

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 2012-  
11448

DIVISION “\_”

DOCKET NO.

DARLEEN MIPRO

J-5

VERSUS

JEAN MONTES, PAIGE A. SALEUN, and  
LYCEE FRANCAIS DE LA NOUVELLE ORLEANS, INC.

FILED: \_\_\_\_\_

DEPUTY CLERK

PETITION FOR DAMAGES

The petition of Darleen Mipro, a person of the full age of majority, resident of and residing in Orleans Parish, State of Louisiana, who respectfully represents:

1.

Made defendant herein is:

**Jean Montes**, individually, and as a member of the **LFNO** Board, a person of the full age of majority, resident of and domiciled in the Parish of Orleans at 7471 Pitt Street, New Orleans, La 70118;

**Paige A. Saleun**, individually, and as a member of the **LFNO** Board, and a person of the full age of majority, resident of and domiciled in the State of Louisiana; and

**Lycee Francais De La Nouvelle Orleans, Inc.** (hereinafter referred to as “**LFNO**”), a non-profit charter school whose domicile is 5401 S. Claiborne Avenue, New Orleans, La, who are truly and justly indebted unto your petitioner for the following reasons to-wit:

2.

At all times relevant prior to November 30, 2012 and since the opening of **LFNO** charter school, petitioner has been a special education coordinator and English Chair, also teaching second grade and gifted classes. At approximately 2:45 p.m. on Friday, November 30, 2012 petitioner was in the normal scope of her duties as a faculty member when she was asked by Julianne Ruocco, the business manager, to follow her to her office. After arriving at the office, petitioner was advised she was being terminated for misconduct. Upon inquiring as to what misconduct, petitioner was told that it had come to the “attention of the School Board” that she had somehow tampered with the school’s website. Further, she was also accused of organizing the teachers against the Board.

3.

Despite complete denial of the accusations as stated above, petitioner was then met by **Jean Montes**, President of **LFNO** and Chairman of the school's Board. Mr. Montes stated that he was there as a witness, however, during the entire confirmation of her discharge, he was communicating with other members of the faculty and parents. Because of the events, petitioner started to call her husband on her cell phone. Defendant **Jean Montes** at that point told her she was not allowed to use her cell phone, or retrieve her purse and keys. Additionally, she was informed by defendant **Montes** that neither she nor her husband would be permitted on the premises including picking up or dropping off her son who also attended first grade at **LFNO**.

4.

Petitioner again asked several times if she could get her purse and keys as well as pick up her son from the first grade. Eventually, defendant **Jean Montes** told her she would have to be escorted from the school and come back later when school was not in session to get her belongings. At this point, petitioner was advised that she could not leave the premises as the police had been called prior to her being brought into the office to be discharged.

5.

Eventually, with petitioner in tears, **Jean Montes** asked the business manager, Julianne Ruocco to escort petitioner to her classroom to retrieve her purse. On the way to her class, petitioner was met by a few French teachers, one of whom asked the business manager if petitioner could say goodbye to her class. At that point, the French teacher led petitioner to her classroom, where she politely said goodbye to the children she had taught, and then returned to the business office.

6.

After returning to the business office, petitioner was told to sit down and wait for the police to arrive. While waiting, petitioner learned that an email had been sent to the parents of the entire student body, including students who were no longer at **LFNO**, stating that Darleen Mipro had been fired for "engaging in misconduct", **Exhibit A**, (the response to this email and web comments was overwhelming, see **Exhibit B**). When the police officer arrived, he escorted petitioner and her son to his car which was stationed by the carpool pick up line, such that all of the arriving parents could see petitioner and her son both crying, being detained by the New

Orleans Police Department. Also present in this area was defendant **Jean Montes** and defendant Board Member **Paige A. Saleun**, busily informing arriving parents that Darleen Mipro was being charged with criminal misconduct and disturbing the peace. Many parents in the carpool line stopped to inquire as to what was going on and were told that **Jean Montes** had Darleen Mipro arrested for criminal misconduct. Petitioner was issued a summons for the above described criminal conduct.

7.

At approximately 4:15 p.m. petitioner was allowed to leave with her son.

8.

When petitioner arrived at home, she was greeted with numerous phone calls and emails confirming that **Jean Montes** and **Paige A. Saleun** had been publishing events of the day and that petitioner was terminated for engaging in misconduct, and arrested for criminal misconduct and disturbing the peace. These emails had been sent to parents, even those whose children were no longer at **LFNO**.

