

2nd Rape Allegation Made Against Stockton Alumnus: Lawsuit

The accused is the same man named in a lawsuit last week for another rape that also involves a Stockton University student

By Patricia A. Miller, Patch Staff | Jul 19, 2018 3:14 pm ET | Updated Jul 19, 2018 3:30 pm ET

GALLOWAY TOWNSHIP, NJ - A second Stockton University freshman has filed a lawsuit against a 2015 graduate, accusing him of raping her twice at off-campus fraternity parties last fall.

Stockton University, the accuser and Pi Kappa Phi are named in the lawsuit, filed on July 13 by Toms River attorney Robert R. Fuggi, Jr. on behalf of the student, an 18-year-old from Netcong.

The accused is the same man named in a lawsuit last week for another rape that also involves a Stockton University student. To read that Patch story, [click here](#).

The suit states the university "facilitated" the man's behavior by not investigating the incident and the accused, and also failed to train and supervise Stockton employees on how to handle such incidents.

Stockton spokesperson Diane D'Amico said the matter has been referred to the New Jersey Attorney General's Office for representation and investigation of the underlying claims. "We are not permitted to comment on the litigation at this time, but we look forward to issuing a statement when we are permitted to do so," she said.

The university does have its own police department, she said. The lawsuit incidents were never reported to Stockton University police, D'Amico said.

Patch is not naming the man at this time, since no sexual assault charges have been filed. The suit claims that the freshman reported the rapes to the "proper authorities."

The Pi Kappa Phi is not an authorized fraternity at Stockton and the locations where the alleged assaults took place are also off-campus and not affiliated with the college, D'Amico said.

Pi Kappa Phi closed the Stockton chapter back in May 2010, Mark Timmes, Chief Executive Officer for the fraternity, told The Trentonian. "The defendants named in this lawsuit are not members of Pi Kappa Phi," he said. "The fraternity does not have any further comment on the pending litigation."

The accused and the accuser first met on Oct. 20, 2017 while attending an off-campus fraternity party. They drank beer and a concoction known as "jungle juice" made of Everclear, vodka and other liquor mixed with a fruit punch in a cooler, the suit states.

The fraternity usually held the parties once a month known as "p parties" and invited only female students. Liquor was served whether the women were underage or not. At some point, the alumnus pulled both the accuser and her friend into a bedroom in the frat house and began kissing both of them, the suit states.

He then threw the accuser on the bed, took off her clothes and tried to have sex with her, without a condom. She pushed him off and insisted he wear a condom, which the suit says he "reluctantly" did.

He then became aggressive, hit, bit and choked her and began to rape her. Her friend ran out of the room and she blacked out after she told him to stop.

The victim "never expected nor in any way consented to the violent sexual attack," the suit states.

When the attack was over, she left the frat house and met her friend, who was waiting for her outside. When she went home, she took pictures of bruises on her neck and arms.

On Nov. 9, 2017, the accuser sent a text message to the same man, and asked him if he was going to a Pi Kappa Phi party that night at the off campus frat house. She went with a friend, but managed to avoid the man at first. When she saw him begin to make advances toward her friend and lead her into the same bedroom where she had been allegedly attacked, she tried to intervene, the suit states.

The accused became angry, pulled her into the bathroom and began to rape her after demanding she remove a tampon first, the suit states.

She is asking for punitive damages for the physical and emotional distress she suffered, lost wages and attorney fees, with the amounts to be determined at a trial by jury, the suit states.

Photo: Atlantic County Courthouse