

EXHIBIT G

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

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HENNY KUPFERSTEIN,

Index No.: 534449/2023

Plaintiff,

-against -

VERIFIED COMPLAINT

VICTOR KUPFERSTEIN, CONGREGATION
KEHILAS BELZ USA, RABBI CHESKEL AKIVA
GROSS, ABC CORPORATIONS 1-10 and JOHN DOE
INDIVIDUALS 1-10,

Defendants.

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Plaintiff HENNY KUPFERSTEIN, by her attorneys, The Clancy Law Firm, P.C., complaining against Defendants VICTOR KUPFERSTEIN, CONGREGATION KEHILAS BELZ USA, RABBI CHESKEL AKIVA GROSS, ABC CORPORATIONS 1-10 and JOHN DOE INDIVIDUALS 1-10, upon information and belief, and at all times relevant, alleges as follows:

PRELIMINARY STATEMENT

1. This action is brought under the Adult Survivors Act (“ASA”), CPLR 214-j, by Plaintiff, HENNY KUPFERSTEIN, a 46-year-old disabled female, who was serially sexually assaulted, raped, molested and abused by her ex-husband, Defendant VICTOR KUPFERSTEIN, beginning at age 18, and occurring continuously for 14 years, thereby sustaining serious and severe permanent injuries. Plaintiff, a former member of the ultra-orthodox Chassidic Jewish synagogue, Defendant CONGREGATION KEHILAS BELZ USA, alleges that the Defendants committed intentional, and/or negligent acts and omissions that resulted in Plaintiff suffering physical, psychological and other injuries or conditions as a direct and proximate result of such illegal conduct.

NATURE OF CONDUCT

2. This action alleges physical, psychological, and emotional injuries suffered as a result of conduct which would constitute a sexual offense as defined in article 130 of the New York Penal Law, including criminal sexual acts (N.Y. Penal Law §§ 130.40–130.52) and/or sexual abuse (consisting of sexual contact) (N.Y. Penal Law §§ 130.53–130.70).

3. This is an action for money damages resulting from 14 years of incessant sexual assault, rape, molestation and abuse beginning in October 1996 when Plaintiff was 18 years old and continuing until 2010 in violation of the recently promulgated Adult Survivor’s Act and other New York statutes designed to protect against unlawful sexual abuse.

4. Plaintiff further contends that she was subjected to Defendant CONGREGATION KEHILAS BELZ USA’s pattern and practice of sexualizing its female members to groom them for forced arranged religious marriage and to birth children for the marriage and Congregation. She further contends that Defendants CONGREGATION KEHILAS BELZ USA and RABBI CHESKEL AKIVA GROSS knew about, encouraged and facilitated Defendant KUPFERSTEIN’s sexual assault and abuse of Plaintiff under the guise of Rabbinic Law, which caused Plaintiff significant permanent physical and emotional harm. Plaintiff alleges further that Defendants have continued to harass Plaintiff for speaking publicly against and denouncing such abusive practices, including most recently as of February 2024. Plaintiff alleges further that Defendants have alienated her from her children in order to prevent Plaintiff from warning them that they can object to these same practices.

JURISDICTION AND VENUE

5. A substantial part of the acts giving rise to this action were committed within the State of New York, County of Kings, and venue is properly lodged in this Court.

PROCEDURAL REQUIREMENTS

6. Within ten days of its filing, Plaintiff will serve a copy of the Complaint upon the Defendants in accordance with New York City Administrative Code § 8-502(c), thereby satisfying the notice requirements of this action.

PARTIES

7. Plaintiff HENNY KUPFERSTEIN is a 46-year-old disabled female and former member of Defendant CONGREGATION KEHILAS BELZ USA. Plaintiff currently resides in San Diego, California.

8. Plaintiff HENNY KUPFERSTEIN has Autism, muscular dystrophy, Crohn’s Disease, and is mentally disabled. As a result of her disabilities, she requires daily at-home palliative patient medical care and treatment.

9. Plaintiff HENNY KUPFERSTEIN was a member of Defendant CONGREGATION KEHILAS BELZ USA since birth, from 1977, until she was excommunicated from the synagogue and community in or about 2008, when she announced her intent to divorce the Defendant VICTOR KUPFERSTEIN. The divorce was finalized in or about 2010.

10. Defendant VICTOR KUPFERSTEIN, a 47-year-old male, is Plaintiff’s ex-husband.

11. Upon information and belief, Defendant VICTOR KUPFERSTEIN resides in Rockland County, State of New York.

12. Defendant VICTOR KUPFERSTEIN and Plaintiff HENNY KUPFERSTEIN were married by forced arranged religious marriage in February 1997.

13. Defendant VICTOR KUPFERSTEIN was born in Montreal, Canada and moved to Brooklyn, New York to marry Plaintiff HENNY KUPFERSTEIN in or around February 1997.

14. At all relevant times, Defendant VICTOR KUPFERSTEIN is a member of Defendant CONGREGATION KEHILAS BELZ USA.

15. Defendant CONGREGATION KEHILAS BELZ USA is a domestic not for profit religious organization authorized to conduct business under the existing under and by virtue of the laws of the State of New York.

16. Defendant CONGREGATION KEHILAS BELZ USA has its primary place of business located at 1435 51st Street, Brooklyn, New York 11219.

17. Defendant CONGREGATION KEHILAS BELZ USA derives substantial revenue from services rendered in the State of New York.

18. Upon information and belief, Defendant CONGREGATION KEHILAS BELZ USA has approximately 500,000 members globally.

19. At all relevant times, Defendant CONGREGATION KEHILAS BELZ USA has a Rabbinic Tribunal that handles member disputes under Chassidic Rabbinic Law, including Congregation marriages and domestic disputes.

