defendant Copperman's license. *See* December 2000 Professional Misconduct and Physician Discipline Monthly Report.

Stuart Copperman, M.D.  
3137 Hewlett Avenue  
Merrick, New York 11566  
License #086495  
Year of Birth: 1935  
Action: License revocation  
Effective Date: December 13, 2000  
Nature of Misconduct: The Hearing Committee sustained the charges finding the physician guilty of harassing or abusing patients; engaging in conduct which evidences moral unfitness and failing to maintain accurate patient records.

205. The New York State Supreme Court's Appellate Division, however, granted a temporary stay of Copperman's license revocation from December 13, 2000, until January 27, 2001, upon the condition that all contact be observed by an approved female Registered Nurse, Physician Assistant, or Physician. Disturbingly, this temporary stay permitted Defendant Copperman to continue to practice, despite the testimony of six brave young females, hundreds of other complaints, and a unanimous Board decision that made clear that Defendant Copperman's conduct was medically inappropriate and evidenced moral unfitness to practice medicine.

206. Despite all this history, it was not until the time of this decision that Winthrop and NUMC suspended Defendant Copperman's admitting rights and privileges.

207. Unsurprisingly, Defendant LIJ did not; instead postponing any disciplinary action while Defendant Copperman pursued his legal appeal. This shows the depth of the active concealment.

208. Fortunately, LIJ's poor decision – to continue to conceal and profit off serial predator, Defendant Copperman – was reconsidered. *See Roni Rabin, More Woes for Accused Doctor: 4 Major Healthplans Drop Pediatrician*, NEWSDAY, (December 21, 2000).

Winthrop-University Hospital and Nassau University Medical Center suspended Copperman's admitting rights as soon as they were informed of the license revocation. The North Shore LIJ Health System initially planned to postpone action while Copperman pursued his legal appeal, but yesterday, officials said they would take action against the doctor.

209. Defendant Copperman's license was *finally* revoked on January 27, 2001.

**FIRST CAUSE OF ACTION**  
**NEGLIGENCE, RECKLESSNESS, GROSS NEGLIGENCE AGAINST ALL**  
**DEFENDANTS**

210. Plaintiff re-states and incorporates by reference all allegations contained herein as though fully set forth and brought in this cause of action.

211. Defendant Copperman, in engaging in unpermitted, harmful, and offensive sexual harassment, predatory grooming, sexual exploitation, abuse, and conduct and/or contact upon the person of many of his pediatric patients, including Plaintiff herein, in violation of New York law, during the time he was an employee, servant, agent, and/or affiliate of Enabling Facilities caused harmful or offensive contact with Plaintiff's person, and/or intended to put Plaintiff in imminent apprehension of such contact.

212. Said conduct was undertaken while Defendant Copperman was an employee, agent, servant, and/or affiliate of Defendant Enabling Facilities, while in the course and scope of said employment, agency, affiliation, or servitude – whether actual or apparent – with Defendant Enabling Facilities and/or the actions of Defendant Copperman were ratified by Defendant Enabling Facilities after they knew or should have known that Defendant Copperman had engaged

in misconduct in violation of the law, its policies, procedures, and/or by-laws, and/or inappropriately touched at least one patient.

213. Defendant Enabling Facilities are vicariously liable for the acts of Defendant Copperman as Defendant Enabling Facilities' dictate and/or direct policies, and/or perform inspections and searches for purposes of ensuring that all offices and individuals affiliated with it are complying with all required law, policies, procedures, by-laws, and other governing guidelines of Defendant Enabling Facilities in the completion of all of its duties and responsibilities, including but not limited to, legal, moral, and ethical obligations, operation of the office, training of students, interns, fellows, and/or other residents, and having the right to terminate an employee, agent, servant, and/or affiliate or strip the physician of preceptorship, academic, clinical and/or affiliate obligations and/or privileges, for not following the law and/or Defendant Enabling Facilities' policies, procedures, by-laws, and/or governing guidelines in its operations.

214. Prior to the sexual abuse and/or assault alleged herein, upon information and belief, Defendants knew, had reason to know, or were otherwise on notice of the unlawful sexual conduct of Defendant Copperman.

215. Defendants, by and through their agents, servants, and employees, knew or reasonably should have known of Defendant Copperman's dangerous and exploitive propensities and/or that Defendant Copperman was unfit.

216. Defendants, their agents, servants, students, and/or employees have a legal, professional and/or ethical duty, responsibility, and obligation to report all suspicions of child sexual abuse by doctors or other medical personnel to law enforcement, and/or other appropriate authorities.

217. Defendants, their agents, students, servants, and/or employees have a legal, professional and/or ethical duty, responsibility, and obligation to report all suspicions of child sexual abuse by doctors immediately or as soon as is practicable to law enforcement, or, at a minimum, supervisors.

218. Defendants, their agents, students, servants, and/or employees had an obligation, responsibility, and duty to timely and properly monitor, supervise and/or credential their agents, servants, affiliates, servants, and/or employees, including Copperman, to ensure that patients were not being sexually abused, and to obtain and disclose information relating to sexual misconduct of its affiliates, agents, servants, and/or employees, including Copperman.

219. Defendants had an obligation, responsibility, and duty, under the law, not to hide material facts and information about Copperman's past, and his deviant sexual behavior and propensities. Additionally, Defendants had an affirmative duty to inform, warn, and institute appropriate protective measures to safeguard patients who were reasonably likely to encounter Copperman — including, at a minimum, terminating Copperman's employment, preceptorship, credentials, privileges, agency, and/or servitude, and reporting him to law enforcement and/or the NYDOH. Defendants willfully refused to notify, give adequate warning, and/or implement appropriate safeguards, thereby creating the peril that ultimately harmed Plaintiff, and hundreds of other children.

