

Victim in School Sex Abuse Case Wins \$30 Million Jury Award

The man, now 44, said that a teacher in Newark repeatedly sexually abused him in the 1990s.



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By Andy Newman

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The abuse usually happened, the victim said, in a tiny windowless office behind the gym, during an after-school program. The office was furnished with a sofa, a filing cabinet and a desk. Sometimes he was offered Oreos and milk, sometimes baseball cards.

As dozens of children played noisily just yards away, the victim recalled, a teacher at his public school in Newark would molest him. Kissing and fondling soon gave way to rape. The boy was about 9 years old when it started. Over the course of four years in the 1990s, the teacher sexually abused the student hundreds of times, including in the teacher's car near the school, the victim's lawyers said.

Sometimes, the lawyers said, the teacher would pay the boy \$3.

On Tuesday, a jury awarded a \$30 million judgment to the victim, who is now 44. His lawyers say it is the largest such award in New Jersey since a 2019 law extended the statute of limitations to allow any abuse survivor under 55 to bring suit.

The verdict, handed down in Essex County Superior Court, found both the Newark Board of Education and the City of Newark liable for the abuse.

They also found liable the estate of the teacher, John Cantalupo, who ran the after-school program at the Ann Street School in Newark's Ironbound neighborhood and died by suicide in 1995.

At one point, the boy told another teacher that Mr. Cantalupo had been touching and kissing him, but the teacher did not take any action to report or stop the abuse, the lawyers said. That teacher, Gene Foti, said in a deposition in 2022: "At the time, I thought it was maybe a misunderstanding, it was maybe horseplay in the playground. I just didn't think that this man would do that." The jury found the school board negligent for Mr. Foti's failure to report the boy's allegation. Mr. Foti himself was not found liable.

The jury held the Board of Education 70 percent liable for the abuse, the City of Newark 20 percent liable and Mr. Cantalupo's estate liable for the other 10 percent. Mr. Cantalupo was a respected figure who at one point recruited players for the Ironbound Little League. The name of the victim has not been disclosed.

Paul Brubaker, the communications director for the Newark Board of Education, said in a statement on Wednesday, "We want our students and their families to know that this administration is fully committed to making sure students are safe." He added that the board "will not tolerate inappropriate conduct toward any child, and will pursue appropriate consequences for any such misconduct to the full extent of the law." The school board, which had denied in a court filing having breached any obligation to the plaintiff, declined to say whether it intended to appeal the verdict.

The city's chief lawyer, Kenyatta Stewart, said in a statement that while the city had wanted to "voice our condemnation of sexual abuse in the strongest possible terms," it "upholds its right to disagree with the verdict and intends to file an appeal."

One of the victim's lawyers, Vincent Nappo, said that neither the school board nor the city had ever seriously tried to resolve the case before trial, and that the defendants had rejected an early offer to settle for \$3.9 million. The jury deliberated for just two hours before returning the verdict, Mr. Nappo said.



A current view of the basement gym at the Ann Street School, where the after-school program was based. The victim's abuser would assault him in an office behind the gym, the victim's lawyers said. Pfau Cochran Vertetis Amala and Rebenack Aronow Mascolo law firms

Mr. Nappo said his client had come from a family of Portuguese immigrants who spoke no English. His mother worked in a clothing factory and his father worked in construction. When the boy was sick, the lawyers said, Mr. Cantalupo would bring food to his home.

“The man that abused him was really the most trusted care-person in his life during those years,” Mr. Nappo said.

The boy was in seventh grade when the abuse stopped, the lawyers said. Several months after that, they said, another child reported being abused by Mr. Cantalupo, and this time a police report was filed. The next day, the lawyers said, Mr. Cantalupo, 73, shot himself.

Mr. Nappo said that the victim was so manipulated and brainwashed by Mr. Cantalupo that when his death was announced at school, the boy burst into tears.

Andy Newman writes about New Yorkers facing difficult situations, including homelessness, poverty and mental illness. He has been a journalist for more than three decades.