UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

----------x

JANE DOE, on behalf of her minor child, SARAH DOE

Plaintiffs,

COMPLAINT

- v -

Civil Action No.:

WEBSTER CENTRAL SCHOOL DISTRICT, BRIAN NEENAN, MARGARET CALLAHAN, M.D., and CHRIS CALLAHAN,

Defendants.

----------x

By and through their counsel, Davenport Law PLLC, the plaintiffs JANE DOE, on behalf of her minor child, SARAH DOE (collectively, "Plaintiffs"), alleges as follows:

PRELIMINARY STATEMENT

1. This action seeks immediate judicial intervention to stop the Webster Central School District and its officials from continuing their unlawful and retaliatory exclusion of an eleven-year-old child with a documented history of life-threatening reactions to vaccines. For nearly a month, Defendants have barred Sarah Doe ("Sarah") from her middle school classroom, first by unlawfully overriding a valid medical exemption from her physician and then by responding to a second, more dire medical warning not with a substantive review, but with a coordinated campaign of intimidation and threats involving Child Protective Services (CPS).

2. Defendants' bad-faith conduct has placed Sarah Doe's family in an unconscionable and impossible position: either forfeit their child's fundamental right to an education or defy a treating physician's explicit warning that further vaccination is

"absolutely contraindicated" due to a prior "life threatening, multi-organ failure after vaccinations." When the family, acting under extreme duress from these threats, attempted to comply with the District's demands, they were turned away by multiple medical providers who refused to administer the vaccine, citing the clear and documented danger to Sarah's health.

3. The District's initial denial of Sarah Doe's first medical exemption on September 2, 2025, was a textbook case of the unlawful "second-guessing" of a treating physician's judgment repeatedly condemned by federal courts. The denial letter, authored by the District's physician, brazenly rejected the exemption for the sole reason that Sarah's condition was not on a rigid, pre-approved list of contraindications published by the Advisory Committee on Immunization Practices (ACIP).

4. After Sarah Doe was formally excluded from school on September 16, 2025, her family submitted a second, more comprehensive exemption that laid bare the life-or-death stakes involved. The District's response was not to engage with this grave medical information but to ignore it and escalate its coercive tactics. Days later, the Monroe County Department of Health—an entity the family believes was acting at the District's behest—contacted Sarah's mother, Jane Doe, with an unsolicited warning that CPS could become involved if Sarah was not vaccinated.

5. This persistent and unlawful exclusion inflicts immediate and irreparable harm on a young child at a critical stage of her educational, social, and emotional development. Having no other recourse to protect their child's health and her right to an education, Plaintiffs now turn to this Court. They seek a Temporary Restraining Order and Preliminary Injunction to allow Sarah Doe to return to school, a declaration that her medical exemption is valid, and compensatory and punitive damages

to hold Defendants accountable for their willful and malicious disregard for a child's rights.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over Plaintiffs' federal claims pursuant to 28 U.S.C. § 1331 (federal question), as this action alleges violations of Plaintiffs' rights secured by federal statutes. Specifically, Plaintiffs' claims arise under Title II of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12131 et seq., which prohibits discrimination on the basis of disability by public entities, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, which prohibits discrimination on the basis of disability in programs and activities receiving federal financial assistance.

7. This Court has supplemental jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1367. Plaintiffs' claims for relief under Article 78 of the New York Civil Practice Law and Rules are so related to the federal claims that they form part of the same case or controversy, as they arise from the same common nucleus of operative facts—namely, Defendants' wrongful denial of Sarah Doe's medical exemption and her subsequent exclusion from school.

8. Venue is proper in the Western District of New York pursuant to 28 U.S.C. § 1391(b)(1) and (b)(2). All Defendants reside and operate within this judicial district, and a substantial part of the events, omissions, and harms giving rise to Plaintiffs' claims occurred in this district. Specifically, the Defendant Webster Central School District is located at 119 South Avenue, Webster, New York, which is in Monroe County, a county within the Western District of New York. The unlawful denial of Sarah Doe's

medical exemption and her resulting exclusion from school all took place within this judicial district.

PARTIES

9. Plaintiff JANE DOE is a citizen of the United States and a resident of Webster, New York. She is the mother and legal guardian of the minor child, Sarah Doe, and brings this action on her behalf under a pseudonym to protect her family's privacy and to shield her minor child from further harassment and stigma resulting from Defendants' actions.

