

## 5th Stockton lawsuit alleges sexual assault by school counselor's son

ERIN SERPICO Staff Writer



Four civil lawsuits have been made against Stockton University and Pi Kappa Phi, which is not an authorized Greek organization at the university. ERIN GRUGAN / Staff Photographer

A fifth lawsuit has been filed against Stockton University after a student alleged a university counselor's son raped and assaulted her.

The lawsuit, filed Sunday in U.S. District Court in Camden by Ocean County attorney Robert Fuggi Jr., alleges the school did not properly address the sexual assault allegations and instead chose to protect school officials.

Diane D'Amico, a spokeswoman for Stockton, said the university has not been served with the complaint and could not comment.

Fuggi represents four other women who allege sexual assaults in lawsuits against Stockton and others, including a "rogue" fraternity, Pi Kappa Phi. The other lawsuits filed this summer against the university include allegations that fraternity members and a former Stockton EMS sergeant used date-rape drugs

before sexually assaulting women, and that the university knew Pi Kappa Phi was dangerous and did not protect students.

It is unclear how many of the five victims reported the assaults to police, but in at least one case, criminal charges were brought against Zachary Madle, a 2015 Stockton alumnus and member of Pi Kappa Phi. Madle, named in two lawsuits, was charged with invasion of privacy for posting photographs of the alleged assault to social media.

Fuggi did not return a request for comment Monday.

In the lawsuit filed this week, student M.H. alleges that Jesse Matsinger, a Stockton student and the son of her counselor, Karen Matsinger, sexually assaulted her in June 2017. Both Jesse and Karen Matsinger, identified as the assistant director of counseling services, are named as defendants in the lawsuit. Neither could be reached for comment Monday.

According to the lawsuit, M.H. began socializing in 2015 with Jesse Matsinger through mutual friends. In April 2016, M.H. attempted suicide after having sexual relations with a resident assistant who “illegally provided her alcohol while she was underage to the point of incapacitation due to consuming both alcohol and cough syrup,” the lawsuit states.

M.H. sought counseling services from Karen Matsinger the next day, according to the lawsuit.

The lawsuit also states M.H. “had been exposed to the violent environment of sexual assault and a culture of rampant underage drinking at Stockton” and was raped in a separate incident in March 2017. She texted Jesse Matsinger afterward, according to the lawsuit, saying she called a suicide hotline.

On June 6, 2017, Jesse Matsinger invited M.H. to a gathering at Matsinger’s sister’s boyfriend’s house in Egg Harbor City, where M.H. and a group of Stockton students drank alcohol, smoked marijuana and played “Drunk Jenga,” according to the lawsuit. M.H. eventually fell asleep and woke up with Jesse Matsinger asking to “cuddle,” which she agreed, and it led to a sexual encounter.

The lawsuit alleges Jesse Matsinger bit her arm, “resulting in significant pain and eventually bruising.”

M.H. tried to end the encounter and began to cry, the lawsuit states, “because of the trauma of her March 2017 rape.” Matsinger persisted and raped M.H. “with the full knowledge of M.H.’s psychological state,” according to the lawsuit.

“After the incident, M.H. was extremely distraught and didn’t know what to do or think about the fact that her friend had violently bit, assaulted, sexually assaulted, and raped her,” the lawsuit states.

M.H. immediately contacted school officials for a meeting, the lawsuit states, and in making the request, asked that one employee not be involved in the investigation because she believed the official was friends with the Matsinger family and was involved in the investigation of her first sexual assault. The request was ignored, according to the lawsuit.

M.H. also claimed in the lawsuit that she should have been assigned an advocate from Stockton during the process, but no advocate was provided.

After making the complaint of the assault and sexual assault to Stockton, M.H. continued to have counseling meetings but alleges in the lawsuit that notes taken by her counselors were “not always in M.H.’s best interest” and some of their conversation was not put on the record. The lawsuit alleges M.H. later asked to clarify information provided to investigators, but it was never done and that there was an “ulterior motive” to protect Stockton and Karen Matsinger.

M.H. was notified Nov. 7 that Jesse Matsinger was found not responsible for harm and sexual misconduct, according to the lawsuit.