

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

██████████,

*Plaintiff,*

v.

REVEREND WALTER CUENIN, A/K/A FATHER WALTER  
CUENIN,

*Defendant.*

Index No.

**COMPLAINT**

**JURY TRIAL DEMANDED**

Plaintiff ██████████, by his attorneys Phillips & Paolicelli, LLC and the Law Offices of Mitchell Garabedian, brings this action against Defendant Reverend Walter Cuenin, a/k/a Father Walter Cuenin, and alleges, on personal knowledge as to himself and on information and belief as to all other matters, as follows:

**JURISDICTION AND VENUE**

1. This Court has personal jurisdiction over the Defendant pursuant to CPLR 302, in that Defendant committed a tortious act within the City of New York, County of New York, State of New York.
2. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.
3. Venue for this action is proper in the County of New York pursuant to CPLR 503 in that the sexual assault, sexual harassment and gender-based violence took place in the County of New York, City and State of New York.

**PARTIES**

4. Plaintiff ██████████ (“Plaintiff”) is an individual residing in Los Angeles,

California.

5. Defendant Reverend Walter Cuenin, a/k/a Father Walter Cuenin (“Father Cuenin”) is an individual with a residential address at 8964 River Crescent, Suffolk, Virginia.

### **FACTS COMMON TO ALL CLAIMS**

6. During the times relevant to the allegations set forth herein, Father Cuenin was a Roman Catholic priest of the Roman Catholic Archbishop of Boston, a Corporation Sole (“RCAB”).

7. During the times relevant to the allegations set forth herein, Father Cuenin was assigned by the RCAB to the Brandeis University Catholic Chaplaincy, Brandeis University, Waltham, Massachusetts.

8. During the times relevant to the allegations set forth herein, Plaintiff was an undergraduate student at Brandeis University, where he met and interacted with Father Cuenin.

9. In approximately December 2014 when Plaintiff was approximately 20 years of age, Father Cuenin invited Plaintiff to accompany Father Cuenin on a trip to the City of New York, County of New York, State of New York, in order to attend a performance of the New York Philharmonic that same month. Plaintiff agreed to go with Father Cuenin on this trip.

10. In approximately December 2014 when Plaintiff was approximately 20 years of age, Plaintiff and Father Cuenin traveled by train to the City of New York, County of New York, State of New York, where they, among other things, attended a performance of the New York Philharmonic at Lincoln Center for the Performing Arts in the City of New York, County of New York, State of New York.

11. During the evening of the performance of the New York Philharmonic as described above, Plaintiff and Father Cuenin went to the Millennium Hilton New York Hotel, located in the City of New York, County of New York, State of New York (“Millennium Hilton hotel”), in order to spend the night before returning to Massachusetts on the following day. There was only one single bed in this hotel room. Plaintiff told Father Cuenin that Plaintiff would sleep on the floor of the hotel room so that Father Cuenin could use the bed.

12. During the night that they shared a hotel room at the Millennium Hilton hotel during their overnight stay at the hotel as described above, Father Cuenin drank alcohol in front of Plaintiff and told Plaintiff about Father Cuenin using Viagra to watch pornography.

13. During the night that they shared a hotel room at the Millennium Hilton hotel during their overnight stay at the hotel as described above, Father Cuenin sexually abused, sexually assaulted, and made sexual contact with Plaintiff by, among other things, Father Cuenin forcing his own erect penis into Plaintiff's mouth, without Plaintiff's consent.

14. Father Cuenin's sexual assault, sexual abuse and sexual contact with the Plaintiff was in violation of the New York State Penal Law including but not limited to, the New York State Penal Law Sections § 130.20, Sexual Misconduct; § 130.52, Forcible Touching; § 130.55, Sexual Abuse in the Third Degree; and § 130.65 Sexual Abuse in the First Degree.

15. Father Cuenin perpetrated crimes of violence against Plaintiff motivated by gender, due at least in part, to an animus based on Plaintiff's gender.

### **Consequences of the Abuse**

16. Plaintiff suffered personal, physical and psychological injuries and damages as a result of the actions of Father Cuenin, as well as other damages related thereto, as a result of the gender-motivated violence Plaintiff was caused to suffer.

17. As a direct result of Father Cuenin's conduct described herein, Plaintiff suffered and will continue to suffer great pain of mind and body, severe and permanent emotional distress, and physical manifestations of emotional distress. Plaintiff was prevented from obtaining the full enjoyment of life; has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling; and has incurred and will continue to incur loss of income and/or loss of earning capacity. As a victim of Father Cuenin's gender-motivated violence, Plaintiff is unable at this time to fully describe all of the details of that violence and the extent of the harm he suffered as a result.

**CAUSE OF ACTION**  
**STATUTORY CAUSE OF ACTION COMMITTING**  
**GENDER-MOTIVATED VIOLENCE**

18. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

19. Father Cuenin's acts of gender-motivated violence committed against Plaintiff, as set forth herein, including the sexual harassment, grooming, exploitation, molestation and abuse of the Plaintiff, constitutes gender-motivated violence under N.Y.C. Admin. Code Chapter 11, §§ 10-1101 et seq., including but not limited to N.Y.C. Admin. Code Chapter 11, § 10-1104, (formerly N.Y.C. Admin. Code Chapter 9 §§ 8-901 - 8-907 as amended) as one or more of Father Cuenin's acts would constitute a criminal offense under New York State Laws, committed because of the gender of the victim, whether or not those acts have resulted in criminal complaints, charges, prosecution, or conviction.

20. The criminal offenses and criminal acts committed by Father Cuenin include, but are not limited to, New York State Penal Law Sections § 130.20, Sexual Misconduct; § 130.52, Forcible Touching; and § 130.55, Sexual Abuse in the Third Degree, which are misdemeanors; and § 130.65 Sexual Abuse in the First Degree, which is a felony. Such crimes of sexual violence committed by Father Cuenin in this case were motivated by gender and without Plaintiff's consent.

21. Father Cuenin's deviant and abusive acts committed against Plaintiff, as set forth herein, including the sexual harassment, grooming, exploitation, molestation and abuse of Plaintiff, constitute crimes of violence motivated by gender and a form of gender discrimination. Father Cuenin's conduct referenced herein caused serious physical and mental injuries upon plaintiff, his body, person, and mental health, was a physical intrusion and/or physical invasion of a sexual nature upon Plaintiff under coercive conditions, whether or not those acts have resulted in criminal complaints, charges, prosecution, or conviction, and was committed by Father Cuenin with animus, and malice, on account of Plaintiff's gender.

22. As a proximate result of Father Cuenin's acts, Plaintiff is entitled to actual damages,

compensatory damages, punitive damages, injunctive relief, legal disbursements, legal fees, any combination of those, and/or any other appropriate relief against Defendant.

23. As a result of the foregoing, Plaintiff has been damaged in a sum which exceeds the jurisdictional limits of all lower courts that would otherwise have jurisdiction and within this court's jurisdiction

- A. WHEREFORE, plaintiff demands judgment against Defendant on the above cause of action as follows:
- B. Awarding compensatory damages in an amount to be proved at trial, but in any event in an amount that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction;
- C. Awarding punitive damages to the extent permitted by law;
- D. Awarding prejudgment interest to the extent permitted by law;
- E. Awarding costs and fees of this action, including attorneys' fees, to the extent permitted by law; and
- F. Awarding such other and further relief as to this Court may seem just and proper.

### JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: January 7, 2025  
New York, New York

Respectfully Submitted,

/s/ Daniel J. Woodard  
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