

Second Stockton student alleges sexual assault

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Second Stockton University student files lawsuit alleging sexual assaults (Photo: Photo provided)

CAMDEN – A second woman has sued Stockton University, claiming she was raped after partying at an off-campus fraternity.

Both lawsuits allege a Stockton graduate, Zachary Madle, sexually assaulted first-year students who attended parties that offered free-flowing alcohol to female guests at the Pi Kappa Phi fraternity house.

In the latest lawsuit, a Morris County woman identified only as K.S. claims she was the victim of sexual assaults by Madle at the Egg Harbor City frat house.

[The other suit alleges Madle drugged and raped a student from Brick, Ocean County](#), in her dorm room in February 2017, and that he posted videos of the assault on his Snapchat account.

“There’s probably more out there,” Robert Fuggi Jr., a Toms River attorney representing both women, said Tuesday.

"I'm just really hoping Stockton's administration takes note of this and makes changes before school starts again," he said. "It's a dangerous environment that undermines their academic mission."

Fuggi filed the latest suit Friday in federal court, Camden. He said K.S. came forward after learning of a July 6 suit filed by M.R.

Stockton is "not permitted to comment on the litigation this time," a representative of the Galloway, Atlantic County, school said in a statement.

"We look forward to issuing a statement when we are permitted to do so," said spokeswoman Diane D'Amico.

The school's website says Pi Kappa Phi is a "rogue" fraternity with no affiliation to Stockton. It notes such fraternities typically lack policies "related to hazing and sexual harassment."

Fuggi contends Stockton is liable for the assaults because it knew of the fraternity's unsavory reputation, "which included their proclivity to endorse underage drinking and sexual assaults of Stockton's student body."

The latest lawsuit, filed Friday, asserts Stockton "did not take appropriate action to prevent harm" to K.S. and others, and thus "facilitated Zachary Madle's and Pi Kappa Phi's predatory behavior."

It also alleges Stockton violated the women's civil rights by creating a "hostile educational environment."

The suit also names Madle and Pi Kappa Phi as defendants. It identifies Madle as a Wildwood bartender and Pi Kappa Phi member who graduated from Stockton in 2015.

Madle and a fraternity representative could not be reached for comment.

No criminal charges have been brought as a result of the alleged assaults, although Madle has been charged with invasion of privacy in connection with the Snapchat video, Fuggi said.

According to the latest suit, K.S. was an 18-year-old majoring in elementary education and psychology when she left her freshman dorm to attend a Pi Kappa Phi house party on Oct. 20, 2017.

The suit says partygoers were served alcoholic beverages "whether or not they were underage."

It contends S.K., who went to the frat house with a friend, J.K., "spent the early parts of the party, dancing, talking and kissing with ... Madle and J.K."

It alleges Madle pulled an intoxicated K.S. into a bedroom, where he allegedly began removing the Netcong woman's clothing and tried to have nonconsensual sex with her.

“K.S. had to push Madle off of her to stop him from having unprotected sex,” the lawsuit alleges. It says the student eventually persuaded Madle “to reluctantly wear a condom,” but he became “physically abusive” during sex and refused her demands that he stop.

The suit says K.S. then “blacked out.”

It alleges K.S. returned to her dorm around 1:30 a.m. and “eventually became oriented enough to take photographs of the markings left as a result of the assault.”

The lawsuit also alleges Madle texted K.S. later that day, and the student responded “days later” with a request that he look for a shirt she had left at the party.

K.S. texted Madle again on Nov. 9, asking if he’d be at a Pi Kappa Phi party the next night.

He allegedly responded, “I’ll be there with a handle of Jack (Daniels whiskey),” says the suit. K.S. replied, “We can find my shirt.”

The suit alleges Madle approached K.S. at the party, then led one of her friends into a bedroom. It says K.S. followed them to protect her friend, telling Madle, “She’s drunk, leave her alone.”

The suit contends Madle pushed K.S. “violently against the wall” and began kissing and groping her.

“At this point, K.S. was upset and attempted to call their friend, who was trying to get them an Uber, to return to their dorm room.”

The suit alleges Madle threw the women’s phones against a wall “and wouldn’t let them call for help or leave the room.”

Madle then allegedly pulled K.S. into a bathroom, locked the door and raped her, the suit alleges. It claims he repeatedly slammed the student’s head against a mirror while having sex a second time.

The suit alleges K.S. “cried throughout the entirety of the rape at the hands of Madle and told him, ‘No.’”

It contends K.S. later told friends about the assault, and has reported the alleged rapes “to the proper authorities.”

Both suits seek unspecified compensatory and punitive damages, as well as legal costs and a court order requiring Stockton “to take effective steps to prevent sex-based discrimination and harassment.”

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