

DOCKET NO.: WWM-CV-21-5012142-S : SUPERIOR COURT
JANE DOE : J.D. OF WINDHAM
V. : AT PUTNAM
HYDE SCHOOL AT SOUTH WOODSTOCK, INC. : JUNE 17, 2021
and HYDE SCHOOL

REQUEST TO REVISE

Pursuant to Practice Book §10-35, et seq., the Defendants, Hyde School at South Woodstock, Inc. and Hyde School, hereby request that the Plaintiff revise her Complaint dated February 19, 2021 as follows:

First Requested Revision:

- A. **Portion of Pleading To Be Revised:** Fourth Count and Sixth Count
- B. **Requested Revision:** Please delete those counts in their entirety.
- C. **Reason for Requested Revision:**

The Fourth and Sixth Counts are counts alleging negligent infliction of emotional distress. As such, they are duplicative of the Second Count, which is also a count for negligent infliction of emotional distress.

Objection:

Second Requested Revision: (this request is identical to the First Request, except that it is specific to the second Defendant)

A. **Portion of Pleading to Be Revised:** Tenth Count and Twelfth Count

B. **Requested Revision:** Please delete those counts in their entirety.

C. **Reason for Requested Revision:**

The Tenth and Twelfth Counts are counts alleging negligent infliction of emotional distress. As such, they are duplicative of the Eighth Count, which is also a count for negligent infliction of emotional distress.

Objection:

Third Requested Revision:

- A. **Portion of Pleading to Be Revised:** First Count, Paragraph 13d.
- B. **Requested Revision:** Please provide a more detailed statement as to what "proper safeguards and/or procedures" the Defendant failed to implement, or alternatively, please delete paragraph 13d.
- C. **Reason for Requested Revision:**

Paragraph d. is very generic and non-specific. The Complaint already has 13 allegations of negligence in the First Count (the general negligence count), 11 allegations of negligence in the Third Count (negligent supervision and training) and 5 allegations of negligence in the Fifth Count (negligent hiring and retention), many of which specify "proper safeguards" the Defendant failed to implement. As such, there is no reason to allow such a broad allegation that does not advise the Defendant of what the Plaintiff is claiming. Does paragraph d. refer to the same safeguards and/or procedures referenced in the other allegations? Does it refer to a different safeguard and/or procedure? Respectfully, the Defendant needs more details before it can respond to this allegation.

Objection:

Fourth Requested Revision: (this request is identical to the Third Request, except that it is specific to the second Defendant)

A. **Portion of Pleading to Be Revised:** Seventh Count, Paragraph 13d.

B. **Requested Revision:** Please provide a more detailed statement as to what "proper safeguards and/or procedures" the Defendant failed to implement, or alternatively, please delete paragraph 13d in its entirety.

C. **Reason for Requested Revision:**

Paragraph d. is very generic and non-specific. The Complaint already has 13 allegations of negligence in the Seventh Count (the general negligence count), 11 allegations of negligence in the Ninth Count (negligent supervision and training) and 5 allegations of negligence in the Eleventh Count (negligent hiring and retention), many of which specify "proper safeguards" the Defendant failed to implement. As such, there is no reason to allow such a broad allegation that does not advise the Defendant of what the Plaintiff is claiming. Does paragraph d. refer to the same safeguards and/or procedures referenced in the other allegations? Does it refer to a different safeguard and/or procedure? Respectfully, the Defendant needs more details before it can respond to this allegation.

Objection:

Fifth Requested Revision:

- A. Portion of Pleading To Be Revised:** First Count, Paragraphs 13a and 13b.
- B. Requested Revision:** Please delete those paragraphs in their entirety.
- C. Reason for Requested Revision:**

Paragraphs 13a and 13b of the First Count are duplicative of Paragraphs 13a and 13b of the Third Count. In addition, the First Count is a general negligence count, therefore, there is no reason to allege negligent supervision in that count, particularly when it is already alleged in the negligent supervision count (the Third Count). As such, they are duplicative and do not need to be alleged again.

Objection:

Sixth Requested Revision: (this request is identical to the Fifth Request, except that it is specific to the second Defendant)

A. **Portion of Pleading To Be Revised:** Seventh Count, Paragraphs 13a and 13b.

B. **Requested Revision:** Please delete those paragraphs in their entirety.

C. **Reason for Requested Revision:**

Paragraphs 13a and 13b of the Seventh Count are duplicative of Paragraphs 13a and 13b of the Ninth Count. In addition, the Seventh Count is a general negligence count, therefore, there is no reason to allege negligent supervision in that count, particularly when it is already alleged in the negligent supervision count (the Ninth Count). As such, they are duplicative and do not need to be alleged again.

Objection:

DEFENDANTS,
HYDE SCHOOL AT SOUTH WOODSTOCK, INC.
and HYDE SCHOOL

By 
David G. Hill of
David G. Hill & Associates, LLC
Their Attorneys

CERTIFICATION

I certify that a copy of this document was or will immediately be mailed or delivered electronically or non-electronically on this 17th day of June, 2021, to all attorneys and self-represented parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties of record who received or will immediately be receiving electronic delivery.

Name and address of each party and attorney that copy was or will immediately be mailed or delivered to:

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David G. Hill