

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, SS

SUPERIOR COURT  
C.A. NO.

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MELISSA FARES )  
Plaintiff )  
v. )  
MISS HALLS SCHOOL, INC, )  
JEANNIE NORRIS, )  
MATTHEW RUTLEDGE, JANE )  
DOE 1, JANE DOE 2 AND JANE )  
DOE 3, )  
Defendants. )

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**COMPLAINT AND JURY DEMAND**

Melissa Fares, a boarding school student at Miss Hall’s School, Inc. from 2007 to 2010, was sexually abused and raped by her Miss Hall’s teacher and advisor, Matthew Rutledge. Prior to abusing Melissa, Rutledge had sexually abused other Miss Hall’s students, and Miss Hall’s administrators knew or should have known about that prior abuse. Despite this knowledge, Rutledge was allowed to continue to have access to students, including Melissa. He remained employed by Miss Hall’s until Melissa came forward in or around March 2024 and publicly revealed Rutledge’s abuse.

Melissa brings this action for monetary damages against Miss Hall’s, then Head of School Jeannie Norris, and other supervisory defendants (Jane Does 1 through 3), asserting various claims of negligence and sexual harassment under GL c 151C. She sues Rutledge for assault and battery.

## **I. PARTIES**

1. Plaintiff Melissa Fares (“Melissa”) is a natural person who resides in the State of Connecticut.

2. Defendant Miss Hall’s School, Inc. (“Miss Hall’s” or “the School”) is a Massachusetts corporation formed under the provisions of GL c 180. Miss Hall’s is located at 492 Holmes Road, Pittsfield, Massachusetts.

3. Defendant Matthew Rutledge (“Rutledge”) is a natural person who resides in Lenox, Massachusetts.

4. Defendant Jeannie Norris (“Norris”) is a natural person who resides at 220 South Bend Drive, Durham, North Carolina.

5. Defendants Jane Doe 1, Jane Doe 2 and Jane Doe 3 (“Does 1-3”) are all current or former supervisory employees of Miss Hall’s who knew or should have known that Rutledge had a propensity to sexually abuse children at Miss Hall’s prior to or during the time that Rutledge sexually raped and abused Melissa yet failed to take action to protect Melissa from Rutledge’s predatory and abusive misconduct.

6. Miss Hall’s, Norris and Does 1-3 are collectively referred to herein as the “MHS Defendants”.

## **II. JURISDICTION AND VENUE**

7. Jurisdiction is conferred upon this Court pursuant to GL 223 §3 as the acts took place in Massachusetts.

8. Venue is proper as Miss Hall’s is located in Berkshire County, Massachusetts.

## **III. FACTS**

9. Melissa was born on April 28, 1992.

10. Melissa applied to Miss Hall's and enrolled for the fall semester of 2007 when she was a 15-year-old sophomore. She graduated from Miss Hall's in June 2010 when she was 18 years old.

11. Defendant Norris was the Head of the School during Melissa's enrollment.

12. Shortly after she enrolled, Melissa met Rutledge, a popular history teacher at Miss Hall's. Rutledge had been employed at the School since 1991.

**A. Sophomore Year**

13. Rutledge started paying special attention to Melissa during her first year at Miss Hall's and groomed her for a sexual relationship. Among other actions, he told Melissa that she was "his type" and asked her personal questions such as whether she had ever had oral sex. He complimented her on her outfits and personal appearance. He gave her nicknames including "Little One," "Little Girl," "Little Melissa," "Piglet," "Protector," and "Protectee."

14. Rutledge also encouraged Melissa to come to his classroom during study hall, at night, making excuses to be alone with her, including that he could help her become a better writer.

15. Rutledge sexually abused Melissa during this time frame. He would graze her breasts and give her long, lingering hugs, pressing his genitals against her. He would sit next to her on trips in the school van and press his leg tightly against her leg.

16. During her sophomore year, Rutledge gave Melissa gifts, including mixtapes with sexually provocative songs, children's books, stuffed animals and jewelry.

17. Rutledge, then 45-years old, professed his love for 15-year-old Melissa, and devised a code to communicate his feelings for her.

18. In February 2008, parents of a former Miss Hall's student wrote to Norris to alert her to Rutledge's "unmistakably inappropriate" behavior toward their daughter. They urged Norris "to take the necessary steps to protect other young women...from this experience."

19. After receiving this letter from a former student's parents, Norris met with the parents. During their meeting, Norris took notes, asked the parents if they planned to sue the School and assured them that she would handle it.