20. At all relevant times, Defendant CONGREGATION KEHILAS BELZ USA has a sect dedicated to “continuing generations” which oversees its members’ domestic lives, including and in particular, Congregation wives’ obedience and compliance with Chassidic Rabbinic Law and martial service to their husbands.

21. At all relevant times, Defendant CONGREGATION KEHILAS BELZ USA has a sect comprised of non-licensed, non-rabbinical “marriage counselors”, referred to as “Shalom Bayis” – or “Peace in the Home” Facilitators, designed to prevent divorce within the synagogue.

22. At all relevant times, Defendant CONGREGATION KEHILAS BELZ USA acted under color of the statutes, ordinances, regulations, customs, and usages of the State of New York, and under the authority of its positions and/or offices.

23. Defendant RABBI CHESKEL AKIVA GROSS is a male rabbi in his approximate late-40s, at Defendant CONGREGATION KEHILAS BELZ USA, residing in Kings County, State of New York.

24. Defendant RABBI CHESKEL AKIVA GROSS is an ordained rabbi from Defendant CONGREGATION KEHILAS BELZ USA's Israel branch who moved to Defendant CONGREGATION KEHILAS BELZ USA's Brooklyn branch when he was 18 years-old and a newlywed in or about 1996.

25. At all relevant times, Defendant RABBI CHESKEL AKIVA GROSS was assigned to oversee, monitor and enforce compliance with Chassidic Rabbinical marital law for Defendant CONGREGATION KEHILAS BELZ USA's young newlywed couples, including, and in particular, Plaintiff and Defendant KUPFERSTEIN.

26. Defendants "ABC Corporations 1-10" were and still are domestic corporations duly authorized and existing under and by virtue of the laws of the State of New York.

27. Defendants "John Does Individuals 1-10" are fictitious names of individuals currently unknown that may be necessary parties to this action and upon discovery and information, Plaintiff will move to add parties to her Complaint.

FACTUAL ALLEGATIONS

28. At all relevant times, Plaintiff's parents were/are members of Defendant CONGREGATION KEHILAS BELZ USA, a highly orthodox Chassidic Jewish synagogue.

29. At all relevant times, Plaintiff's grandparents and in-laws, along with seven generations of her family tracing back to Europe were also members of Defendant CONGREGATION KEHILAS BELZ USA.

30. At all relevant times, Plaintiff was subjected to Defendant CONGREGATION KEHILAS BELZ USA's pattern and practice of sexualizing and grooming its minor and young female members for forced arranged religious marriage.

31. From a young age, Plaintiff's parents, and the Defendant CONGREGATION KEHILAS BELZ USA community as a whole, repeatedly told Plaintiff that if she waited past age 18 for a marriage arrangement, she would get the "poorest picks of the lot."

32. From a young age, Plaintiff was taught that sex is a “mitzvah” – a good deed and act of service to God.

33. From a young age, Plaintiff was taught that the sole purpose of a woman was to serve her husband and birth as many children as possible to expand the “future generations” of Defendant CONGREGATION KEHILAS BELZ USA.

34. At all relevant times, Plaintiff has had Autism, and related cognitive limitations. Plaintiff was taught and led by the Defendants to interpret Defendant CONGREGATION KEHILAS BELZ USA’s teachings literally. At all relevant times, Plaintiff was a very pious person and very much so wanted to please God, her family and the Defendant CONGREGATION KEHILAS BELZ USA community.

35. In or about October 1996, at age 18, Plaintiff was forced into an arranged religious marriage with Defendant Kupferstein by her parents, Defendant Kupferstein’s parents and Defendant CONGREGATION KEHILAS BELZ USA.

36. In or about October 1996, Plaintiff was introduced to Defendant Kupferstein, who was a member of Defendant CONGREGATION KEHILAS BELZ USA’s Montreal, Canada branch, and 18 years-old at the time. They met for the first time at a ceremonial meeting of the two families at Plaintiff’s family home. Plaintiff, her mother and father, and Defendant Kupferstein, and his mother and father were present.

37. Plaintiff’s parents and the Defendant CONGREGATION KEHILAS BELZ USA community advised her that the purpose of the meeting was to ensure that Defendant Kupferstein did not have a stutter or a limp. Although Defendant Kupferstein did have a stutter and unbrushed teeth which were stained from heavy smoking, Plaintiff’s parents and the Defendant CONGREGATION KEHILAS BELZ USA community advised her that the marriage had already been approved and that she had no choice but to marry Defendant Kupferstein.

38. Plaintiff was instructed by her parents and the Defendant CONGREGATION KEHILAS BELZ USA community that she must follow a script during the meeting and was not permitted to ask any questions because a “modest girl does not speak first and she must wait for the man to speak first.” The scripted conversation between Plaintiff and Defendant Kupferstein lasted approximately 15 minutes, followed by a ritualized gift exchange and the parents having a shot of alcohol and exclaiming “l’chaim,” signifying a legally binding symbolic act under Chassidic law. Plaintiff and Defendant Kupferstein were not given any alcohol as they were both below the drinking age.

39. Plaintiff did not know what sex was prior to her forced engagement to Defendant Kupferstein until she was required by Defendant CONGREGATION KEHILAS BELZ USA to take “Family Purity Laws” classes which taught newly engaged couples about their religious marital obligations.

40. The next time Plaintiff spoke to or saw Defendant Kupferstein was seven weeks later, on February 18, 1997, under the wedding canopy. Plaintiff made it known that she did not want to marry Defendant Kupferstein and was forced to consent to the marriage arranged by her parents and numerous Defendant CONGREGATION KEHILAS BELZ USA rabbis.

41. Photographs taken show Plaintiff weeping under the wedding canopy. Plaintiff recalls bawling out loud and her grandfather remarking to all of the wedding attendees: “Did you see? Henny was crying!” a shocking occurrence considering no one had ever seen her cry before.

