

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

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ARON ROTTENBERG, RUTH ROTTENBERG,
JACOB ROTTENBERG, TZURITY ROTTENBERG,
RIVKA ROTTENBERG

PLAINTIFFS,

vs.

VERIFIED COMPLAINT

DAVID TWERSKY, SHAUL SPITZER,

DEFENDANTS.

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By and through their counsel, MICHAEL H. SUSSMAN, ESQ., plaintiffs respectfully
allege as against defendants:

I. PARTIES

1. Plaintiffs are all residents of the County of Rockland, Village of New Square and members of the same nuclear family. Jacob, Tzurity and Rivka are the natural children of Aron and Ruth Rottenberg.
2. Defendants are both residents of the County of Rockland, Village of New Square.

II. JURISDICTION

3. As plaintiffs allege that defendants committed certain tortious acts against them which caused them injury and as this action is timely filed, this Honorable Court has subject matter and in personam jurisdiction under the laws of the State of New York.

III. FACTUAL ALLEGATIONS

4. Defendant David Twersky currently serves, as he has for several decades, as Grand Rabbi of the Village of New Square.

5. Defendant Saul Spitzer most recently resided at the home of the Grand Rabbi and worked as his butler in the Village of New Square.

6. Commencing in or about September 2010, plaintiff Aron Rottenberg began praying at the Friedwald Nursing Home and stopped attending prayer services at the synagogue in New Square at which David Twersky presides.

7. Thereafter, upon information and belief, at the direction of defendant David Twersky, members of his Congregation as his followers began taking aggressive actions against plaintiffs.

8. These actions, all of which were, upon information and belief, condoned by defendant Twersky, the supreme authority in the Village of New Square, included expelling plaintiff Tzurity Rottenberg from attendance at the religious school [controlled by defendant Twersky] she had long attended and at which she had excelled in her studies, throwing stones and rocks through the car windows and plaintiffs' residence and making threatening phone calls to the plaintiffs' residence.

9. These acts began in the early fall 2010 and escalated until May 2011.

10. In the early morning hours of May 22, 2011, defendant Spitzer trespassed upon the plaintiffs' property with the goal and objective of setting their home on fire.

11. Defendant Spitzer had in his possession a flammable liquid substance and a lighter.

12. In so proceeding, upon information and belief, defendant Spitzer acted to carry out the direction of defendant Twersky that plaintiffs be run out of the Village of New Square because plaintiff Aron Rottenberg was praying at a minion other than that he organized and sanctioned.

13. After plaintiff Jacob Rottenberg detected defendant Spitzer on his family's property and alerted his father to the threat, both Aron and Jacob exited their home to confront the unknown trespasser.

14. Thereafter, as plaintiff Aron Rottenberg confronted him, defendant Spitzer ignited an accelerant which severely burned and injured plaintiff Aron Rottenberg and burned his son, Jacob.

15. In this manner, defendant Spitzer thereby directly caused third degree burns over much of plaintiff Aron Rottenberg's body.

16. Upon information and belief, Spitzer, who is eighteen years of age, acted at the direction of the Grand Rabbi in whose home he then lived, to whom he gives absolute allegiance and without whose direction he would never have so acted.

17. Plaintiffs had no personal dispute with Spitzer, whose action, upon information and belief, was solely motivated by defendant Twersky's edict that the Rottenbergs and other families, who did not abide by his absolute rule over New Square, leave or be forced to leave the Village of New Square.

18. As a direct consequence of the intentionally tortious assault by these defendants, each plaintiff has been caused to suffer substantial fear and anxiety, which reactions were both foreseeable and likely and intended to last forever.

19. As a direct consequence of the intentionally tortious actions of these defendants, plaintiff Aron Rottenberg has been caused substantial physical injuries, scarring and severe pain and suffering, which is expected to continue despite his receipt of excellent medical care.

20. As a direct consequence of the intentionally tortious actions of these defendants, plaintiff Jacob Rottenberg has been caused physical injuries and pain and suffering.

21. As a direct consequence of the intentionally tortious actions of these defendants, plaintiff Ruth Rottenberg, has been denied the services and companionship of her loving husband and shall be denied such services and companionship for the foreseeable future.

AS AND FOR A FIRST CAUSE OF ACTION - TRESPASS - SPITZER

22. Plaintiffs incorporate paragraphs 1-21 as if fully repeated herein.

23. By and through the acts set forth above, defendant Spitzer intentionally trespassed upon the property of the plaintiffs.

AS AND FOR A SECOND CAUSE OF ACTION - ASSAULT - SPITZER

24. Plaintiffs incorporate paragraphs 1-23 as if fully repeated herein.

25. By and through the acts set forth above, defendant Spitzer intentionally assaulted the plaintiffs, putting them in fear for their lives.

AS AND FOR A THIRD CAUSE OF ACTION - BATTERY - SPITZER

26. Plaintiffs incorporate paragraphs 1-25 as if fully repeated herein.

27. By and through the acts set forth above, defendant Spitzer intentionally committed the tort of battery against Aron and Jacob Rottenberg, causing them compensable damages.

**AS AND FOR A FOURTH CAUSE OF ACTION - LOSS OF
CONSORTIUM - SPITZER**

28. Plaintiffs incorporate paragraphs 1-27 as if fully repeated herein.

29. By and through the acts set forth above, defendant Spitzer has caused plaintiff Ruth Rottenberg the loss of consortium with her husband, Aron.

AS AND FOR A FIFTH CAUSE OF ACTION - ASSAULT

30. Plaintiffs incorporate paragraphs 1-29 as if fully repeated herein.

31. By and through the acts set forth above, defendant Twersky committed the intentional tort of assault against each of the plaintiffs, intending to, and causing them, substantial fear and anxiety through his illegal direction that he gave that they be banished from the Village of New Square, a political sub-division from which they cannot be rightfully banished.

V. PRAYER FOR RELIEF

WHEREFORE, plaintiffs pray that this Court:

- a) accept jurisdiction over this matter;
- b) empanel a jury to hear and decide this matter;
- c) award to plaintiffs and against defendant Twersky the sum of \$18,000,000;
- d) award to plaintiffs and against defendant Spitzer the sum of \$18,000,000;
- e) award to plaintiffs and against defendants the costs and disbursements of this action, and
- f) enter any other order which the interests of justice and/or equity requires.

Dated: 12 June 2011

Yours, etc.


MICHAEL H. SUSSMAN, ESQ.

SUSSMAN & WATKINS

PO BOX 1005

Goshen, NY 10924

(845)-294-3991

Counsel for Plaintiffs

VERIFICATION

STATE OF NEW YORK)
) ss:s.
COUNTY OF ROCKLAND)

I, Aron Rottenberg, hereby states and deposes that he has read the Complaint in this matter and that I know the matters set forth herein are true except as to those written upon information and belief and, as to those matters, I believe them to be true.



ARON ROTTENBERG

Signed and sworn before me this 12th day of June 2011.



NOTARY PUBLIC

CHRISTOPHER D. WATKINS
Notary Public, State of New York
No. 02WA6124421
Qualified in Ulster County
Commission Expires March 28, 2012