



Holland Central School District

District Office

103 Canada Street Holland, NY 14080

P: 716-537-8200 F: 716-537-8203

www.hollandcsd.org

CVA Statement at Board Meeting on November 28, 2022:

The Child Victim's Act cases that were filed in July of 2020 are very close to trial.

There are nine plaintiffs, all of whom were students at the Middle School between 1979 and 1981.

Eight of the nine are represented by the same law firm. And the other is represented by one law firm who has sued seven different entities on his behalf. This case is not yet trial ready.

We had an all-day mediation, and it looks as though we could be going to trial.

We have a disagreement with the insurance company as to their responsibility.

We believe that there was liability insurance for the three years involved. The insurance company thus far has declined to accept any liability and we are looking into compelling them to do so.

The first case has been scheduled for trial on December 6th, but the date has been moved to early January. Our attorneys have filed a motion to seek to consolidate all the cases for one trial. All nine plaintiffs claimed to have been abused by a middle school math teacher named Carl Penziul. Mr. Penziul left the district in December of 1981. He died shortly after the commencement of this litigation.

In the event these cases are not settled, a trial or many trials will be held. If plaintiffs are successful in proving that the district was responsible for Mr. Penziul's actions, jury verdicts may be in the millions. The district would need to pursue bond financing, which would materially impact our future school budgets.

We continue to work closely with outside attorneys that we have hired to defend the district in connection with this litigation.

We have great empathy for these young men, but the fact is these lawsuits could hurt students who are in school now, whose programs will be negatively affected and have nothing to do with these incidents that were claimed to have happened over 40 years ago.