42. After the wedding, Plaintiff and Defendant Kupferstein were transported to their assigned marital apartment at 3:30 a.m. where a Defendant CONGREGATION KEHILAS BELZ USA Rabbi, Shloma Gross, their assigned consummation witness who signed the marriage contract, instructed Plaintiff to lead them to their marital apartment in an attic with a lock on the door where they were tasked with consummation of the marriage. Defendant RABBI GROSS, their assigned sex and marriage rabbi, was on call all night to ensure they consummated the marriage.

43. Plaintiff's wedding photos show her sobbing with makeup running down her face as Defendant Kupferstein grabbed her hand and dragged her into the Yichud Shteibel "seclusion room," led by Defendant CONGREGATION KEHILAS BELZ USA Rabbi Gross. While in the seclusion room, this was the first time Plaintiff experienced forced contact by Defendant Kupferstein against her will, as he forced her to don a pearl necklace and attempted to kiss her. Approximately 10 minutes later, the Defendant CONGREGATION KEHILAS BELZ USA wedding photographer entered the consummation room and demanded that Plaintiff pose with the Defendant with "smiles and touching."

44. On February 19, 1997, between the hours of 4:00 and 5:00 a.m., per Defendant CONGREGATION KEHILAS BELZ USA and Defendant Rabbi Gross's directives, Defendant Kupferstein attempted to force himself onto/into Plaintiff's vagina. However, he could not get an erection. Plaintiff, as an Autistic person with heightened sensory sensitivities, felt especially violated and trapped by Defendant Kupferstein's forced touching and attempted rape as mounted her over her objection. She recalls experiencing horror from his body odor as a chain smoker with stained plaque on his teeth who favored hair spray as part of his beard grooming ritual, which further aggravated Plaintiff's Autistic sensory sensitivities. Plaintiff did not consent to sexual intercourse with Defendant Kupferstein and the experience left her severely traumatized. The marriage was not consummated on the wedding night.

45. Defendant Kupferstein also asked Plaintiff to reveal her unshaven hair to him from under her turban, which disturbed her as she was plainly instructed to keep her head covered from the moment she arrived home after the wedding and continuing for the rest of her life, and she was not to be shaved until the morning by the two mothers.

46. Four days after the forced arranged marriage, on or about February 22, 1997, Plaintiff contacted her mother crying asking her for a way out of the marriage. Plaintiff's mother yelled at her for not being a compliant wife and hung up on her.

47. At all relevant times, Plaintiff was forced to comply with a sex calendar orchestrated by the Defendant CONGREGATION KEHILAS BELZ USA rabbis and a midwife per her mother's report of Plaintiff's menstrual cycle. Specifically, Defendant RABBI GROSS, was tasked to monitor and ensure Plaintiff's compliance with the sex calendar.

48. At all relevant times, according to the sex calendar, Plaintiff was forced to have scheduled sex with Defendant Kupferstein every Tuesday and Friday evening. However, he consistently sexually assaulted, raped and molested her on non-scheduled sex days as well as the scheduled non-consensual sex dates.

49. Defendant Kupferstein's first three attempts at religiously mandated intercourse failed because he was not instructed about erections and/or was unable to have or maintain an erection. However, it was Plaintiff who was rebuked by Defendant RABBI GROSS and a Defendant CONGREGATION KEHILAS BELZ USA midwife for not instructing Defendant Kupferstein where her "hole" was. Plaintiff responded to them that she was unaware she even had a "hole" to be used for this purpose.

50. In or about June 1997, when Plaintiff and Defendant Kupferstein were visiting his parents in Montreal, as it was customary at the six-week mark of marriage, Defendant Kupferstein came home from synagogue at Defendant CONGREGATION KEHILAS BELZ USA's Montreal Branch in an elated mood. He told Plaintiff that he spoke with a male friend and member of the synagogue, "SE", who instructed him on how he and his wife had sex and that his wife "goes crazy" when they have sex. Like Defendant Kupferstein, Mr. "E" is also from Defendant CONGREGATION KEHILAS BELZ USA's Montreal Branch and was arranged to marry a Brooklyn Congregation member, Plaintiff's friend. They were married on the same day as Plaintiff and Defendant Kupferstein.

51. Mr. "E" is known amongst the Defendant CONGREGATION KEHILAS BELZ USA community as a "pervert." Defendant Kupferstein demanded that Plaintiff perform the same sex acts as his male friend, Mr. "E" had described to him. Plaintiff told Defendant Kupferstein that she did not

like sex as she understood it and did not want to perform those sex acts. That evening after the Sabbath meal, approximately four and a half months after their wedding, Defendant ejaculated for the first time and Plaintiff conceived their first child in the Defendant's childhood bed.

52. At various times throughout the marriage, Plaintiff was frequently woken up to find Defendant Kupferstein mounted onto her, penetrating her without her consent and against her will.

53. At numerous times throughout the marriage, Defendant Kupferstein sexually assaulted Plaintiff on the Sabbath, when she would not be allowed to engage in washing and cleaning up, which harmed her self-image as she could not groom herself afterwards. As a result, she was forced to constantly change her dirty underwear for three days as Defendant Kupferstein's semen excreted from her genitals which deeply traumatized her, including reeling from the newly discovered "hole" in her body, making her feel dysmorphic.

54. Plaintiff attempted to escape the marital apartment and Defendant Kupferstein's relentless sexual abuse numerous times. Each time she would run away to her mother's home, Defendant Rabbi Gross would come to her mother's home and kidnap Plaintiff in a minivan and return her to Defendant Kupferstein against her will as Plaintiff was considered Defendant Kupferstein's property and subject to Defendants' control.

