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NEWS

2 Sex Abuse Victims Settle Consolidated Case Against School District for $6M

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Alternative Dispute Resolution

Colleen Murphy

Two consolidated claims of sexual abuse at the hands of a Winslow Township teacher, which were filed by two former high school students, settled for $3 million each.

Michael Delguercio and Matthew Grossman, who are both residents of Atco, filed their lawsuits in Camden County Superior Court in the summer of 2021 over allegations that they were both repeatedly sexually abused as minors from 1998 to 2003. The two men alleged that their abuser was a teacher, Nicholas Zaccaria, and that the abuse took place while they were students at Edgewood Regional High School in the Lower Camden County Regional School District. In their complaints, the two men alleged a pattern and practice of neglect by the Board of Education of the now-renamed Winslow Township School district and the Winslow Township High School.

In an interview with the Law Journal, counsel to Grossman and Delguercio, **John Baldante** of **Baldante & Rubenstein** in Haddonfield, said, “Matt and Michael made the decision to use their names. They thought it was important to try to give a voice to other victims.”

Grossman’s complaint alleged that the abuse began in 1998 when he was a 13-year-old student at Edgewood and continued until 2002. The complaint estimated that Grossman was abused more than 100 times over the four-year period. Delguercio began to be abused by Zaccaria in 1999 when he was 16 and it continued until 2001, according to his complaint. It further stated that over a two-and-a-half-year period, Delguercio was abused more than 250 times.

The two cases, *Delguercio v. Lower Camden County Regional School District* and *Grossman v. Lower Camden County Regional School District*, were consolidated before the settlement with the Winslow Board of Education’s primary and excess insurance company, Zurich American.

A single mediation session took place on Sept. 12, 2023, before retired Superior Court Judge **Frank M. Ciuffani**, who is of counsel and co-chair of the alternative dispute resolution practice at **Wilentz, Goldman & Spitzer**. The settlement was later reached between the attorneys.

The Winslow Board of Education officially approved the $6 million settlement to the two men on Dec. 6, 2023, and the law firm announced the settlement in late February.

Baldante said that he believes these cases set the standard by which similar cases should settle.

“Senate Bill 477 is one of the most progressive and ambitious pieces of legislation in the country with regard to the protection of children regarding child sexual abuse,” Baldante said. “It opened the statute of limitations window and abolished immunities and extended rights to these children through five different state statutes.”

Baldante called the new legislation “a shift in paradigm” for abuse victims because statistics show that the overwhelming majority do not speak out until much later in life. The law, which went into effect in 2019, removed the statute of limitations in certain civil actions for sexual abuse and expanded categories of defendants liable in such actions.

“What typically happened in the past was that victims had to proceed under a *Lopez* hearing to gain permission to file a lawsuit,” Baldante said. “At the hearing, there might be a deposition, or its equivalent, and these cases would settle for pennies on the dollar.”

However, Baldante added, when Senate Bill 477, which is also known as the Child Victims Act, was implemented, attorneys were able to settle these cases.

“Many of us heard that these cases just are not worth that much money,” Baldante said. “But these Winslow Township Board of Education cases prove that these cases have more significant value than they ever had in the past. The paradigm has changed.”

Counsel to Zurich American and the school district, **Matthew J. Behr**, a shareholder with **Marshall Dennehey**, declined to comment on the cases.

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