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IRIS Y. MARTINEZ  
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COOK COUNTY, IL

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

Calendar, H  
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ROBERT BRONSTEIN, individually, and as )  
Independent Administrator of the Estate of N.B., )  
a minor, Deceased; ROSELLENE BRONSTEIN, )  
individually, )

Plaintiffs, )

vs. )

LATIN SCHOOL OF CHICAGO, an Illinois )  
not-for-profit corporation; RANDALL DUNN; )  
KRISTINE VON OGDEN; BRIDGET )  
HENNESSY; JANE KNOCHE; ANDREW )  
SANCHEZ; ANNELIESE KRANZ; MARK )  
SOLOVY, Father and next friend of M.S., a minor; )  
LEIGH BALLEEN, Father and next friend of J.B., a )  
minor; STEVE MCLAUGHLIN, Father and next )  
friend of R.M.-1, a minor; BRETT HART, Father )  
and next friend of A.H., a minor; ANTONIO )  
LUGO, Father and next friend of A.L., a minor, )

Defendants, )

AND )

DUSTIN MORAN; DAVID GOLDBERGER, )  
Father and next friend of J.G., a minor; CHANEL )  
KING, Mother and next friend of C.K., a minor; )  
ZAID ALSIKAFI, Father and next friend of Z.A., a )  
minor; FLORIAN DEPENTHAL, Father and next )  
friend of H.D., a minor; STEVEN PERLMAN, )  
Father and next friend of S.P., a minor; DARREN )  
SNYDER, Father and next friend of G.S., a minor; )  
JASON ANDERSON, Father and next friend of )  
G.A., a minor; GARY SILVERMAN, Father and )  
next friend of C.S., a minor; MONICA MIRANDA, )  
Mother and next friend of D.M., a minor; MATT )  
MICHELI, Father and next friend of F.M., a minor; )  
DAVID KOO, Father and next friend of N.K., a )  
minor; BOBBY OOMMEN, Father and next friend )  
of M.O., a minor; PHIL AGUIRRE, Father and next )

Case No. 22-2022L003763

Judge

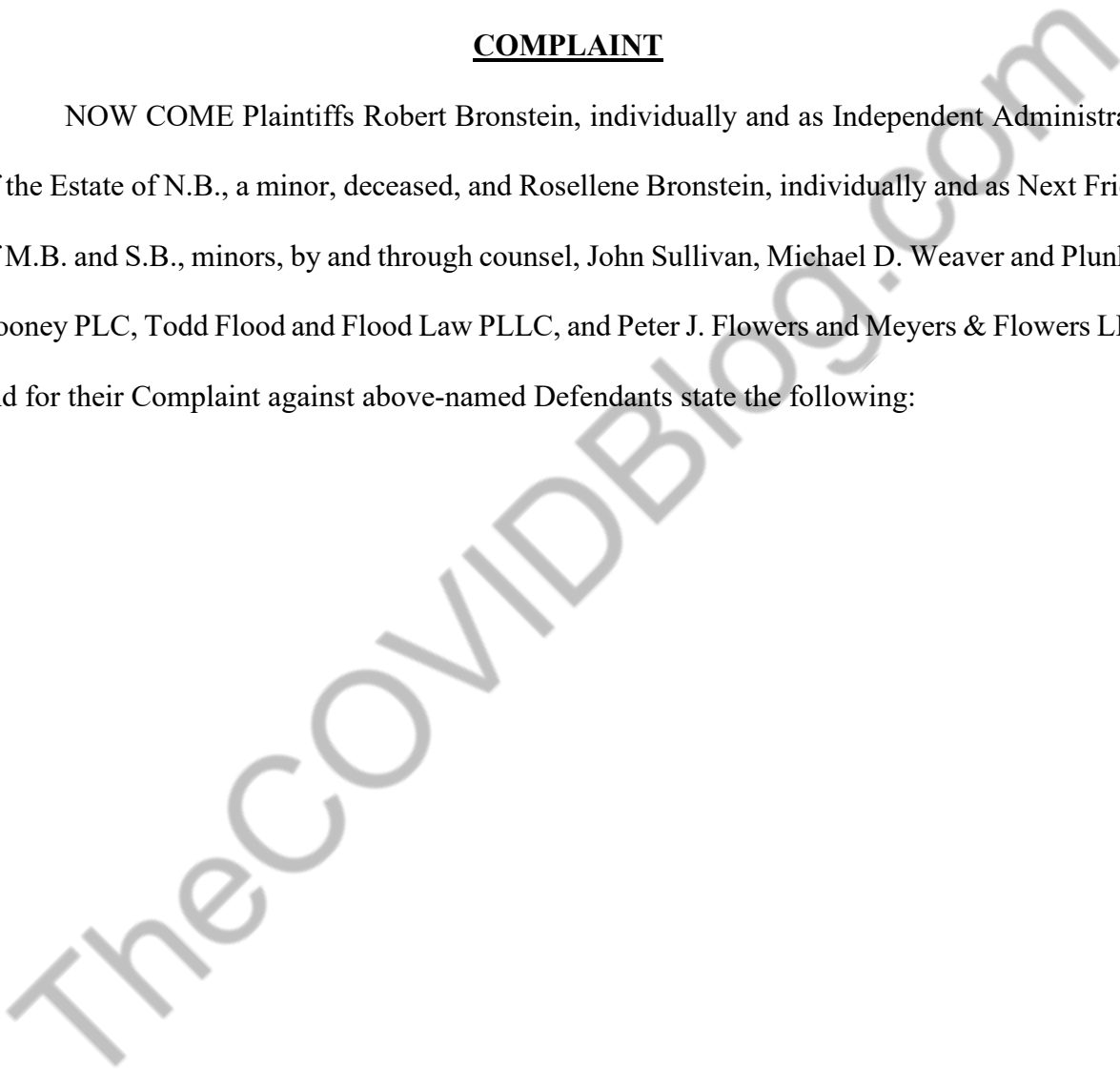
JURY DEMAND

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friend of A.A., a minor; FIKIRTE WAGAW, )  
Father and next friend of S.W., a minor; and )  
JOHN McCLENDON, Father and next friend of )  
R.M.-2, a minor, )  
Respondents-In-Discovery. )

**COMPLAINT**

NOW COME Plaintiffs Robert Bronstein, individually and as Independent Administrator of the Estate of N.B., a minor, deceased, and Rosellene Bronstein, individually and as Next Friend of M.B. and S.B., minors, by and through counsel, John Sullivan, Michael D. Weaver and Plunkett Cooney PLC, Todd Flood and Flood Law PLLC, and Peter J. Flowers and Meyers & Flowers LLC, and for their Complaint against above-named Defendants state the following:



## INTRODUCTION

1. On January 13, 2022, at 9:30 p.m. Plaintiff Robert Bronstein, the father of N.B., made the ghastly discovery of his only son hanging from a shower head, with a cord wrapped around his neck as a noose. Within moments, Plaintiff Rosellene Bronstein, N.B.'s mother and two minor sisters ran toward Mr. Bronstein's screams only to discover the unimaginable. The trauma that took place following their discovery of N.B. and the unforgettable images of N.B.'s young, lifeless body will forever haunt the family. N.B.'s father and seventeen-year-old sister, M.B., performed CPR on their son and brother, respectively, mustering all of their strength and energy, desperately attempting to revive and save their loved one. Despite the family's unrelenting efforts at resuscitation, it was too late to bring back N.B., who died at age fifteen.

2. As discussed in detail below, after this horrific loss, the family of N.B. discovered that N.B. had been tormented on a regular basis by students at his high school, Latin School of Chicago. For example, N.B. received the unconscionable cyberbullying message from a member of the school basketball team just weeks before his death:

**[N.B.] GO KILL YOURSELF!**

3. N.B. had transferred to Latin School of Chicago – Upper School ("Latin") just months earlier from Francis W. Parker School ("Parker") to pursue in-person learning during the Covid-19 pandemic. But from his first days at Latin until his last, N.B. was subjected to persistent and increasingly cruel forms of bullying, cyberbullying, hate speech and other harassment that caused him severe anxiety and depression. As a result, N.B. hung himself on January 13, 2022. Plaintiffs bring this action to recover for damages suffered by N.B. and due to N.B.'s wrongful death.

4. N.B.'s suicide followed the willful failure by teachers and officials at Latin to take any action to remedy the horrific treatment that N.B. had endured prior to his death despite being aware and/or having every reason to be aware of what he was enduring through numerous complaints by both N.B. and his mother, Mrs. Bronstein, to Latin administrators including, but not limited to counselor Anneliese Kranz, Upper School Counselor Jane Knoche, 9<sup>th</sup> and 10<sup>th</sup> Grade Dean of Students Bridget Hennessy, and teacher Adriana Durant.

5. When Mrs. Bronstein notified teachers and officials at Latin, both orally and in writing, about the torment of N.B. by fellow Latin students, they disregarded her complaints as being "family issues." During October and November 2021 alone, Mrs. Bronstein made contact with Latin employees over 30 times.

6. Instead of taking ordinary and reasonable steps to investigate and to protect N.B. in accordance with the school's known anti-bullying policies and ostensible "zero tolerance policy" on hate speech, as well as Illinois law, teachers and officials at Latin willfully turned a blind eye to N.B.'s and Mrs. Bronstein's urgent and increasingly desperate pleas for help.

7. Moreover, despite Latin's outward appearance of supporting victims of bullying and public pledges to end hate speech and harassment, teachers and officials at Latin disregarded and intentionally refused to acknowledge N.B.'s status as a victim. Indeed, when N.B. finally found the courage to formally report directly to Defendant Bridget Hennessy, the 9<sup>th</sup> and 10<sup>th</sup> Grade Dean of Students at Latin, the months-long abuse he had endured, Hennessy disregarded N.B.'s complaints and documentary evidence of cyberbullying and targeted hate speech, refused to investigate N.B.'s alleged abusers and intentionally failed to notify all parents and/or guardians of the students involved in the abuse, including Plaintiff and Mrs. Bronstein—all in violation of both Latin policy and Illinois law. Not only was Hennessy's willful disregard of N.B.'s palpable

deterioration of mental health abhorrent, it also violated several of Latin's Student Conduct policies and Illinois law, which required that all Illinois schools, including private not-for-profit schools like Latin, "must" respond to, promptly initiate investigations into, and notify all parents and/or guardians of parties involved in reports of bullying, cyberbullying, hate speech and other harassment.

8. Sadly, the outrageous conduct and deliberate indifference exhibited at Latin was not unique to N.B. To be sure, an anonymous<sup>1</sup> public Instagram account @SurvivorsOfLatin with over 2,800 followers (the "Survivors of Latin IG Account") contains hundreds of posts by current and former Latin students highlighting the bullying, cyberbullying, hate speech and other harassment they endured at Latin and the school's deliberate indifference to it. Many of the posts include reports of abuse that date back decades. The Survivors of Latin IG Account also contains a link to a website where users can download a 121-page compilation of the posts. *See attached Exhibit A*, "Survivors of Latin Compilation."

9. Upon information and belief, at all relevant times hereto, officials at Latin with authority to institute ordinary and reasonable corrective measures in response to allegations of harassment, including Head of School Randall Dunn,<sup>2</sup> Director of Diversity Eleannor Maajid, Dean of Community Learning Suzanne Callis, Diversity Coordinator Kate Lorber-Crittenden, and

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<sup>1</sup> In a June 2020 interview for Latin student newspaper, *The Forum*, the owner of the Survivors of Latin IG Account explained that the operators of the account "maintain our anonymity because we recognize that Latin has an immensely powerful network of associates that have the ability to damage our livelihoods. Our main intention is to protect our identities, whether that is for us, our families, or for the people brave enough to come forward with their stories." *See attached Exhibit B*, "June 2020 Forum Article."

<sup>2</sup> In an August 2021 article published in Latin student newspaper, *The Forum*, former Upper School Director Kirk Greer "noted his admiration for the open ears Mr. [Randall] Dunn [] always lent to students, faculty, and parents alike, *especially during the rise of the Survivors of Latin movement.*" *See attached Exhibit C*, "August 2021 Forum Article" (emphasis added).

Diversity, Equity, and Inclusion Curriculum Coordinator Brandon Woods, were acutely aware<sup>3</sup> of the Survivors of Latin IG Account and the outcries from current and former Latin students to address the pervasiveness of this illegal and abhorrent conduct levied by other students. Their failure, individually and collectively, to respond appropriately would ultimately and foreseeably result in a student suicide.

### **JURISDICTION AND VENUE**

10. This Honorable Court has personal jurisdiction over Defendants because all of the events at issue occurred in Cook County, Illinois.

11. Venue is proper pursuant to 735 ILCS 5/2-101, as all Defendants reside, and at all times relevant to this action resided, in Cook County, Illinois.

### **THE PARTIES**

12. Plaintiff Robert Bronstein (hereinafter “Plaintiff”) is the father and Independent Administrator of the Estate of N.B., a minor, deceased, and a resident of Cook County, Illinois.

13. Plaintiff Rosellene Bronstein (hereinafter “Mrs. Bronstein”) is the mother of N.B., a minor, deceased, and Next Friend of M.B. and S.B., minor children, and a resident of Cook County, Illinois.