55. Despite Defendant Rabbi Gross being assigned to manage Defendant CONGREGATION KEHILAS BELZ USA's young couples in their first year of marriage only, he persistently controlled her marital affairs throughout the entirety of Plaintiff's 14 years-long marriage. Defendant Rabbi Gross regularly appeared at Plaintiff's home on Thursdays to force her compliance with her wifely duties.

56. At all relevant times, Plaintiff was forced by the Defendants to provide her "marital services" to Defendant Kupferstein and even during pregnancy and nursing, or when she was unwell from Crohn's disease, hernia surgeries, and/or during a miscarriage.

57. In or about December 1997, when Plaintiff was seven months pregnant with her first child, she begged Defendant Kupferstein to stop penetrating her because the pain was unbearable as his genitals were hitting against Plaintiff's cervix causing her to wet the bed. Despite Plaintiff's pleading and suffering, there was no reprieve.

58. Plaintiff gave birth to her first child, a daughter, on February 27, 1998.

59. Plaintiff gave birth to her second child, a son, on January 10, 2000.

60. Plaintiff gave birth to her third child, a daughter, on January 15, 2005.

61. Plaintiff gave birth to her fourth child, a daughter, on November 6, 2008.

62. When Defendant Kupferstein was present for the births of their first three children, he stood behind a privacy screen fervently reciting Psalms, as he was instructed by Defendant CONGREGATION KEHILAS BELZ USA, while Plaintiff was going through labor.

63. Plaintiff was led to believe that her children were a reward for her pious recitations of Psalms, which she interpreted literally because of her Autism.

64. When Plaintiff was pregnant with her third child, in or about Summer 2004, Plaintiff was diagnosed with a possible hernia.

65. Following the birth of her third child, in January 2005, Plaintiff resided in a "mother/baby home" where new Defendant CONGREGATION KEHILAS BELZ USA mothers and their newborns stay for two weeks to receive care so they can recover as quickly as possible and return to the marital home to care for their families and resume marital sex duties.

66. When Plaintiff returned to the marital home with the newborn, following the birth of her third child on January 10, 2005, a general surgeon confirmed Plaintiff's hernia. After the appointment, Plaintiff experienced a severe increase in pain due to the nature of the exam. Defendant Kupferstein laughed at Plaintiff and made fun of her when she laid on her marital bed writhing in pain.

67. Following the birth of her third child, in January 2005, Plaintiff resided in a "mother/baby home" where new Defendant CONGREGATION KEHILAS BELZ USA mothers and

their newborns stay for two weeks to receive care so they can recover as quickly as possible and return to the marital home to care for their families and resume marital sex duties.

68. In or about February 2005, Plaintiff's physician scheduled her for a hernia surgery. Defendant Kupferstein told Plaintiff that nothing was wrong with her and that she did not need surgery, complaining that "nobody will be able to care for the children if [she] had the surgery." Defendant Kupferstein called Plaintiff's surgeon and cancelled her surgery, because he did not want anything interfering with his access to her, sexually, in accordance with family purity laws.

69. About four days later, in or about February 2005, when Plaintiff's pain became so unbearable that she could not move from the fetal position to even to go to the bathroom, and she was hemorrhaging all over the floor, and severely anemic, Defendant Kupferstein finally granted her permission to get the surgery.

70. In or about 2005, Plaintiff was diagnosed with Crohn's disease. Defendant Kupferstein refused to allow Plaintiff to go to a gastroenterologist for a colonoscopy. Defendant Kupferstein ridiculed Plaintiff, called her names, and told her she does not have Crohn's disease, she had "husbanditis."

71. After the birth of her third child, in or around January 2005, Plaintiff contacted the Defendant CONGREGATION KEHILAS BELZ USA rabbinic counsel begging them for a separation from Defendant Kupferstein. Plaintiff reported to the counsel that Defendant Kupferstein gave Herpes to their two oldest children, at ages five and seven, that appeared orally around the mouth and on the chin, and were prescribed medication. Defendant Kupferstein's Herpes also began around his mouth and progressed to his esophagus and stomach.

72. In or about June 2005, the Defendant rabbis, finding Plaintiff's allegations against her husband to be true, forced Defendant Kupferstein out of the home.

73. For the first time, Plaintiff felt stability and reprieve from the constant abuse. Her children also began to thrive.

74. The Defendant schoolteacher 'rabbi' and the principals called Plaintiff's home with compliments and asking: "what has changed?" " did you have a baby?" "children are very happy in school when they get a new sibling." Plaintiff responded to them that her baby is eight months old, and her husband has been ordered to stay at his uncle's basement.

75. During her separation from Defendant Kupferstein, in or about September 2005, Plaintiff was forced by Defendant CONGREGATION KEHILAS BELZ USA to participate in non-licensed arranged-marriage counseling comprised of a group of non-rabbis who deal with such matters in the community. These "counselors" refused to allow Plaintiff to permanently separate from her husband without their approval and Plaintiff was left with no means to proceed on her own behalf.

76. Approximately six months later, in or about March 2006, the Defendant CONGREGATION KEHILAS BELZ USA rabbinic counsel advised Plaintiff that they could no longer keep her and Defendant Kupferstein separated because she would be withholding her wifely duties for more than six months, which was prohibited under the Chassidic interpretation of family purity laws.

77. The Defendant CONGREGATION KEHILAS BELZ USA rabbis, including and in particular, Defendant Rabbi Gross, threatened that if Plaintiff did not provide her sexual duties, Plaintiff would be ostracized and Defendant Kupferstein would have a right to seek out those needs from a new wife. Being terrified of divorce, which makes one a pariah in the Chassidic Jewish community, Plaintiff was forced by the Defendant CONGREGATION KEHILAS BELZ USA rabbis to consent to allowing Defendant Kupferstein back into the marital home.

