

Teen files civil suit against De Anza ballplayers accused of rape

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Mercury News

Article Launched: 03/04/2008 03:09:11 PM PST

http://origin.mercurynews.com/crime/ci_8451896?nclick_check=1

• **Court complaint for damages lawsuit (pdf)**

Former De Anza College baseball players are accused in a new lawsuit of sexually assaulting a drunken 17-year-old girl at a party last year and sending friends photos and videos of the alleged attack.

The girl filed the civil suit Monday in Santa Clara County Superior Court, one year after she reported being gang raped at a ballplayer's home - and nine months after Santa Clara County District Attorney Dolores Carr's controversial decision to not file charges in the case.

The lawsuit also claims the men planned the attack and afterward lied to others by saying that she had consented to group sex.

The teen - who is not identified in the lawsuit - seeks an unspecified amount of money from nine former players and another young man at the party. It accuses the men of rape, false imprisonment, and violating her privacy by sending images of the alleged assault to friends.

A sheriff's spokesman declined to say today whether investigators uncovered photos or videos.

The men named in the suit and their attorneys were either not commenting or could not be reached by the Mercury News today. The girl's attorney Barbara Spector didn't return calls.

The sexual assault allegations made headlines across the country last year, as De Anza's baseball coach was quick to suspend eight players for violating the school's code of ethics at the party. None of those players returned to the team this year.

At the March 3, 2007, party, three De Anza College women soccer players

barged into a room and grabbed the girl, whom they say was being sexually assaulted. They took her to the hospital, and reported that the teen had been raped.

In the suit, the teen alleges that the young men planned to sexually assault her, plying her with shots of hard liquor before taking her into the room off the kitchen. It's unclear, according to the suit, how the young men got the teen into the room - whether they led or carried her there. According to the court documents, the girl was too drunk to remember.

It is unknown which of the suspects is alleged to have raped the girl or were part of 14 other complaints listed in the suit.

Named in the lawsuit are former De Anza College baseball players Stephen Rebagliati, Robert Sedin, Scott Righetti, Kenneth Chadwick, Luis Cardenas, Christopher Knopf, Spencer Maltbie, Ryan Kanzaki and Christopher Skinner. Cesar Gutierrez is also named.

Knopf, saying he hadn't seen the suit, declined to comment.

The suit also names Rebagliati's family as a defendant. They owned the home where the party occurred, and the lawsuit claims other women had been sexually assaulted there.

In April, Santa Clara County Sheriff's deputies said another woman came forward and said that she was sexually assaulted months before in the same home, after being given shots of alcohol by members of the baseball team. No charges were filed in that case.

The suit is the first time the allegations have been filed in court. Carr, the district attorney, declined to file charges in the case, saying that while she believed something bad happened that night there wasn't enough evidence to prove the rape allegations.

After a public outcry, Carr took the unusual step of asking California Attorney General Jerry Brown to review the case. That investigation is ongoing, a spokesman for Brown's office said.

In the lawsuit, the teen claims that the young men violated her privacy by taking pictures of the incident. But sheriff's deputies said it would be inappropriate to comment as to whether they discovered any images of the

alleged assault while the investigation is ongoing.

Legal analyst Steven Clark, a defense attorney and a former Santa Clara County prosecutor, said that by pursuing the civil suit, the teen is making a statement about what she wants to see happen.

"It's clear to me that the victim wants her day and court is willing to put up with a very difficult process" that could include questions about her sexual history, he said.

The girl's lawsuit is scheduled for a hearing in July.

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