220. Upon information and belief, agents, servants, employees, and/or students deliberately attempted to conceal their recurring failures despite having a clear legal duty to report Copperman's sexually abusive behavior to enforcement authorities.

221. At all relevant times, Defendants did not have in place (or failed to enforce) adequate, reasonable, and necessary rules, policies, and procedures which could effectively identify (and appropriately censure) sexual predators.

222. Despite actual knowledge of instances in which a sexual predator, namely Defendant Copperman, was employed and/or serving as an agent, servant, and/or affiliate, and still operating as a physician, preceptor, clinical instructor, professor, and despite the foreseeable risk that sexual predators would engage in repeated acts of sexual perversion, sexual abuse and/or assault, Defendants did not have in place (or failed to enforce) adequate, reasonable, and necessary rules, policies, and procedures which could effectively identify and censure sexual predators; or, at the very least, notify Defendant Copperman's current patients of the abuse allegations.

223. It was foreseeable that if Defendant Enabling Facilities did not adequately exercise or provide the duty of care owed to individuals, patients, and/or clients entrusted to it, including, but not limited to Plaintiff, or, if not entrusted to it, those that Defendants knew or should have known would be exposed to Defendant Copperman, that said individuals would be vulnerable to sexual assaults and/or abuse by medical personnel, like Defendant Copperman.

224. Copperman's sexual exploitation and abuse of female patients is a foreseeable act which was known to Enabling Facilities. It is also a foreseeable act which is known in medicine and by medical practitioners worldwide. Because of how well known the risk of child sexual abuse is Defendant Enabling Facilities, should have enacted rules, policies, procedures, by-laws, and other provisions including, but not limited to: (1) prohibiting and criminalizing such sexually explicit misconduct; (2) mandating reports, or other types of conduct, for suspicions of child sexual abuse; and (3) criminalizing mandatory reporters for failing to report and/or disclose suspicions of child sexual abuse. Thus, foreseeability is not an issue. The risk to be perceived, does indeed,

define the duty to obey. Defendants' acts and/or omissions were of an unreasonable character in disregard of a risk known to it and/or so obvious that it must have been aware of it and so great as to make it highly probable that harm would follow.

225. Defendants were put on notice, knew and/or should have known that Defendant Copperman had previously engaged in, and was continuing to engage in, unlawful sexual conduct with female patients, including Plaintiff, some of whom in front of Defendants' agents, servants, employees, affiliates, and/or students, for his own personal sexual gratification, and that it was foreseeable that he was engaging, or would engage, or would continue to engage in illicit sexual activities with young children, including Plaintiff, under the cloak of the authority, confidence, trust, and affiliate privileges bestowed upon him by Defendants.

226. Defendants were put on notice, and should have known that Copperman had previously engaged, and continued to engage, in unlawful sexual misconduct with female patients, including Plaintiff, and was committing other vile sexual acts, for his own deviant sexual gratification, and that it was foreseeable, or should have been foreseeable, that Copperman was engaging in, or would engage in, or would continue to engage in illicit sexual activities with young children, including Plaintiff, under the cloak of the authority, confidence, trust, and affiliate privileges bestowed upon him through Defendants, their agents, servants, employees, affiliates, and/or students.

227. At all relevant times, Defendant Enabling Facilities did not have in place adequate, reasonable, and necessary rules, policies, and procedures which provided for the reporting to appropriate authorities about the presence of sexual predators in the employ and/or service of Defendant Enabling Facilities.

228. Defendant Enabling Facilities and its agents, servants, and/or employees failed to take reasonable steps and failed to implement reasonable safeguards to avoid acts of unlawful sexual conduct in the future by Defendant Copperman, including but not limited to, reporting Defendant Copperman to local law enforcement (and related entities) or the state disciplinary board, preventing any potential referrals to Defendant SCMD, or otherwise preventing or removing Defendant Copperman from functions or environments in which he would have unfettered contact and access to unsuspecting pediatric patients or any other individual who was treated by Defendant Copperman, including but not limited to, the scores of children, including Plaintiff, he was exposed to through his affiliation, association, and/or employment.

229. Furthermore, at no time during the periods of time alleged, did Defendant Enabling Facilities have in place a system or procedure to supervise and/or monitor employees, representatives, or agents to ensure they did not sexually assault and/or abuse individuals, clients, and/or patients.

230. Moreover, incidents of sexual abuse and assault by Defendant Copperman were neither isolated nor unusual.

231. Defendants' negligence and recklessness further lies in having placed Defendant Copperman in a position to cause foreseeable harm, of which Plaintiff, and countless others, would have been spared, had Defendant Enabling Facilities taken reasonable care in the supervision and investigation of its employees, agents, and/or servants - including, but not limited to, Defendant Copperman - and/or implemented proper and appropriate policies, procedures, and/or guidelines to detect and/or report suspicious observations of child sexual abuse.

232. Upon information and belief, Defendant Enabling Facilities, for years, failed to reprimand, punish, report, terminate or otherwise sanction Defendant Copperman who they knew

or had reason to know was a sexual predator, and thus was professionally unfit – particularly around children.

233. Defendant Enabling Facilities owed to Plaintiff a duty to aid and/or protect against Defendant Copperman, its employees, agents, servants, affiliates, physicians, preceptors, clinical instructors, and/or professors as set forth in Restatement (Second) of Torts §§ 314, 314A(4), 315, and other relevant sections.

234. Defendant Enabling Facilities owed to Plaintiff a duty to control the acts of its employees, agents, servants, affiliates, physicians, preceptors, clinical instructors, and/or professors.

235. At all relevant times, Defendant Enabling Facilities did not have in place adequate, reasonable, and necessary rules, policies, and procedures for the removal of sexual predators in the employ, affiliation, and/or service of Defendant Enabling Facilities.

