

# United States District Court

DISTRICT OF  
RHODE ISLAND

DANIEL WEISMAN, personally and as  
next friend of DEBORAH WEISMAN

## SUMMONS IN A CIVIL ACTION

CASE NUMBER:

**CA89-0377**

v.

ROBERT E. LEE, individually and as  
principal of THE NATHAN BISHOP MIDDLE  
SCHOOL, ET ALS

TO: (Name and Address of Defendant)

ROBERT E. LEE  
THE NATHAN BISHOP MIDDLE SCHOOL  
101 Session Street  
Providence, Rhode Island

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Sandra A. Blanding, Esquire  
REVENS & DeLUCA LTD.  
946 Centervill Road  
Warwick, RI 02886  
401-822-2900

an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

CLERK

DATE

6/16/89

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

DANIEL WEISMAN, personally :  
and as next friend of DEBORAH :  
WEISMAN :

v. :

C.A. NO. 89-

ROBERT E. LEE, indivi- :  
dually and as principal of THE :  
NATHAN BISHOP MIDDLE SCHOOL; :  
JOSEPH ALMAGNO, individually :  
and as Superintendent of :  
Schools for the Providence :  
School Department; VINCENT :  
McWILLIAMS; ROBERT DeROBBIO; :  
MARY BATASTINI; ALBERT LEPORE; :  
ROOSEVELT BENTON; MARY SMITH; :  
ANTHONY CAPRIO; BRUCE SUNDLUN; :  
and ROBERTO GONZALEZ, indivi- :  
dually and as members of the :  
Providence School Committee :

**CA89-0377**

AFFIDAVIT OF DANIEL WEISMAN

The undersigned, being duly sworn on oath, hereby deposes  
and states as follows:

1. I am the father of Deborah Weisman, age 14, who is  
presently an eighth grade student at Nathan Bishop Middle School  
in Providence, Rhode Island.

2. Nathan Bishop Middle School is sponsoring an eighth  
grade graduation ceremony for parents, friends and students on  
June 20, 1989.

3. Both I and my daughter plan to attend this graduation.

4. The graduation will be held on the grounds of the Nathan  
Bishop Middle School.

5. On or about May 24, 1989, I learned that the afore-  
mentioned graduation ceremony is to include an invocation and  
benediction in the form of prayer, to be offered by a Jewish

benediction in the form of prayer, to be offered by a Jewish rabbi.

6. Several years ago, when my older child graduated from Nathan Bishop Middle School, a Baptist minister, who was identified by the church with which he was affiliated, delivered an invocation and benediction which included several references to Jesus and his role in the graduating eighth-graders' lives.

7. I personally object to and am offended by the inclusion of prayer in my child's graduation ceremony from a public school.

8. My child has advised me that she is expected by the school to attend her graduation, and indeed she should feel comfortable and free in doing so.

9. After learning that prayer was to be included in this year's graduation ceremony at Nathan Bishop Middle School, I expressed my objections and concerns to Defendant ROBERT E. LEE, principal of the school.

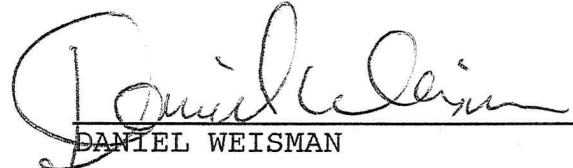
10. I have been advised by Defendant ROBERT E. LEE that the ceremony will include prayer, as originally planned.

11. By information and belief, the religious representative giving the invocation and benediction is free to determine their content.

12. I have attended at least one Providence public school graduation at which no prayer was included.

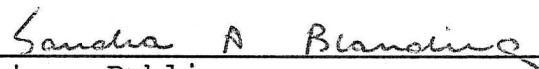
13. I feel that inclusion of prayer in a public school graduation ceremony suggests government sponsorship of prayer and advances religion.

14. Both I and my child will be irreparably harmed by the inclusion of prayer in her Providence public school graduation, in violation of our constitutionally protected rights.

  
DANIEL WEISMAN

STATE OF RHODE ISLAND  
COUNTY OF KENT

In Warwick, on the 16th day of June, 1989, before me personally appeared DANIEL WEISMAN, to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument by him executed, to be his free act and deed.

  
Notary Public  
My commission expires: 6/30/91

(WEIS.AFF)  
jac 6/16/89