14. Defendant Latin School of Chicago (“Latin”) is a not-for-profit corporation with its principal place of business and citizenship in Cook County, Illinois. Latin operates a private upper

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<sup>3</sup> See attached **Exhibit D**, “September 2020 Forum Article” (highlighting Latin’s willingness to publicly acknowledge, as valid, the harrowing accounts of bullying, cyberbullying, hate speech and other harassment detailed on the Survivors of Latin IG Account and to hold Latin accountable for its failure to provide clear protocols for student-victims to seek redress).

school (high school) located at or about 59 West North Boulevard in Chicago, Illinois, and was at all relevant times the employer of Defendants Randall Dunn, Kristine Von Ogden, Bridget Hennessy, Jane Knoche, Andrew Sanchez, and Anneliese Kranz (collectively referred to as the “Individual Latin Defendants”), as well as Respondent Dustin Moran. Latin was at all relevant times a member of the National Association of Independent Schools (“NAIS”). Latin and the Individual Latin Defendants are collectively referred to as the “Latin Defendants.”

15. Defendant Randall Dunn (“Dunn”) was at all relevant times the Head of School at Latin and, upon information and belief, the Board Chair of NAIS and a resident of Cook County, Illinois.

16. Defendant Kristine Von Ogden (“Von Ogden”) was at all relevant times the Upper School Director at Latin and, upon information and belief, a resident of Cook County, Illinois.

17. Defendant Bridget Hennessy (“Hennessy”) was at all relevant times the 9<sup>th</sup> and 10<sup>th</sup> Grade Dean of Students at Latin and, upon information and belief, a resident of Cook County, Illinois.

18. Defendant Jane Knoche (“Knoche”) is a licensed clinical professional counselor (LCPC) and licensed mental health counselor in Illinois and was at all relevant times a counselor at Latin and, upon information and belief, a resident of Cook County, Illinois.

19. Defendant Andrew Sanchez (“Sanchez”) is a teacher at Latin and was at all relevant times N.B.’s geometry teacher and, upon information and belief, a resident of Cook County, Illinois.

20. Defendant Anneliese Kranz (“Kranz”) is a licensed clinical professional counselor (LCPC) and licensed mental health counselor in Illinois and was at all relevant times a counselor at Latin and, upon information and belief, a resident of Cook County, Illinois.

21. Defendant Mark Solovy, father and next friend of M.S., a minor, upon information and belief, is a resident of Cook County, Illinois.

22. Defendant M.S., a minor, was at all relevant times a student at Latin and, upon information and belief, is a resident of Cook County, Illinois.

23. Defendant Leigh Ballen (“Ballen”) father and next friend of J.B., a minor, upon information and belief, is a resident of Cook County, Illinois.

24. Defendant J.B., a minor, was at all relevant times a student at Latin and, upon information and belief, is a resident of Cook County, Illinois.

25. Defendant Steve McLaughlin (“McLaughlin”), father and next friend of R.M.-1, a minor, upon information and belief, is a resident of Cook County, Illinois.

26. Defendant R.M.-1., a minor, was at all relevant times a student at Latin and, upon information and belief, is a resident of Cook County, Illinois.

27. Defendant Brett Hart, father and next friend of A.H., a minor, upon information and belief, is a resident of Cook County, Illinois.

28. Defendant A.H., a minor, was at all relevant times a student at Latin and, upon information and belief, is a resident of Cook County, Illinois.

29. Defendant Antonio Lugo (“Lugo”), father and next friend of A.L., a minor, upon information and belief, is a resident of Cook County, Illinois.

30. Defendant A.L., a minor, was at all relevant times a student at Latin and, upon information and belief, is a resident of Cook County, Illinois.

31. M.S., J.B., R.M.-1, A.H. and A.L. hereinafter will collectively be referred to as “Minor Defendants,” unless otherwise individually identified.



## FACTS

### *I. Latin Owed N.B. a Duty to Address On-Campus and Off-Campus Harassment, Bullying, Cyberbullying, and Hate Speech of which Latin was Aware*

32. Latin is one of the oldest private high schools in Illinois and is ranked among the top three<sup>4</sup> private schools in the state. With a tuition rate<sup>5</sup> of approximately \$40,000.00 per year—over three times higher than the average<sup>6</sup> private high school in Illinois—Latin is also among the most expensive and most exclusive schools in the entire Midwest.

33. According to its website, Latin’s notable alumni<sup>7</sup> include former First Lady of the United States Nancy Reagan, William Wrigley, Jr. II, United States Supreme Court Justice John Marshall Harlan II, former Senator Adlai E. Stevenson III, former Illinois Attorney General Lisa Madigan, former Chicago Blackhawks owner Bill Wirtz, and Cook County Commissioner John Fritchey. Latin’s website also provides glowing reviews of the school from several other famous alumni, including former Illinois Attorney General Lisa Madigan, co-founder and president of SkinnyPop Pam Netzky and former White House Bullying Prevention Task Force Commissioner Billy Dec,<sup>8</sup> and lists dozens of prominently displayed quotes<sup>9</sup> from current and former students, teachers and parents, all of which describe positive experiences at Latin. In addition, Latin claims<sup>10</sup> that “88% of alumni would attend again” and that “92% of alumni would recommend Latin to others.”

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<sup>4</sup> See <https://www.niche.com/k12/search/best-private-high-schools/s/illinois/> (Latin ranked #3).

<sup>5</sup> See attached **Exhibit E**, “2021 Latin Tuition Bill.”

<sup>6</sup> See <https://www.privateschoolreview.com/tuition-stats/illinois/high/> (\$12,407).

<sup>7</sup> See <https://www.latinschool.org/alumni/meet-our-alumni/>.

<sup>8</sup> See <https://obamawhitehouse.archives.gov/blog/2015/10/13/presidents-advisory-commission-asian-americans-and-pacific-islanders-first-visit>.

<sup>9</sup> See <https://www.latinschool.org/academics>.

<sup>10</sup> <https://www.latinschool.org/about-us/at-a-glance>.

34. As for academics, Latin's website boasts<sup>11</sup> a 9:1 student-to-faculty ratio and 100% college matriculation rate, and states<sup>12</sup> that the school "strives to create the best conditions for the growth, wellness and achievement of every learner in the community" and emphasizes its focus on providing "inclusive learning environments . . . for all students to feel known, respected and cared for . . ." Indeed, Latin's ostensible focus on inclusion, community, and student support is presented throughout nearly every page of its website. *See attached Exhibit F*, "Latin Webpages."

35. Parents and/or guardians of Latin students are required to sign an enrollment contract agreeing to abide by Latin's rules as defined in Latin's 2021-2022 Student/Family Handbook (the "Handbook"). *See attached Exhibit G*, "Latin's 2021-2022 Student/Family Handbook" at p. 59.

36. Upon information and belief, the Handbook and policies stated therein are incorporated into the enrollment contract. *See attached Exhibit H*, "Enrollment Contract."

37. The policies stated in the Handbook were in effect at the time of all occurrences complained of in this complaint. Adherence to all policies stated in the Handbook was not discretionary, but rather mandatory, enforceable, and required to be followed and complied with by all employees and agents of Latin, all Latin students and parents, and all named Defendants in this matter.

38. The "Community Expectations & School Rules" section of the Handbook lists "major rules" that apply to all divisions of Latin (lower school, middle school, and upper school) and contains Latin's general policy<sup>13</sup> on harassment, bullying, and cyberbullying (the "General

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<sup>11</sup> *Id.*

<sup>12</sup> *See* <https://www.latinschool.org/academics> (supra fn 8).

<sup>13</sup> Policies applicable to each division of the school (lower, middle, and upper) are further defined in other sections of the Handbook. *Id.* ("While each division of the school sets its own age-appropriate policies, rules and consequences

Harassment, Bullying and Cyberbullying Policy”), which states: “When anyone in the [Latin] community is uncivil, disrespectful, disruptive or guilty of harassment, bullying or cyberbullying, **the whole community is diminished**. Such behaviors seriously compromise the ethical and educational quality of life at Latin, and **we treat these violations very seriously.**” *See Exhibit G* at p. 4 (emphasis added).

39. The “Community Expectations & School Rules” section of the Handbook also contains Latin’s general policy on “Off-Campus, Vacation and Out-of-School Behavior” (the “General Off-Campus Behavior Policy”), which states that:

[A] student who engages in serious misconduct **away from school** – including but not limited to conduct that is **illegal** or would be illegal if committed by an adult; conduct that **endangers the safety or well-being of . . . other persons . . .**; or conduct which **brings disgrace to the Latin community** – has violated a **major rule** of the school and **is subject to disciplinary action**. *Id.* (emphasis added).

40. The Latin Upper School “Student Conduct” section of the Handbook reiterates this point and explicitly states: “Any student behavior, **on or off campus**, which falls outside of [Latin’s guiding principles] or that violates school values in a way that reflects poorly on the Latin School community, can result in disciplinary action.” *Id.* at p. 83 (emphasis added).

41. In June 2021, the United States Supreme Court issued an 8-1 decision in *Mahanoy Area School District v. B.L. by and through Levy*, 141 S.Ct. 2038 (2021), holding that a **public high school’s** suspension of a student from the school’s cheerleading team, after the student sent a vulgar Snapchat message criticizing the team while she was off campus, violated the First Amendment. The Court further held that, although a public school may, in limited circumstances,

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for violating them, there is certain conduct expected of all students and families who are part of the Latin community. The major rules of the school reflect Latin’s values of excellence, community and integrity.”).

have an interest in regulating student speech, such interests are diminished when the speech occurs off campus. *Id.* In so holding, the Court suggested that “**serious or severe bullying or harassment targeting particular individuals**” was one such circumstance that could permit a public school to regulate a student’s off-campus speech. *Id.* at 2045. Further, the Court noted that situations where a school stands *in loco parentis* with a student is another such circumstance that could permit a public school to regulate a student’s off-campus speech. *Id.* (emphasis added).

42. In addition to Latin’s policies permitting the school to regulate “any behavior, on or off campus,” the “Disciplinary Consequences & Procedures” section of the Handbook explicitly states that “**Latin functions in loco parentis by law and by tradition.**” See Exhibit G at p. 96 (emphasis added).

43. Latin’s Upper School Dean Joe Edwards addressed the *Mahanoy* decision in an article published in *The Forum*, Latin’s student newspaper, on or around October 1, 2021, explaining:

“[The] Handbook states that **any student behavior, on or off campus**, which falls outside of the school’s guiding principles can result in disciplinary action. We take any report of troubling behaviors very seriously and evaluate the impact that a student or students’ words and actions (in-person or online) have had on individual students and/or the school community.

...

My sense is that **Latin’s policies already align with the Supreme Court’s [Mahanoy] ruling.** That is, students have significant latitude in posting things that are critical of the school, and there exist many examples of those.”

The article continues:

“However, Mr. Edwards mentioned how **free speech protections stop when either in-person or online speech includes harassment, bullying, cyberbullying [sic], hate speech, sexual misconduct, sexual harassment, or a bias incident.**

. . .

[quoting Mr. Edwards] ‘**Speech originating off-campus does not change the impact of or the seriousness with which we take those behaviors as significantly disruptive to the well-being of individuals and the community.**’”

*See attached Exhibit I*, “Forum Mahanoy Article” (emphasis added).

44. Latin’s policy on “Addressing Equity & Inclusion at School” states that “Latin will be an inclusive, welcoming and supportive school for all students . . . and **will strengthen support for new students . . .**” *See Exhibit G* at p. 8 (emphasis added).

## ***II. Latin’s Prolific History of Bullying, Cyberbullying, Hate Speech and Other Harassment***

45. On or around Spring 2014, Latin conducted its annual student wellness survey (the “2014 Wellness Survey”), which included a single question on the pervasiveness of bullying. The results of the 2014 Wellness Survey indicated that 21% of students had been bullied at Latin. *See Eric Gofen & Tyler Goff, AP Stat: Bullying at Latin, The Forum* (June 2, 2014) (*available at* <https://readtheforum.org/4075/features/ap-stat-bullying-latin/>) (last visited March 3, 2022). *See attached Exhibit J*, “2014 Wellness Survey.”

46. Shortly after Latin released the results of the 2014 Wellness Survey, members of Latin’s student newspaper conducted an independent survey (the “2014 Independent Bullying Survey”) of 40 randomly selected students to determine whether the prevalence of bullying was even higher than Latin suggested. The results of the 2014 Independent Bullying Survey not only confirmed the students’ hypothesis but also exposed a much more shocking and dire situation than expected: **92.3% of those who responded said they had been bullied at Latin.** *Id.*

47. On or around June 2, 2014, Latin published the results of the 2014 Independent Bullying Survey in Latin’s student newspaper in an article titled “AP Stat: Bullying at Latin.” *Id.*

48. Pursuant to Latin's policy on student publications (the "Student Publication Policy"), the faculty advisor of Latin's student newspaper is required to review and determine whether a student-submitted article complies with Latin standards. Moreover, pursuant to the Student Publication Policy, "[u]pon determination that a particular piece fails to comply, the **faculty advisor has the right to demand that the piece be revised, or, at their discretion, preclude its publication.**" See Exhibit G, at p. 77 (emphasis added).

49. Upon information and belief, a faculty advisor from Latin did review and approve for publication the article titled "AP Stat: Bullying at Latin" prior to its publication in the Latin student newspaper and was therefore aware of Latin's student-reported bullying endemic on or around June 2014.