236. At all relevant times, Defendant Enabling Facilities did not have in place adequate, reasonable, and necessary rules, policies, and procedures which provided for the reporting of sexual predators in the employ, affiliation, and/or service of Defendants to criminal and other appropriate authorities.

237. As set forth in this Complaint, Defendant Enabling Facilities failed to take reasonable steps to ensure that its employees, affiliates, agents and/or servants were fit to provide medical services.

238. Further, despite knowledge of Defendant Copperman's deviant sexual interests, herein Defendants failed to take reasonable steps to protect these pediatric patients, including Plaintiff, from being sexually abused and instead, actively concealed the abuse.

239. These failures included, but are not limited to the following:

- a. Failure to review the criminal history of applicants and current employees;
- b. Failure to investigate the background of medical professionals, like Defendant Copperman, it credentialed and/or whom were its agents, affiliates, employees and/or servants;
- c. Failure to prohibit, restrict, or limit the activities and promotion of and referrals to medical professionals it credentialed and/or its agents, employees and/or servants they knew or should have suspected of sexual assault and/or those medical professionals, such as Defendant Copperman, known to be sexual predators;
- d. Failure to report reasonable suspicions of sexual abuse to proper authorities;
- e. Failure to reasonably and properly investigate and/or report allegations of sexual abuse and/or other misconduct;
- f. Failure to properly train and instruct employees, agents, servants, and/or affiliates so that they are aware of their individual responsibilities for creating and maintaining a safe environment;
- g. Failure to properly train and instruct employees, agents, servants, and/or affiliates so that they are aware of their reporting obligations;
- h. Failure to have in place sufficient standards of acceptable and unacceptable conduct;

- i. Failure to appropriately train and instruct employees, agents, servants, and/or affiliates on proper procedure when they observe and/or suspect unacceptable conduct;
- j. Actively concealing reports and/or complaints of sexual abuse and/or other misconduct;
- k. Failure to formulate, effectuate, and enforce policies to prevent and/or minimize risk of sexual assaults to individuals and/or patients by credentialed medical professionals, like Defendant Copperman, whom are agents, affiliates, servants, and/or employees of Defendant Enabling Facilities;
- l. Failure to diligently initiate investigations after receipt or suspicions of complaints of sexual abuse and/or assault;
- m. Fostering an environment where such sexual abuse as perpetrated against Plaintiff, and so many others, occurred and continued to occur;
- n. Failure to designate fit employees, servants, and/or agents to evaluate complaints of sexual abuse and/or assault;
- o. Failure to act promptly and diligently and not ignore or minimize misconduct and other problems;
- p. Failure to perceive, report, prevent, stop and/or disclose suspected incidents of sexual abuse; and
- q. Failure to have in place standards for reporting acts of sexual misconduct and/or other inappropriate behavior to law enforcement authorities and/or state disciplinary boards of medicine.

240. Moreover, the negligent, reckless, intentional, outrageous, deliberate, and/or reckless indifference and unlawful conduct of Defendants as set forth above and herein, further consisted of:

- a. Permitting doctors, including Defendant Copperman, to sexually assault pediatric patients, including Plaintiff, and other acts of nonfeasance;
- b. Permitting doctors, including Defendant Copperman, to violate New York criminal, educational, social service reporting and/or other relevant statutes;
- c. Failing to properly and adequately supervise and discipline its credentialed medical professionals, agents, employees, and/or servants to prevent the sexual abuse and/or assaults that occurred to scores of young innocent children, including Plaintiff;
- d. Failing to implement, enforce and/or follow adequate protective and supervisory measures for the protection of individuals, including Plaintiff, who would be exposed to medical professionals, affiliates, agents, employees, and/or servants of Defendant Enabling Facilities, who are unfit for credentialing, like Defendant Copperman;
- e. Failing to adopt, enforce and/or follow policies and procedures to protect individuals, like Plaintiff, against harmful contact by its credentialed medical professionals, affiliates, doctors, agents, employees, and/or servants, including Defendant Copperman;
- f. Breaching the duties imposed by Restatement (Second) of Torts, § 324A, and other relevant statutes, as adopted in New York;

- g. Failing to warn scores of young pediatric patients, including Plaintiff, and their parents or guardians of the risk of harm posed by Defendant Copperman after Defendants knew or should have known of such risks;
- h. Failing to warn the innocent pediatric patients, like Plaintiff, of the risk of sexual abuse and/or assaults during services with Defendant Copperman, as was known and foreseeable to Defendants;
- i. Violation of duties imposed by Restatement (Second) of Agency § 213 and Restatement (Second) of Torts § 317, and other relevant sections, as adopted in New York;
- j. Failing to warn Plaintiff of the risk of harm that dozens of young innocent children, including Plaintiff, may suffer because of contact with Defendant Copperman;
- k. Failing to report instances of child sexual abuse, as required under New York State Social Services Law, pursuant to sections 413 and 420;
- l. Failing to adopt/implement and/or enforce policies and procedures for the reporting to law enforcement, state disciplinary boards of medicine and/or other authorities of sexual assault by medical professionals, and/or medical doctors, like Defendant Copperman, who Defendants credential;
- m. Failing to report sexually abusive acts and/or assaults by credentialed medical professionals, affiliates, doctors, employees, agents and/or servants, including Defendant Copperman, to the appropriate authorities and entities, as well as to his current pediatric patients and their parents and/or guardians;

- n. Violating its own policies and/or by-laws regarding sexual abuse and/or assaults by credentialed medical professionals, staff, employees, agents and/or servants, like Defendant Copperman;
- o. Failing to properly supervise and/or discipline its credentialed and/or affiliated medical professionals, affiliates, employees, agents, and/or servants, like Defendant Copperman;
- p. Failing to adequately and properly train its credentialed medical professionals, affiliates, employees, agents and/or servants regarding sexual abuse and/or assaults of individuals by medical professionals, like Defendant Copperman;
- q. Negligently managing, associating with and/or operating Defendant Enabling Facilities and/or providing patient refers to Defendant Copperman they knew or should have known was unfit; and
- r. Failing to have policies in place to adequately and reasonably monitor Defendant Copperman's practice and/or the services he was rendering to individuals, like Plaintiff, it knew or should have known of Copperman's sexually predatory misconduct.