9.

On or about December 3, 2012 at 8:30 a.m. petitioner appeared in court to plead not guilty for the criminal charges for disturbing the peace and criminal trespassing.

10.

At all times relevant on November 30, 2012 petitioner was on the school premises as a result of her faculty/employment position with **LFNO**. At 2:45 p.m. when she was terminated, petitioner was told by defendant **Jean Montes** that she could not leave the school as they had already called the police before even terminating her, and that she was being held until the police arrived. Further, petitioner was prohibited from making phone calls to her husband, prohibited from getting her son from class and prohibited from getting her purse and keys from her classroom. Petitioner remaining on the premises after 2:45 p.m. was at the request of **Jean Montes**.

11.

Petitioner alleges that the oral and written comments by defendants **Jean Montes** and **Paige A. Saleun** accusing petitioner of disturbing the peace, criminal trespass and misconduct, are completely false, fabricated, constitute defamation and defamation per se, and are intended to cast petitioner in a false light that would support their collusion in petitioner's improper

termination. Said action by defendants is also beyond their authorized acts as Board Members and are ultra vires. At all times relevant defendants **Jean Montes** and **Paige A. Saleun** were in the course and scope of their employment for **LFNO** and the School Board, and their acts are attributable to **LFNO** school under the principle of *respondeat superior*

12.

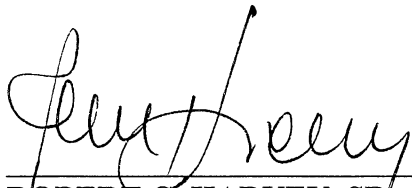
In addition to the oral statements made by defendants **Jean Montes** and **Page A. Saleun** in publicizing that petitioner had engaged in criminal misconduct, criminal trespass and disturbing the peace, within minutes the **LFNO** administration approved and sent emails to all families, both attending the school and those no longer attending the school, in which they suggested the alleged misconduct including suggesting criminal activity and possible safety issues for the children. Within minutes after the email of November 30, 2012 appeared on the internet, hundreds of comments began circulating among the family members via Facebook, many inquiring as to exactly what criminal misconduct involved Darleen Mipro and her dismissal, **Exhibit C in globo**.

13.

As a result of the false, defamatory, defamatory per se statements by the defendants your petitioner has sustained damage to her reputation as an educator and parent, such that such information circulated in the school systems would cast a false light on petitioner and influence and prevent her from being hired by another school. Petitioner alleges she is entitled to all damages, as reasonable under the premise to be determined by the trier of fact.

**WHEREFORE**, your petitioner prays that the defendants **Jean Montes, Paige A. Saleun, and Lycee Francais De La Nouvelle Orleans, Inc.**, be served with a copy of this petition, that they be duly cited to appear and answer same, and after all proceedings there be a judgment in favor of your petitioner for all amounts as reasonable under the premise, for the defamatory per se, defamatory statements and acts of the defendants in falsifying allegations and charges against petitioner merely for the purpose of terminating her, for which petitioner is entitled to damages, all as reasonable under the premises; said judgment against the defendants, **Jean Montes, Paige A. Saleun, and Lycee Francais De La Nouvelle Orleans, Inc.**, jointly severally and *in solido*, together with legal interest from the date of demand until paid, for all cost of these proceedings, and for all general and equitable relief.

Respectfully Submitted:



**ROBERT G. HARVEY, SR., #18615**

600 North Carrollton Avenue

New Orleans, La 70119

Telephone: 504.822.2136

Facsimile: 504.822.2179

**PLEASE SERVE:**

Jean Montes  
7471 Pitt Street  
New Orleans, La 70118

Paige A. Saleun  
944 Orion Avenue  
Metairie, La 70005

Lycee Francais De La Nouvelle Orleans, Inc.  
Through their agent for service:  
Paige A. Saleun  
944 Orion Avenue  
Metairie, La 70005

Lycee Francais De La Nouvelle Orleans, Inc.  
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DEPUTY CLERK

REQUEST FOR WRITTEN NOTICE

TO: Clerk of Court  
Civil District Court  
Parish of Orleans  
421 Loyola Avenue  
New Orleans, La 70112

PLEASE TAKE NOTICE, that you are hereby requested to provide the undersigned counsel with written notice of the date of trial of the above matter, as well as notices of hearings (whether on the merits or otherwise), orders judgments, and interlocutory decree, and any and all formal steps taken by the parties herein, the Judge, or any member of the court, pursuant to the Louisiana Code of Civil Procedure and without limitation, Articles 1674, 1913 and 1914.