10. Plaintiff SARAH DOE is an eleven-year-old child, born on March 14, 2014, who resides with her mother in Webster, New York. She is an enrolled student at Spry Middle School within the Webster Central School District. She is proceeding under a pseudonym to protect her privacy regarding her personal medical information.

11. Defendant WEBSTER CENTRAL SCHOOL DISTRICT ("the District") is a public school district organized under the laws of the State of New York, with its principal offices located at 119 South Avenue, Webster, New York. The District is a "public entity" within the meaning of Title II of the ADA and, upon information and belief, is a recipient of federal financial assistance and therefore subject to Section 504 of the Rehabilitation Act.

12. Defendant BRIAN NEENAN is the Superintendent of the District. In this role, he is responsible for the administration, supervision, and operation of the District, including ensuring its compliance with state and federal law regarding student admissions and medical exemptions. He is sued in his individual and official capacities.

13. Defendant MARGARET CALLAHAN, M.D., is the designated School Physician for the District. She authored and signed the September 2, 2025, letter denying Sarah Doe's medical exemption and submitted an affidavit in the Commissioner's Appeal confirming her role in reviewing and recommending the denial. She is sued in her individual and official capacities.

14. Defendant CHRIS CALLAHAN is the Principal of Spry Middle School. Defendant Callahan was personally and directly involved in the review and denial of both medical exemptions submitted for Sarah Doe. Upon information and belief, he initiated the review process upon receipt of the first exemption and co-signed the September 2, 2025 denial letter. He later requested additional medical information regarding the second exemption via email on October 16, 2025, and authored and signed the final denial letter dated October 20, 2025. He is sued in his individual and official capacities.

FACTUAL ALLEGATIONS

15. The following facts detail the Defendants' unlawful actions, which began with the arbitrary denial of a valid medical exemption from a licensed physician and escalated into a coercive campaign of intimidation against Plaintiff Jane Doe and her family. Defendants' conduct was undertaken in bad faith, in direct violation of state law, and with reckless disregard for the documented, life-threatening medical risks to eleven-year-old Sarah Doe. This persistent and unlawful campaign has wrongfully deprived Sarah Doe of her fundamental right to an education, forcing her family to seek this Court's intervention to protect her health and restore her rights.

A. Sarah Doe's Severe Medical History and Vulnerability to Vaccines

16. Plaintiff Sarah Doe is an eleven-year-old child with a documented and severe medical history of adverse, escalating, and inflammatory reactions to vaccinations, culminating in a life-threatening hospitalization in 2022.

17. Sarah's adverse reactions began early in her childhood. A significant and severe reaction occurred in 2019, approximately one week after she received the Tdap and MMR vaccines on the same day. She became violently ill with a very high fever, her body broke out in hives, and she suffered from chest congestion, projectile vomiting, and diarrhea.

18. In September 2022, Sarah suffered a catastrophic medical event and was hospitalized from September 6-10, 2022, at Golisano Children's Hospital in the Pediatric Intensive Care Unit (PICU). According to her official After Visit Summary, her primary diagnoses were Multisystem Inflammatory Syndrome in Child (Mis-C) and Septic Shock.

19. Upon admission, she had "low blood pressure and required fluids and medications to keep her blood pressure normal." Her condition was life-threatening; hospital records confirm that her "heart enzyme labs . . . were elevated," and she required treatment with IV steroids, which were continued with an oral taper of predniSONE, and aspirin upon discharge.

20. Upon information and belief, Sarah Doe's life-threatening inflammatory response was a cumulative reaction to the vaccines she had received.

21. Following this near-fatal hospitalization, Jane Doe sought further diagnostic testing for her daughter. This extensive lab work revealed that Sarah Doe has an MTHFR gene mutation, a genetic condition known to impair the body's ability to

detoxify. This diagnosis provided a clear medical and scientific explanation for Sarah's severe, systemic inflammatory reactions to vaccinations and forms the basis for her treating physicians' warnings that further vaccination is dangerous and medically contraindicated for her.

B. The District's Unlawful Denial of the First Exemption and Sarah Doe's Immediate Exclusion

22. In accordance with New York Public Health Law, and based on his professional medical judgment as her treating physician, Dr. Joseph A. Riccione, D.O., executed a valid New York State Medical Exemption form for Sarah Doe on August 25, 2025. Dr. Riccione certified that, due to her MTHFR gene mutation, immunization "may be detrimental" to her health.