50. On or around December 2020, Plaintiffs, frustrated with continued remote learning at Parker, submitted applications to Latin on behalf of their children, N.B. and S.B. At the time, N.B. was a 9<sup>th</sup> grade student at Parker and S.B. was an 8<sup>th</sup> grade student at Parker. Although he would be entering Latin as a 10<sup>th</sup> grade student rather than as a 9<sup>th</sup> grade student like most students attending high school at Latin, N.B. expressed interest in attending Latin largely because his next-door neighbor and friend, Defendant M.S., a minor, ("M.S.") was also entering his 10<sup>th</sup> grade year at Latin. N.B. believed that M.S. would welcome him into his group of friends and help ease his transition from Parker.

51. In March of 2021, N.B. and S.B. were informed that they were accepted into Latin for the school year beginning in August of 2021.

52. N.B. began his tenure at Latin as a 10<sup>th</sup> grade student. S.B., a year younger than N.B., began her tenure at Latin as a 9<sup>th</sup> grade student.

53. In or around September of 2021, N.B. began to experience and complain about the negative treatment he was experiencing from his peers at Latin.

54. Mrs. Bronstein notified N.B.'s counselors at Latin about what N.B.'s was experiencing during N.B.'s first month at Latin.

### ***III. The Isolation of N.B. by Fellow Latin Students***

55. On or around September of 2021, N.B. asked M.S., a fellow student at Latin, what his plans were for Latin's upcoming "Homecoming" dance but was told that he was not allowed to join M.S. or his friends. On or around September 24, 2021, at approximately 5:16 p.m., Mrs. Bronstein called Defendant Mark Solovy, her neighbor and M.S.'s father, to inform him of the interaction between M.S. and N.B. regarding Homecoming. In the same conversation, Mrs. Bronstein asked Mr. Solovy not to inform M.S. of her inquiry for fear that her call would backfire on N.B. and cause him to be harassed even more.

56. Days later, N.B. learned that M.S. had been spreading rumors around Latin that N.B. was unvaccinated. The last time N.B. was inside the M.S.'s home, M.S.'s mother, told N.B. "it must suck to have to take a Covid test every week" to which N.B. replied, "I'm vaccinated." Mrs. Solovy sarcastically replied, "yeah right."

57. N.B. was, in fact, vaccinated.

58. Upon information and belief, it was not a coincidence that N.B. had been approached at school by two students on two separate occasions where both students had asked him if his parents were "anti-vaxxers" following his interaction with M.S. and Mrs. Solovy

59. Following N.B.'s continued harassment regarding his and/or his family's vaccination status, Plaintiffs approached Mr. Solovy again to discuss M.S.'s continued bullying of N.B.

60. Mr. S. knew, and had actual knowledge of, the fact that N.B. had been the victim of bullying at the hands of his son, M.S., after receiving Mrs. Bronstein's phone call on or around October 2, 2021.

61. On or around October of 2021, Mrs. Bronstein emailed a group of Latin mothers, more commonly known as Latin's 10<sup>th</sup> Grade Parent Chair, notifying them that because her children were new to Latin, they were having difficulties making connections and inquired as to whether social events could be planned so the children could get to know each other better.

62. After F.M.'s mother indicated to Mrs. Bronstein that she would look into it, F.M.'s mother emailed Defendant Hennessy about the inquiry and situation, to which Defendant Hennessy responded that she could not help Mrs. Bronstein and further that such events could not be funded because it is not their role.

63. On or around October 11, 2021, Mrs. Bronstein learned that N.B. had skipped school to avoid dealing with his peers.

64. That same day, Mrs. Bronstein emailed Latin counselors, Kranz and Hennessy, to discuss N.B.'s absence from school and the bullying N.B. was experiencing at the hands of students at Latin, including M.S., which had led to N.B.'s marked change in behavior at home.

65. Mrs. Bronstein also informed Kranz and Hennessy that she (Mrs. Bronstein) had reached out to Mr. S., M.S.'s father, to discuss M.S.'s bullying of N.B., but that Mr. S. had breached her confidence and made matters worse by telling M.S. about Mrs. Bronstein's call, which had caused M.S. to bully N.B. even more.

66. On or around October 12, 2021, Hennessy responded to Mrs. Bronstein's October 11, 2021, email but did not address Mrs. Bronstein's concerns that N.B. was experiencing bullying at the hands of fellow Latin students.



67. Hennessy knew, and had actual notice of, the fact that N.B. had been the victim of at least one bullying incident by M.S. after receiving Mrs. Bronstein's email on October 11, 2021.

68. Pursuant to Latin's Bullying policy, Hennessy and all Latin employees had a duty to report to the head of school, Defendant Randall Dunn, or his designee any bullying incident of which they were aware.

69. On or around October 12, 2021, Kranz responded to Mrs. Bronstein's email from October 11, 2021, but did not specifically address Mrs. Bronstein's concerns that N.B. was experiencing bullying at the hands of fellow Latin students. Instead, in her email to Mrs. Bronstein, Kranz noted that "it seems like [N.B.] is really struggling with the transition to Latin and is really missing Parker." Kranz ended her email to Mrs. Bronstein by asking Mrs. Bronstein to meet with her and N.B. sometime later that week to discuss N.B.'s transition to Latin.

70. Kranz knew, and had actual knowledge of, the fact that N.B. had been the victim of at least one bullying incident by M.S. after receiving Mrs. Bronstein's email on October 11, 2021.

71. Pursuant to Latin's Bullying policy, Kranz and all Latin employees had a duty to report to the head of school, Defendant Randall Dunn, or his designee any bullying incident of which they were aware.

72. As of October 12, 2021, both Kranz and Hennessy had actual knowledge that N.B. was acting out at home as a result of alleged bullying he was enduring at the hands of Latin students, including M.S.

73. On or around October 14, 2021, Plaintiffs met with Kranz to discuss N.B.'s recent absence from school and helping N.B. overcome the bullying he was experiencing at the hands of

fellow Latin students. At the meeting, Kranz suggested, and Plaintiffs agreed, that N.B. should try out for junior-varsity basketball in order to make friends at Latin.

74. On or around October 15, 2021, Latin published an article in its student newspaper *The Forum* titled, “Student Wellness Survey: How Latin is Addressing Mental Health,” similar to **Exhibit J**. The article discussed Latin’s annual wellness survey, which every high school student at Latin was required to complete on October 1, 2021, and noted that “questions surrounding ‘academic functioning and stress, school climate and **bullying**, mental health, social and emotional wellness/supports, substance use, and student demographics’... alerted [Latin officials] to wellness patterns that might otherwise be overlooked.” *See attached Exhibit K*, “2021 Mental Health Survey Article” (emphasis added).

75. The article (**Exhibit K**) also cites CDC data portraying a significant rise in teenage hospital visits for potential suicides as compared to pre-pandemic times, about which Kranz and Knoche were interviewed.

76. On or around October 15, 2021, at 12:08 p.m., Mrs. Bronstein emailed Kranz and asked Kranz if she would meet with N.B. the following week. Mrs. Bronstein also reiterated that she would like Kranz to encourage N.B. to try out for junior-varsity basketball in the winter.

77. On or around October 15, 2021, at 1:45 p.m., Kranz responded to Mrs. Bronstein and informed Mrs. Bronstein that she had emailed N.B. to ask if he could meet on Monday, October 18, 2021, at noon, but had not yet heard back.

78. On or around October 15, 2021, at 10:59 p.m., Mrs. Bronstein emailed Kranz in anticipation of Kranz’s proposed meeting with N.B. to report that Mr. Bronstein had reached out to officials at Parker to inquire about the possibility of N.B. returning to Parker to complete his 10<sup>th</sup> grade year and that officials from Parker indicated that N.B. could apply to Parker for 11<sup>th</sup>

grade, but a mid-year transfer would not then be possible. Mrs. Bronstein further indicated that, although she and Mr. Bronstein felt there would be value in transferring N.B. back to Parker as soon as possible, she and Mr. Bronstein were concerned that N.B. might not try to make the best of his time at Latin if he was aware of an impending transfer. Mrs. Bronstein concluded the email to Kranz by asking Kranz for help with navigating the situation in order to maximize the possibility of keeping N.B. at Latin while simultaneously showing N.B. that they were his advocates.

79. On or around October 17, 2021, at 8:51 p.m., Mrs. Bronstein emailed Kranz to inform her that N.B. had expressed frustration with dealing with how to answer his fellow students when asked why he left Parker and to ask Kranz if she could work with N.B. to come up with a response so that he would not be judged.

80. As of October 17, 2021, Kranz knew, and had actual knowledge of, the fact that N.B. had expressed frustration with being ostracized by his peers based on his status as a transfer student from Parker.

81. On or around October 18, 2021, at 8:03 a.m., Kranz responded to Mrs. Bronstein's email from October 15, 2021, and informed Mrs. Bronstein that she had not heard back from N.B. regarding their proposed meeting that day. Kranz also stated that she agreed that telling N.B. his chances of being readmitted to Parker were low and would encourage N.B. to make the most of his time at Latin. Kranz further noted that she would encourage N.B. to join the junior-varsity basketball team and would report back to Mrs. Bronstein if she learned "anything important" after meeting with N.B.

82. As of October 18, 2021, Kranz knew, and had actual knowledge of, the fact that Plaintiffs planned to withdraw N.B. from Latin pending re-acceptance at Parker.

83. On or around October 18, 2021, at 12:55 p.m., Kranz emailed Mrs. Bronstein to inform Mrs. Bronstein that she and N.B. were not able to meet that day and that N.B. had not responded to her emails about the meeting that day. Kranz further stated that she had emailed N.B. about meeting the following morning (October 19, 2021) at 10:15 a.m.

84. On or around October 19, 2021, at 7:47 a.m., Mrs. Bronstein emailed Kranz to see if N.B. had responded to Kranz's request to meet that day. Mrs. Bronstein further stated, "Things at home are horrific. [N.B.] has gone crazy. [Mr. Bronstein and I] think we need to send [N.B.] away, [N.B.] is terrorizing us and sabotaging his school responsibilities[.]"

85. On or around October 19, 2021, at 7:55 a.m., Kranz responded to Mrs. Bronstein's email from October 19, 2021, and wrote:

Yes, I am meeting with [N.B.] at 10:15am today. **I'm sorry that [N.B.] is having such a hard time with everything. I think [N.B.] needs to accept that he is at Latin for the foreseeable future and realize he's only hurting himself by not giving it a chance.** [N.B.'s] in a stage where he wants to blame you though because it makes him feel better. It won't benefit [N.B.] in the long run. I will talk to him and let you know how it goes.

*See attached Exhibit L*, "October 19, 2021, Email to Mrs. Bronstein" (emphasis added).

86. On or around October 19, 2021, at 8:00 a.m., Mrs. Bronstein responded to Kranz's email from October 19, 2021, and wrote, "I need a psychiatrist [for N.B.], [N.B.] needs to be medicated. **I'm afraid [N.B.] is going to hurt himself or hurt me.** Can [you] [please] refer me to one that is available ASAP." *See attached Exhibit M*, "October 19, 2021, Email to Kranz" (emphasis added).

87. On or around October 20, 2021, at 9:53 a.m., Kranz emailed Mrs. Bronstein in response to Mrs. Bronstein's email to Kranz from October 19, 2021, at 8:00 a.m. Kranz's email stated:

Hey Rose,

Hope your day got better yesterday after we spoke. I wanted to follow-up to see what you decided for [N.B.] after our conversation. We had a fire drill later in the day yesterday, and I saw him outside for that, so I was at least glad to see that you were able to get him back to school.

Also, Jenny Stevens shared that she is not [N.B.'s] counselor. I know you were considering having [N.B.] evaluated by Compass (given some of the concerns you noted with him), but if you decide to hold off on Compass for now, I hope you might be able to still find a therapist for him. I would recommend looking into a therapist at AMK Counseling (<https://amkcounseling.com/>). With that said, **given that this is a family issue**, I also wonder if it might be best to look into family counseling. I would recommend The Family Institute if you think it might be helpful to meet as a family with a counselor as well (<https://www.family-institute.org/>).

I hope this helps, but let me know if you have any questions. **Given [N.B.'s] resistance to any support at Latin (and his refusal to be open to any alternatives other than returning to Parker), I think this issue needs to be addressed with professionals outside of school.**

Thank you,  
Anneliese

*See attached Exhibit N*, "October 20, 2021, Email to Mrs. Bronstein" (emphasis added).

88. As of 9:53 a.m. on October 20, 2021, Kranz was aware, and had actual notice of, the fact that N.B. was at risk of injuring himself or others as a result of enduring bullying at the hands of Latin students, including M.S. and others, but framed the issue as "a family issue"

stemming from “[N.B.’s] resistance to any support at Latin” and N.B.’s “refusal to be open to any alternatives other than returning to Parker.”

89. On or around October 2021 or November 2021, Latin geometry teacher Defendant Andrew Sanchez relentlessly accosted N.B. in front of the entire class in response to N.B.’s comment about mathematical proofs and ultimately announced to the class that N.B. “was going nowhere in life.”

90. Upon information and belief, Mr. Sanchez, at that point, was aware that N.B. and his parents had notified several officials at Latin about the repeated and persistent bullying of N.B.