241. Defendant Enabling Facilities had a duty to oversee and monitor all persons, including Defendant Copperman, who worked in and provided services, treatment, and/or care to individuals, clients, customers, and/or patients within its facilities and the facilities it associated and affiliated with.

242. Defendant Enabling Facilities and its agents, servants, employees, students, and/or affiliates failed to exercise the ordinary care of a reasonable and prudent health care provider and/or pediatrician by, among other things:

- a. Permitting an unqualified physician to exercise staff, employee, agent, servant, academic, and/or clinical privileges at Enabling Facilities;
- b. Failing to obtain and disclose information regarding Copperman's sexual misconduct;
- c. Failing to properly de-credential, disqualify, deselect, terminate, and/or investigate Defendant Copperman when it knew or should have known that Defendant Copperman's conduct could endanger public health, safety, and welfare;
- d. Failing to properly oversee and monitor Defendant Copperman when Defendants knew or should have known that Defendant Copperman's conduct could endanger public health, safety, and welfare;
- e. Failing to take reasonable precautions to ensure that pediatric patients, including Plaintiff, under its care and on Defendant SCMD's premises would be safe;
- f. Failing to implement and/or maintain a sufficient system to investigate complaints and/or prevent Defendant Copperman from molesting his pediatric patients;
- g. Failing to properly train Defendant Copperman regarding his conduct with pediatric patients;

- h. Failing to train its employees, affiliates, and/or agents to properly identify and report signs of child abuse by fellow employees;
- i. Failing to use ordinary care to examine Defendant Copperman's history of molesting pediatric patients and other professional misconduct, and whether Defendant Copperman was safe to work with pediatric patients, and/or residents, interns, fellows, medical students, and/or other medical personnel;
- j. Failing to use ordinary care to examine Defendant Copperman's history of molesting pediatric patients and ascertaining whether Defendant Copperman was safe to work with children, like Plaintiff, before making representations about Copperman and his qualifications, patient referrals, and/or decisions to affiliate with him;
- k. Failing to institute reasonable procedures, policies and/or rules regarding the monitoring and supervision of pediatric patients under the care of its personnel, employees, affiliates, and/or agents, including Defendant Copperman;
- l. Failure to report information Defendants possessed regarding Defendant Copperman's despicable and unprofessional misconduct to the disciplinary Board;
- m. Failure to investigate and/or otherwise confirm or deny complaints, reports, and/or claims of sexual abuse;

- n. Failure to reveal facts regarding Copperman's sexually predatory behavior and other misconduct to Plaintiff, the community at large, and law enforcement agencies;
- o. Failure to refuse to place Copperman and other pedophiles, molesters, sexual predators, and enablers in positions of trust and authority within Defendants' facilities;
- p. Failure to refuse to hold Copperman and other molesters out to the public, the community, parents and law enforcement agencies as being in good standing, reputable, and trustworthy, and keeping him in his position as a physician, faculty member, affiliate, and/or authority figure;
- q. Failure to refuse to assign Copperman and other molesters, sexual predators, and enablers to positions of power within Enabling Facilities and/or as an affiliate, employee, servant, and/or agent, over female pediatric patients;
- r. Failure to disclose to Plaintiff, the public, the school community, the state medical board, and law enforcement agencies of the wrongful, tortious, and sexually exploitive acts that Copperman and his enablers had engaged in with pediatric patients; and
- s. Failure to revoke, suspend, or terminate Defendant Copperman from his position as an agent, servant, employee, and/or medical staff member and/or revoke, suspend, and/or terminate his preceptorship obligations and hospital privileges upon learning of information regarding Defendant Copperman's unprofessional conduct.

243. Defendants had a duty to use reasonable care to protect others from known or foreseeable dangers.

244. Defendants breached their duty of care to the Plaintiff, and all survivors of Copperman, by creating the opportunity to allow Copperman to come into contact with Plaintiff and other young females and/or pediatric patients without effective supervision; by failing to adequately hire, train, and supervise Copperman whom they permitted and enabled to have access to Plaintiff; by concealing from Plaintiff, the community, and law enforcement that Copperman was sexually harassing, molesting, and abusing children and pediatric patients; failing to terminate his privileges, employment, and/or agency; and by placing Copperman in a position of trust and authority and holding Copperman out as being of high moral and ethical repute, in good standing and trustworthy.

245. Defendants breached their duty to Plaintiff by failing to adequately monitor and supervise Copperman and failing to prevent Copperman from committing wrongful sexual acts with pediatric patients, including Plaintiff. Defendants' past observations, reports, and records of sexual misconduct by Copperman caused Defendants to know, or gave them information where they should have known, of Copperman's lack of fitness to serve as a pediatric physician, faculty member, affiliate and/or authority of Defendants, and/or otherwise provide medical care to minors.