23. On the official form, Dr. Riccione provided a specific clinical rationale: "[Sarah] has a genetic polymorphism in methyltetrahydro-folate reductase enzyme (MTHFR Deficiency). This interferes with biotransformation of immunizations, & their preservatives/adjuvants, resulting in increased toxicity. This makes the risk of harm outweigh the benefit of vaccination."

24. On August 29, 2025, Plaintiff Jane Doe submitted this valid, physician-certified exemption to the District by emailing it directly to Defendant Principal Chris Callahan. Upon receipt, Defendant Callahan personally initiated the review process by immediately forwarding the exemption request to the District's Nurse Coordinator.

25. On September 2, 2025, the exemption was summarily denied in a letter from Defendant Dr. Margaret Callahan and Defendant Principal Chris Callahan. The District's own legal filings confirm that the decision to deny was made after a

"thorough investigation and review by Principal Christoper Callahan, in consultation with" the Nurse Coordinator and School Physician.

26. The denial letter, bearing Defendant Chris Callahan's name and signature, was a textbook example of the unlawful "second-guessing" of a treating physician's judgment. It offered no individualized assessment of Sarah's condition. Instead, it stated a rigid, categorical rejection: "Per Advisory Committee on Immunization Practices (ACIP) precautions and contraindications guidance, MTHFR Deficiency is not a contraindication to receiving Tdap vaccine."

27. This denial was issued by a non-treating physician who had never met, examined, or reviewed the medical history of Sarah Doe. It unlawfully substituted a rigid "ACIP-only" checklist for the individualized clinical judgment of Sarah's treating physician as required by New York Public Health Law § 2164(8).

28. The denial letter further stated that if proof of vaccination was not received by September 16, 2025, Sarah "will be excluded from school."

29. On September 16, 2025, Defendants made good on their threat. The Spry Middle School Health Office called Jane Doe and left a voicemail stating: "Hi [Jane Doe], this is Stephanie calling from the Spry Health Office. I'm calling because we have [Sarah Doe] down here right now and she um is technically excluded from school due to not having the Tdap vaccine. We do need someone to come pick her up . . . ."

30. Sarah Doe was forced to leave school that day and has been unlawfully barred from attending her classes ever since.

C. The Futility of the State Administrative Process

31. As directed by the District's September 2 denial letter, Plaintiffs pursued their administrative remedies by filing a Verified Petition with the New York State Commissioner of Education. The Petition was personally served on the District the next day, September 17, 2025, and was subsequently assigned Appeal No. 22,494 by the Office of Counsel. The Petition specifically sought an emergency stay order to direct the District to permit Sarah to attend school pending a final determination of the appeal, arguing that her exclusion would cause immediate and irreparable harm.

32. On September 22, 2025, the District, through its attorneys, filed its formal opposition papers, including an "Affidavit of School Physician Margaret Callahan." In their submissions, Defendants admitted that Defendant Dr. Margaret Callahan reviewed the exemption in her capacity as School Physician. They argued the denial was justified because the exemption was, in their view, "on its face, legally deficient" for two primary reasons: first, it "did not specify any length of time that the required vaccination was medically contraindicated," and second, it "did not provide a medical contraindication or precaution . . . that was consistent with the Advisory Committee on Immunization Practices (ACIP) guidelines." The District's papers confirmed their denial was based on a rigid, ACIP-only standard of review.

33. The very next day, on September 23, 2025, the Commissioner of Education's Office summarily denied the stay request in a one-sentence letter stating, "no stay order will be issued." The Commissioner provided no legal or factual reasoning for the denial.

34. This denial of emergency relief rendered the Commissioner's appeal process a futile exercise for Plaintiffs. The State Education Department's own

correspondence states that a final decision on an appeal is not expected for "approximately eight weeks" and that this timeline will be delayed if extensions are granted, as "frequently happens." By denying the stay, the Commissioner ensured that the irreparable harm of Sarah's exclusion from school would continue unabated for months while the appeal proceeds, thus failing to provide a timely or meaningful remedy to prevent the ongoing violation of her rights.