78. Around that same time, in or about February 2005, Plaintiff learned about condoms. Plaintiff asked Defendant Kupferstein if he could wear a condom so she would not have to deal with his excretions in her underwear for the three days following when she was not permitted to bathe because of the Sabbath.

79. Around that same time, in or about February 2005, Defendant Kupferstein refused to wear a condom apart from mocking Plaintiff by putting a hole in the condom that first time, claiming that condoms were only allowable under the law “if his seed is not in vain.”

80. When Plaintiff was pregnant with her fourth child, in or about November 2008, she began experiencing hemorrhaging caused by fibroids.

81. In or about November 2008, Plaintiff was hemorrhaging after the birth of their youngest child and had to have surgery to remove uterine fibroids. Immediately following the surgery, Plaintiff and her newborn again went to the mother/baby recuperation home to recover from the traumatic birth and postpartum surgery. In retaliation for Plaintiff bleeding and therefore unable to have sexual relations with him, Defendant Kupferstein filed a report with ACS claiming that Plaintiff disappeared and kidnapped their baby. Plaintiff showed ACS records of her surgery and receipts for the “mother/baby recuperation home” paid for by Defendant Kupferstein and associated charities. ACS then closed out the case as unfounded.

82. The owner of the “mother/baby” recuperation home, Ms. Gitty Pinter, raised money from various charities to extend Plaintiff’s stay in the facility because Ms. Pinter feared for Plaintiff’s safety of her postpartum recovery, the safety of her newborn and the domestic violence that Ms. Pinter witnessed.

83. In or about 2008, Plaintiff found blood on her oldest daughter’s underwear, who was eleven years old at the time, which she took photos of and emailed to ACS. However, she never received a response.

84. On November 6, 2008, Plaintiff took a taxi to the hospital and delivered her fourth baby alone.

85. When Plaintiff returned home from the hospital, she and Defendant Kupferstein were not on speaking terms, but he continued to sexually assault her on a regular basis.

86. In or around October 2009, Plaintiff saw a flyer for a Domestic Violence hotline. Plaintiff reported Defendant Kupferstein's sexual abuse of both her and the suspected sexual abuse of their eldest daughter, who was now ten. Plaintiff took her daughter's blood-streaked panties to the director of the Beth Israel Hotline for Domestic Abuse who referred her to Ohel Family Services.

87. In or about October/November 2009, per the advice of the D.V. Social Worker at Ohel, Plaintiff met with Henna White, who is employed by the Brooklyn District attorney's office — as the liaison to victims in the Jewish orthodox community.

88. Ms. White advised Plaintiff to go to the Family Justice Center on the 15th floor of the same building and speak to someone there to assist her with a petition for an Order of Protection.

89. In or about July and August 2009, Plaintiff left the marital residence with her three daughters, where they remained in a safe home while attempting to enter a domestic violence shelter with Ohel Children's Home & family Services.

90. On October 23, 2009, Plaintiff filed an emergency custody petition for her four children on the basis of abuse and neglect including that: "2 of the 4 children have autism, and one has bipolar. The father is denying them much needed medical care. The mother needs urgent custody to make medical and educational decisions for the children."

91. After reviewing the completed paperwork, Ms. White sent Plaintiff to the sixth floor in the family court, wishing her good luck, and "may God be with you."

92. On or about November 30, 2009, Plaintiff returned to family court where Defendant Kupferstein appeared with his lawyer, whom Plaintiff later identified as Mr. Asher Brian White, Esq., a family lawyer, who was the husband of Henna White. They approached the court officer and Mr. White whispered something to the officer, while pointing at Plaintiff. They entered the courtroom, and they were inside for about twenty minutes. After leaving the courtroom, Defendant Kupferstein and his lawyer hurriedly left the building.

93. Plaintiff continued to wait outside the part, and at about 5:00 pm, she noticed the building emptying out, so she approached the officer and asked, "When am I going before the judge?" who responded: "Oh, Mrs. Kupferstein, your case was adjourned, go home. You need to be served."

94. Defendant Kupferstein retaliated against Plaintiff by petitioning the court in November of 2009 for an emergency order of protection against Plaintiff.

95. There has been public outcry and protests concerning allegations of corruption and conflict of interest in light of the fact that Ms. White's husband, attorney Asher B. White, Esq., represents the alleged perpetrators in the domestic violence cases which Ms. White is assigned to liaise.¹

96. Members of the Coalition Against Legal Abuse (CALA NY) have openly shared their belief that Ms. White was gathering information from those turning to her offices for help — leading the alleged victims to believe that she was a victims advocate, and providing them with information and referrals.

97. Several women and other community members at a CALA rally in February 2011 voiced their concern that instead of using the confidential information to help those who made allegations of domestic violence and sex crimes, Ms. White shared confidential information with her husband, Asher B. White and Defendant CONGREGATION KEHILAS BELZ USA. Rabbis, including Defendant GROSS. CALA members went on to say that they believe that the information obtained was then provided to Asher White and was used to help the alleged offenders, while harming the cases of the alleged survivors of both domestic violence and sex crimes.

98. The Awareness Center and CALA NY expressed their beliefs that there was a conflict of interest to have attorney, Asher White represent the husband of any person who is a survivor of crimes who has utilized the services of his wife, Henna White at the District Attorney's office.

¹ <https://calany.wordpress.com/2011/02/22/conflict-of-interest-asher-white-representing-offenders-of-hennas-dv-clients/>

99. Both CALA NY and The Awareness Center also raised some concern regarding Asher White's affiliation with Ohel Family Services since Plaintiff and other domestic violence victims are former recipients of OHEL's domestic violence services to those with an order of protection.

