

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Jane Doe, Individually, and on Behalf of the Infant Janie Doe v. Midlakes Schools Phelps-Clifton Springs Central School District, Board of Education, et al.

Doe v. Midlakes · No. 24-CV-6356-FPG · Decided December 18, 2025

SUMMARY

The United States District Court for the Western District of New York grants Katrina Morlang and Jeffery Morlang’s Rule 12(b)(6) motion to dismiss claims for negligence and intentional infliction of emotional distress. The court holds that the complaint does not plausibly allege that the Morlangs knew of their child’s propensity for vicious conduct, because it identifies only one specific violent incident involving their child and otherwise relies on conclusory or generalized allegations. The court dismisses the complaint as to the Morlangs and notes that any motion to amend should be directed to Judge Pedersen.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Frank P. Geraci, Jr.
JURISDICTION	United States District Court for the Western District of New York
DECIDED	December 18, 2025
DOCKET	24-CV-6356-FPG
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants Katrina Morlang and Jeffery Morlang moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the negligence and intentional-infliction-of-emotional-distress claims asserted against them. The court granted the motion and dismissed the complaint as to the Morlangs.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, disregards legal conclusions, and determines whether the complaint contains sufficient factual matter to state a facially plausible claim for relief.
PRECEDENTIAL VALUE	Unknown; unpublished federal district court decision

PARTIES

Jane Doe, individually and on behalf of the infant Janie Doe v.
Midlakes Schools Phelps-Clifton Springs Central School District,
Board of Education, Katrina Morlang, Jeffery Morlang

TOPICS

motions to dismiss vicarious liability negligence intentional infliction of emotional distress
civil procedure

PRACTICE AREAS

civil procedure torts parental vicarious liability negligence intentional infliction of emotional distress

QUESTIONS PRESENTED

1. Whether the complaint plausibly stated a New York negligence claim against the Morlangs based on vicarious liability for their child's conduct.
2. Whether the complaint plausibly stated a New York intentional-infliction-of-emotional-distress claim against the Morlangs based on vicarious liability for their child's conduct.
3. Whether one reported instance of the Morlangs' child's vicious conduct, together with generalized and conclusory allegations, plausibly established the parents' actual knowledge of a propensity for vicious conduct.

HOLDINGS

1. Under the applicable New York law alleged in the complaint, a parent may be held vicariously liable for a child's conduct only where the child had a propensity to engage in vicious conduct that might endanger a third party and the parent had knowledge of that propensity.
2. A single alleged instance of vicious conduct by a child is insufficient to establish the child's propensity for vicious conduct and therefore is insufficient, without more, to plead the parents' actual knowledge of that propensity.
3. Generalized, conclusory allegations that the Individual Defendants were informed of complaints about their children, or that they knew of their children's propensity for harmful or violent behavior, do not plausibly state claims against the Morlangs without factual enhancement specifically connecting the allegations to the Morlangs' child.

KEY QUOTATIONS

"While this adequately alleges that the Morlangs had knowledge that their child had punched Janie Doe, one instance of vicious conduct is insufficient to establish a propensity on the part of a child." (4)

"The fact that the Morlangs were made aware that other students were involved in altercations with Janie Doe is insufficient to allege their knowledge of their child's propensity for vicious conduct." (5)

“As such, Plaintiff has failed to allege that the Morlangs had knowledge of their child’s propensity for vicious behavior and therefore, has failed to state a claim as to them.” (5)

FACTUAL BACKGROUND

Plaintiff alleged that her daughter, Janie Doe, was bullied, harassed, and assaulted by fellow students at Midlakes schools. The complaint specifically alleged that on November 17, 2023, Student #5, the Morlangs’ child, approached Janie from behind and repeatedly punched her on the head, face, and body. Plaintiff alleged that Midlakes informed the Morlangs of that incident, but did not plead facts showing that the Morlangs knew of multiple incidents demonstrating their child’s propensity for vicious conduct.

PROCEDURAL HISTORY

Jane Doe initially sued Midlakes Schools Phelps-Clifton Springs Central School District and the Board of Education concerning alleged bullying, sexual harassment, and disability discrimination involving her daughter. Plaintiff later amended the complaint to add individual defendants, including Katrina and Jeffery Morlang, who were sued on state-law negligence and intentional-infliction-of-emotional-distress theories. The Morlangs moved to dismiss, and the court granted the motion under Rule 12(b)(6).

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Absolute Activist Value Master Fund Ltd. v. Ficeto, 677 F.3d 60, 65 (2d Cir. 2012)
- Doe v. AR, No. 21-CV-6353, 2022 WL 1624081, at *16 (W.D.N.Y. May 23, 2022)
- Brahm v. Hatch, 203 A.D.2d 640, 641 (3d Dep’t 1994)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Chavis v. Chappius, 618 F.3d 162, 170 (2d Cir. 2010)

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