35. Furthermore, Plaintiffs are procedurally barred from appealing the effective denial of their second medical exemption. After Plaintiffs' counsel submitted the second, more urgent exemption from Dr. Cattelane on or around October 3, 2025, the District has, to date, failed to issue any final written determination until October 20, 2025. Without a final determination from the District, Plaintiffs cannot initiate a new Commissioner's Appeal. Defendants' inaction has effectively blocked Plaintiffs from accessing even the futile administrative process they previously attempted. This, combined with the summary denial of the first stay request, demonstrates the complete futility of the state's administrative remedies.

D. The Second, More Dire Exemption and Defendants' Escalation to Coercive Tactics

36. In a good-faith effort to resolve the matter despite the futility of the Commissioner's Appeal and provide the District with a more complete medical picture, Plaintiff Jane Doe sought a comprehensive review from a new physician.

37. On September 25, 2025, Jerry J. Cattelane Jr., D.O., a licensed physician, issued a new New York State Medical Exemption form for Sarah Doe. This

exemption was based on a thorough review of her medical history, including her life-threatening 2022 hospitalization.

38. Dr. Cattelane's certification was unequivocal. He stated that Sarah Doe has a history of "Hypersensitivity to vaccines . . . Patient had life threatening, multi-organ failure after vaccinations. Further vaccination is absolutely contraindicated."

39. Plaintiff's counsel submitted this new, urgent exemption to Superintendent Brian Neenan on September 26, 2025, and again on October 3, 2025, demanding its immediate acceptance and warning of federal litigation.

40. Defendants provided no substantive response to this grave medical warning. Instead of acknowledging the certification that vaccination was "absolutely contraindicated," the District and its affiliates remained silent for weeks and escalated their actions into a coercive campaign of intimidation against Jane Doe and her family.

41. On Monday, October 6, 2025, Jane Doe received an unprovoked call from a representative named "Ann" at the Monroe County Department of Health (585-753-5447). This representative pressured Jane Doe to schedule the Tdap vaccine and explicitly threatened her, stating that Child Protective Services (CPS) could get involved if Sarah was not vaccinated.

42. Placed under extreme duress by the threat of a CPS investigation, Jane Doe attempted to comply. She contacted her daughter's pediatrician's office, Culver Medical Group.

- On October 8, 2025, a representative from the office, Justin, left a voicemail stating that due to office policy, they would not administer a vaccine-only shot and directed her to the Department of Health—the same agency that had just threatened her with CPS.

- The very next day, October 9, 2025, another representative, Tammy, from the same office left a voicemail asking to schedule an appointment for Sarah, directly contradicting the message from the previous day.

43. This sequence of events created an impossible "catch-22" for Jane Doe. She was being threatened with the removal of her child by one state actor, while another state-affiliated actor was simultaneously refusing to provide the very "compliance" being demanded.

44. In fact, Jane Doe was informed by multiple medical providers, including her own pediatrician, that they refused to vaccinate Sarah, citing her documented medical contraindications and the clear risks involved. Defendants, through their own coercive actions, engineered a situation where compliance was both medically dangerous and practically unobtainable.

45. On October 16, 2025, after Plaintiffs' counsel again demanded action and objected to the District involving the Department of Health, Defendant Principal Chris Callahan sent an email requesting additional specific information regarding Sarah's medical history, including details about the timing and nature of her prior reactions and the specific vaccinations involved.

46. Although Plaintiffs maintained that the District had no legal right to demand such information or second-guess Dr. Cattelane's exemption, Plaintiffs' counsel provided a detailed response on October 17, 2025, in a good-faith effort to resolve the matter. The response included specific details regarding the 2019 reaction and the 2022 hospitalization, attached the relevant hospital discharge records, and demanded a final decision by October 20, 2025.

47. On October 20, 2025, Defendant Principal Chris Callahan sent a final denial letter, rejecting the second medical exemption. The denial explicitly dismissed the significance of the MTHFR gene mutation, disregarded the 2019 severe reaction (claiming it occurred 3-4 days post-vaccination, though Plaintiffs recall it being closer to a week), and asserted the 2022 life-threatening event was "not temporally associated with a prior Tdap vaccine within 7 days." This final denial completely ignored the treating physician's explicit warning that further vaccination was "absolutely contraindicated" based on Sarah's cumulative history and documented hypersensitivity.

E. Immediate and Irreparable Harm

48. Defendants' actions are inflicting severe, daily, and irreparable harm upon Sarah Doe. She has been unlawfully barred from attending Spry Middle School since September 16, 2025.