20. Norris and/or Does 1-3 (to the extent they knew about the letter or Norris's meeting with these parents) did nothing to protect Melissa from Rutledge in the aftermath.

21. Toward the end of Melissa's sophomore year – in or around late Spring 2008 – she considered not returning to Miss Hall's for her junior year. In a meeting with Norris, Melissa's mother was asked if there was anyone on campus that Melissa trusted. Her mother replied, "Mr. Rutledge." A red flag should have gone up for Norris immediately.

22. Instead, despite knowing that Rutledge's misconduct with a former student was so "unmistakably inappropriate" that Norris feared a lawsuit against the School, Norris decided that Rutledge was an appropriate person to persuade Melissa to stay at Miss Hall's.

23. That summer, Rutledge traveled to Melissa's home in Connecticut and stayed at her family's guest house (which he dubbed "The Rutledge Cottage") for the weekend. He took long walks with Melissa, held her hand, and groped her. He told her to lean on his shoulder as he read to her children's books, such as Winnie the Pooh. He massaged her upper thigh under the table. He left behind his Burberry cologne in the cottage in case Melissa missed his scent, he told her.

24. Melissa returned to Miss Hall's the following year.

**B. Junior Year**

25. When Melissa returned for her junior year (Fall 2008-Spring 2009), Norris and/or Does 1-3 assigned her to Rutledge's American Politics and Government class.

26. Rutledge also had the idea to become Melissa's advisor, replacing her assigned advisor, Gary Miller.

27. At Miss Hall's, advisors were quasi-parents to their advisees. Advisors were supposed to foster a close relationship with their advisees so that advisees could feel comfortable going to their advisors as a resource not only for academic, but also more personal issues. Advisors collected information from other teachers and coaches and used that information to serve as a liaison with parents. Advisors could also grant privileges to advisees - including allowing an advisee to go off campus.

28. Norris and/or Doe's 1-3 allowed Miller to be removed as Melissa's advisor and replaced Miller with Rutledge.

29. During Melissa's junior year, Rutledge continued to tell Melissa to come to his classroom alone at night under the pretext of reviewing her schoolwork.

30. Rutledge continued to grope, hug, and have sexually inappropriate conversations with Melissa that year.

31. That year, Rutledge also gave Melissa a variety of gifts, including a Claddagh ring. He told her to wear it on her finger, with the heart facing her, symbolizing she was "taken."

32. Rutledge would often apply Carmex lip balm to Melissa's lips, as if she was incapable of doing it herself.

33. Rutledge took Melissa off-campus to Great Barrington, MA and kissed her for the first time.

34. Then, one day in 2008 during the fall of her junior year, when Melissa was only 16 years old, Rutledge instructed her to come to his classroom very early the following morning. She arrived wearing pajama pants (per Rutledge's instruction). Rutledge met her at his classroom door, pulled her inside, and closed the door behind her. He then pulled the shade down and locked the door. He instructed Melissa to lie down under the classroom table, and Rutledge removed her pants. He then inserted his tongue into Melissa's vagina, orally raping her.

35. Melissa was paralyzed, did not react, and did nothing in response. She felt outside of her body and now knows that she was clearly disassociating. She did not verbally consent.

36. Later in the spring of 2009, after she had just turned seventeen and was still a virgin, Rutledge instructed Melissa to again come to his classroom early. He met Melissa at the door, brought her into the room and again locked the door. Rutledge brought Melissa into a closet where there was a yoga mat laying on the ground. Rutledge guided Melissa down to the mat, undressed her, took off his pants and underwear and raped her. He did not wear a condom, did not ask for consent and she did not give it. Again, Melissa was paralyzed. She started to cry.

37. At all times, there was a substantial power differential as Rutledge was Melissa's teacher and advisor. She was a teenager and was vulnerable to a grown man who, as her teacher and advisor could, among other things, determine her grades, grant her freedom to go off-campus or give her other privileges, and write summer internship and college recommendations.

38. The summer after her junior year, Rutledge returned to visit Melissa's home in Connecticut. One night, he instructed Melissa to come to the guest cottage where he slept. He made her perform oral sex on him and orally raped her. He then raped her and ejaculated inside of her. Once again, Melissa dissociated.

**C. Senior Year**

39. Rutledge's sexual abuse and exploitation of Melissa continued throughout her senior year. He was a master of manipulation and wielded a lot of power over Melissa.

40. At times during her senior year, Rutledge would invite Melissa to his campus home and served her alcohol. At all times, she was underage.