246. Defendants breached their duty of care to Plaintiff, and all survivors of Copperman, by failing to make reasonable investigations of Copperman; failing to issue warnings about Copperman; enabling Copperman to routinely be supervised only by untrained chaperones (if any at all), who were consistently derelict in their duty to report Copperman's sexual abuse to law enforcement; failing to adopt a policy to prevent Copperman from routinely having patients and patients in his unsupervised control; making no reports of any allegations of Copperman's abuse

of patients prior to, or during his employment, affiliation, and/or agency at Defendant Enabling Facilities; assigning and continuing to assign Copperman to duties which placed him in positions of authority and trust over female pediatric patients, positions in which Copperman could and did easily isolate, sexually exploit, and sexually abuse other students and patients; and enabling Copperman to serially sexually assault female pediatric patients for a period of over forty (40) years.

247. As a direct and proximate consequence of the negligence, carelessness, recklessness, willful and wanton conduct of Defendant, as described more fully herein, Plaintiff was harmed sexually, physically, mentally, and emotionally.

248. The injuries suffered by Plaintiff is substantial, continuing, and will last for the rest of her life.

249. Defendants explicitly and/or implicitly represented to the public in general, and to Plaintiff in particular, that its credentialed medical professionals, affiliates, and/or medical doctors, including Defendant Copperman, could be entrusted with the safety and well-being of clients and/or patients.

250. Defendants made these explicit and/or implied representations knowing that they were false and/or having reason to believe that they were false, and with the expectation that they would be relied upon by individuals making decisions regarding their engagement of medical services.

251. Defendants also failed to reasonably identify, remove, and/or report to law enforcement authorities and/or medical disciplinary boards the sexual predators, like Defendant Copperman, whom it credentialed and/or affiliated with and/or associated with, or whom was in its service, agency, and/or employ.

252. Defendants failed to reasonably supervise and/or monitor individuals, like Defendant Copperman, that it credentialed, and/or affiliated with, and/or associated with or who was in its service, agency, and/or employ, who it knew or should have known, were unfit and/or sexual predators.

253. Defendant Enabling Facilities' knowing acquiescence and silence with respect to the known, or reasonably knowable activities of sexual predators, including Defendant Copperman, constituted a course of conduct through which acts of sexual perversion, assault and/or abuse were committed against customers, patients, and/or clients, like Plaintiff, which were condoned, approved, and effectively authorized and ratified by Defendant Enabling Facilities.

254. Defendants acted with a common purpose and pursuant to a common design, and conspired to endanger the safety and welfare of scores of young pediatric patients, including Plaintiff.

255. By maintaining an environment in which Defendant Copperman was given unfettered access to minors, without the appropriate oversight, and Defendant Enabling Facilities ignored Defendant Copperman's sexually violative conduct, Copperman was able to sexually prey upon children *throughout the entirety of his career*.

256. Defendants conspired to promote an unsafe and unhealthy condition, which ultimately resulted in Plaintiff suffering the injuries and damages stated herein.

257. The collective failure to prevent this outrageous criminal child sexual abuse, amounted to a common purpose and design, unified for the purposes of: (1) permitting the criminal conduct to occur; (2) evading appropriate legal authority for unlawful conduct; and (3) continuing great profit and financial and reputational stature.

258. Through Defendant Enabling Facilities' failures to timely reprimand, terminate, report, and/or sanction the acts referenced herein, and for all of the other reasons set forth in this Complaint including, without limitation, Defendant Enabling Facilities' failure to take the steps necessary to prevent the occurrence of such reprehensible acts, Defendant Enabling Facilities' ratified said actions of Defendant Copperman and accordingly, are vicariously liable for the actions of Defendant Copperman.

259. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; been prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; sustained and will continue to sustain loss of earnings and earning capacity; and/or has instructed and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

260. As a proximate result of Defendant Copperman's acts, as well as all other Defendants enabling of those acts over a period of greater than 40-years, Plaintiff is entitled to actual damages, compensatory damages, punitive damages, injunctive relief, legal disbursements, legal fees, any combination of those, or any other appropriate relief against all Defendants.

261. Accordingly, compensatory and punitive damages, and legal fees, costs and disbursements, and other damages as are necessary under these facts as to all Defendants.

WHEREFORE, Plaintiff prays for a jury trial and for judgment against Defendants for injunctive, compensatory and punitive damages, and any other costs, amounts of which exceed the jurisdictional limits of all lower courts.

**SECOND CAUSE OF ACTION**

**ENABLING SEXUAL HARASSMENT, PREDATORY GROOMING, SEXUAL EXPLOITATION, CRIMINAL AND CIVIL SEXUAL BATTERY, AND CHILD SEXUAL ABUSE AND VICARIOUS LIABILITY AGAINST ALL DEFENDANTS**

262. Plaintiff re-states and incorporates by reference each and every allegation contained herein above as though fully set forth and brought in this cause of action.

263. Defendant Copperman, in sexually harassing, grooming, exploiting and abusing Plaintiff, and others as herein set-forth, including intending to subject Plaintiff to sexual exploitation, abuse and molestation with Plaintiff's intimate body parts, as described more fully herein, during which time Copperman acted in the course and scope of his agency, employment, and/or affiliation with Defendants, and each Defendant intended to cause harmful or offensive contact with Plaintiff's person, or intended to put Plaintiff in imminent apprehension of such contact.

264. In doing the things herein stated, Plaintiff was put in imminent apprehension of a harmful or offensive contact by Defendants and actually knew or should have known that Defendant Copperman had the ability to make harmful or offensive contact with Plaintiff's persons.

265. Plaintiff did not, and could not, consent to Defendant Copperman's intended harmful or offensive contact with Plaintiff's person, or intent to put Plaintiff in imminent apprehension of such contact.

266. In so doing, Copperman and Defendants violated New York's penal laws and Plaintiff's rights of protection from bodily restraint or harm, and from personal insult.

267. In so doing, Defendants violated their duty to abstain from injuring the person of Plaintiff or infringing upon her rights.

