

# LAWSUIT/Possible criminal charges investigated

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ing and prowling at nighttime," applies only to peeping into a home at night. Marsico said his office is investigating whether Zarkin can be charged with disorderly conduct or harassment.

"Presently we're investigating their allegations both factually and legally to see if criminal charges are warranted," Marsico said.

Lauer said the suit he filed on behalf of the women, identified as Jane and Mary Doe, is going to be an uphill battle.

Lauer said the state's Workmen's Compensation Act says that employers can't be sued for injuries that occur at work. Instead claims must be pursued through worker's compensation claims, even in the injuries occurred from intentional acts.

"We believe that law is incorrect and intend to challenge it on the constitutionality where there is evidence of an employer's intentional, egregious, malicious and outrageous acts intentionally directed at employees," Lauer said.

He said it was unlikely his clients could collect on worker's compensation claims since their injuries are emotional. The women, who were employed as a receptionist and a financial coordinator since 1992, are now in counseling, he said.

Lauer also filed a sexual harassment claim with the state Human Relations Commission, charging Zarkin created a hostile working environment.

Lauer said he and his clients feel Zarkin should at least be

charged with disorderly conduct, especially in light of his history.

Zarkin was arrested twice in 1980 for indecent exposure and once in 1985 for open lewdness. He was admitted in 1980 and 1985 to Accelerated Rehabilitative Disposition, a probationary program for first-time offenders for those charges, court records show.

Zarkin also was arrested in 1988 for patronizing a prostitute, according to court records. He pleaded guilty and paid a \$200 fine that November,

the records show.

Lock declined comment on Zarkin's record.

Dentists are required to re-new their licenses every two years. The form asks whether they've pleaded guilty or been admitted to ARD for any misdemeanors.

David Hixson, a spokesman for the Pennsylvania Department of State, said those forms are not public. He said no formal complaints have been filed against Zarkin.