49. This exclusion deprives Sarah of her fundamental right to an education. The District, while excluding her, has made no provisions for her education in her absence.

50. As a direct result of her unlawful absence, the District formally notified Jane Doe via an "Eligibility Letter" dated October 21, 2025, that Sarah Doe is now failing multiple classes due to her attendance falling below the minimum threshold. She is being deprived of critical instruction and learning at a formative age.

51. Beyond the academic harm, Sarah is suffering significant emotional and social distress. She is described as being "in tears," "loves her friends," and "loves her school." Being barred from the classroom has isolated her from her peers, caused her confusion and stigma, and inflicted profound emotional harm.

52. Defendants have placed Jane Doe in an impossible, unconscionable position: either forfeit her daughter's education or compel her to undergo a medical procedure that a licensed physician has certified is "absolutely contraindicated" and which she believes, based on past experience, could be life-threatening. This is a harm that cannot be compensated by monetary damages and requires immediate intervention from this Court.

FIRST CAUSE OF ACTION

Discrimination in Violation of Title II of the Americans with Disabilities Act (Against All Defendants)

53. Plaintiffs re-allege and incorporate by reference all preceding paragraphs as if fully set forth herein.

54. Title II of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12132, provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

55. Defendant Webster Central School District is a "public entity" as defined by Title II of the ADA, 42 U.S.C. § 12131(1).

56. Plaintiff Sarah Doe is a "qualified individual with a disability" under the ADA. She has severe physical impairments—including a compromised immune system, a history of septic shock and multi-system inflammatory syndrome, and an MTHFR gene mutation that impairs her ability to detoxify—which substantially limit one

or more major life activities, including but not limited to the normal functioning of her immune system, circulatory system, and major bodily organs.

57. Sarah Doe is otherwise qualified to attend and participate in the educational programs and activities at Spry Middle School.

58. The District, as a public entity, is required to make "reasonable modifications" to its policies, practices, or procedures when such modifications are necessary to avoid discrimination on the basis of disability, unless the entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

59. Accepting Sarah Doe's valid, physician-certified medical exemption is a reasonable modification. This modification is necessary to allow Sarah, a child with a disability, to attend school and participate in its programs, as her treating physicians have certified that vaccination is "absolutely contraindicated" for her.

60. Defendants have discriminated against Sarah Doe on the basis of her disability by failing and refusing to grant this reasonable modification.

61. Defendants' refusal was not based on a finding that the modification was unreasonable or would cause a fundamental alteration. Instead, it was based on the unlawful, arbitrary, and capricious "second-guessing" of her treating physicians' medical judgments by a non-treating district medical director, who rigidly applied an "ACIP-only" standard in violation of New York law.

62. As a direct and proximate result of Defendants' discriminatory refusal to provide a reasonable modification, Sarah Doe has been, by reason of her disability, excluded from participation in and denied the benefits of the services,

programs, and activities of the Webster Central School District in violation of Title II of the ADA.

SECOND CAUSE OF ACTION

Discrimination in Violation of Section 504 of the Rehabilitation Act (Against All Defendants)

63. Plaintiffs re-allege and incorporate by reference all preceding paragraphs as if fully set forth herein.

64. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, provides that "No otherwise qualified individual with a disability . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

65. Upon information and belief, Defendant Webster Central School District is a recipient of federal financial assistance and is therefore subject to Section 504 of the Rehabilitation Act.

66. Plaintiff Sarah Doe is a "qualified individual with a disability" as defined by the Rehabilitation Act. She has severe physical impairments—including a compromised immune system, a history of septic shock and multi-system inflammatory syndrome, and an MTHFR gene mutation—that substantially limit one or more major life activities. She is otherwise qualified to participate in and receive the benefits of the District's educational program.

67. Defendants have, solely by reason of Sarah Doe's disability, excluded her from participation in, denied her the benefits of, and subjected her to discrimination under the District's educational program.

68. This discrimination includes Defendants' failure and refusal to provide a reasonable accommodation for her disability. The requested accommodation—accepting the valid, physician-certified medical exemption stating that vaccination is "absolutely contraindicated"—is reasonable and necessary to afford her an equal opportunity to participate in the District's program.

69. As a direct and proximate result of Defendants' unlawful denial of this reasonable accommodation and her subsequent exclusion from school, Sarah Doe has been and continues to be subjected to discrimination in violation of Section 504 of the Rehabilitation Act.