YOU ARE HEREBY FURTHER notified that the undersigned attorneys will represent Darleen Mipro, Petitioner in the above entitled matter.

Respectfully submitted,



Robert G. Harvey, Sr., #18615  
600 North Carrollton Avenue  
New Orleans, Louisiana 70119  
Telephone: (504) 822-2136  
Facsimile: (504) 822-2179

**From:** Lycee Francais <[info@lfno.org](mailto:info@lfno.org)>  
**Date:** November 30, 2012 3:10:02 PM CST  
**To:** undisclosed-recipients;;  
**Subject: Important Message from Administration**

Lycee Families,

We are saddened and disappointed to tell you that it has come to our attention that a beloved member of the Lycee Francais community and staff, Darleen Mipro, Special Education and Language Arts Coordinator, has been engaging in misconduct at Lycee Francais, which necessitated the immediate actions of Administration this *afternoon*.

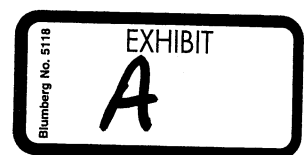
We are committed to putting the best interest of Lycee and our students at the forefront of each decision. We assure you that we are taking swift action to ensure that the quality of the instruction and services formerly provided by Miss Mipro continue uninterrupted.

Thank you for your support in this difficult situation.

Lycee Francais Administration

<http://us.mg205.mail.yahoo.com/dc/launch?.partner=sbc&.gx=0&.rand=eikouf2r38hn5>

12/7/2012



Date: Mon, 3 Dec 2012 00:11:31 -0600  
Subject: School Update- Monday December 3, 2012  
From: jruocco@lfno.org  
To: jruocco@lfno.org

Dear Lycée Families,

We have received a few emails to the general email account of the School about recent events at the school.

School will be open tomorrow and teachers will be at school for a regular school day. I would like to assure you that we have taken all necessary steps to ensure the campus will be safe and secure for everyone.

Though I would prefer to share more details with you at this time, we respect the delicate and confidential nature of these matters and must go through the proper process with our legal counsel. The new Academic Director and Interim CEO, Ms. Gisele Schexnider will be available to meet tomorrow, as well as on Wednesday and Friday, at 3:30pm in room 208 to answer any questions you may have.

I sincerely thank you for your continued support of the school.

Warm Regards,

Julianne Ruocco  
Director of Finance and Operations

<http://us.mg205.mail.yahoo.com/dc/launch?.partner=sbc&.gx=0&.rand=dnmo320vbg4jf>

12/3/2012







intimidated and frankly frightened by during the meeting, but I was able to make several other important points defending french teachers in particular. Also gisselle took very little leadership or positive tones in the meeting that would indicate she might be able to lead the school out of this mess. and when I felt close to tears, I left the meeting early. That said, one of the two men, I'm not sure which one he was in the meeting, wrote me a lengthy apology email afterwards. I have yet to respond to him because I've been so upset. Given how I was treated at the meeting and that montes nor Gisselle made no effort to try to take control of the meet and allow all to speak, I personally don't think I can volunteer to me on a search committee while montes is still in power. My time is more flexible next week. I'll be writing my own letter to a BESE member I know, and I'm also happy to meet with other parents who won't be screaming at me to shut me up.  
 2 hours ago via mobile · Like



**Wendy Romero** Wow, how are you doing now?  
 2 hours ago via mobile · Like



**Larisa Ruth Diephuis** I'm okay, I'm actually considering going to the meet & greet today at 3:30 again, because I'm so damn curious what other parents will say or do and how it will be handled. I don't know if I can get off work early enough to go. I highly recommend some of us attend so that how terrible the teachers acted on that infamous Friday is not the only thing that parents talk about. To be clear it was several parents who kept bringing this up and were given the floor (not gisselle) but when I spoke I was often yelled at and "not allowed to complete a sentence" as another sane woman pointed out thankfully during the meeting. There were a few parents at the end to the meeting who did say how every happy they were with their teachers, so it wasn't all negative, but it would be good to get more voices in the discussion. Anyone planning to go today? I also think its important to hear Gisselle speak so y'all can come to your own conclusions about her qualifications/leadership abilities. I'm not impressed though at all.  
 2 hours ago via mobile · Like