91. On or around December 10, 2021, at approximately 9:26 p.m., A.H., G.A., C.K., G.S., JOHN DOE, J.B, D.M. and A.L. collectively engaged in group cyberbullying of N.B. over a group text message thread as follows:

A.H.: [N.B.] bro  
 A.H.: ur kicked  
 G.A.: what happened  
 A.H.: he posted on the jv hoops account  
 A.H.: of us losing  
 A.H.: and said W  
 A.H.: snake ass nigga  
 C.K.: followed a bunch of parker accs  
 C.K.: and posted onna story  
 G.S.: Na get him tf out  
 JOHN DOE: nah kick him  
 J.B.: fuck you [N.B.]  
 JOHN DOE: he’s not coming back anyways  
 D.M.: [N.B.] not cool  
 A.L.: L Nate  
 A.L.: Rest in piss Parker

See attached **Exhibit O**, “Dec. 10, 2021, Group Text Messages.”

92. On or around December 11, 2021, at approximately 12:07 a.m., the group cyberbullying continued among J.B., G.S., D.M., A.L., C.K., A.H., C.S., S.P., JOHN DOE and F.M. as follows:

J.B.: in case you forgot [N.B.] fuck you!

G.S.: Boys remember that we got 9am practice tmrw with some speed work

D.M.: Yay [still face emoji]

A.L.: [N.B.] I say this with pure respect I but don't show up tmr

N.B.: Please stop texting about me [thumbs up emoji]

C.K.: Also heard u threw for Parker [crying face emoji]

A.H.: if u didn't post that shit on the Instagram it would be fine

A.H.: u made that choice bud

A.H.: not our fault

N.B.: you don't gotta tell me to fuck of 5 times

N.B.: Seems excessive

C.S.: [N.B.] I have a genuine question why would you think that was a good idea.  
What did you look to gain

N.B.: Especially for a post I didn't create

N.B.: Posted by Mitch

A.H.: mhhmmm

C.K.: Mmmmmmm

S.P.: Cap asf

C.K.: Did u throw for parker?

S.P.: Why would Mitch do that

N.B.: I don't mind the backlash but the fuck you is a little excessive NGL

A.H.: so did u or did u not post the photo?

N.B.: It was Mitch from my phone  
C.K.: and did u or did u not throw for parker  
N.B.: ? [crying face emoji]  
A.H.: also why did u plan for latin basketball?  
C.K.: They said u threw for parker tm  
C.K.: tm\*  
A.H.: if ur gonna join a team and watch us play  
and practice then how are u gone sit on the  
other side on game day?  
N.B.: I enjoyed playing basketball but  
unfortunately I injured my leg and the  
recovery took much longer than expected  
A.H.: it's not adding up  
N.B.: It was expected healed 1 month ago  
N.B.: I was also unaware of my return to Parker at  
the time  
C.K.: Chill on him bro  
N.B.: But I'm glad I am now looking at the texts I  
received  
C.K.: [N.B.] u know u fucked up  
N.B.: Leaving\*  
N.B.: I didn't even post it y'all get like 40 views at  
most anyways (no disrespect)  
C.K.: and u should also know that no one is srsly  
mad at u we dont care  
N.B.: Y'all clearly mad if your telling me fuck off  
at '12 AM  
C.K.: its not ab views its ab disrespect  
N.B.: Im still on your mind in the dead of night  
N.B.: Move on I didn't post it  
N.B.: I apologize for allowing it to be posted  
N.B.: But the disrespect is way too fucking far  
C.K.: nigga i just told them to chill on u  
C.K.: but onb u should know [A.L.] and everyone  
else is joking



JOHN DOE: ay let's just all chill

JOHN DOE: we good

C.K.: no one cares that u are going to parker or that u made sum mistakes bro ur good

C.S.: I'm gonna wake up tomorrow do shit I actually have to do like finals. I could give two shits about what you post but it was a dumbass decision

C.K.: u gotta see it from our pov tho u join our team our family be a part of the family just go get sum milk and disrespect us indirectly on ur way out

C.K.: its shitty

J.B.: ^

N.B.: Took things too far from someone else's post

C.K.: but i guarantee no one is rly tripping bro its all love

JOHN DOE: at least done post something on our account

JOHN DOE: don't

A.L.: [Responding to [C.K.'s] earlier post "but onb u should know [A.L.] and everyone else is joking] Exactly don't take everything too seriously

N.B.: I agree but y'all been telling me to fuck off for five hours move on

JOHN DOE: like it's different if it's on urs

C.K.: its jokes bro

N.B.: Especially if someone else took my phone and posted it

C.K.: no one is srs

C.K.: ik uk that

N.B.: Some pretty harsh jokes

A.L.: Well if u want us to stop being on ur ass abt it then u hush that's my advice for u

J.B.: lmao [N.B.]

C.K.: [A.L.] that's only taking steps backwards  
[crying face emoji]

C.K.: i feel u but leave him be bro

C.K.: if he dont get it he just doesn't

A.L.: Well idc who did what just calm down and  
don't take everything so directly

A.H.: ^^

A.L.: We dont actually hate u lol

A.H.: fax

C.K.: [N.B.] like I said just know u fucked up and  
move on stop caring what we are saying in a  
gc

J.B.: yea [N.B.] trussss

C.K.: dnd or leave

C.K.: either way its love bro

C.K.: [black heart emoji] [peace sign emoji]

F.M.: Yea [N.B.] bro, we dont hate you

F.M.: We're just giving you shit for that

F.M.: It's still bogus of you tho

J.B.: [N.B.] once you to to parker it's on sight but  
luv until then [kissing emoji]

A.L.: Yea dw abt it if we offended u ik I can speak  
for everyone saying our bad it's not that  
actually that serious to us

C.S.: Nice guy [A.L.] in the cut

A.L.: Fuck off [C.S.]

C.S.: Ahh ok he's back

*See attached Exhibit P*, "Dec. 11, 2021, Group Text Messages."

93. On or around December 11, 2021, at approximately 1:15 a.m., N.B. sent a "Snapchat" message to his friend stating: "If J.B. sends one more fucking text about me I'm deadass reporting him." *See attached Exhibit Q*, "December 11, 2021, Snapchat Message."

94. On or around the same time, J.B. disseminates a photograph of N.B. with the caption “the fucking feds,” implying N.B. could not be trusted. *See attached Exhibit R*, “Photograph of N.B.”

95. On or around December 13, 2021, at approximately 1:43 p.m., the cyberbullying within the group chat continued with A.L.’s transmission of a picture of N.B. to the group and C.K.’s comment, “fuckkkkkk.” *See attached Exhibit S*, “December 13, 2021, Group Text Messages.”

96. Upon information and belief, on or around December 13, 2021, J.B. sent a “Snapchat” message to N.B. encouraging N.B. to kill himself.

97. On or around January 13, 2022, N.B. sent a screenshot of the “Snapchat” message from J.B. encouraging N.B. to kill himself to his friend, C.W., a minor, via Snapchat.

98. On or around December 13, 2021, N.B. met with Hennessy to report that several students, including but not limited to R.M.-1, J.G., and Z.A., had engaged in a targeted cyberbullying campaign against N.B. by electronically transmitting a picture of R.M.-1 giving his middle finger to the camera with the captions “FUCK [last name of N.B.]”, “Ur a terrible person”, and “[last name of N.B.] pack [emoji of a face blowing smoke out of its mouth]” (the “Snapchat Meme”) to hundreds of Latin students and others via Snapchat and other electronic means. During the meeting, N.B. furnished a screen capture of the Snapchat Meme to Hennessy and informed Hennessy that the Snapchat Meme was part of a larger cyberbullying campaign against N.B. by a group of Latin students, including but not limited to R.M.-1, J.G., Z.A., J.B., A.L., C.K., G.A., F.M., A.H., H.D., M.S., and/or C.S., based on N.B.’s status as a former Parker student. *See attached Exhibit T*, “Snapchat Meme.”

99. Upon information and belief, the phrase “[last name of N.B.] Pack” was derived from the phrase “Opp Pack” and is a reference to the phrase “smoking a Tooka pack,” a lyric from the 2015 song “Off The Tooka” by Chief Keef, a well-known Chicago rap artist and self-proclaimed member of the Black Disciples, a Chicago, Illinois gang, in which Chief Keef sings about smoking marijuana laced with the ashes of his deceased “opp” (meaning “opponent” or “enemy”). The phrase “[name of enemy] Pack” has since been used colloquially as an indirect death threat<sup>14</sup> and a disrespectful reference to a deceased enemy.<sup>15</sup> Data from Google Analytics shows that searches for the phrase “Tooka Pack” in the state of Illinois spiked exponentially in “Tooka Pack” in the year 2020.<sup>16</sup>

100. Upon information and belief, after meeting with N.B. and observing the Snapchat Meme, Hennessy was aware that:

- a. the student pictured in the Snapchat Meme was R.M.-1;
- b. the phrase “59s ago by R.M.-1” was written on the top of the Snapchat Meme;
- c. the phrase “14m ago by J.G.” was written on the top of the Snapchat Meme;
- d. the phrase “FUCK [last name of N.B.]” was written in the middle of the Snapchat Meme;
- e. the phrase “[last name of N.B.] pack [emoji of a face blowing smoke out of its mouth]” was written in the middle of the Snapchat Meme; and
- f. the phrase “Ur a terrible person” was written near the bottom of the Snapchat Meme.

101. Upon information and belief, despite her knowledge that N.B. had alleged that she was the victim of cyberbullying and the fact that the Snapchat Meme contained a picture of R.M.

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<sup>14</sup> See <https://knowyourmeme.com/memes/smoking-on-that-x-pack#fn6>.

<sup>15</sup> See <https://www.urbandictionary.com/define.php?term=Opp%20pack>.

<sup>16</sup> See <https://trends.google.com/trends/explore?date=all&geo=US-IL&q=tookapack>.

and text indicating that it had been circulated by both R.M.-1 and J.G., Hennessey did not take disciplinary action against any student.

102. In the months preceding N.B.'s death, he was the victim of bullying, cyberbullying, hate speech and targeted harassment at Latin by both teachers, including Defendant Andrew Sanchez, N.B.'s geometry teacher at Latin, and students, including Minor Defendants.

103. On January 13, 2022, N.B.'s father found N.B. unresponsive and hanging from the shower in the bathroom with a noose tied around his neck.

104. On January 13, 2022, N.B. was transported to the hospital by City of Chicago EMS at a cost of three-hundred dollars (\$300.00).

105. While in the hospital, N.B. received various emergency drugs and emergency services at a total cost of approximately one-thousand one-hundred and fifty-eight dollars and ninety-nine cents (\$1158.99), which was paid by Plaintiffs to Blue Cross Blue Shield on or around February 17, 2022.

106. Later that evening, N.B. was pronounced dead. His cause of death was suicide. He was 15 years old.

#### ***IV. Latin's knowledge of S.B.'s concurrent bullying and harassment by fellow students***

107. On or around September 2021, N.B.'s younger sister, S.B., began complaining independently to Plaintiffs about the treatment she was experiencing from her peers at Latin.

108. On or around October 11, 2021, at 6:58 p.m., Mrs. Bronstein emailed Knoche and noted that S.B. was being ostracized by fellow students at Latin. Mrs. Bronstein asked Knoche to address this issue in Knoche's phone meeting with S.B. that was to occur later that week on October 14, 2021.

109. On or around October 14, 2021, S.B. and Knoche had a phone meeting wherein S.B. discussed how she was not “fitting in” at Latin.

110. On or around October 18, 2021, at 10:32 a.m., Mrs. Bronstein emailed Knoche to see how Knoche’s phone meeting with S.B. went on October 14, 2021.

111. On or around October 18, 2021, at approximately 11:07 a.m., S.B. and Mrs. Bronstein exchanged the following text messages:

S.B.:	mom can i come home i’m having a terrible day
Mrs. Bronstein:	socially?
S.B.:	in general
Mrs. Bronstein:	What is happening?
S.B.:	i just don’t fit in anywhere with anyone and my classes have sucked and it’s just a bad day
Mrs. Bronstein:	Please go see ms Knoche
S.B.:	no
S.B.:	that does absolutely [nothing]

*See attached Exhibit U, “October 18, 2021, Text Messages from S.B.”*

112. On or around October 18, 2021, at 1:00 p.m., Knoche responded to Mrs. Bronstein’s emails from earlier that day and told Mrs. Bronstein that her (Knoche’s) interaction with S.B. “mirror[ed]” the text message exchange from S.B. and Mrs. Bronstein described above. Knoche then asked Mrs. Bronstein whether S.B. had a relationship with her adviser, Ms. Holloway, or another Latin faculty member that S.B. trusted.

113. On or around October 18, 2021, at 7:58 p.m., Mrs. Bronstein responded to Knoche’s email and asked Knoche whether it was possible to arrange another phone meeting between Knoche and S.B.

114. On or around October 19, 2021, at 10:11 a.m., Knoche responded to Mrs. Bronstein's email about setting up another meeting with S.B. and stated that she could meet with S.B. the following day or the day after.

115. Later that day, at approximately 5:18 p.m., Mrs. Bronstein responded to Knoche and noted that neither day worked but offered a few days for the following week.

116. On or around October 20, 2021, at 7:59 a.m., Knoche responded to Mrs. Bronstein's email and noted her availability for the following week.

117. On or around October 21, 2021, at 3:26 p.m., Mrs. Bronstein responded to Knoche via email and wrote: "Hi, I would like to talk to you without [S.B.]. What time Monday [October 25, 2021]?"

118. On or around October 21, 2021, at 3:38 p.m., Knoche responded to Mrs. Bronstein's email about meeting her without S.B. present and offered Mrs. Bronstein a choice of times to meet the following Monday, October 25, 2021: either at 10:45 a.m. or 1:15 p.m.