THIRD CAUSE OF ACTION

Article 78 Proceeding for Violation of New York Public Health Law § 2164(8) in the Nature of Mandamus to Compel (Against All Defendants)

70. Plaintiffs re-allege and incorporate by reference all preceding paragraphs as if fully set forth herein.

71. This cause of action seeks judicial review of an administrative action pursuant to Article 78 of the New York Civil Practice Law and Rules, over which this Court has supplemental jurisdiction.

72. New York Public Health Law § 2164(8) states that school immunization requirements "shall be inapplicable" if "any physician licensed to practice

medicine in this state certifies that such immunization may be detrimental to a child's health."

73. This statute imposes a non-discretionary, ministerial duty on school officials to accept a facially valid certification from a licensed physician. The law does not grant school officials, or their designated medical directors, the authority to substitute their own judgment for, or to "second-guess," the clinical determination of a child's treating physician.

74. Defendants' denial of Sarah Doe's valid medical exemptions was arbitrary, capricious, affected by a clear error of law, and an abuse of discretion.

75. The District's initial denial on September 2, 2025, was predicated entirely on the unlawful "second-guessing" of Defendant Margaret Callahan, M.D., a non-treating medical director. This denial was based on a rigid "ACIP-only" standard, which is contrary to law, and improperly substituted a bureaucratic checklist for the individualized medical judgment of Sarah's treating physician.

76. The District's subsequent refusal to act upon the second, more dire exemption from Dr. Cattelane—which certified that vaccination was "absolutely contraindicated" due to a prior "life threatening, multi-organ failure"—compounds their arbitrary and capricious conduct.

77. By refusing to perform their clear legal duty as established by state law, Defendants have acted unlawfully. Therefore, Plaintiffs are entitled to an order in the nature of mandamus to compel, directing Defendants to perform the duty enjoined upon them by law: to immediately accept Sarah Doe's medical exemption and permit her to attend school.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs JANE DOE and SARAH DOE respectfully request that this Court enter judgment in their favor and against Defendants WEBSTER CENTRAL SCHOOL DISTRICT, BRIAN NEENAN, MARGARET CALLAHAN, M.D., and CHRIS CALLAHAN grant the following relief:

A. A Temporary Restraining Order and a Preliminary Injunction, pursuant to Fed. R. Civ. P. 65, directing Defendants, their officers, agents, employees, attorneys, and all persons acting in concert with them, to immediately cease and desist from barring Sarah Doe from school and to immediately permit her to attend Spry Middle School and participate in all school-related programs and activities, pending a final determination of this action;

B. A Declaratory Judgment, pursuant to 28 U.S.C. § 2201, declaring that the medical exemption dated September 25, 2025, and submitted on behalf of Sarah Doe is valid under New York Public Health Law § 2164(8) and that Defendants' refusal to accept it is arbitrary, capricious, contrary to law, and a violation of Plaintiffs' rights under the ADA and the Rehabilitation Act;

C. A Permanent Injunction prohibiting Defendants from excluding Sarah Doe from the Webster Central School District based on the currently valid medical exemption certified by her treating physician;

D. An award of Compensatory Damages in an amount to be determined at trial to compensate Plaintiffs for the injuries they have suffered as a direct result of Defendants' unlawful conduct, including but not limited to damages for the loss of educational opportunities, profound emotional distress, pain and suffering, anxiety, and stigma;

E. An award of Punitive Damages against the individual Defendants for their willful, malicious, and reckless disregard for Plaintiffs' clearly established rights, including their bad-faith use of coercive Child Protective Services (CPS) threats to intimidate Plaintiffs;

F. An award of Plaintiffs' reasonable attorneys' fees, costs, and expenses incurred in this action, pursuant to the Americans with Disabilities Act, 42 U.S.C. § 12205; the Rehabilitation Act, 29 U.S.C. § 794a; 42 U.S.C. § 1988; and any other applicable law; and

G. Granting such other and further relief as the Court deems just and proper.

JURY DEMAND

Pursuant to Fed. R. Civ. P. 38, Plaintiffs demand trial by jury for all issues so triable.