100. After extensive legal and custody battles, Plaintiff was finally able to obtain a divorce from Defendant Kupferstein on July 23, 2012, resulting in her excommunication from Defendant CONGREGATION KEHILAS BELZ USA. Even her children would not speak to her and remained under the Defendants' control and supervision.

101. In or about November 2022, Plaintiff surprisingly received an invitation to her second child's wedding. When Defendant Rabbi Gross discovered that Plaintiff was invited to the wedding, he called her threatening that if she showed up to the wedding, Defendants would have her surrounded by security and told her "we will beat you up until you surrender."

102. Most recently, in February 2024, Plaintiff was invited to her niece's wedding. She received the invitation on the eve of the Sabbath, Friday February 9, 2024 for the wedding which was on Monday, February 12, 2024. Plaintiff attended and was relegated to the women's side of the wedding hall and Defendants restrained her from speaking with her son who was attending. Defendants told her that she was a disgrace to her family and prohibited her from going to her mother's home because her siblings and their children would be there and Defendants did not want her "causing chaos" and ruining the wedding celebration. This experience further traumatized Plaintiff, resulting in increased therapy sessions.

103. Plaintiff endured persistent sexual assault for 14 years, almost as long as she had lived as a child before her marriage. She specifically told Defendant Kupferstein "no" each time. When Plaintiff would cry during the assaults, Defendant Kupferstein would yell at her to stop crying because Plaintiff was making it difficult for him to climax. He would often threaten slap Plaintiff and threaten to "go in the wrong hole" which he did on occasion and resulted in anal rape causing Plaintiff to suffer pain and bleed for a week.

104. As a proximate result thereof, Plaintiff has sustained, *inter alia*, severe permanent injuries caused by Defendant Kupferstein's repeated forced sexual penetration against her will which caused pelvic floor prolapse and anatomical injuries in and around her bowels, pelvic floor, sacrum and genital area.

105. As a proximate result thereof, Plaintiff struggles, *inter alia*, with physical intimacy, managing and caring for overwhelming emotions that negatively impact her intimate, personal and professional relationships on a daily basis.

106. Plaintiff has received more than 14 years of psychotherapy and remains permanently disabled and as a survivor and victim of sexual assault, prolonged abuse and ongoing harassment compounded by death threats.

FIRST CAUSE OF ACTION
(Sexual Assault)
Against Defendant Kupferstein

107. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

108. As described above, Defendant Kupferstein violently, forcibly and against Plaintiff's will and without her consent, frightened and placed her in apprehension of harm when he physically and violently sexually assaulted and raped her in their marital home consistently for 14 years.

109. Defendant Kupferstein used his body, fingers, mouth, teeth, tongue and/or penis to engage in unwanted, harmful physical contact with Plaintiff, including invasively penetrating her vagina.

110. As a direct and proximate result of Defendant Kupferstein's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages and other relief.

111. This cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022), because it arises out of conduct perpetrated against Plaintiff who was eighteen or

older at the time of the conduct, which constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law (“Article 130”).

SECOND CAUSE OF ACTION
(Sexual Battery)
Against Defendant Kupferstein

112. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

113. As described above, Defendant Kupferstein violently, forcibly and against Plaintiff’s will and without her consent, subjected her to bodily harm when he physically and violently sexually assaulted and raped her repeatedly for 14 years.

114. Defendant Kupferstein used his body, fingers, mouth, teeth, tongue and/or penis to engage in unwanted, harmful physical contact with Plaintiff including invasively penetrating her vagina.

115. As a direct and proximate result of Defendant Kupferstein’s conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages and other relief.

116. This cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022), because it arises out of conduct perpetrated against Plaintiff who was eighteen or older at the time of the conduct, which constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law (“Article 130”).

THIRD CAUSE OF ACTION
(Intentional Infliction of Emotional Distress)
Against Defendant Kupferstein

117. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

118. Defendant Kupferstein engaged in conduct toward Plaintiff that is extreme and outrageous so as to exceed the bounds of decency in a civilized society.

119. Defendant Kupferstein’s conduct of forcibly and violently sexually assaulting and raping Plaintiff is extreme and outrageous conduct that shocks the conscience.

120. These actions were taken with intent to cause, or disregard for, the substantial probability of causing severe emotional distress.

121. As a direct and proximate result of Defendant Kupferstein’s extreme and outrageous conduct, Plaintiff has suffered severe emotional distress.

122. Defendant Kupferstein’s conduct was wanton, malicious, willful and/or cruel, entitling Plaintiff to an award of punitive damages.

123. This cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022), because it arises out of conduct perpetrated against Plaintiff who was eighteen or older at the time of the conduct, which constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law (“Article 130”).

FOURTH CAUSE OF ACTION
(Gender-Motivated Violence Pursuant to VGMVPA)
Against Defendant Kupferstein and the Congregation Defendants

124. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

125. The above-described conduct of Defendant Kupferstein, including, but not limited to, Defendant Kupferstein's sexual assault and rape of Plaintiff constitutes a “crime of violence” and a “crime of violence motivated by gender” against Plaintiff as defined by the New York City Victims of Gender-Motivated Violence Protection Act, N.Y.C. Admin. Code § 8-901 et seq.

126. The above-described conduct of Defendant Kupferstein, including, but not limited to, Defendant Kupferstein’s sexual assault and rape of Plaintiff constitutes a “crime of violence” against Plaintiff motivated: (i) by her gender; (ii) on the basis of her gender; and/or (iii) due, at least in part, to an animus based on her gender.

127. Defendant Kupferstein committed a “crime of violence” against Plaintiff because she is a woman and, at least in part, because he has an unlawful animus towards women. Defendant Kupferstein’s gender-motivated animus towards women is demonstrated by, among other things, his sexually violent and abusive treatment of women.