119. On or around October 21, 2021, at 3:48 p.m., Mrs. Bronstein responded to Knoche and wrote: "1:15 please."

120. On or around October 25, 2021, at approximately 1:15 p.m., Mrs. Bronstein met with Knoche at Latin. During the meeting, Mrs. Bronstein discussed the bullying S.B. had been enduring at the hands of her peers.

121. S.B. continued to endure to the same ostracizing from her peers following the meeting between Mrs. Bronstein and Knoche on October 25, 2021.

122. On or around November 5, 2021, at 7:45 p.m., Mrs. Bronstein emailed Adriana Durant, one of S.B.'s teachers at Latin and a member of Latin's Dance and Performing Arts Department. Mrs. Bronstein attached a video of S.B. performing from two years prior to the

email and asked Durant if she had any suggestions on getting S.B. involved in dance at Latin in order to help with S.B.'s self-esteem.

123. Upon information and belief, Durant did not respond to Mrs. Bronstein's November 5, 2021 email.

124. On or around November 17, 2021, at 10:30 a.m., Mrs. Bronstein emailed Christine Holloway, S.B.'s advisor at Latin, and wrote the following message:

Hi Ms. Holloway,  
I am reaching out again bc [S.B.] is spiraling into a very bad place. She has **severe anxiety** which is **causing chronic stomach aches** and is doesn't want to go to school. I let her come home from school yesterday. **Today she cried in the car on the way to school that she doesn't want to go. This is all bc of social stuff.** She feels that no one likes her, no one reaches out to her, **she feels isolated and alone.** I can confirm that she consistently tries to put herself out there and consistently gets rejected. **Lunch and free periods stress her out bc she is constantly searching for someone to be with.** The girls that she is trying to connect with are not giving her the time of day. I have been very clear that she needs to try a different group of girls but her classes and schedule don't give her the opportunity to meet other kids.

Anyway, any suggestions would be greatly appreciated.  
Thanks,  
Rose Bronstein

*See attached Exhibit V, "November 17, 2021, Holloway Email" (emphasis added).*

125. Upon information and belief, Holloway did not respond to Mrs. Bronstein's November 17, 2021 email to her.

126. On or around November 17, 2021, at 11:08 a.m., Mrs. Bronstein emailed Durant again to ask Durant to encourage S.B. to get involved in Latin's musical.

127. On or around November 17, 2021, at 11:21 a.m., Durant responded to Mrs. Bronstein's email and noted that S.B. was not in class on November 16, 2021, and noted that she would "try [her] best to get [S.B.] interested [in Latin's musical]."



128. On or around November 29, 2021, at approximately 12:06 p.m., S.B. and Mrs. Bronstein exchanged the following text messages:

S.B.: Can I come home  
S.B.: no one likes me here [at Latin]  
Mrs. Bronstein: I'm pulling you from Latin

*See attached Exhibit W*, "November 29, 2021, Text Messages from S.B."

129. On or around November 30, 2021, at approximately 3:00 p.m., S.B. and Mrs. Bronstein exchanged the following text messages while S.B. was waiting in a bathroom at Latin for Mrs. Bronstein to pick her up from school:

S.B.: Are you close [to Latin]  
Mrs. Bronstein: Here  
S.B.: I'm in the bathroom

*See attached Exhibit X*, "November 30, 2021, Text Messages from S.B."

130. On or around November 30, 2021, at 7:42 p.m., Mrs. Bronstein emailed Hennessy with Durant carbon copied and stated the following in regard to withdrawing N.B., S.B.'s older brother, from Latin and allowing N.B. to transfer back to Parker in January 2022:

Hi Ms Hennessy,  
I regret to inform you that [N.B.] will be transferring back to Parker this January. **I will say, [Plaintiff Robert Bronstein] and I are disappointed that his experience at Latin did not pan out as we hoped it would.**

[N.B.] has emailed Mr. Wright tonight to ask for assistance in getting organized to complete his course requirements before the end of this semester.

Ms. Hennessy, please advise us on things [N.B.] needs to complete/turn in before he leaves.

Thank you,  
Rose Bronstein

See attached **Exhibit Y**, “November 30, 2021, Email to Hennessy” (emphasis added).

131. On or around December 1, 2021, at 7:32 a.m., Durant responded to Mrs. Bronstein’s email from November 30, 2021, and asked whether S.B. would remain at Latin despite N.B.’s transfer to Parker the following January.

132. On or around December 1, 2021, at 2:38 p.m., Mrs. Bronstein responded to Durant and stated the following:

Hi Adriana,

Thank you. This is what [N.B.] wants and is he already beaming, so It is the right move for him.

**As for [S.B.], at this point, I don’t know. She is pretty miserable socially and I fear that her current situation may not change. So, I don’t how to help her and I don’t want her to spend her high school years socially rejected - she shouldn’t have to.** She is a great kid and a sweet girl. Also, I am sorry she is refusing to give the musical a try, I have been begging her to be open-minded about it but I can’t get her to budge. I even suggested maybe she can help choreograph numbers - she is very good at coming up with her own choreography. **Anyway, I don’t what we are going to do about [S.B.].**

See attached **Exhibit Z**, “December 1, 2021, Email from Mrs. Bronstein” (emphasis added).

133. On or around December 2, 2021, at 9:43 a.m., Durant responded to Mrs. Bronstein’s email in which Mrs. Bronstein informed her that S.B. would remain at Latin despite N.B.’s upcoming transfer and stated: “I’m glad [S.B.] is staying [at Latin].”

134. As of December 1, 2021, Durant was aware that [S.B.] was not transferring to Parker in January 2022 and that S.B. was still enrolled at Latin for the 2021-2022 school year.

135. Upon information and belief, as of December 1, 2021, Latin officials were aware that S.B. would remain at Latin for at least the remainder of the 2021-2022 school year based on Mrs. Bronstein’s communications with Durant and Hennessy.

136. On or around January 12, 2022, at approximately 12:42 p.m., S.B. and Mrs. Bronstein exchanged the following text messages:

S.B.: **No one talks to me any time i say anything at lunch everyone just ignores me**

Mrs. Bronstein: What do u say?

S.B.: I said does anyone want to come to the kiosk with me and no one answers

S.B.: Then they were talking about

S.B.: history and two people that are in my history class were sitting there and i said i liked history and **no one answers**

Mrs. Bronstein: Who was at the table?

S.B.: [names of five minor Latin students] and me

Mrs. Bronstein: I love you. We will figure this out

S.B.: **no nobody [at Latin] talks to me**

Mrs. Bronstein: I know. It's not your fault.

Mrs. Bronstein: **Is [Ms.] Holloway your advisor?** I promise I'm Not emailing her

S.B.: **Yes do not email her [please] i'm begging you**

S.B.: **[Ms. Holloway is] the absolute worst**

Mrs. Bronstein: I'm not. **I'm going to try to get you out of latin and back to Parker now.** It I can't promise anything

Mrs. Bronstein: But I can't

*See attached Exhibit AA, "January 12, 2022, Text messages from S.B. and Mrs. Bronstein" (emphasis added).*

137. On or around January 12, 2022, at 1:12 p.m., Mrs. Bronstein sent a screenshot of her conversation with S.B. from earlier that day and the following message in an email to Knoche, Hennessy and Holloway:

Hello everyone,  
I am reaching out bc **[S.B.'s] social situation is so harsh on her that she is not only seeing a therapist outside of school but she**

now has chronic GI issues from the stress and anxiety of having to get through a school day because of the way she is being treated by her peers. As far as we know, a large group of girls have collectively decided that [S.B.] is invisible and does not exist. **This is the text I received from her today and this is not an isolated incident, this happens all the time with a variety of different girls.** I have reached out to all of you on various occasions since the beginning of the school year asking for help, **I even reached out to Ms. Von Ogden and she did not respond to me.** Unless [S.B.] has bullied someone or insulted someone or mistreated someone in any way (which we know she has not) then there is no reason she deserves this treatment. **From my perspective, this is a form of bullying.** I can forward to you many more texts like the one below. My daughter does not deserve to be treated this way. I am asking again for help and at the same time I have reached out to Parker to see if they can take her back now. I can tell you this, Parker kids don't behave this way. Rose Bronstein

See attached **Exhibit BB**, "January 12, 2022, Email to Knoche, Hennessy and Holloway" (emphasis added).

138. On or around January 12, 2022, at 3:47 p.m., Hennessy responded to Mrs. Bronstein's email from earlier that day and stated the following:

Dear Rose:

Thank you for sharing this text exchange between you and [S.B.]. I cannot express how sorry I am that this is happening to [S.B.]. No one deserves to feel this way at school (or anywhere). I have not been made aware of any similar reports at Latin, but, of course, we do not know much of what goes on in private social circles. Again, I am so sorry this is happening.

I reached out to [S.B.] a couple of times last fall extending an invitation to talk about these social issues, but I never heard back. Do you think she'd be ready to talk at this point? It's **really** important that we understand **firsthand** what she's experiencing, especially if [S.B.] feels like she's being bullied.

Typically, an issue like what [S.B.] is experiencing would be handled in the counseling office, so I'm glad you included Jane Knoche in this email. Can Jane reach out to [S.B.] via email and invite her in for a conversation? Or can Jane discretely pull [S.B.] from a free period or community time event this week to talk to her? Let us know your thoughts.

In the meantime, one thing I can do without having talked to [S.B.] is give her teachers a **confidential** heads up of what she is experiencing. That way, they can be sensitive and alert when she is in their class. Is this something you'd like for me to do? Please let me know.

Finally, once Jane or I talk to [S.B.] in person, we can explore other options for support **with her permission**, such as switching advisory groups, speaking with other students about the situation, or helping her get involved in activities to meet new folks.

Just a heads up - I am off campus this week and early next because my baby tested positive for covid on Monday. I will not be available to meet with [S.B.] in person until I return, but I'm quite certain that Jane will be more than happy to support her as soon as tomorrow if [S.B.] is willing.

Take care.

Sincerely,  
Bridget

*See attached Exhibit CC, "January 12, 2022, Hennessy Email Response to Mrs. Bronstein" (emphasis in the original).*

139. Upon information and belief, on January 12, 2022, Hennessy was, in fact, aware that S.B.'s older brother, N.B., had complained to her (Hennessy) about cyberbullying during a meeting between Hennessy and N.B. on or around December 13, 2022, and was trying to deflect culpability from Latin officials with regard to Latin's failure to respond with ordinary care to actual knowledge of the bullying of both S.B. and N.B.

***V. Latin's Fraudulent Concealment of N.B.'s Bullying, Cyberbullying and Harassment***

140. Per Latin's official policies, Latin Defendants were required to notify parents of all parties involved in a complaint to Latin involving bullying.

141. As employees of Latin, Latin Defendants were aware of their obligations both under Latin policy and Illinois statute to notify parents of all parties involved in a complaint to Latin involving bullying.

142. At the same time, under the same guidance, Latin Defendants were required to initiate an investigation incident to receiving a report of bullying.

143. Certain minor student offenders are relatives of or have a direct connection with certain members of Latin's Board.

144. As a result of the alleged abusers' connections to Latin, coupled with Latin striving to be one of the most prestigious private schools in the country, Latin Defendants actively and knowingly concealed complaints regarding bullying, cyberbullying, hate speech and/or harassment, despite Latin's inherent and ongoing bullying culture.

145. Many studies have demonstrated the connection between bullying and suicide in school children.<sup>17</sup>

146. NAIS, on its website, regularly publishes articles referencing studies and other data showing on the connection between bullying and suicide in school children.<sup>18</sup>

147. Upon information and belief, as educators, Individual Latin Defendants were, at all times relevant hereto, well aware of the link between bullying and suicide in school children.

148. On or around December 13, 2021, N.B. reported widespread bullying to Defendant Hennessy.

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<sup>17</sup> See Suicidal ideation among suburban adolescents: The influence of school bullying and other mediating risk factors. *J. Child Adoles. Ment. Health*, 2016 Oct; 28(3): 213-231.

<sup>18</sup> See e.g., <https://www.nais.org/articles/pages/books/trendbook-excerpt-rates-of-bullying-vary-by-race-and-ethnicity/>.

149. On January 14, 2022, Mrs. Bronstein contacted Defendant Knoche to inform the school administration of N.B.'s death and to ask only that no "mass email" be sent regarding this. Mrs. Bronstein did not provide further instructions, nor did Latin ask for further detail.

150. Upon information and belief, over the next several weeks, multiple students and their families asked to send condolences, make donations/tributes, attend a wake or funeral. In all cases, Latin falsely represented that the Bronsteins insisted on privacy and that they be left alone.

151. As these requests to reach out to the Bronsteins came in, Latin did not contact the Bronsteins for direction or clarification. Rather, Latin used the request for "no mass email" as a catch-all excuse to discourage anyone associated with Latin from contacting the Bronstein.

152. On or about January 15, 2022, the parent of a student at Latin contacted Defendant Dunn and requested a meeting as soon as possible regarding N.B.'s death. On January 18, 2022, the student at Latin, accompanied by the student's parent, conducted an in-person meeting with Defendant Dunn. At the meeting, the student and parent discussed the culture and recent history of bullying at Latin, specifically including the bullying of N.B. which culminated in his suicide, and specifically the fact that Latin had not taken action to address this conduct. The student and parent submitted extensive written evidence to Defendant Dunn regarding the bullying and harassment that N.B. had endured.