268. Defendants Enabling Facilities' conduct in allowing, permitting, ratifying, and/or failing to prevent criminal sexual abusive contact between Defendant Copperman and his pediatric

patients, including Plaintiff, constitutes per se violations of the New York crimes, social services, and other codes.

269. Further, Defendant Copperman was permitted and enabled to commit these criminal acts as a direct and proximate result of the negligence, carelessness, and wanton recklessness of Defendants and that of its agents, servants, affiliates, and/or employees through their failure to timely and properly train, supervise, monitor, discipline, terminate, and report Copperman to the appropriate law enforcement and other governing authorities, the NYDOH, and other governing bodies — as well as their failure to take sufficient, if any, disciplinary action against Copperman.

270. As a direct result of the aforementioned conduct, Plaintiff suffered severe and permanent harm as described above.

271. Plaintiff is informed and based thereon state that the conduct of Defendants was oppressive, malicious, and despicable in that it was intentional and done in conscious disregard for the rights and safety of others and carried out with a conscious disregard of Plaintiff's right to be free from such tortious behavior, such as to constitute oppression, fraud or malice, entitling Plaintiff to punitive damages against Defendants in an amount appropriate to punish and deter others.

272. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; been prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings

and earning capacity; and/or has instructed and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

273. As a proximate result of Defendant Copperman's acts, as well as all other Defendants herein enabling of those acts over a period of greater than 40-years, Plaintiff is entitled to actual damages, compensatory damages, punitive damages, injunctive relief, legal disbursements, legal fees, any combination of those, or any other appropriate relief against all Defendants.

274. Accordingly, compensatory and punitive damages, and legal fees, costs and disbursements, and other damages as are necessary under these facts as to all defendants.

WHEREFORE, Plaintiff prays for a jury trial and for judgment against Defendants for injunctive, compensatory and punitive damages, and any other costs, amounts of which exceed the jurisdictional limits of all lower courts.

### **THIRD CAUSE OF ACTION**

#### **NEGLIGENCE – HIRING/RETENTION AGAINST ALL DEFENDANTS**

275. Plaintiff re-states and incorporates by reference each and every allegation contained herein above as though fully set forth and brought in this cause of action.

276. Defendant Enabling Facilities solicited Copperman and voluntarily accepted the duty, obligation, and responsibility to develop and adhere to reasonable procedures for reviewing the qualifications of applicants, like Defendant Copperman, its medical staff, employee, servant, affiliate, and/or agent, seeking credentialing for affiliation and other positions of authority.

277. By employing, promoting, and/or affiliating with Defendant Copperman, and credentialing him and placing him in a position where he would work directly and/or un- or inappropriately supervised with pediatric patients, like Plaintiff, and by allowing Defendant Copperman to use its facilities, name, and other items, for pediatric services, where he accessed

and sexually abused numerous children, and caused Plaintiff, and many others, to be sexually abused as children, Defendant Enabling Facilities negligently placed Plaintiff in danger of bodily harm and caused Plaintiff to suffer extreme distress as a result.

278. Defendant Enabling Facilities solicited Copperman and voluntarily accepted the duty, obligation, and responsibility to develop and adhere to reasonable procedures for reviewing the qualifications of its credentialed medical staff, employee, servant, affiliate, and/or agent, like Defendant Copperman.

279. Defendant Enabling Facilities each had a duty to investigate the fitness of its affiliates, staff, servants, and/or employees, and/or follow any and all laws pertaining to the protection of minors, like Plaintiff, when the pediatric patient is entrusted to physicians and other servant, agents, affiliates and/or staff, including Copperman.

280. Defendant Enabling Facilities each had a duty to investigate the fitness of its affiliates, and/or follow any and all of its polices, procedures, by-laws, and other guidance pertaining to the protection of minors, like Plaintiff, when the pediatric patient is entrusted to physicians and other servants, agents, affiliates and/or staff, including Copperman.

281. Defendant Enabling Facilities each had a duty to properly train its affiliates, agents, employees, servants, and/or staff on mandatory reporting procedures, recognizing child abuse, reporting suspicions of child abuse, properly credentialing and/or terminating servants, agents, affiliates and/or staff, the fitness of its affiliates, and/or laws and any of its policies, procedures, by-laws, and other guidance governing the protection of minors, like Plaintiff, when the pediatric patient is entrusted to physicians and other servants, agents, affiliates and/or staff, including Copperman.

282. Had Defendant Enabling Facilities made the above stated inquiry or, in the alternative, had Defendant Enabling Facilities reviewed and analyzed the information obtained in a proper manner, privileges and/or employment and/or affiliations would not (and should not) have been granted and/or renewed.

283. By reason of Defendant Enabling Facilities' failure to meet the aforementioned obligation, Plaintiff was treated by Defendant Copperman, who was permitted unfettered access to Plaintiff, despite his unfitness, as a result of which Plaintiff sustained severe injuries and complications.

284. Plaintiff was owed by each of Defendant Enabling Facilities a duty to be protected from harm inflicted upon Plaintiff by Defendants.

285. Plaintiff was owed by each of Defendant Enabling Facilities a duty to be protected from increased risk of harm as inflicted upon Plaintiff by Defendants.

286. Plaintiff was entrusted to Defendants Copperman and SCMD, when Plaintiff received examinations by Copperman at SCMD.

287. Defendant Enabling Facilities, by and through its agents, servants, and/or employees, had actual knowledge, knew, or reasonably should have known of Defendant Copperman's dangerous and exploitative propensities and/or that Defendant Copperman was an unfit agent because of his sexual interest in children.

288. It was reasonably foreseeable that those employees and agents of Defendant Enabling Facilities who have a sexual interest in children, including Defendant Copperman, would sexually abuse children, including Plaintiff, unless properly supervised by fit, properly credentialed and qualified staff.