41. That year, Rutledge also used Melissa's friendship with his daughter and encouraged sleepovers at his campus home. During these sleepovers, Rutledge continued to rape Melissa in his guest room and study.

42. Whenever a Miss Hall's student was not going to be sleeping in their dorm room, they needed to get special permission from the School. Dorm parents, who were responsible for Melissa at night, and other supervisors at Miss Hall's were aware that Melissa was sleeping at Rutledge's campus home. Nobody at Miss Hall's questioned whether this was safe or in Melissa's best interest.

43. Rutledge's sexual abuse of Melissa continued after she graduated from the School.

**D. MHS Defendants were on Notice that Rutledge had a Propensity to and Had Sexually Abused Other Miss Hall's Students**

44. By the time Melissa arrived at the School in 2007, Miss Hall's administrators, teachers and/or staff including Norris and Does 1-3, were on notice that Rutledge was a sexual predator who had groomed, harassed and/or abused students for over a decade. Reports of Rutledge exploiting Miss Hall's students were rampant on campus and were dismissed by Norris as "gossip."

45. Other examples of notice, which Melissa has only recently learned about, follow:

- a. In the fall of 1994-1995, a student (“Student A” who was also abused by Rutledge) told the then Head of School, Trudy Hall, that she felt threatened by Rutledge.
- b. In 1997, a student was expelled for expressing suspicions about Rutledge and another student.
- c. In student yearbooks, Rutledge wrote overly familiar and inappropriate public missives to students. These were not handwritten notes that Rutledge wrote privately in a particular student’s yearbook; rather they were Rutledge’s typed messages that were published as part of the yearbook. For example, in 2003, he wrote to one student (“Student B” who he also abused), about *"running together in the ever darkening dusk"* separated from the rest of the team and that student *"confessing her fears"* to him. In the School’s 2005 yearbook under the cross-county team photograph, Rutledge referred to the same student as his *"co-pilot"* and writes about *"missing her heart."*
- d. In 2004, a Miss Hall’s student walked into Rutledge’s classroom and witnessed Rutledge with Student B’s legs draped over his and massaging her breasts. She reported what she saw to former Miss Hall’s employee and administrator Sarah Virden.
- e. In 2005, a school nurse reported to Norris “red flag” behavior of Rutledge when she witnessed him talking privately to a student (“Student C”) with his hand on her bare shoulder. Student C is the same student described above with whom Rutledge engaged in “unmistakably inappropriate” behavior and whose parents wrote to and met with Norris in the months before Rutledge first raped Melissa.
- f. At graduation in 2005, a 2005 graduate told the then Dean of Students that Rutledge *"kissed Student B and told her that he loved her."*



46. Prior to the time that Melissa was sexually abused by Rutledge, Norris, Does 1-3 and other faculty and administrators were aware that Rutledge was engaged in improper conduct with students at the School, including boundary violations and grooming of students for his own sexual gratification.

47. Despite the notice that MHS Defendants received about Rutledge's sexual misconduct, no action was taken to prevent him from sexually abusing, manipulating, and exploiting Melissa.

48. Melissa is under 53 years old. Her claims against Rutledge are, therefore, timely pursuant to GL c 260 §4C.

49. Melissa did not make the causal connection between a) Rutledge's sexual abuse and her psychological and emotional injuries; and b) the negligence, actions and inactions of MHS Defendants and her psychological and emotional injuries until within seven years of the filing of this Complaint. Her claims against MHS Defendants are, therefore, timely under GL c. 260 §4C ½.

**COUNT I**  
**(Assault and Battery against Rutledge)**

50. Melissa repeats and realleges paragraphs 1 through 49 as if fully set forth herein.

51. Melissa enrolled at Miss Hall's when she was fifteen. Rutledge was Melissa's teacher and later also became her advisor. At all times, Rutledge was in a position of power and control over Melissa. Rutledge had a "special relationship" with Melissa to protect her from injury and harm.

52. Rutledge repeatedly sexually assaulted and raped Melissa for his own sexual gratification without her consent. Indeed, Melissa could not give her consent given Rutledge's position of power and control over her.

53. As a result of Rutledge's sexual assaults, Melissa has suffered and continues to suffer severe emotional distress and other psychological injury, pain and suffering, and consequential damages.

**COUNT II**

**(Negligent Supervision and Retention, and Failure to Protect Against MHS Defendants)**

54. Melissa repeats and realleges paragraphs 1 through 53 as if fully set forth herein.

55. At all relevant times, MHS Defendants had a special relationship with Melissa and were duty-bound to protect her from foreseeable harm including sexual harassment, sexual exploitation and sexual abuse from Miss Hall's employees.