153. No later than January 18, Defendant Dunn had personal, actual knowledge of the endemic problems of bullying and hazing at Latin, the specific bullying and harassment that had been directed at N.B., the fact that N.B. had requested help from administrators at Latin as recently as mid-December 2021, the identities of specific students who had perpetrated this conduct, the fact that Latin had neglected to inform N.B.'s parents or any of the parents of the students who had participating in bullying and other misconduct, the fact that no disciplinary action or other

consequences had been imposed by Latin with respect to those students, the failure of Latin to adhere to its own policies and Illinois law, and the fact that N.B. had died by suicide days earlier.

154. Upon information and belief, Defendant Dunn, in concert with specific individual members of the Latin's Board, agreed and conspired to withhold all of the above information from law enforcement authorities, from the full Latin Board, from other constituents of Latin and from N.B.'s family.

155. Defendant Dunn indeed then knowingly chose to withhold all of the above critical information, of which he had personal knowledge, from law enforcement authorities, from Latin's Board, and most cruelly and callously from N.B.'s grieving parents.

156. On January 21, 2022, Mr. Bronstein sought the direct telephone number and e-mail address for Defendant Dunn to discuss N.B.'s suicide and Latin's public response to it. Mr. Bronstein and Defendant Dunn exchanged emails on January 21 and 22, 2022. On or about January 24, 2022, Mr. Bronstein and Defendant Dunn also had a conversation lasting approximately 10 minutes. In every one of these exchanges, Defendant Dunn intentionally made no mention of any of the foregoing information, including the specific bullying and targeting of which N.B. had complained in mid-December 2021, and of which no proper action had been taken, and which had made his suicide foreseeable to Latin.

157. On January 27, 2022, Mr. Bronstein requested an urgent meeting with Defendant Dunn to discuss the information that had been shared with Plaintiffs and which Defendant Dunn had withheld. The meeting was held in person in Head of Lower School Shelly Greenwood's office at Latin on January 27, 2022. At this meeting, Defendant Dunn admitted that he had known all of the foregoing information and that he had elected not to disclose it to Plaintiffs.



158. On January 28, 2022, at Mr. Bronstein's request, Plaintiffs held another in-person meeting with Defendant Dunn and Defendant Von Ogden in Head of Lower School Shelly Greenwood's office, during which these Defendants claimed it was appropriate that Latin elected not to inform the parents of a bullied child or those of students accused of bullying, despite having an obligation to do so under Illinois statute, on the purported logic that N.B. asked to "advocate for himself" and at that time the Latin Defendants had received the most specific complaints from N.B. about cyber-bullying, he was scheduled to leave Latin shortly thereafter to return to Parker.

159. During that same meeting, Defendant Dunn informed Plaintiffs that a full and thorough investigation would be conducted in regards to N.B.'s bullying, cyberbullying and harassment, and that disciplinary action would be taken; however, Defendant Dunn never notified proper law enforcement, did not conduct a "thorough investigation," and did not take disciplinary action against N.B.'s abusers.

160. Defendant Dunn knowingly lied to Plaintiffs regarding the extensive evidence of bullying that was already in Latin's possession and the fact that Latin had taken no action in response to that information and to N.B.'s complaints about the abuse he had endured.

161. Defendant Dunn knowingly lied to Plaintiffs about his communications with members of the Latin's Board regarding the death of N.B.

162. Defendant Dunn knowingly lied to Plaintiffs about a purported disciplinary process which he claimed was underway involving the students documented to have been involved in bullying N.B., despite knowing that so such process had been undertaken.

163. Upon information and belief, select members of the Latin's Board requested that Dunn withhold information from and to mislead Plaintiffs regarding wrongdoing at Latin and by the Latin Defendants, as part of a continuing conspiracy of silence in which representatives of

Latin had attempted to cover up a history of unaddressed bullying and emotional abuse at Latin, including that perpetrated against N.B.

164. Upon information and belief, Defendant Dunn made the above misrepresentations to and withheld this critical information from a grieving family searching for answers regarding their son's tragic death, in an attempt to cover up Latin's wrongdoing and to preserve his own reputation and job prospects.

165. Despite Plaintiffs' and N.B.'s numerous documented complaints and requests, no such investigation ever occurred or commenced, and no such disciplinary action was ever taken toward any of N.B.'s abusers.

166. Latin Defendants consciously disregarded and fraudulently concealed all complaints of bullying, cyberbullying and/or harassment of N.B. by Latin students in order to maintain their prestigious façade.

**COUNT I**  
**WRONGFUL DEATH**  
***Against All Latin Defendants***

167. Robert Bronstein, as Independent Administrator of the Estate of N.B., deceased realleges and incorporates by reference the allegations contained in the previous and subsequent paragraphs.

168. At all relevant times hereto, the safety of its students was purportedly Latin's first priority, particularly as it pertained to harassment, bullying and cyberbullying, as expressly evidenced in its Handbook, aptly titled "General Harassment, Bullying and Cyberbullying Policy."

169. The policies stated in the Handbook were in effect at the time of all occurrences complained of in this complaint. Adherence to all policies stated in the Handbook is not discretionary, but rather mandatory, enforceable, and required to be followed and complied with

by all employees and agents of Latin, all Latin students and parents, and all named Defendants in this matter.

170. The “Community Expectations & School Rules” section of the Handbook also contains Latin’s general policy on “Off-Campus, Vacation and Out-of-School Behavior” (the “General Off-Campus Behavior Policy”), which states that:

[A] student who engages in serious misconduct **away from school** – including but not limited to conduct that is **illegal** or would be illegal if committed by an adult; conduct that **endangers the safety or well-being of . . . other persons . . .**; or conduct which **brings disgrace to the Latin community** – has violated a **major rule** of the school and **is subject to disciplinary action**. *See Exhibit G* at p. 4 (emphasis added).

171. The Latin Upper School “Student Conduct” section of the Handbook reiterates this point and explicitly states: “Any student behavior, **on or off campus**, which falls outside of [Latin’s guiding principles] or that violates school values in a way that reflects poorly on the Latin School community, can result in disciplinary action.” *See Exhibit G* at p. 83 (emphasis added).

172. Specifically, at all relevant times, Latin Defendants, owed a duty to N.B., including without limitation:

- a. To provide for students’ safety, which includes safeguarding students from systemic targeted bullying;
- b. To promptly and properly address allegations of bullying, harassment, and/or other discrimination;
- c. To promptly and properly address notice that a student is contemplating suicide as a result of bullying, harassment, and/or other discrimination;
- d. To enforce all policies enumerated within the Latin Student Handbook; and
- e. To provide notice to parents of all parties involved in incidents of bullying.

173. By at least October 2021, Latin Defendants had knowledge that N.B. was in impending danger based on N.B. being bullied and harassed by his peers at Latin while in class,

after class, outside of school, during school-sanctioned sports activities, and/or at school-sanctioned events.

174. Upon information and belief, the bullying, cyberbullying and/or harassment by Latin students, including Minor Defendants, against N.B. as alleged herein was the culmination of an ongoing pattern, cycle and/or continuum of bullying, cyberbullying and/or harassment that commenced on or about the beginning of Latin's 2021-2022 school year.

175. Upon information and belief, before January 13, 2022, Latin Defendants were aware of the existence of century-long rivalry between Latin students and Parker students.

176. Upon information and belief, before January 13, 2022, Latin Defendants were aware that the century-long rivalry between Latin and Parker had led to incidents of hate speech and harassment by Latin students against rival Parker students as it relates to sporting events involving the two schools, including incidents where Latin students created derogatory and disparaging signs for the games attacking Parker students' weight, attractiveness, and physical ability and incidents where Latin students collectively engaged in hate-filled chants against Parker students.

177. Based upon this knowledge, beginning in 2011, Latin Defendants arranged for the presence of Latin officials at sporting events between Latin and Parker, including for the basketball game on December 10, 2021, as incidents involving hate-filled chants and collective harassment of Parker students by Latin students occurring was foreseeable and known to Latin Defendants.

178. Upon information and belief, before January 13, 2022, Latin Defendants were aware that N.B. had, in 2021, recently transferred from Parker to Latin and that Plaintiff had arranged for N.B. to withdraw from Latin and to transfer back to Parker beginning in January 2022.

179. Upon information and belief, before January 13, 2022, Latin Defendants were aware that N.B. was a member of Latin's junior varsity basketball team and played alongside the following Latin students: A.L., J.B., A.H., C.K., H.D., JOHN DOE, S.P, G.S., G.A., C.S., D.M., F.M., N.K., M.O., A.A., and S.W.

180. Upon information and belief, before December 9, 2021, Latin Defendants were aware that bullying, cyberbullying, hate speech and other harassment was a "widespread and deadly problem" as it relates to mental health of students, including Latin students, and that between 21% and 92.3% of Latin students had reportedly experienced incidents of bullying, cyberbullying, hate speech and other harassment at the hands of other Latin students.

181. Upon information and belief, before January 13, 2022, Latin Defendants were aware that N.B. was the victim of a campaign of bullying, cyberbullying, hate speech and other harassment at the hands of the Latin students, including Minor Defendants, based on N.B.'s status as a former Parker student and his association with other Parker students at the junior varsity basketball game between Latin and Parker on December 9, 2022.

182. At all times relevant, under Illinois law and Latin's own policies, Latin Defendants had a duty to promptly investigate all allegations of bullying, cyberbullying, hate speech and other harassment committed against Latin students, including N.B., as well as a duty to notify the parents or guardians of all parties involved in an allegation of bullying, cyberbullying, hate speech or other harassment.

183. At all relevant times hereto, Latin Defendants knew or should have known of N.B.'s impending risk of suicide as it was foreseeable to occur given the nature of the environment, the social media groups against Latin, as well as its known history of repeatedly and consciously disregarding complaints of bullying, cyberbullying and/or harassment.

184. At all relevant times hereto, Latin Defendants willfully and wantonly violated and breached their duties to N.B. when they willfully and wantonly, and with careless and reckless disregard for the safety of N.B.:

- a. Consciously disregarded numerous complaints of N.B.'s bullying, cyberbullying and/or harassment which were submitted by N.B. and his mother directly to Defendants;
- b. Consciously disregarded documented evidence of N.B.'s bullying, cyberbullying and/or harassment which were submitted by N.B. and his mother directly to Defendants;
- c. Carelessly and/or recklessly failed to investigate complaints surrounding N.B.'s bullying, cyberbullying and/or harassment;
- d. Refused to investigate N.B.'s alleged abusers; and
- e. Intentionally failed to notify all parents or guardians of the students involved in N.B.'s bullying, cyberbullying and/or harassment.

185. Latin Defendants' actions as alleged herein were conducted willfully and wantonly, with reckless disregard for the safety of N.B. with knowledge of the following facts, which include but are not limited to:

- a. On or around October 11, 2021, Mrs. Bronstein learned that N.B. had skipped school to avoid dealing with his peers. That same day, Mrs. Bronstein emailed Defendant Hennessy, to discuss N.B.'s absence from school and the bullying N.B. was experiencing at the hands of students at Latin;
- b. On or around October 12, 2021, Hennessy responded to Mrs. Bronstein's October 11, 2021, email but did not address Mrs. Bronstein's concerns that N.B. was experiencing bullying at the hands of fellow Latin students;
- c. N.B.'s mother had informed Defendant Hennessey of her discussions with one of N.B.'s alleged abusers' parents regarding their child's bullying, cyberbullying and/or harassment of N.B.;

- d. As of October 12, 2021, Defendant Hennessy had actual knowledge that N.B. was acting out at home as a result of alleged bullying he was enduring at the hands of Latin students;
- e. On or around December 13, 2021, N.B. met with Defendant Hennessy to report that several students, including but not limited to R.M.-1, J.G., and Z.A., had engaged in a targeted cyberbullying campaign against N.B. by electronically transmitting a picture of R.M.-1 giving his middle finger to the camera with the captions “FUCK [last name of N.B.]”, “Ur a terrible person”, and “[last name of N.B.] pack [emoji of a face blowing smoke out of its mouth]” (the “Snapchat Meme”) to hundreds of Latin students and others via Snapchat and other electronic means. During the meeting, N.B. furnished a screen capture of the Snapchat Meme to Defendant Hennessy and informed Defendant Hennessy that the Snapchat Meme was part of a larger cyberbullying campaign against N.B. by a group of Latin students, including but not limited to R.M.-1, J.G., Z.A., J.B., A.L., C.K., G.A., F.M., A.H., H.D., M.S., and/or C.S., based on N.B.’s status as a former Parker student. *See Exhibit T*. As set forth herein, Defendant Hennessy’s actions were intentional, willful and wanton and committed with reckless disregard for N.B.’s rights;
- f. On or about October 2021 or November 2021, Defendant Sanchez personally engaged in bullying N.B. during class at which time Defendant Sanchez relentlessly accosted N.B. in front of his entire class, announcing that N.B. “was going nowhere in life;” and,
- g. At all relevant times hereto, Defendant Sanchez, as a Geometry teacher at Latin Upper School, was prohibited from engaging in conduct that even remotely constituted bullying and/or harassment, especially that of a student, but nonetheless intentionally, willfully and wantonly engaged in such conduct.

186. Despite Latin Defendants’ knowledge of the aforementioned facts, Latin Defendants further breached their duty by failing to take any disciplinary action against any student bullying, cyberbullying and/or harassing N.B., contrary to Latin’s policies.

187. Latin Defendants' conduct, as stated herein, amounted to a failure, after knowledge of impending danger, to exercise ordinary care or prevent N.B.'s bullying, cyberbullying and/or harassment.