128. Defendants CONGREGATION KEHILAS BELZ USA and RABBI CHESKEL AKIVA GROSS (“Congregation Defendants”) conspired and facilitated the crime of violence against Plaintiff because she is a woman and, at least, in part Defendants have an unlawful animus towards women. Defendants’ gender-motivated animus towards women is demonstrated by, among other things, the grooming, trafficking, permitting and facilitating sexually violent and abusive treatment of women.

129. As a direct and proximate result of the aforementioned gender-motivated violence, Plaintiff has sustained in the past and will continue to sustain, monetary damages, physical injury, pain and suffering, and serious psychological and emotional distress, entitling her to an award of compensatory damages.

130. Defendants’ gender-motivated violence against Plaintiff entitles her to punitive damages, as well as an award of attorneys’ fees and costs.

131. This cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022), because it arises out of conduct perpetrated against Plaintiff who was eighteen or older at the time of the conduct, which constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law (“Article 130”).

FIFTH CAUSE OF ACTION

(Negligence)

***AGAINST DEFENDANTS CONGREGATION KEHILAS BELZ USA and RABBI CHESKEL
AKIVA GROSS (“Congregation Defendants”)***

132. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

133. Congregation Defendants owed Plaintiff a duty of reasonable care to protect the Plaintiff from injury.

134. Congregation Defendants owed Plaintiff a duty to protect her from harm.

135. Congregation Defendants had a special relationship with Plaintiff arising from the high degree of vulnerability of its members, including Plaintiff.

136. Congregation Defendants owed Plaintiff duties of care arising from their special relationship with Plaintiff, including a duty to establish protective measures for their congregation members.

137. Congregation Defendants further entered into a fiduciary relationship with Plaintiff.

138. Congregation Defendants were responsible for instituting practices that would prevent the foreseeable risks in forced arranged religious marriages, such as physical or emotional dangers of harassment and assault, including sexual abuse, by one of their members.

139. Congregation Defendants owed Plaintiff a duty to protect Plaintiff from harm because Defendants knew and/or should have known of the sexual abuse Plaintiff, a member of their congregation suffered.

140. Congregation Defendants created an environment that caused and/or perpetuated the sexual abuse and criminal acts in violation of the NY Penal Code.

141. School Defendants breached their duties to Plaintiff.

142. Defendants breached their duties by, *inter alia*:

a) failing to protect Plaintiff from a known danger;

b) failing to have sufficient policies and procedures in place to prevent sexual abuse;

c) failing to implement policies and procedures and training to prevent sexual abuse in their marriage arrangement, counseling and supervision;

d) failing to take reasonable measures to ensure that policies and procedures to prevent

sexual abuse were effective in the safety and wellbeing of its members and their children;

143. Congregation Defendants, individually and/or collectively failed to abate the dangerous condition(s) they created, caused, permitted and allowed.

144. As a result of Congregation Defendants' negligent acts, Plaintiff suffered damages, including without limitation, severe emotional distress, personal injuries, pain, suffering, mental anguish, humiliation, loss of dignity, loss of enjoyment of life, and permanent disabilities.

145. Congregation Defendants knew of, or was negligent or recklessly indifferent to, the harm that Kupferstein inflicted on Plaintiff when he repeatedly sexually assaulted and raped Plaintiff.

146. Congregation Defendants, reasonably and foreseeably, did know or should have known, that Kupferstein would inflict such harm on Plaintiff.

147. The above-described conduct of Defendant Kupferstein, which Congregation Defendants knowingly and/or negligently facilitated, constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law ("Article 130"), and this cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022).

148. By the aforementioned acts and as alleged further herein, Congregation Defendants knew and/or should have known of the criminal propensities, lack of supervision of their members, including and in particular, Defendant Kupferstein.

SIXTH CAUSE OF ACTION
(Negligent Hiring, Training, Supervision and Retention)
Against Congregation Defendants

149. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

150. At all material times, Kupferstein Defendant's rabbis, administrators, midwives and other personnel were acting as actual agents or apparent agents of CONGREGATION KEHILAS BELZ USA.

151. At all material times, Congregation Defendant's rabbis, administrators, midwives and other personnel were under the direct and exclusive control and supervision of CONGREGATION KEHILAS BELZ USA.

152. At all material times, Congregation Defendant's rabbis, administrators, midwives and other personnel were under the direct and exclusive control and supervision of the employees/agents of CONGREGATION KEHILAS BELZ USA.

153. At all relevant times alleged herein, Congregation Defendant's rabbis, administrators, midwives and other personnel were employees, agents, and/or apparent agents of CONGREGATION KEHILAS BELZ USA and were therefore in an employer-employee relationship.

154. As a synagogue, Defendant CONGREGATION KEHILAS BELZ USA, its agents, employees and/or apparent agents knew or should have known that the individual Defendants presented an unreasonable risk of harm to other members, especially young female congregation members, who were groomed for marriage for their male members.

155. Congregation Defendants voluntarily assumed a duty to reasonably protect Plaintiff from injury when Plaintiff joined their congregation.

156. Congregation Defendants voluntarily assumed a heightened duty to reasonably protect Plaintiff from injury when Defendant encouraged the forced marriage of Plaintiff to Defendant Kupferstein.

157. Congregation Defendants held themselves and their agents, apparent agents and/or employees as a synagogue who provides a safe environment for its members.

158. Consequently, Congregation Defendants owed Plaintiff a duty of reasonable care while interacting with their agents, apparent agents and/or employees.

159. Congregation Defendants also had a duty to properly hire, train and supervise their employees.

160. Congregation Defendants had a duty to retain individuals who reasonably supported, protected and acted in the best interest of their members.