56. MHS Defendants knew or should have known, prior to the time that Melissa was sexually abused and raped by Rutledge, that Rutledge had a propensity to sexually groom and sexually assault Miss Hall's students.

57. MHS Defendants failed to take reasonable steps to supervise Rutledge, protect students including Melissa, and/or terminate Rutledge's employment so that he was no longer a threat to the School's students, including Melissa. MHS Defendants further failed to report Rutledge to law enforcement or to Massachusetts Child Protection as required by GL c. 119 §51A.

58. As a result of MHS Defendants' breach of these duties, Rutledge sexually abused, raped and otherwise sexually exploited Melissa.

59. As a direct and proximate cause of MHS Defendants' negligence, Melissa has suffered and continues to suffer severe emotional distress and other psychological injury, pain and suffering, and consequential damages.

**Count III**  
**(Violation of GL 214 §1C Against Miss Hall's)**

60. Melissa repeats and realleges Paragraphs 1 through 59 as if fully set forth herein.

61. Pursuant to GL c 151C §2(g), "[i]t shall be an unfair educational practice for an educational institution... [t]o sexually harass students in any program or course of study in any educational institution."

62. General Laws c 214 §1C provides the enforcement mechanism for GL c 151C §2(g), which gives the court the jurisdiction to enforce "the right to be free from sexual harassment, as defined in chapter 151C."

63. While attending Miss Hall's, Melissa had a statutory right to be free from sexual harassment.

64. By grooming, sexually abusing and raping Melissa, Rutledge engaged in sexual harassment in violation of GL c 151C §2(g) and Miss Hall's is strictly liable for Rutledge's sexual harassment of Melissa.

65. As a result of the sexual harassment described in this Count, Melissa has suffered and continues to suffer severe emotional distress and other psychological injury, pain and suffering, and consequential damages.

**COUNT IV**  
**(Negligence and Failure to Inform Against MHS Defendants)**

66. Melissa repeats and realleges Paragraphs 1 through 65 as if fully set forth herein.

67. MHS Defendants knew or should have known that Rutledge was a sexual predator and that he had engaged in sexual misconduct with Miss Hall's students.

68. MHS Defendants knew or should have known that children who are victims of sexual abuse at a school frequently have damaging psychological behavior which can include,

but is not limited to: blaming themselves for the abuse; having low feelings of self-esteem; believing that they were the only ones who were sexually abused; substance abuse; being unable to form trusting relationships with others; refusing to obtain psychological counseling and other maladaptive behaviors.

69. MHS Defendants knew or should have known that these damaging behaviors can be devastating and long lasting.

70. MHS Defendants knew or should have known that notifying students and graduates about Rutledge's sexual misconduct, which took place over his decades-long tenure at the School, would greatly assist students and graduates like Melissa in their efforts to heal from the devastating effects of Rutledge's sexual misconduct.

71. Instead, MHS Defendants decided to cover up the truth about Rutledge's sexual misconduct in an effort to protect the School's reputation and finances.

72. The conduct of MHS Defendants constituted an institutional betrayal by Miss Hall's.

73. Had Melissa learned at an earlier time that Rutledge was a serial molester, she could have understood his conduct as abuse and her healing and recovery would have started at a far earlier time. Instead, she did not make the causal connection between her abuse by Rutledge and her psychological injuries except within the past seven years of the filing of this Complaint.

74. As a direct and proximate cause of MHS Defendants' negligence, Melissa has suffered and continues to suffer severe emotional distress and other psychological injury, pain and suffering, and consequential damages.

WHEREFORE, plaintiff Melissa Fares requests that this Honorable Court:

- a. Enter judgment on all Counts in her favor, and against Defendants;

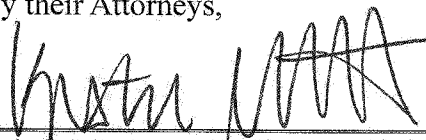
- b. Award damages in an amount deemed just by this Court, plus interest, attorneys' fees, costs and other expenses;
- c. Grant all such further relief that this Court deems appropriate.

**JURY DEMAND**

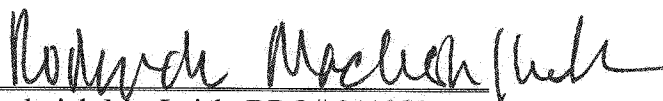
Plaintiff demands a jury trial on all issues so triable.

Respectfully submitted

Plaintiffs,  
Jane Doe 1 and Jane Doe 2,  
By their Attorneys,



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