188. Latin Defendants' conduct, as stated herein, also amounted to a failure to discover N.B.'s impending danger due to their recklessness and/or carelessness when they could have discovered it through ordinary care.

189. The conduct of Latin Defendants as alleged in this Complaint was willful and wanton, and with full knowledge that:

- a. Students' safety is top priority, which includes safeguarding students from systemic targeted bullying;
- b. Allegations of bullying, harassment, and/or other discrimination require prompt and proper attention and investigation;
- c. A student is contemplating suicide as a result of bullying, harassment, and/or other discrimination;
- d. "Any student behavior, on or off campus, which falls outside of [Latin's guiding principles] or that violates school values in a way that reflects poorly on the Latin School community, can result in disciplinary action" *See Exhibit G* at p. 83;
- e. All policies enumerated within the Latin Student Handbook are to be strictly enforced; and
- f. Parents of all parties involved in incidents of bullying are provided prompt and proper notice.

190. As a direct and proximate result of the willful and wanton actions of Latin Defendants, coupled with their conscious disregard for the safety of N.B., N.B. did in fact suffer severe and pervasive bullying, cyberbullying, hate speech and other harassment.

191. As a direct and proximate consequence of the willful and wanton actions of Latin Defendants, coupled with their conscious disregard for the safety of N.B., N.B. committed suicide.



192. Said actions of Latin Defendants were objectively unreasonable in light of the known circumstances.

193. Upon information and belief, Latin Defendants were aware of the fact that Plaintiffs had arranged for N.B. to withdraw from Latin and to attend Parker beginning in 2022, due to imminent concerns around N.B.'s mental health, including suicidal ideation, stemming from the bullying, cyberbullying, hate speech and other harassment N.B. had endured at the hands of Latin students, including Minor Defendants, and the failure of Latin to adhere to its policies against such behavior.

194. Upon information and belief, before January 13, 2022, Latin Defendants were aware of the foreseeable risk that N.B. would commit suicide based on the email sent to Defendant Kranz on or around October 19, 2021, at 8:00 a.m.

195. Latin Defendants had a duty or voluntarily assumed the duty to act with reasonable care to protect N.B. against dangers of which it knew or should have known, including acts of targeted bullying, cyberbullying, hate speech and other harassment.

196. Latin Defendants breached the duties owed to N.B. by consciously disregarding N.B.'s complaints of bullying, cyberbullying, hate speech and other harassment committed by Latin students, including Minor Defendants, despite N.B.'s presentation of evidence supporting his allegations that identified each harasser.

197. Latin Defendants further breached the duties owed to N.B. by consciously ignoring N.B.'s complaints of bullying, cyberbullying, hate speech and other harassment, despite having notice of N.B.'s suicidal ideations and the foreseeability of suicide as a result of severe, persistent bullying such as the kind N.B. had endured and was enduring and of which Latin Defendants were aware.

198. Latin Defendants knew or should have known of the foreseeable dangers and risks to N.B., including suicide, caused by its failures described above.

199. As a direct result of the willful and wanton conduct of Latin Defendants, Individual Latin Defendants did not possess the necessary training to prevent bullying, cyberbullying, hate speech and/or harassment against students to ensure student safety and prevent the same by N.B.'s abusers.

200. Upon information and belief, Defendant Latin, through their agents and employees knew that the necessary crisis prevention and intervention training had not been provided to Individual Latin Defendants, and that the lack of such training created unreasonably dangerous circumstances for all students, including N.B.

201. Latin Defendants' lack of and/or failure to enforce adequate policies and procedures for the proper response to bullying, cyberbullying, hate speech and other harassment of its students exacerbated and amplified the trauma of Plaintiffs and N.B. due to institutional betrayal.

202. The term "Institutional Betrayal" refers to wrongdoings perpetrated by an institution upon individuals dependent on that institution, including failure to prevent or respond supportively to wrongdoings by individuals (e.g. bullying, cyberbullying, hate speech and other harassment) committed within the context of the institution. *See* Jennifer J. Freyd, Institutional Betrayal and Institutional Courage<sup>19</sup>; *See also* Karen D. Pyke, Institutional Betrayal: Inequity, Discrimination, Bullying, and Retaliation in Academia, *SOCIOLOGICAL PERSPECTIVES* 61. 5-13 (2018).

203. As a direct and proximate result of the willful and wanton actions of Defendant Latin, coupled with its failure to train Individual Latin Defendants and in disregard for the safety

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<sup>19</sup> Available at <https://dynamic.uoregon.edu/jjf/institutionalbetrayal/> (last visited March 3, 2022)

of N.B., N.B. did in fact suffer severe and pervasive bullying, cyberbullying, hate speech and other harassment.

204. As a direct and proximate consequence of the willful and wanton actions of Defendant Latin, coupled with its failure to train Defendant Hennessy and other Individual Latin Defendants and in disregard for the safety of N.B., N.B. committed suicide.

205. As a direct and proximate result of the breach of duties by Latin Defendants, N.B. died by suicide on January 13, 2022.

206. As a further direct and proximate result of Latin Defendant's acts and omissions of willful and wanton misconduct, N.B.'s next of kin suffered great losses of a personal and pecuniary nature including loss of companionship and society of the decedent, subjecting Individual Latin Defendants to liability pursuant to the Illinois Wrongful Death Act, 740 ILCS 180/1.

**WHEREFORE**, Plaintiff prays for judgment against Individual Latin Defendants, jointly and severally, for an award one-hundred million dollars (\$100,000,000.00) constituting reasonable compensatory damages, plus attorneys' fees and costs, and such other and additional relief that this Honorable Court deems equitable and just.

**COUNT II**  
**SURVIVAL ACTION / INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
*Against All Latin Defendants*

207. Plaintiff, Robert Bronstein, as Independent Administrator of the Estate of N.B., deceased, realleges and incorporates by reference the allegations contained in the previous and subsequent paragraphs.

208. Latin Defendants committed intentional infliction of emotional distress upon N.B. through their willful, wanton and/or intentional failure to address or otherwise investigate known and/or foreseeable instances of bullying, cyberbullying, hate speech and/or other harassment.

209. At all relevant times hereto, Latin Defendants' conscious disregard to known and/or foreseeable bullying, cyberbullying, hate speech and/or other harassment of N.B. was extreme and outrageous.

210. At all relevant times hereto, Latin Defendants committed one or more of the following extreme and outrageous acts against N.B.:

- a. Consciously disregarded numerous complaints of N.B.'s bullying, cyberbullying, hate speech and/or other harassment which were submitted by N.B. and his mother directly to Latin Defendants;
- b. Consciously disregarded documented evidence of N.B.'s bullying, cyberbullying, hate speech and/or other harassment which were submitted by N.B. and his mother directly to Latin Defendants;
- c. Carelessly and/or recklessly failed to investigate complaints surrounding N.B.'s bullying, cyberbullying, hate speech and/or other harassment;
- d. Refused to investigate N.B.'s alleged abusers; and
- e. Intentionally failed to notify all parents or guardians of the students involved in N.B.'s bullying, cyberbullying, hate speech and/or other harassment.

211. The conduct of Latin Defendants as alleged in this Complaint was extreme and outrageous with full knowledge that:

- a. Students' safety is top priority, which includes safeguarding students from systemic targeted bullying;
- b. Allegations of bullying, harassment, and/or other discrimination require prompt and proper attention and investigation;
- c. A student is contemplating suicide as a result of bullying, harassment, and/or other discrimination;
- d. "Any student behavior, on or off campus, which falls outside of [Latin's guiding principles] or that violates school values in a way that reflects poorly on the Latin School community, can result in disciplinary action" *See Exhibit G* at p. 83;

- e. All policies enumerated within the Latin Student Handbook are to be strictly enforced; and
  - f. Parents of all parties involved in incidents of bullying are provided prompt and proper notice.
212. Latin Defendants further acted extremely and outrageously with knowledge of the following facts, which include but are not limited to:

- a. On or around October 11, 2021, Mrs. Bronstein learned that N.B. had skipped school to avoid dealing with his peers. That same day, Mrs. Bronstein emailed Defendant Hennessy, to discuss N.B.'s absence from school and the bullying N.B. was experiencing at the hands of students at Latin.
- b. On or around October 12, 2021, Hennessy responded to Mrs. Bronstein's October 11, 2021, email but did not address Mrs. Bronstein's concerns that N.B. was experiencing bullying at the hands of fellow Latin students;
- c. N.B.'s mother had informed Defendant Hennessey of her discussions with one of N.B.'s alleged abusers' parents regarding their child's bullying, cyberbullying and/or harassment of N.B.;
- d. As of October 12, 2021, Defendant Hennessy had actual knowledge that N.B. was acting out at home as a result of alleged bullying he was enduring at the hands of Latin students;
- e. On or around December 13, 2021, N.B. met with Defendant Hennessy to report that several students, including but not limited to R.M.-1, J.G., and Z.A., had engaged in a targeted cyberbullying campaign against N.B. by electronically transmitting a picture of R.M.-1 giving his middle finger to the camera with the captions "FUCK [last name of N.B.]", "Ur a terrible person", and "[last name of N.B.] pack [emoji of a face blowing smoke out of its mouth]" (the "Snapchat Meme") to hundreds of Latin students and others via Snapchat and other electronic means. During the meeting, N.B. furnished a screen capture of the Snapchat Meme to Defendant Hennessy and informed Defendant Hennessy that the Snapchat Meme was part of a larger cyberbullying campaign against N.B. by a group of Latin students, including but not limited to R.M.-1, J.G., Z.A., J.B., A.L., C.K., G.A., F.M., A.H.,

H.D., M.S., and/or C.S., based on N.B.'s status as a former Parker student. *See Exhibit T*. As set forth herein, Defendant Hennessy's actions were intentional, willful and wanton and committed with reckless disregard for N.B.'s rights;

- f. On or about October 2021 or November 2021, Defendant Sanchez personally engaged in bullying N.B. during class at which time Defendant Sanchez relentlessly accosted N.B. in front of his entire class, announcing that N.B. "was going nowhere in life."

213. At all relevant times hereto, Latin Defendants, via their conscious disregard to known and/or foreseeable bullying, cyberbullying, hate speech and/or other harassment of N.B., intended to cause N.B. severe emotional distress, or knew there was a high likelihood that such disregard would cause such distress, but nonetheless intentionally, willfully and wantonly engaged in such conduct.

214. The Latin Defendants' extreme and outrageous conduct did, in fact, cause N.B. severe emotional harm.

215. N.B.'s emotional harm from Latin Defendants' conscious disregard to known and/or foreseeable bullying, cyberbullying, hate speech and/or other harassment of N.B. was so severe that it resulted in N.B. taking his own life.

216. As a result of N.B. taking his life, N.B.'s immediate family, too, suffered severe emotional distress.

217. As a further direct and proximate result of one or more of the Latin Defendants' willful and wanton conduct and/or omissions, N.B., deceased, sustained conscious pain and suffering, disability, and disfigurement prior to his death, and had he survived, he would have been entitled to bring an action for his injuries.

218. Plaintiff Robert Bronstein, as Independent Administrator of the Estate of N.B., deceased, brings this action pursuant to the Illinois Survival Act, 755 ILCS 5/27-6.

**WHEREFORE**, Plaintiff prays for judgment against all Latin Defendants, jointly and severally, for an award of one-hundred million dollars (\$100,000,000.00) constituting reasonable compensatory damages, plus attorneys' costs, and such other and additional relief that this Honorable Court deems equitable and just.

**COUNT III**

**SURVIVAL ACTION / INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

***Against All Named Parents and/or Guardians of Minor Defendants and Minor Defendants***

219. Plaintiff, Robert Bronstein, as Independent Administrator of the Estate of N.B., deceased, realleges and incorporates by reference the allegations contained in the previous and subsequent paragraphs.

220. At the time of the bullying, cyberbullying, hate speech and/or other harassment by Minor Defendants against N.B., said Minor Defendants were unemancipated.

221. At all times relevant hereto, each of the Minor Defendants resided with his/her respective parents/guardian.

222. In addition to the general duty of care, as Latin students, Minor Defendants were required to follow and abide by all policies within the Handbook, including but not limited to the anti-bullying policies.

223. Upon information and belief, all Latin students, including but not limited to Minor Defendants were made aware of, and had full knowledge of all policies within the Handbook, including but not limited to the anti-bullying policies.

224. Upon information and belief, all Named Parents and/or Guardians of Minor Defendants signed an enrollment contract prior to enrolling their respective children, Minor Defendants, at Latin.

225. The acts and/or omissions to act by all Named Parents and/or Guardians of Minor Defendants and by Minor Defendants, as set forth herein this Complaint, constitute violations of the Handbook, including but not limited to the anti-bullying policies, and a breach of each Named Parent and/or Guardian of Minor Defendants and Minor Defendant's duty of care owed to N.B.

226. Minor Defendants' actions and/or omissions to act as alleged herein were deliberate, extreme and outrageous.

227. Minor Defendants' actions and/or omissions as set forth herein were done in reckless disregard of the high likelihood that their actions would cause N.B. to suffer severe and extreme emotional distress.

228. Minor Defendants' actions and/or omissions as set forth herein caused N.B. to suffer from severe and extreme emotional distress.

229. As a direct and proximate result of the actions and/or omissions by Named Parents and/or Guardians of Minors Defendants and Minor Defendants as alleged herein, N.B. was caused to incur severe and grievous mental and emotional suffering, fright, anguish, shock, nervousness, anxiety, shame and distress.

