

C-1

Plaintiff(s),

[REDACTED]

vs.

Defendant(s),

NEWARK BOARD OF EDUCATION; CITY OF NEWARK and ESTATE OF JOHN CANTALUPO

SUPERIOR COURT OF NEW JERSEY  
ESSEX COUNTY  
LAW DIVISION

DOCKET NO.: ESX-L- [REDACTED]

CIVIL ACTION

**VERDICT SHEET**

**Defendant John Cantalupo**

1. Did Plaintiff prove by a preponderance of the evidence that the Defendant John Cantalupo sexually abused Plaintiff?

Yes X No \_\_\_\_\_ Vote 8-0

**If yes, proceed to question #2.  
If no, cease deliberations.**

**Defendant Newark Board of Education**

2. Plaintiff has proven by a preponderance of the evidence that the Defendant Newark Board of Education was negligent for Gene Foti's failure to report an allegation of child abuse. Was their negligence a proximate cause of Plaintiff's injuries, harms and losses?

Yes X No \_\_\_\_\_ Vote 8-0

**Proceed to question #3.**

3. Did Plaintiff prove by a preponderance of the evidence that the Defendant Newark Board of Education was negligent in its operation and supervision of the Ann Street School after-school recreation program and that negligence was a proximate cause of Plaintiff's injuries, harms and losses?

Yes X No \_\_\_\_\_ Vote 8-0

**Proceed to question #4.**

4. Did the Plaintiff prove by a preponderance of the evidence that the Defendant Newark Board of Education knowingly permitted or acquiesced in [REDACTED]'s sexual abuse by Defendant John Cantalupo?

Yes X No \_\_\_\_\_ Vote 8-0

Proceed to question #5.

**Defendant City of Newark**

5. Did Plaintiff prove by a preponderance of the evidence that the Defendant City of Newark was negligent in its operation and supervision of the Ann Street School after-school recreation program and that negligence was a proximate cause of Plaintiff's injuries, harms and losses?

Yes X No \_\_\_\_\_ Vote 8-0

If you answered "Yes" for more than one defendant, proceed to question #6.  
If you answered "Yes" for only one defendant, proceed to question #7.  
If you answered "No" to questions 1-5, cease deliberations.

**Allocation**

6. For each party and/or individual whose conduct you found was a proximate cause of Plaintiff [REDACTED]'s injuries, harms and losses, you must attribute to each of them that percentage that you find describes or measures their fault in proximately causing the sexual abuse. The percentages for all parties must add up to 100%.

Defendant John Cantalupo	<u>10</u>	%
Defendant Newark Board of Education	<u>70</u>	%
Defendant City of Newark	<u>20</u>	%
Total	<u>100</u>	%
	Vote <u>8-0</u>	

Proceed to question #7.

**Damages**

7. Did Plaintiff prove by a preponderance of the evidence that Plaintiff suffered a permanent loss of bodily function which will require \$3,600 of medical care in the future?

Yes X No \_\_\_\_\_ Vote 8-0

**If yes, proceed to question #8.  
If no, cease deliberation.**

8. What amount of money will fully and fairly compensate Plaintiff [REDACTED] for his past pain, suffering, disability, impairment and loss of enjoyment of life proximately caused by the sexual abuse?

\$ 25 million Vote 7-1

**Proceed to question #9.**

9. What amount of money will fully and fairly compensate Plaintiff [REDACTED] for his future pain, suffering, disability, impairment and loss of enjoyment of life proximately caused by the sexual abuse?

\$ 5 million Vote 7-1

**Please return your verdict.**