

GREGORY S. SPIZER, ESQUIRE
Attorney ID Nos: 82435
Two Commerce Square
2001 Market Street Suite 3700
(215) 960-0000
gspizer@vscplaw.com

Attorney for Plaintiff

B.S.
c/o VSCP LAW
2001 Market Street, Suite 3700
Philadelphia, PA 19103

Plaintiff,

v.

NORTHEAST TREATMENT CENTERS, INC.
7520 State Road, Suite E
Philadelphia PA 19136

AND

NORTHEAST TREATMENT SERVICES, INC.
d/b/a NET COMMUNITY CARE
7520 State Road, Suite E
Philadelphia, PA 19136

Defendants.

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY
CIVIL TRIAL DIVISION

MAY TERM, 2023
NO. 01467

JURY TRIAL DEMANDED

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service
Philadelphia Bar Association
1101 Market Street, 11th Floor
Philadelphia, PA 19107
(215) 238-6338

ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte pueda decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ESTA OFICINA LO PUEDE PROPORCIONAR CON INFORMACION ACERCA DE EMPLEAR A UN ABOGADO. SI USTED NO PUEDE PROPORCIONAR PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE SER CAPAZ DE PROPORCIONARLO CON INFORMACION ACERCA DE LAS AGENCIAS QUE PUEDEN OFRECER LOS SERVICIOS LEGALES A PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO NINGUN HONORARIO.

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COMPLAINT

Plaintiff, B.S., brings this civil action against Defendants, Northeast Treatment Centers, Inc. (“NET”) and Net Treatment Services, Inc. d/b/a NET Community Care (“NTSI”), and avers as follows:

PRELIMINARY STATEMENT

1. This case arises from the sexual abuse of B.S., then only fifteen years old.
2. This abuse was tragically perpetrated against B.S. by the very person, Christopher Collick, (“Collick”), an employee of Defendants, NET and NTSI, who was tasked with supervising her, protecting her and looking out for her.
3. Instead, Collick used his power and authority over Plaintiff to groom her, send her inappropriate and sexually suggestive text message and ultimately, sexually assault and sexually abuse B.S.
4. Long before this abuse occurred, NET and NTSI, (collectively, “Defendants”), knew that Collick was a danger to B.S. and other minors that he supervised yet they violated their duty of care to ensure her safety.
5. Defendants’ actions and inactions created the unsafe environment that allowed Collick to abuse Plaintiff. Plaintiff now seeks to hold Defendants accountable for their wholesale failure to protect her.

PARTIES

6. Plaintiff, a minor female at the time of the events giving rise to this lawsuit, was born on August 13, 2005. At all relevant times, Plaintiff was a citizen of the Commonwealth of Pennsylvania. The abuses that Plaintiff was subjected to and are set forth below occurred across various dates in the 2020 calendar year.
7. Given the nature of the allegations and the fact that B.S. is a victim of sexual abuse, this action identifies her by only her initials. Plaintiff will file a Confidential Information Form with the Court so that the Court is aware of Plaintiff’s full name.
8. NET is a Pennsylvania non-profit corporation with a corporate headquarter address and principal place of business address of 7520 State Road, Suite E, Philadelphia, PA 19136. NET regularly conducts business in Philadelphia County.

9. NTSI is a Pennsylvania non-profit corporation with a corporate headquarter address and principal place of business address of 7520 State Road, Suite E, Philadelphia, PA 19136. NTSI regularly conducts business in Philadelphia County.

10. Together, NET and NTSI form a corporate structure that included parent entities, parent corporations, associated or affiliated corporations, member corporations or subsidiary corporations.

11. At all relevant times, Defendants acted, or failed to act, by and through their employees, agents, servants and/or subcontractors, including but not limited to social workers, case managers, case workers, case supervisors, directors and/or therapists, so as to facilitate, enable or otherwise cause the injuries and damages upon Plaintiff. Accordingly, Defendants are liable for the acts or omissions of their employees, agents, servants, subcontractors and/or other representatives as set forth below, under theories of agency, master-servant, *respondeat superior* and/or right of control.

12. In addition to vicarious liability for the failures of Defendants' employees, agents, servants and/or subcontractors and/or other representatives as set forth below, Defendants are also directly liable, as an institution, for their failures to promulgate, adopt, oversee, implement and/or enforce policies, procedures, rules, protocols, and regulations applicable to Defendants' affairs, including the vetting, hiring, retaining, supervising, monitoring, instructing, training, counseling, and administering discipline to Collick as well as other employees/agents to ensure they were qualified for the responsibilities and assignments related to a given case or matter; and to properly ensure that one of their own employees was not abusing the youth it was hired to safeguard and protect.

13. These institutional failures of the Defendants and the failures of Defendants' employees, agents and workers under the Defendants' control or right of control, constituted a breach of their statutory and common law duties under Pennsylvania law to take reasonable measures to ensure the safety and welfare of Plaintiff.

14. The negligence of Defendants allowed Collick to be placed in an opportune position to commit sexual offenses against Plaintiff.

15. As a direct and proximate result of the Defendants' negligence, Collick was empowered and emboldened to sexually abuse Plaintiff by sending her inappropriate and sexually suggestive text messages and by also kissing her and touching her breasts and vagina.

16. Plaintiff sustained significant and permanent physical, mental and emotional injuries which were directly and proximately caused by the Defendants' negligence.

JURISDICTION AND VENUE

17. The Court of Common Pleas of Philadelphia County has original jurisdiction over this action under 42 Pa. C.S. § 931(a), which vests unlimited original jurisdiction of all actions in the Court unless an appropriate statute or rule provides otherwise.

18. Venue is proper in Philadelphia County as Defendants' principal places of business are located in Philadelphia County; Defendants regularly conduct business in Philadelphia County; the cause of action arose in Philadelphia County and a transaction or occurrence out of which the cause of action arose took place in Philadelphia County. *See* Pa. R. Civ. P. 2179 (a).

OPERATIVE FACTS

19. Plaintiff incorporates the preceding paragraphs as if set forth fully herein.

20. The City of Philadelphia established the Department of Human Services, Children and Youth Division ("DHS") to "provide and promote safety, permanency, and well-being for children and youth at risk of abuse, neglect and delinquency." *See* <https://www.phila.gov/departments/departments-of-human-services/>

21. Under Pennsylvania's Child Protective Services Law, 23 Pa. C.S. § 6301, *et. seq.*, DHS may purchase and utilize the services of any public or private agency to provide services to children, youth, and families involved with the child welfare system in Philadelphia, including in-home protective services, kinship services and foster care services.

22. At all relevant times, DHS purchased and utilized, or otherwise contracted for, the services of Defendants as a community umbrella agency, ("CUA").

23. In turn, Defendants received a CUA Service Referral and began providing services to Plaintiff who at that time was not living with her biological mother but was living in a foster home and was in need of services.

24. As Plaintiff was in need of services, Defendants assigned Christopher Collick, one of their employees/agents/servants/representatives, to serve as Plaintiff's case worker.

25. As Plaintiff's case worker, Defendants and Collick were duty-bound, per CUA Practice Guidelines, to ensure that Plaintiff was safe, well and free from abuse.

26. However, Defendants violated these guidelines as it was their own employee, Collick, who abused Plaintiff.

27. After Plaintiff left her foster home and was unaccounted for, the FBI received a National Center for Missing and Exploited Children (NCMEC) tip that Plaintiff may be the victim of human trafficking.

28. The FBI agent assigned to investigate this tip made contact with Collick who was the case worker assigned by Defendants to supervise and protect Plaintiff.

29. At that time, Collick provided the FBI agent with the address of where Plaintiff was staying in Philadelphia, her boyfriend's residence, although Collick did not provide any reason why he did not earlier share Plaintiff's location to authorities even though there were reports that she had been missing.

30. Collick also told the FBI agent that Plaintiff's DHS case was closed and she was in the custody of her mother. This statement was inaccurate as Plaintiff was not in the custody of her mother and Collick knew that.

31. The FBI agent then found Plaintiff at the address provided by Collick, removed her from the residence and transported her to DHS.