161. Congregation Defendants breached their duty because it negligently and/or willfully retained rabbis, midwives and other personnel in a position where they had direct supervision and control over Plaintiff and Defendant Kupferstein without properly ensuring Plaintiff's safety.

162. Congregation Defendants owed a duty to train and educate employees and management and establish adequate and effective policies and procedures calculated to detect, prevent, and address inappropriate behavior and conduct amongst its members.

163. Congregation Defendants were negligent in the hiring, training, retaining, supervision, and instruction of their employees. Congregation Defendants failed to timely and properly educate, train, supervise, and/or monitor its agents or employees with regard to policies and procedures that should be followed when sexual assault of a member is suspected or observed.

164. Congregation Defendants were additionally negligent in failing to supervise, monitor, chaperone, and/or investigate their agents, administrators, employees and other personnel in and/or in failing to create, institute, and/or enforce rules, policies, procedures, and/or regulations to prevent the sexual assault and abuse of Plaintiff by Kupferstein. In failing to properly supervise their agents, administrators, employees and other personnel, and in failing to establish such training procedures for their employees, Congregation Defendants and/or its agents, employees or apparent agents failed to exercise the degree of care that a reasonably prudent person would have exercised under similar circumstances.

165. At all times material hereto, Congregation Defendants' actions were willful, wanton, malicious, reckless, negligent, grossly negligent and/or outrageous in their disregard for the rights and safety of Plaintiff.

166. As a direct and proximate result of the above-described conduct, Plaintiff has suffered, and will continue to suffer, great pain of mind and body, shock, emotional distress, discomfort, physical

manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life. She has incurred, and will continue to incur, costs relating to psychological treatment and therapy. She was prevented, and will continue to be prevented, from performing daily activities and obtaining the full enjoyment of life. She has sustained, and will continue to sustain, loss of earnings and earning capacity.

167. Plaintiff is therefore entitled to monetary relief, in the form of compensatory and punitive damages, to remedy the bodily harm and severe emotional distress suffered as a result of Kupferstein's extreme and outrageous conduct for which Congregation Defendants are liable.

SEVENTH CAUSE OF ACTION
(Breach of Fiduciary Duty)
Against Congregation Defendants

168. Plaintiff repeats and realleges each and every allegation set forth in the above paragraph as if fully set forth herein.

169. There exists a fiduciary relationship of trust, confidence, and reliance between Plaintiff and Congregation Defendants.

170. The entrustment of Plaintiff to the care and supervision of the Congregation Defendants, required Congregation Defendants to assume a fiduciary relationship and to act in the best interests of Plaintiff and protect Plaintiff.

171. Pursuant to their fiduciary relationship, Congregation Defendants were entrusted with the well-being, care and safety of Plaintiff.

172. Pursuant to their fiduciary relationship, Congregation Defendants assumed a duty to act in the best interests of Plaintiff.

173. Congregation Defendants breached their fiduciary duties to Plaintiff.

174. Congregation Defendants breached their duties by, *inter alia*:

- a) failing to protect Plaintiff from a known danger;
- b) failing to have sufficient policies and procedures in place to prevent sexual abuse

c) failing to implement policies and procedures and training to prevent sexual abuse in their marriage arrangement, counseling and supervision;

d) failing to take reasonable measures to ensure that policies and procedures to prevent sexual abuse were effective in the safety and wellbeing of its members, including and in particular Plaintiff and their children;

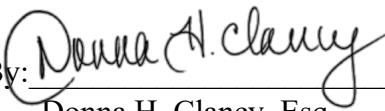
PRAYER FOR RELIEF

WHEREFORE Plaintiff Henny Kupferstein respectfully requests that this Court grant judgment for her and that it order and award her the following relief against the Defendants:

- A. An award of damages against Defendants, or any jointly or severally liable entity or person, in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all monetary and/or economic damages;
- B. An award of damages against Defendants, or any jointly or severally liable entity or person, in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all non-monetary and/or compensatory damages, including, but not limited to, compensation for her emotional distress;
- C. An award of damages for any and all other monetary and/or non-monetary losses suffered by Plaintiff, including, but not limited to, loss of income, reputational harm and harm to professional reputation, in an amount to be determined at trial, plus prejudgment interest;
- D. An award of punitive damages, and any applicable penalties and/or liquidated damages in an amount to be determined at trial;
- E. Prejudgment interest on all amounts due;
- F. An award of costs that Plaintiff has incurred in this action, including, but not limited to, expert witness fees, as well as Plaintiff's reasonable attorneys' fees and costs to the fullest extent permitted by law; and,
- G. Such other and further relief as the Court may deem just and proper.

Dated: New York, New York
February 27, 2024

THE CLANCY LAW FIRM, P.C.

By:  _____

Donna H. Clancy, Esq.
40 Wall Street, 61st Floor
New York, New York 10005
(212) 747-1744 (t)
Attorneys for Plaintiff

VERIFICATION

STATE OF NEW YORK)

COUNTY OF NEW YORK)

ss.:

Donna H. Clancy, an attorney at law, duly admitted to practice in the Court of the State of New York, affirms under the penalties of perjury, that:

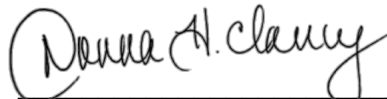
I am the founding attorney of The Clancy Law Firm, P.C., attorneys of record for Plaintiff Henny Kupferstein.

I have read the foregoing VERIFIED COMPLAINT and know the contents thereof, and upon information and belief, I believe the matters alleged therein to be true.

The reason this Verification is made by deponent and not by the Plaintiff is that the Plaintiff resides in a County other than the one in which the Plaintiff’s attorneys maintain their office.

The source of deponent’s information and the grounds for belief here are communications, papers, reports, and investigations contained in the file.

Dated: New York, New York
February 27, 2024



Donna H. Clancy