289. It was reasonably foreseeable that Defendant Enabling Facilities breached the duty of care owed to the minor Plaintiff and as a direct result of the aforementioned conduct, Plaintiff suffered severe and permanent harm as described above.

290. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; been prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and/or has instructed and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

291. Plaintiff's harm was caused wholly and solely as a result of the Defendant Enabling Facilities' negligent and reckless supervision of its agents, servants, and/or employees, and created a foreseeable and increased risk of harm to Plaintiff.

292. As a proximate result of Defendant Copperman's acts, as well as all other Defendants herein enabling of those acts over a period of greater than 40-years, Plaintiff is entitled to actual damages, compensatory damages, punitive damages, injunctive relief, legal disbursements, legal fees, any combination of those, or any other appropriate relief against all Defendants.

293. Accordingly, compensatory and punitive damages, and legal fees, costs and disbursements, and other damages as are necessary under these facts as to all defendants.

WHEREFORE, Plaintiff prays for a jury trial and for judgment against Defendants for injunctive, compensatory and punitive damages, and any other costs, amounts of which exceed the jurisdictional limits of all lower courts.

**FOURTH CAUSE OF ACTION****NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL  
DEFENDANTS**

294. Plaintiff re-states and incorporates by reference each and every allegation contained herein above as though fully set forth and brought in this cause of action.

295. Defendant Enabling Facilities each had a duty to provide reasonable supervision of their employee and agent, Defendant Copperman, when he interacted with pediatric patients and to follow up on any reports of misconduct.

296. Defendants owed a duty to Plaintiff to not cause them emotional distress, the initiation of post-traumatic stress disorder, or other harm during the course of any pediatric examinations and other related treatment, which were and are of a very personal nature to the patients.

297. It was reasonably foreseeable that those employees and agents of Defendant Enabling Facilities who have a sexual interest in children, including Defendant Copperman, would sexually abuse children, including Plaintiff, unless properly supervised and properly credentialed.

298. Defendant Enabling Facilities, by and through each entities' respective agents, servants and/or employees, had actual knowledge, knew, or reasonably should have known, of Defendant Copperman's dangerous and exploitative propensities and/or that Defendant Copperman was an unfit agent due to his sexual interest in children.

299. Despite such knowledge, Defendant Enabling Facilities each breached their duty to provide reasonable supervision of Defendant Copperman.

300. These repeated failures enabled Defendant Copperman, who was in a position of ready, unfettered access to children to sexually abuse Plaintiff.

301. At all relevant times, including, but not limited to, during the sexual abuse of minor patients, Defendant Copperman was acting in the course and scope of his employment, whether actual or apparent, with Defendant Enabling Facilities.

302. By employing and/or promoting Defendant Copperman to work unsupervised with children and/or allowing him to use its facilities for pediatric services, Defendant Enabling Facilities subjected Plaintiff to sexual abuse and harassment at the hands of Defendant Copperman by allowing him to have ready, unfettered access to minor patients, including Plaintiff, with whom he sought to gratify his prurient desires.

303. As a direct result of the aforementioned conduct, Plaintiff suffered severe and permanent harm as described above.

304. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; been prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and/or has instructed and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

305. As a proximate result of Defendant Copperman's acts, as well as all other Defendants herein enabling of those acts over a period of greater than 40-years, Plaintiff is entitled to actual damages, compensatory damages, punitive damages, injunctive relief, legal disbursements, legal fees, any combination of those, or any other appropriate relief against all Defendants.

306. Accordingly, compensatory and punitive damages, and legal fees, costs and disbursements, and other damages as are necessary under these facts as to all defendants.

307. WHEREFORE, Plaintiff prays for a jury trial and for judgment against Defendants for injunctive, compensatory and punitive damages, and any other costs, amounts of which exceed the jurisdictional limits of all lower courts.

**FIFTH CAUSE OF ACTION**

**NEGLIGENT SUPERVISION AND NEGLIGENT FAILURE TO RESCUE AGAINST ALL DEFENDANTS**

308. Plaintiff re-states and incorporates by reference each and every allegation contained herein as though fully set forth and brought in this cause of action.

309. The negligence and recklessness of Defendants directly and proximately caused the injuries and damages to Plaintiff described herein, including:

- a. Failing to take reasonable and necessary steps to rescue Plaintiff after their failure to act placed Plaintiff in a perilous position;
- b. Failing to exercise reasonable and necessary steps to prevent further harm;
- c. Failing to take reasonable and necessary steps to give aid or assistance to Plaintiff;
- d. Violation of the duties set forth in Restatement (Second) of Torts, §§ 314A, 321, 322 as adopted in New York and other Mandatory Reporting Requirements codified under New York Code, particularly § 413(2).

310. As a proximate and direct result of Defendants' breaches described herein, Plaintiff has sustained psychological and physical harms and injuries as described above.

311. The aforementioned incidents resulted from the negligence and/or recklessness of Defendants was due in no manner whatsoever to any act or failure to act on part of Plaintiff.

312. As a direct result of the aforementioned conduct, Plaintiff suffered severe and permanent harm as described above.

313. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; been prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and/or has instructed and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

314. As a proximate result of Defendant Copperman's acts, as well as all other Defendants herein enabling of those acts over a period of greater than 40-years, Plaintiff is entitled to actual damages, compensatory damages, punitive damages, injunctive relief, legal disbursements, legal fees, any combination of those, or any other appropriate relief against all Defendants.

315. Accordingly, compensatory and punitive damages, and legal fees, costs and disbursements, and other damages as are necessary under these facts as to all defendants.