Dated: October 22, 2025

Respectfully submitted,

Davenport Law PLLC

/s/ Chad A. Davenport

Chad A. Davenport, Esq.
Attorney for Plaintiffs
Davenport Law PLLC
6384 Deanna Drive
Hamburg, NY 14075
(716) 217-0328
cdavenport@davenport.law

JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

Jane Doe and Sarah Doe

(b) County of Residence of First Listed Plaintiff Monroe
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Davenport Law PLLC, Chad A. Davenport, 6384 Deanna Drive, Hamburg, NY 14075

DEFENDANTS

Webster Central School District, Brian Neenan, Margaret Callahan, M.D., and Chris Callahan

County of Residence of First Listed Defendant Monroe
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☒ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
28 USC 1331, 42 USC 12131, 29 USC 794

Brief description of cause:
Violation of the Rehabilitation Act and Americans with Disabilities Act

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
10/22/2025

SIGNATURE OF ATTORNEY OF RECORD
s/Chad A. Davenport

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.(a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below**; NOTE: federal question actions take precedence over diversity cases.**)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.

V. Origin. Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of New York

Jane Doe, on behalf of her minor child, Sarah Doe

Plaintiff(s)

v.

WEBSTER CENTRAL SCHOOL DISTRICT, BRIAN NEENAN, MARGARET CALLAHAN, M.D., and CHRIS CALLAHAN

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Chris Callahan
119 South Avenue
Webster, New York 14580

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chad A. Davenport, Esq.
Davenport Law PLLC
6384 Deanna Drive
Hamburg, NY 14075

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____ was received by me on *(date)* _____ .

❒ I personally served the summons on the individual at *(place)* _____ on *(date)* _____ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* _____ , a person of suitable age and discretion who resides there, on *(date)* _____ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* _____ , who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____ ; or

❒ I returned the summons unexecuted because _____ ; or

❒ Other *(specify):*

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of New York

Jane Doe, on behalf of her minor child, Sarah Doe

Plaintiff(s)

v.

WEBSTER CENTRAL SCHOOL DISTRICT, BRIAN NEENAN, MARGARET CALLAHAN, M.D., and CHRIS CALLAHAN

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Margaret Callahan, M.D.
119 South Avenue
Webster, New York 14580

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chad A. Davenport, Esq.
Davenport Law PLLC
6384 Deanna Drive
Hamburg, NY 14075

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____ was received by me on *(date)* _____ .

❒ I personally served the summons on the individual at *(place)* _____ on *(date)* _____ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* _____ , a person of suitable age and discretion who resides there, on *(date)* _____ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* _____ , who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____ ; or

❒ I returned the summons unexecuted because _____ ; or

❒ Other *(specify):*

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of New York

Jane Doe, on behalf of her minor child, Sarah Doe

Plaintiff(s)

v.

WEBSTER CENTRAL SCHOOL DISTRICT, BRIAN NEENAN, MARGARET CALLAHAN, M.D., and CHRIS CALLAHAN

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Brian Neenan
119 South Avenue
Webster, New York 14580

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chad A. Davenport, Esq.
Davenport Law PLLC
6384 Deanna Drive
Hamburg, NY 14075

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____ was received by me on *(date)* _____ .

❒ I personally served the summons on the individual at *(place)* _____ on *(date)* _____ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* _____ , a person of suitable age and discretion who resides there, on *(date)* _____ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* _____ , who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____ ; or

❒ I returned the summons unexecuted because _____ ; or

❒ Other *(specify):*

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc:

Print Save As... Reset

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of New York

Jane Doe, on behalf of her minor child, Sarah Doe

Plaintiff(s)

v.

WEBSTER CENTRAL SCHOOL DISTRICT, BRIAN NEENAN, MARGARET CALLAHAN, M.D., and CHRIS CALLAHAN

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Webster Central School District
119 South Avenue
Webster, New York 14580

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Chad A. Davenport, Esq.
Davenport Law PLLC
6384 Deanna Drive
Hamburg, NY 14075

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

_____
Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____ was received by me on *(date)* _____ .

❒ I personally served the summons on the individual at *(place)* _____ on *(date)* _____ ; or

❒ I left the summons at the individual's residence or usual place of abode with *(name)* _____ , a person of suitable age and discretion who resides there, on *(date)* _____ , and mailed a copy to the individual's last known address; or

❒ I served the summons on *(name of individual)* _____ , who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____ ; or

❒ I returned the summons unexecuted because _____ ; or

❒ Other *(specify):*

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc: