

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

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STEPHEN PARISI and MATTHEW BOJANOWSKI,

Plaintiffs,

Index No.:

Date Purchased:

-against-

SUMMONS

CHERYL CALIRE and PETER J. KARALUS,
Defendants.

Plaintiffs designate as the place of
trial pursuant to C.P.L.R. §503(a)

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TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance on the plaintiff’s Attorney within 20 days after service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: January 22, 2022
New York, New York

Defendants’ addresses:
To: CHERYL CALIRE
208 STANISLAUS STREET #113
BUFFALO, NY 14212
To: PETER KARALUS
1035 DELAWARE AVE.
BUFFALO, NY 14209

/s/

Fred Lichtmacher
The Law Office of Fred Lichtmacher PC
Attorney for Plaintiffs
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X
STEPHEN PARISI and MATTHEW BOJANOWSKI,

Plaintiffs,

Index No.:

COMPLAINT

-against-

CHERYL CALIRE and PETER J. KARALUS,

Defendants.

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Plaintiffs, by their attorney, The Law Office of Fred Lichtmacher P.C., bring this action against individuals CHERYL CALIRE and PETER J. KARALUS, and allege, upon information and belief, as follows:

NATURE OF THE ACTION

1. Stephen Parisi and Matthew Bojanowski, (hereinafter, "Plaintiffs") bring this complaint due to the violation of their rights committed by Defendants Cheryl Calire and Peter Karalus (hereinafter, "Defendants"), who knowingly, without legal justification and without probable cause, caused to be brought criminal charges against the Plaintiffs, which terminated in Plaintiffs' favor, causing the Plaintiffs to be maliciously prosecuted and subjected to an abuse of process in that the criminal charges were brought for the collateral purpose of stopping Plaintiffs from protesting against actions taken and not taken by the Diocese of Buffalo.

PARTIES AND JURISDICTION

2. Jurisdiction and venue for this action are appropriate pursuant to C.P.L.R. §504(3)

because the series of incidents giving rise to this action occurred in Erie County, in the City of Buffalo, and State of New York.

3. At all times relevant Plaintiff MATTHEW BOJANOWSKI was a resident of the Town of West Seneca and State of New York in the County of Erie.
4. At all times relevant Plaintiff STEPHEN PARISI was a resident of the Village of Williamsville and State of New York in the County of Erie.
5. At all times relevant, upon information and belief, Defendant CHERYL CALIRE was a resident of the City of Buffalo and State of New York in the County of Erie, and was employed by the Diocese of Buffalo.
6. At all times relevant, upon information and belief, Defendant PETER KARALUS was a resident of the City of Buffalo and State of New York in the County of Erie, and was employed by the Diocese of Buffalo.
7. This Court has subject matter jurisdiction over this matter as the amount in question exceeds the jurisdictional maximums of all other New York State Courts.
8. Venue is appropriate in this Court pursuant to C.P.L.R. §504(3) as this is an action against individual Defendants brought in the County in which the acts occurred.

FACTS UNDERLYING PLAINTIFFS' CLAIMS FOR RELIEF

9. In August of 2019, Plaintiffs were forced to resign from their positions as employees/seminarians at Christ the King Seminary in East Aurora, NY.
10. Plaintiffs were subject to sexual harassment, a hostile and sexually charged work environment, and retaliation by the Diocese of Buffalo and its employees which ultimately led to their constructive termination.

11. The events leading up to their termination were directly related to their motivation to speak out against the corruption that they were subjected to and witness to within the Church, and specifically within the Diocese of Buffalo.
12. Many of the corrupt behaviors the Plaintiffs experienced while employees/seminarians were publicized, including the resignation of Bishop Richard Malone, who admitted he mishandled sexual abuse allegations within the Diocese of Buffalo.
13. The corrupt behavior of the employees of the Diocese of Buffalo, and the failure to properly take action by supervisors, directly impacted the Plaintiffs and caused them many harms.
14. On or about September 3, 2019, Plaintiffs were protesting outside, and across the street from, a central building of the Diocese of Buffalo.
15. Plaintiffs were protesting the reinstatement of Father Nowak, who had been removed due to sexual harassment allegations that were made against him, and the actions of Bishop Richard Malone regarding his handling of the allegations.
16. Plaintiffs were exercising their right to draw attention to the abuse they, and others had suffered as a result of the actions of the Diocese of Buffalo and its employees.
17. Plaintiffs were protesting peacefully when Cheryl Calire, an employee of the Diocese of Buffalo, approached Plaintiff Bojanowksi in her vehicle and commented "I'm sorry that it had to come to this, Matthew".
18. Unknown to the Plaintiffs at the time, Defendant Calire filed a fictitious police report to the Buffalo Police Department on that day for Harassment in the 2nd Degree against Plaintiffs, which was ultimately closed.

19. On December 17, 2019, Plaintiff Parisi was once again protesting outside, and across the street from the central building of the Diocese of Buffalo.
20. On December 18, 2019, Defendant Calire filed an updated complaint, without probable cause, with the Buffalo Police Department, falsely claiming that the Plaintiffs' harassment was ongoing.
21. This new complaint was filed after Plaintiff Parisi made posts on Facebook regarding corruption in the Diocese of Buffalo.
22. On December 19, 2019 Plaintiffs were served with a summons from the City Court of Buffalo for alleged violations of section PL 240.26-3, harassment in the 2nd Degree.
23. On January 06, 2020 Plaintiffs appeared in court in front of Hon. Judge Keane and pled not guilty to the charges brought against them due to the false allegations made by Defendant Cheryl Calire.
24. On January 06, 2020 a temporary order of protection was put in effect against the Plaintiffs regarding staying away from the home, school, business, and place of employment of Cheryl Calire, which was the Diocese of Buffalo, prohibiting the Plaintiffs from going to their chosen place of worship.
25. On January 15, 2020 Defendant Calire filed an additional complaint, again without probable cause, with the Buffalo Police Department falsely accusing Plaintiffs of disorderly conduct on September 3, 2019.
26. On January 16, 2020 Defendant Karalus, without probable cause filed a fictitious criminal complaint with the Buffalo Police Department against Plaintiffs accusing them of trespassing onto Church property on September 3, 2019.

27. Plaintiffs endured roughly five forced court appearances over the course of the year in 2020, all due to the false accusations of Cheryl Calire and Peter Karalus
28. Defendants Calire and Karalus brought the false accusations knowingly without probable cause, and with the intent to keep Plaintiffs' from the Church and its subsidiary components as well as to stop them from protesting about corruption in the Diocese of Buffalo.
29. On January 25, 2021 Hon. Judge Kevin Keane dismissed all of the charges against the Plaintiffs and deemed the allegations as facially insufficient.

AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF PLAINTIFFS
VIOLATION OF PLAINTIFFS' RIGHTS PURSUANT TO
THE COMMON LAW OF THE STATE OF NEW YORK
BY CHERYL CALIRE AND PETER KARALUS
via MALICIOUS PROSECUTION

30. Plaintiffs repeat the allegations contained in the prior paragraphs as if fully stated herein.
31. The Plaintiffs' rights have been violated under the common law of the State of New York by Defendants Cheryl Calire and Peter Karalus in that Plaintiffs were maliciously prosecuted by said Defendants.
32. The said malicious prosecution was initiated by the aforementioned Defendants without any legal justification and without probable cause in that the Defendants caused the commencement and continuation of criminal proceedings against Mr. Stephen Parisi, and Mr. Matthew Bojanowski, the proceedings terminated in favor of both Mr. Parisi and Mr. Bojanowski via dismissal and in that the action was commenced and continued with malice and deliberate indifference to the Plaintiffs' rights.

33. Defendants Cheryl Calire and Peter Karalus presented and caused to be presented fabricated evidence to the District Attorney and the Buffalo Police Department which resulted in the Plaintiffs' prosecutions.
34. Defendants had every intention for the prosecution of Plaintiffs to be publicized and cause harm to their reputation within the Church.
35. By reason of the malicious prosecution, Mr. Parisi and Mr. Bojanowski were subjected to pecuniary harms, great indignities, humiliations, time spent appearing at forced court appearances, they were emotionally harmed, and were caused great distress from the false allegations against them being published online and in the media and due to these observant Catholics being precluded from attending their beloved church services.
36. By reason of the aforesaid, the Plaintiffs have been damaged and are entitled to compensatory damages against both Defendant Calire and Defendant Karalus in amounts not to exceed FIVE HUNDRED THOUSAND (\$500,000.00) DOLLARS for each Plaintiff, and each Plaintiff is entitled to punitive damages against the Defendants in sums to be determined by the trier of fact.

AS AND FOR A SECOND CAUSE OF ACTION
ON BEHALF OF PLAINTIFFS
VIOLATION OF PLAINTIFFS' RIGHTS PURSUANT TO
THE COMMON LAW OF THE STATE OF NEW YORK
BY CHERYL CALIRE AND PETER KARALUS
via ABUSE OF PROCESS

37. Plaintiffs repeat the allegations contained in the prior paragraphs as if fully stated herein.
38. The Plaintiffs' rights have been violated under the common law of the State of New York by Defendants Cheryl Calire and Peter Karalus in that Plaintiffs suffered an abuse of

process by said Defendants.

39. The abuse of process was initiated by the aforementioned Defendants when they both, separately made false criminal allegations against the Plaintiffs with the intent to cause harm to the Plaintiffs and for the collateral purpose of keeping them out of the Church entirely.
40. By reason of the abuse of process, Mr. Parisi and Mr. Bojanowski were subjected to pecuniary harms, great indignities, humiliations, time spent appearing at forced court appearances, they were emotionally harmed, and were caused great distress from the false allegations against them being published online and in the media and due to these observant Catholics being precluded from attending their beloved church services.
41. By reason of the aforesaid, the Plaintiffs have been damaged and are entitled to compensatory damages against both Defendant Calire and Defendant Karalus in amounts not to exceed FIVE HUNDRED THOUSAND (\$500,000.00) DOLLARS for each Plaintiff, and each Plaintiff is entitled to punitive damages against the Defendants in sums determined by the trier of fact.

Request for Relief

WHEREFORE, Plaintiffs respectfully request that judgment be entered as follows:

- (A) Compensatory damages be awarded in an amount not to exceed FIVE HUNDRED THOUSAND (\$500,000.00) DOLLARS to each Plaintiff against each Defendant; and
- (B) By reason of the wanton, willful and malicious character of the conduct complained of herein, punitive damages be awarded against the

Defendant Cheryl Calire and Defendant Peter Karalus in amounts to be determined by the trier of fact; and

- (C) Plaintiffs should be granted an award for the costs and disbursements herein;
- (D) This Court should grant such other and further relief as this Court may deem just and proper.

Dated: January 22, 2022
New York, New York

/s/
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