WHEREFORE, Plaintiff prays for a jury trial and for judgment against Defendants for injunctive, compensatory and punitive damages, and any other costs, amounts of which exceed the jurisdictional limits of all lower courts.

**SIXTH CAUSE OF ACTION**

**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS**

316. Plaintiff re-states and incorporates by reference each and every allegation contained herein as though fully set forth and brought in this cause of action.

317. By employing, promoting, and/or affiliating Defendant Copperman, and credentialing him and placing him in a position wherein he would work directly and/or unsupervised with pediatric patients, and by allowing Defendant Copperman to use its facilities for pediatric services, where he accessed and sexually abused numerous children, and caused Plaintiff, and many others, to be sexually abused as a child, Defendant Enabling Facilities acted with extreme and outrageous conduct, which intentionally and/or recklessly caused severe emotional distress and bodily harm to Plaintiff as a result.

318. Defendant Enabling Facilities conduct in employing, promoting, and/or referring patients to Defendant Copperman, holding out its premises and its staff, agents, employees, and/or servants as safe, despite having reason to know of the potential dangers to children, and thereby subjecting Plaintiff to sexual abuse and harassment by Defendant Copperman, collectively constituted extreme and outrageous conduct.

319. This conduct was atrocious and transcended all bounds of decency, such that this conduct would be utterly intolerable in a civilized society.

320. Defendant Enabling Facilities acted intentionally and/or recklessly in employing, affiliating, and/or promoting Defendant Copperman to work unsupervised with children and/or allowing him to use their facilities for pediatric services.

321. These actions subjected Plaintiff, and scores of other young females, to sexual abuse and harassment by Defendant Copperman by allowing him to ready, unfettered access to children with whom he sought to gratify his prurient desires.

322. As a proximate and direct result of Defendants' breaches described in the preceding paragraph, Plaintiff, sustained psychological and physical harms and injuries as described above.

323. The aforementioned incidents resulted from the negligence and/or recklessness of Defendants was due in no manner whatsoever to any act or failure to act on part of Plaintiff.

324. As a direct result of the aforementioned conduct, Plaintiff suffered severe and permanent harm as described above.

325. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; been prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and/or has instructed and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

326. As a proximate result of Defendant Copperman's acts, as well as all other Defendants herein enabling of those acts over a period of greater than 40-years, Plaintiff is entitled to actual damages, compensatory damages, punitive damages, injunctive relief, legal disbursements, legal fees, any combination of those, or any other appropriate relief against all Defendants.

327. Accordingly, compensatory and punitive damages, and legal fees, costs and disbursements, and other damages as are necessary under these facts as to all defendants.

WHEREFORE, Plaintiff prays for a jury trial and for judgment against Defendants for injunctive, compensatory and punitive damages, and any other costs, amounts of which exceed the jurisdictional limits of all lower courts.

**SEVENTH CAUSE OF ACTION****ASSAULT, BATTERY, AND SEXUAL BATTERY AGAINST DEFENDANT  
COPPERMAN**

328. Plaintiff re-states and incorporates by reference each and every allegation contained herein as though fully set forth and brought in this cause of action.

329. Defendant Copperman's physical molestation and sexual abuse of Plaintiff was entirely unjustified and constitutes intentional assaults upon Plaintiff.

330. As a direct result of the aforementioned conduct, Plaintiff suffered severe and permanent harm as described above.

331. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; been prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and/or has instructed and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

332. As a proximate result of Defendant Copperman's acts, as well as all other Defendants herein enabling of those acts over a period of greater than 40-years, Plaintiff is entitled to actual damages, compensatory damages, punitive damages, injunctive relief, legal disbursements, legal fees, any combination of those, or any other appropriate relief against all Defendants.

333. Accordingly, compensatory and punitive damages, and legal fees, costs and disbursements, and other damages as are necessary under these facts as to all defendants.

WHEREFORE, Plaintiff prays for a jury trial and for judgment against Defendants for injunctive, compensatory and punitive damages, and any other costs, amounts of which exceed the jurisdictional limits of all lower courts.

Respectfully submitted,  
**SALTZ, MONGELUZZI & BENDESKY, P.C.**

BY: /s/ Robert Mongeluzzi  
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**GRUENBERG KELLY DELLA**

BY: /s/ Michael Della  
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631-737-4110  
*Attorneys for Plaintiff*

DATED: July 13, 2021

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
DEBRA ZUCKERWISE

Plaintiff,

**CERTIFICATE OF MERIT**

-against-

Index No.

STUART M. COPPERMAN, STUART M. COPPERMAN,  
M.D., NORTH SHORE UNIVERSITY LONG ISLAND  
JEWISH MEDICAL CENTER, SCHNEIDER  
CHILDREN’S HOSPITAL A/K/A STEVEN AND  
ALEXANDRA COHEN CHILDREN’S MEDICAL  
CENTER OF NEW YORK, NASSAU UNIVERSITY  
MEDICAL CENTER, NASSAU COUNTY MEDICAL  
CENTER, and NORTHWELL HEALTH, INC.

Defendant(s).

-----X

Robert Mongeluzzi, Esq., an attorney duly admitted to practice law in the State of New York, hereby affirms the following under the penalties of perjury:

That I have reviewed the facts of this case and have consulted with at least one physician who is duly licensed to practice medicine in the State of New York and who I reasonably believe is knowledgeable with regard to the relevant issues involved herein and I have concluded on the basis of such review and consultation that there is a reasonable basis for the commencement of this action.

/s/Robert Mongeluzzi  
ROBERT MONGELUZZI  
Saltz Mongeluzzi & Bendesky, P.C.  
One Liberty Place, 52<sup>nd</sup> Floor  
1650 Market Street  
Philadelphia, PA 19103

Duly affirmed this 13  
day of July, 2021