230. As direct and proximate result of the actions and/or omissions by Named Parents and/or Guardians of Minors Defendants and Minor Defendants herein, N.B. was caused to seek medical and psychological treatment on numerous occasions as of October 2021. Such medical and psychological treatment continued up and until death.

231. N.B.'s emotional harm from Named Parents and/or Guardians of Minor Defendants' and Minor Defendants' acts and/or omissions were so severe that is resulted in N.B. taking his own life.



232. As a further direct and proximate result of one or more of Named Parents and/or Guardians of Minor Defendants' and Minor Defendants' willful and wanton conduct and/or omissions, N.B., deceased, sustained conscious pain and suffering, disability, and disfigurement prior to his death, and had he survived, he would have been entitled to bring an action for his injuries.

233. Plaintiff Robert Bronstein, as Independent Administrator of the Estate of N.B., deceased, brings this action pursuant to the Illinois Survival Act, 755 ILCS 5/27-6.

**WHEREFORE**, Plaintiff prays for judgment against the Named Parents and/or Guardians of Minor Defendants and Minor Defendants for an award of one-hundred million dollars (\$100,000,000.00) constituting reasonable compensatory damages, plus attorneys' fees and costs, and such other and additional relief that this Honorable Court deems equitable and just.

**COUNT IV**

**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**  
***Against Named Parents and/or Guardians of Minor Defendants***

234. Plaintiff, Robert Bronstein, as Independent Administrator of the Estate of N.B., deceased, realleges and incorporates by reference the allegations contained in the previous and subsequent paragraphs.

235. At the time of harassment, bullying, cyberbullying, hate speech and/or other harassment by Minor Defendants against N.B., Minor Defendants were unemancipated.

236. At all times relevant hereto, each of the Minor Defendants resided with their respective parents and/or guardians.

237. In addition to the general duty of care, Minor Defendants, as Latin students, were required to follow and abide by the Handbook, including but not limited to the anti-bullying policies.

238. Upon information and belief, all Latin students, including but not limited to Minor Defendants, were made aware of, and had full knowledge of the Handbook, including but not limited to the anti-bullying policies.

239. Minor Defendants' actions and/or omissions to act as alleged herein this Complaint, were careless and negligent and constitute violations of the Handbook, including but not limited to the anti-bullying policies, and a breach of duty of care owed to N.B. by Minor Defendants.

240. As a direct and proximate cause of each of Minor Defendants' breach of his/her duty of care as alleged herein, caused M.B. to incur severe and grievous mental and emotional suffering, fright, anguish, shock, nervousness, anxiety, shame, and distress.

241. As direct and proximate result of the actions by Minor Defendants herein, N.B. was caused to seek medical and psychological treatment on numerous occasions as of October 2021. Such medical and psychological treatment continued up and until death.

242. N.B.'s emotional harm from Minor Defendants' acts and/or omissions were so severe that is resulted in N.B. taking his own life.

**WHEREFORE**, Plaintiff prays for judgment against the Parents and/or Guardians of Minor Defendants for an award of one-hundred million dollars (\$100,000,000.00) constituting reasonable compensatory damages, plus attorneys' fees and costs, and such other and additional relief that this Honorable Court deems equitable and just.

**COUNT V**

**PARENTAL RESPONSIBILITY LAW**

***Against Named Parents and/or Guardians of Minor Defendants***

243. Plaintiff, Robert Bronstein, as Independent Administrator of the Estate of N.B., deceased, realleges and incorporates by reference the allegations contained in the previous and subsequent paragraphs.

244. At the time of harassment, bullying and/or cyberbullying by Minor Defendants against N.B., Minor Defendants were unemancipated.

245. At all times relevant hereto, Minor Defendants resided with their respective parents and/or guardians.

246. The bullying, cyberbullying, hate speech and/or other harassment caused by Minor Defendants, as stated herein, was willful and malicious.

247. Pursuant to 740 ILCS 115/3, the Parental Responsibility Law, each of the Named Parents and/or Guardians of Minor Defendants are liable for the actual damages for the willful and malicious acts of their children, Minor Defendants, which causes injury to a person, including the payment of reasonable attorney's fees.

248. As direct and proximate result of the actions by Minor Defendants herein, N.B. was caused to seek therapy beginning on or around October 2021 and emergency medical treatment on or around January 13, 2022. Such treatment continued up and until death.

249. N.B. did in fact suffer severe and grievous mental and emotional suffering, fright, anguish, shock, nervousness, anxiety, shame, and distress as a direct and proximate result of Minor Defendants' willful and malicious conduct to the extent that N.B. took his own life.

250. On or around February 17, 2022, Plaintiffs paid Blue Cross Blue Shield approximately one-thousand one-hundred and fifty-eight dollars and ninety-nine cents (\$1,158.99) for emergency services rendered to N.B. arising from his suicide.

251. On or around March 1, 2022, Plaintiffs tendered a check to City of Chicago EMS in the amount of three-hundred dollars (\$300.00) for emergency transportation of N.B. arising from his suicide.

**WHEREFORE**, Plaintiff prays for judgment against each of the Named Parents and/or Guardians of Minor Defendants for the maximum award permitted under Illinois law constituting reasonable compensatory damages, plus attorneys' fees and costs, and such other and additional relief that this Honorable Court deems equitable and just.

**COUNT VI**  
**BREACH OF CONTRACT**  
*Against Defendant Latin*

252. Plaintiffs, Robert Bronstein, as Independent Administrator of the Estate of N.B., deceased, and individually, and Rosellene Bronstein, individually, reallege and incorporate by reference the allegations contained in the previous and subsequent paragraphs.

253. On or around March 2020, Plaintiffs enrolled N.B. as a student of Defendant Latin.

254. Pursuant to enrollment, Defendant Latin requires parents and/or guardians of Latin students to sign an enrollment contract agreeing to support Latin's rules as defined in the Handbook.

255. Upon information and belief, the Handbook and policies stated therein are incorporated into the Enrollment Contract. *See Exhibit H.*

256. The policies stated in the Handbook were in effect at the time of all occurrences complained of in this complaint. Adherence to all policies stated in the Handbook was not discretionary, but rather mandatory, enforceable, and required to be followed and complied with by all employees and agents of Latin, all Latin students and parents, and all named Defendants in this matter.

257. The "Community Expectations & School Rules" section of the Handbook lists "major rules" that apply to all divisions of Latin (lower school, middle school, and upper school)

and contains Latin’s general policy<sup>20</sup> on harassment, bullying, and cyberbullying (the “General Harassment, Bullying and Cyberbullying Policy”), which states: “When anyone in the [Latin] community is uncivil, disrespectful, disruptive or guilty of harassment, bullying or cyberbullying, **the whole community is diminished**. Such behaviors seriously compromise the ethical and educational quality of life at Latin, and **we treat these violations very seriously.**” See **Exhibit G** at p. 4.

258. The “Community Expectations & School Rules” section of the Handbook also contains Latin’s general policy on “Off-Campus, Vacation and Out-of-School Behavior” (the “General Off-Campus Behavior Policy”), which states that:

[A] student who engages in serious misconduct **away from school** – including but not limited to conduct that is **illegal** or would be illegal if committed by an adult; conduct that **endangers the safety or well-being of . . . other persons . . .**; or conduct which **brings disgrace to the Latin community** – has violated a **major rule** of the school and is **subject to disciplinary action**.

*Id.* (emphasis added).

259. The Latin Upper School “Student Conduct” section of the Handbook reiterates this point and explicitly states: “Any student behavior, **on or off campus**, which falls outside of [Latin’s guiding principles] or that violates school values in a way that reflects poorly on the Latin School community, can result in disciplinary action.” *Id.* at p. 83 (emphasis added).

260. Defendant Latin’s Handbook also succinctly puts Defendant Latin, and its employees on notice of the following, which includes but is not limited to:

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<sup>20</sup> Policies applicable to each division of the school (lower, middle, and upper) are further defined in other sections of the Handbook. *Id.* (“While each division of the school sets its own age-appropriate policies, rules and consequences for violating them, there is certain conduct expected of all students and families who are part of the Latin community. The major rules of the school reflect Latin’s values of excellence, community and integrity.”).

- a. Students' safety is top priority, which includes safeguarding students from systemic targeted bullying;
- b. Allegations of bullying, harassment, and/or other discrimination require prompt and proper attention and investigation;
- c. A student is contemplating suicide as a result of bullying, harassment, and/or other discrimination;
- d. "Any student behavior, on or off campus, which falls outside of [Latin's guiding principles] or that violates school values in a way that reflects poorly on the Latin School community, can result in disciplinary action" See **Exhibit G** at p. 83;
- e. All policies enumerated within the Latin Student Handbook are to be strictly enforced; and
- f. Parents of all parties involved in incidents of bullying are provided prompt and proper notice.

261. At all times relevant hereto, the aforementioned terms are part of, and incorporated by express reference, to the Enrollment Contract.

262. Defendant Latin presented an offer by way of the Enrollment Contract, which was subsequently accepted by Plaintiffs and N.B.

263. At all times relevant hereto, N.B.'s continued enrollment and acceptance of Latin's code of conduct as detailed in the Handbook constitutes adequate consideration.

264. At all times relevant hereto, Plaintiffs and N.B. performed their obligations under the Enrollment Contract.

265. Defendant Latin breached the Enrollment Contract by failing to enforce its policies in regard to known and/or foreseeable bullying, cyberbullying, hate speech and/or other harassment suffered by N.B. at the hands of Latin students, including Minor Defendants.

266. Defendant Latin further breached the Enrollment Contract by failing to properly investigate known complaints regarding bullying, cyberbullying, hate speech and/or other harassment suffered by N.B. at the hands of Latin students, including Minor Defendants.

267. Defendant Latin further breached the Enrollment Contract in additional ways, which include but are not limited to:

- a. Consciously disregarded numerous complaints of N.B.'s bullying, cyberbullying, hate speech and/or other harassment which were submitted by N.B. and his mother directly to Defendants;
- b. Consciously disregarded documented evidence of N.B.'s bullying, cyberbullying, hate speech and/or other harassment which were submitted by N.B. and his mother directly to Defendants;
- c. Carelessly and/or recklessly failed to investigate complaints surrounding N.B.'s bullying, cyberbullying, hate speech and/or other harassment;
- d. Refused to investigate N.B.'s alleged abusers, including Minor Defendants; and
- e. Intentionally failed to notify all parents or guardians of the students involved in N.B.'s bullying, cyberbullying, hate speech and/or other harassment, including all Named Parents and/or Guardians of Minor Defendants.

268. As a proximate result of Defendant Latin's failure to uphold the Enrollment Contract, N.B. suffered severe and grievous mental and emotional suffering, fright, anguish, shock, nervousness, anxiety, shame, and distress, ultimately leading to N.B.'s suicide.

**WHEREFORE**, Plaintiffs pray for judgment against Defendant Latin School of Chicago for an award in excess of fifty-thousand dollars (\$50,000.00) constituting reasonable compensatory damages, plus attorneys' costs, and such other and additional relief that this Honorable Court deems equitable and just.

**RESPONDENTS IN DISCOVERY**

269. 735 ILCS 5/2-402 of the Illinois Compiled Statutes provides that a plaintiff may name one or more parties as ‘Respondents in Discovery’ for the purpose of issuing discovery against said party to the extent that said party controls information which may disclose the basis for claims against additional defendants.

270. The following persons, collectively referred to as “Respondents-In-Discovery” unless otherwise identified, are believed by Plaintiffs to control information which may disclose the basis for claims against additional defendants based on the text messages, posts to social media, and other electronic communications transmitted on cellular devices and/or computers owned and/or controlled by the following persons and/or persons’ children during the days, weeks or months prior to, and leading to N.B.’s death on January 13, 2022:

- a. DUSTIN MORAN;
- b. David Goldhaber, father and next friend of J.G., a minor;
- c. Chanel King, mother and next friend of C.K., a minor;
- d. Zaid Alsikafi, father and next friend of Z.A., a minor;
- e. Florian Depenthal, father and next friend of H.D., a minor;
- f. Steven Perlman, father and next friend of S.P., a minor;
- g. Darren Snyder, father and next friend of G.S., a minor;
- h. Jason Anderson, father and next friend of G.A., a minor;
- i. Gary Silverman, father and next friend of C.S., a minor;
- j. Monica Miranda, mother and next friend of D.M., a minor;
- k. Matt Micheli, father and next friend of F.M., a minor;
- l. David Koo, father and next friend of N.K., a minor;
- m. Bobby Oommen, father and next friend of M.O., a minor;



- n. Phil Aguirre, father and next friend of A.A., a minor;
- o. Fikirte Wagaw, father and next friend of S.W., a minor; and
- p. John McClendon, father and next friend of R.M.-2, a minor.

271. Without the ability to conduct discovery against Respondents-In-Discovery, Plaintiffs cannot accurately pursue any actions that may be available to them pursuant to 735 ILCS 5/2-402 of the Illinois Compiled Statutes and all other statutory provisions pertaining to discovery.

**WHEREFORE**, Plaintiffs, pursuant to 735 ILCS 5/2-402 of the Illinois Compiled Statutes, bring this action against Respondents-In-Discovery and request that Respondents-In-Discovery provide timely responses to all discovery served.

**PLAINTIFFS DEMAND TRIAL BY JURY.**

Respectfully submitted,

/s/ John Sullivan

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