**Scott Ian McLetchie** I am going today. I will ask Montes again why Darleen was fired. If he gives the I don't know, then I will ask him why, as interim CEO and Board Chair, he doesn't - sounds like he is incompetent at that point.  
 about an hour ago · Like



**Wendy Romero** I am debating going today. It's the only day I have been able to. I'm curious, but also disgusted, and don't really think it would change my mind. Thinking about it, though...  
 about an hour ago · Edited · Like



**From:** Darleen Moore (darleen.moore@schools.nj.gov)  
**Date:** Mon, December 3, 2012 11:28:20 PM  
**Cc:**  
**Subject:** teacher's account of events

**Melisa Komarek-McClure**

OK, read on...this is disgusting. I was there at 3:15. There was no shouting. I also was outside when the cop showed up with Paige and Montes outside. Interesting description of the chain of events. Darlene, thought you could have this as additional slander and defamation of character. I'm sure you've already copy/pasted this.

This is from a parent on Voices.















Today's meet and greet with Giselle was quite informative and I encourage those with questions to either attend one of the upcoming meetings on Wednesday or Friday. Just to pass along... Due to legality, a written response to the firing was not allowed, though Jean Montes and Ms. Rocco were extremely honest and transparent and the facts regarding this incident. They are allowed to talk about it at this meeting.























...

See More

Like · Comment · Follow Post · 2 hours ago near New Orleans

Seen by 13

-  **Ja... Christ**, that reads like the goddamn board wrote it for her.  
2 hours ago via mobile · Like · 1
-  **Laris... phuis** This is so repulsive!! Just a puppet for Paige & montes  
about an hour ago via mobile · Like
-  **Wendy Romero** How does Paige have so many loyal bodyguards. What's her magic?  
about an hour ago via mobile · Like
-  **Andrea J Dewenter** I don't know how much more of this I can take. I've either been crying or yelling at my computer all weekend. I'm so devastated. I cannot believe the bullshit people will buy! Now I know how crazy dictators get into power. I just got back from the PTO meeting and Giselle is - there's no way. She is one of them. I refuse to look at Montes, Saleun, or Carstens next year. They're going, or I am.  
about an hour ago · Like
-  **Nhã Trần Hiebert** As one of the English teachers as well as the parent and sole provider of a current student, I've been incredibly hesitant (and still am) to interact online. I have everything to lose. However, I feel compelled to speak up on Darleen's behalf. I am certain you can all understand my caution and desire to be above reproach.  
about an hour ago · Like · 2
-  **Melisa Komarek-McClure** Hello Nha. You should be safe here. )  
about an hour ago · Like · 1
-  **Nhã Trần Hiebert** Oops. I hit the "enter" button too soon. I have more to type...  
about an hour ago · Like
-  **Nhã Trần Hiebert** I was physically in the second grade classroom - the door was wide open, as the homeroom teacher often leaves it open - checking on one of my ESL students when Darleen quietly walked down the hallway, past the classroom. She did not run. She did not yell... See More  
51 minutes ago · Like · 3
-  **Melisa Komarek-McClure** Heart rending Nhã Trần Hiebert I couldn't have contained myself or emotions in that situation with children and a school that I had invested my heart, soul, and passion. So sad! I'm just so angry. Thank you so much for sharing.  
43 minutes ago · Like · 1
-  **Larisa Ruth Diephuis** Thank you so much nha for sharing this. I've been in touch with darleen, giving her my support (as some who has gone through trama of a very different kind, but trama none the less). maybe you have been in touch with her too. it would be helpful to share this with her, if not, she may need witnesses to attest to what REALLY happened. Thank you!!!!  
43 minutes ago via mobile · Like · 1
-  **Andrea J Dewenter** That made me cry. I don't know why people insist on believing the worst.  
43 minutes ago · Like · 3
-  **Nhã Trần Hiebert** Then a Kindergarten teacher who was on her planning period walked down the hallway and joined in the conversation. At that point, I left to go to my duty in the cafeteria, and voices were raised. No one left their students unattended. THAT is the truth. No embellishment. No hearsay. This meet-and-greet report and the blatant deceit that is being deep-tissue-massaged into the parents gets under my 4'10" skin. I wish there was a way to refute the lies without being at risk of further sacrifice.  
42 minutes ago · Like · 5
-  **Melisa Komarek-McClure** We are working so hard to correct the wrongs and I believe in Karma.  
41 minutes ago · Like
-  **Scott Ian McLetchie** Nha thank you SO MUCH for setting the record straight. How do we get this information onto the Voices page? This is the problem - JM and his cronies are controlling the narrative, and Darleen's side is not being heard. Should I post on the Voices page that I have this from an eyewitness? But I don't want to get more teachers in trouble.

- 38 minutes ago via mobile · Like
-  **Andrea J Dewenter** No, you can't. They'll know it's her. We can't share it.  
35 minutes ago · Like
-  **Scott Ian McLetchie** Andrea, that's what I figured. I am so hopping mad about this.  
33 minutes ago via mobile · Like · 1
-  **Andrea J Dewenter** I'm furious today, even worse than Friday for some reason. This is a PR war and our side can't use all of its ammo!  
33 minutes ago · Like · 1
-  **Scott Ian McLetchie** Because we have consciences and souls. Dammit.  
31 minutes ago via mobile · Like · 1
-  **Melisa Komarek-Mcclure** I know Scott, I go over on that page and read...I'm shocked. I think we just need to keep moving forward with the truth and go outside of the school for some help. I know that people on BESE don't want the school to fail, but want to make sure it's being run as it should and with funds appropriated correctly. Also, the conflict of interest and inappropriate behavior is cause for demand of resignation. I'm confident of this. It will take some time and effort, but I know we can get this school back on track. I just wish that we could get all the amazing people we've lost. So unfair.  
31 minutes ago · Like · 1
-  **Wendy Romero** I'm getting into it again with crazies on that crazy thread. I'm tired of it, though. Blood is boiling. Thank you Nha. I believe you and appreciate your courage.  
29 minutes ago · Like
-  **Scott Ian McLetchie** My inner medieval historian wants to create a school run by the faculty - faculty hire and fire administrators, faculty are the board - on the model of medieval universities. Educators lost control somewhere.  
29 minutes ago via mobile · Like · 2
-  **Melisa Komarek-Mcclure** My husband and I were so excited about this school when we attended the first meeting with Jill Otis and Jean Jacques. Not to mention the experience they brought to the table. We've slowly watched amazing people, just tossed out the door. We are just so sad, in shock, and stressed out all the time. It shouldn't be this way with parents and their children.  
28 minutes ago · Like
-  **Molly Vigour** Thank you Ms. Nha. I am so sad and angry, and in tears.  
27 minutes ago via mobile · Like
-  **Wendy Romero** I talked to Darleen a little while ago. She is OK but understandably upset about that post. I hope she sees the good ones too.  
24 minutes ago · Like · 1
-  **Wendy Romero** On a lighter note, who is this Impuls? He's awesome.   
22 minutes ago · Edited · Like · 3
-  **Nhã Trần Hiebert** I don't know, but he is quite a riot.  I'm sorry, y'all. It is late. My pillow beckons, and the night-time sniffing, sneezing, coughing, aching, stuffy head, fever, so-you-can-rest medicine is finally starting to work its magic. That being said, I'm honored to be in this battle alongside such passionate parents and teachers. Bon courage!  
  
"Peace is not the absence of war but the presence of justice." ~ Harrison Ford  
16 minutes ago · Like · 4
-  **Larisa Ruth Diephuis** He's pretty hilarious at times Wendy but people don't seem to understand his sarcasm. I guess tone is hard to pick up in writing?  
16 minutes ago via mobile · Like
-  **Wendy Romero** I get it. I love it.  
15 minutes ago · Like · 3
-  **Larisa Ruth Diephuis** Some people I meant to type  
15 minutes ago via mobile · Like
-  **Wendy Romero** He's getting them all riled up, while he laughs at them. A bright spot in the day.  
14 minutes ago · Like
-  **Melisa Komarek-Mcclure** I'm off to bed myself, and as my older sister has always said. "Be brave little soldier." I know it's corny, but very relevant.   
12 minutes ago · Like · 1
-  **Larisa Ruth Diephuis** Okay I'm taking this as a sign & going to bed too!  
12 minutes ago via mobile · Like
-  **Melisa Komarek-Mcclure** Bon nuit!  
11 minutes ago · Like