32. It was during this time that Plaintiff reported to the FBI agent that Collick would touch her on her breasts and vagina, that Collick would ask Plaintiff to go to a hotel with him and that Collick would touch his penis over his clothing while in her presence.

33. The Philadelphia Police Department, Special Victims Unit, ("SVU"), opened an investigation into Collick.

34. SVU interviewed another employee of Defendants who served as Plaintiff's social worker. This person advised the police that Plaintiff had disclosed that Collick touched her on her breasts and vagina. The social worker also reported that she found text messages on Plaintiff's phone from Collick where Collick had asked for meetings with Plaintiff and had inappropriate sexual conversations with her as well.

35. SVU interviewed another employee of Defendants – a case manager. This individual also reported that Collick had touched Plaintiff on her breasts and vagina and had sent her inappropriate texts of a sexual nature.

36. The police also interviewed a witness who reported that Plaintiff was staying at her residence instead of the foster home. This individual stated that Collick knew Plaintiff was

residing at her address and not missing. This individual also said that Collick would often send Plaintiff text messages in advance of picking Plaintiff up at this individual's home. Collick would then come to the home, pick up Plaintiff in the night and drive her down the block. It was during these visits that Collick would assault and abuse Plaintiff in his car.

37. This individual who Plaintiff resided with also reported that Plaintiff had lived with her for about three months and that Collick knew Plaintiff's location during this entire time. She was not aware that Plaintiff was in missing status.

38. The police also interviewed Plaintiff as part of its investigation. Plaintiff reported to the police that Collick would come to the residence where she was staying, pick her up and drive to an unknown location not far from her residence in the City of Philadelphia. It was during these times in his vehicle that Collick would touch Plaintiff's vagina and breasts without her consent. Given Collick's power and control over Plaintiff as her case worker, she was powerless to rebuff his advances.

39. As a result of its investigation, the Philadelphia Police recommended and the Philadelphia District Attorney's Office charged Collick with seven criminal counts: (1) Unlawful Contact with Minor – Sexual Offenses; (2) Interference w/Custody of Children; (3) Endangering Welfare of Children – Parent/Guardian/Other Commits Offense; (4) Corruption of Minors – Defendant Age 18 or Above; (5) Concealment of Whereabout of Child; (6) Criminal Use of Communication Facility; and (7) Indecent Assault Person Less than 13 Years of Age.

40. In February 2023, Collick pleaded guilty to four of these charges: Unlawful Contact with Minor – Sexual Offenses; Corruption of Minors – Defendant Age 18 or Above; Concealment of Whereabouts of Child; and Indecent Assault without Consent of Another.

41. Plaintiff was one of the most vulnerable among us – she was a minor, on her own and in clear need of help and guidance. Instead of protecting her, Defendants' employee used his access and power over her to abuse, assault and permanently damage her.

42. Most troubling is that Collick never should have been employed by Defendants and been placed in a position to harm Plaintiff.

43. Prior to Collick ever being assigned as Plaintiff's case worker, it was obvious that he should not have been placed in a supervisory position over a juvenile like Plaintiff. In 1993, Collick pled guilty to carrying firearms without a license, obliterating marks on a firearm and carrying firearms in public. In 1997, Collick pled guilty to a felony of manufacturing or

possession with intent to manufacture or deliver a controlled substance. In 1999, Collick pled guilty to two separate charges of retail theft and use/possession of drug paraphernalia. Also in 1999, Collick pled guilty to terroristic threats. In 2000/2001, Collick was arrested for attempted murder, aggravated assault, possession of firearms, simple assault and endangering another person and in 2013, Collick pled guilty to failure to abide by traffic control devices.

44. Given this criminal history, Collick never should have been hired by Defendants. However, he was hired and Plaintiff was abused.

45. Defendants, by and through its agents, employees, servants and representatives, also never properly supervised or oversaw Collick as he abused and assaulted Plaintiff.

46. Defendants, by and through its social workers, investigators, supervisors, case managers, case aides, team coordinators and other individual employees and agents, had a special responsibility and obligation to ensure the protection, safety and welfare of children in Philadelphia.

47. Defendants breached their duty to Plaintiff by hiring, retaining and placing a known and dangerous individual, Collick, to supervise Plaintiff and further breached their duty to Plaintiff by failing to monitor, supervise and oversee Collick while he was serving as her case worker and engaging in his abuse of Plaintiff.

48. In other words, Defendants either chose not to protect Plaintiff from a manipulative predator and dangerous individual or turned a blind eye and deaf ear to multiple signs and signals that Collick should not have been placed as Plaintiff's case worker.

49. As a direct and proximate result of the Defendants' acts and omissions, both institutionally and through the negligent acts and omissions of their employee-agents, Collick was able to groom, manipulate and physically and sexually abuse Plaintiff.

50. Defendants, both institutionally and through the negligent acts and omissions of their employee-agents, were aware of or should have been aware of the danger that Collick posed to Plaintiff.

51. Defendants, both institutionally and through the negligent acts and omissions of their employees, were aware or should have been aware of the improper physical, sexual and electronic contact between Collick and Plaintiff had there been appropriate oversight of Collick.

52. By reason of their failure and/or refusal to take appropriate action and/or failing to appropriately and properly supervise their own employees, Defendants allowed Collick to have unimpeded access to Plaintiff.

53. Because of the foregoing failures described above and further herein, the Defendants exhibited complete indifference to the safety, health and welfare of Plaintiff.

54. Because of the foregoing failures described above and further herein, the Defendants signaled to Collick that it was okay for him to sexually abuse Plaintiff.

55. As a direct and proximate result of being physically and sexually abused and tormented by the case worker who was assigned to protect and safeguard her, Plaintiff has sustained severe trauma and mental anguish and her entire life has been upended and irreparably harmed.

56. But for the negligent acts and omission of Defendants, Plaintiff would not have been subject to Collick's deplorable acts of sexual abuse.

57. Defendants' negligence, both institutionally and by and through their employees, agents, servants and/or representatives, including Collick, solely and exclusively caused the abuse of Plaintiff.

58. No actions or inactions by Plaintiff caused her injuries.

59. As a direct and proximate result of the Defendants' negligence, both as an institution and also by and through the negligent conduct of Collick and other NET and NTSI administrators, employees, social workers, investigators, supervisors, case managers, case workers, outcome specialists, case aides, team coordinators and other individuals employed by Defendants, Plaintiff suffered severe and permanent damages, including, *inter alia*, the following:

- a. involuntary sexual relations and its signs, symptoms and sequelae;
- b. emotional distress in the form of anxiety, fear, fright, depression, inappropriate behaviors for their age group, lack of sleep, and nightmares;
- c. various and severe painful bodily injuries;
- d. past and future severe psychological and psychiatric injuries and conditions;
- e. past and future pain and suffering;
- f. past and future medical expenses;

- g. past and future embarrassment and humiliation;
- h. past and future loss of life's pleasures;
- i. past lost wages and loss of future earnings capacity; and/or
- j. all other damages as may be permitted under law.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants for a sum in excess of fifty thousand dollars (\$50,000.00) in compensatory damages and punitive damages, exclusive of pre-judgment interest, post-judgment interest and costs.

COUNT I – NEGLIGENCE

VICARIOUS LIABILITY AND DIRECT LIABILITY

**Plaintiff v. Northeast Treatment Centers, Inc. and NET Treatment Services, Inc.
d/b/a NET Community Care**

60. Plaintiff incorporates by reference all of the above paragraphs as though fully set forth herein.

61. At all relevant times, Defendants, by and through their employees, agents, servants and/or representatives, including Collick, owed a duty to those in their care such as Plaintiff to ensure that those charged with safeguarding and protecting them were appropriately and properly vetted, hired, investigated and retained.

62. At all relevant times, Defendants, by and through their employees, agents, servants and/or representatives, including Collick, owed a duty to properly and appropriately train those charged with safeguarding and protecting minors in their care.

63. At all relevant times, Defendants, by and through their employees, agents, servants and/or representatives, including Collick, owed a duty to properly and appropriately supervise and monitor those case workers who were assigned to protect and safeguard minors in their care.

64. At all relevant times, Defendants, by and through their employees, agents, servants and/or representatives, including Collick, owed a duty to ensure that their employees were not engaging in abusive and inappropriate acts with those minors they were charged to protect and safeguard.

65. At all relevant times, Defendants, by and through their employees, agents, servants and/or representatives, including Collick, owed a duty to ensure that their employees were not abdicating their duties as the caretakers of minors under their care.

66. At all relevant times, the Defendants, individually, and through their employees, agents, servants and/or representatives, actual or apparent, including case workers, case managers, supervisors, social workers, case workers, therapists and/or counselors, were negligent which included, but not limited to, the following:

- a. Failing to properly and appropriately vet or hire case workers such as Collick;
- b. Failing to properly investigate case workers such as Collick before hiring them;
- c. Failing to properly and adequately conduct background and/or criminal record history checks of their case workers, including Collick, before their hire or retention;
- d. Failing to implement policies, procedures or protocols which would properly retain only those employees who are fit to supervise or protect minor children;
- e. Failing to properly and adequately screen case workers such as Collick before exposing him to minors such as Plaintiff;
- f. Failing to adequately supervise or monitor their case workers such as Collick while they served in a supervisory role over a minor female;
- g. Failing to adequately identify and respond to threats to Plaintiff's safety and well-being;
- h. Failing to adequately conduct a Safety Assessment for Plaintiff;
- i. Failing to adequately communicate with Plaintiff's biological mother;
- j. Failing to adhere to the CUA practice guidelines as to Plaintiff;
- k. Failing to adequately hire, train, and supervise the employees, agents, servants and/or representatives providing care to Plaintiff, including Collick;
- l. Failing to remove Collick as Plaintiff's case worker;
- m. Failing to prevent the abuse suffered by Plaintiff;

- n. Failing to implement policies, procedures or protocols to protect Plaintiff from being subjected to a case worker who abused her; and
- o. Failing to adhere to the principles of Restatement (Second) of Torts § 323.

67. Based on the forgoing, the Defendants are directly liable to Plaintiff for the harm, injuries and damages she sustained as a direct and proximate result of their actions and inactions to protect her from abuse.

68. In addition to being directly liable, the Defendants are vicariously liable for the acts and omissions of their duly authorized administrators, social workers, investigators, supervisors, case managers, case aides, case workers, team members and team coordinators, employees, agents, servants and representatives, including Christopher Collick, who were individually and collectively responsible for the protection, safety and welfare of Plaintiff.

69. As a direct and proximate result of Defendants' negligence, Plaintiff suffered serious and severe sexual abuse and sexual and physical assault.

70. As a direct and proximate result of Defendants' negligence, Plaintiff has suffered harassment, humiliation, shame, fear and loss of enjoyment of life.


71. As a direct and proximate result of Defendants' negligence, Plaintiff has sustained and will continue to sustain into the future the cost of medical and psychological care.

72. As a direct and proximate result of Defendants' negligence, Plaintiff has suffered a loss of earning capacity.

73. As a direct and proximate result of Defendants' negligence, Plaintiff has endured and continues to endure physical, mental and emotional pain and suffering.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants for a sum in excess of fifty thousand dollars (\$50,000.00) in compensatory damages and punitive damages, exclusive of pre-judgment interest, post-judgment interest and costs.

VSCPLAW VAN NAARDEN • SPIZER
CHASE • PINTO



GREGORY S. SPIZER, ESQUIRE

Two Commerce Square
2001 Market Street, Suite 3700
Philadelphia, PA 19103
TEL: 215-960-0000
FAX: 215-960-0384
Attorney for Plaintiff

Dated: September 1, 2023

VERIFICATION

Plaintiff, B.S., hereby verifies that the within Civil Action Complaint is based upon first- hand information and on information provided to my counsel and obtained by counsel in the course of this lawsuit. The language of the document is that of counsel and not the affiant. To the extent that the contents of the document is based on information furnished to counsel and obtained by counsel during the course of this lawsuit, the affiant has relied upon counsel in making this verification. This verification is made subject to the penalties of 18.Pa.C.S.Sec. 4904 related to unsworn falsification to authorities.

A handwritten signature in blue ink, consisting of a stylized 'B' followed by a 'S'.

B.S.