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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF RIVERSIDE – PALM SPRINGS COURTHOUSE**
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11 J.R.1., an individual,
12 Plaintiff,

13 vs.

14 DOE 1, a New York corporation;
DOE 2, a California corporation;
15 DOE 3 an individual; and
DOES 4 through 60, inclusive,
16 Defendants.

CASE NO.: CVPS2205005
[Assigned to Hon. Kira L. Klatchko]

**FIRST AMENDED COMPLAINT FOR
DAMAGES AND DEMAND FOR JURY
TRIAL.**

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18 All allegations in this Complaint are based upon information and belief except for those
19 allegations which pertain to the Plaintiff named herein and his counsel. Each allegation in this
20 Complaint either has evidentiary support or is likely to have evidentiary support after reasonable
21 opportunity for further investigation and discovery. Plaintiff, for his causes of action against these
22 Defendants, alleges as follows:

23 **NATURE OF CASE**

24 1. This action to recover damages on behalf of an adult who was a victim of childhood
25 sexual assault is governed by Code of Civil Procedure section 340.1 (“section 340.1”).

26 2. The incidents of childhood sexual assault alleged herein were perpetrated by DOE 3
27 against Plaintiff, while Plaintiff was a minor.

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1 **JURISDICTION AND VENUE**

2 3. This Court has personal jurisdiction over Defendants because each Defendant resides
3 in, is incorporated in, has their main place of business in, and/or systematically and continually has
4 conducted and continues to conduct business in the County of Riverside and the State of California.
5 The subject incidents upon which this Complaint are based occurred in the City of Indio within the
6 County of Riverside, in the State of California. As such, venue is proper in the Riverside Superior
7 Court of California.

8 **PARTIES**

9 **PLAINTIFF**

10 4. Plaintiff J.R.1. (“Plaintiff”), is an adult male, over the age of 40 at the time of this
11 filing, and a resident of the County of Lake, State of California. Plaintiff was a victim of childhood
12 sexual assault that occurred in the County of Riverside, State of California from approximately 1988
13 to 1993 when Plaintiff was between the ages of ten to fifteen years old.

14 5. As a victim of childhood sexual assault, as defined by section 340.1 of the Code of
15 Civil Procedure, the name “J.R.1.” is not the Plaintiff’s actual name, but is a fictitious name utilized
16 to protect his privacy. J.R.1. is entitled to protect her identity in this public court filing by not
17 disclosing his name. (See *Doe v. Lincoln Unified School District* (2010) 188 Cal.App.4th 758.)

18 **DEFENDANTS**

19 6. Defendant DOE 1 (“DOE 1”) is a religious non-profit corporation organized and
20 existing under and by virtue of the laws of the State of New York. DOE 1 purposefully conducts
21 substantial business activities in the County of Riverside, State of California.

22 7. During the period of childhood sexual assault and/or abuse of Plaintiff, DOE 1
23 supervised and exercised control over Plaintiff’s abuser Defendant DOE 3 (“DOE 3”).

24 8. Plaintiff is informed and believes, and thereupon alleges that at all times relevant
25 herein, DOE 1 finalized the appointments of Elders and Ministerial Servants, including DOE 3,
26 supervised DOE 3, and formulated organizational policies from its headquarters in New York.

27 9. Plaintiff is informed and believes, and thereupon alleges that at all times relevant
28 herein, DOE 1, among other duties, promulgated various policies and handled various issues that

1 arose in its congregations throughout the United States and internationally, including issues that are
2 material and relevant to the causes of action alleged in this Complaint at DOE 2.

3 10. Plaintiff is further informed and believes, and on that basis alleges that at all times
4 relevant herein:

5 a) The Managing Agents directing and setting the corporate policies of the DOE 1 and
6 DOE 2 was a group of individual members known collectively as “The Governing Body”.

7 b) The Governing Body at all times acted through legal entities it caused to be
8 established throughout the world, including Defendants’ corporate form.

9 c) The Governing Body established, approved, and disseminated all of the
10 administrative policies, programs, and procedures followed by all Congregations on the subject
11 matter of prevention of and administrative response to acts of childhood sexual abuse committed by
12 or upon its members, including childhood sexual abuse arising from or out of the activities of
13 members of the Indio Congregation.

14 d) The Governing Body’s administrative policies and procedures concerning childhood
15 sexual abuse issues for all entities of the religion, including Defendants, were implemented and
16 carried out by the responsible volunteer agents of each corporation selected to hold the
17 administrative title of “Elders.”

18 e) Elders were, at all relevant times herein, acting as agents of DOE 1, within the course
19 and scope of their agency, were acting at all times under the immediate supervision, instructions,
20 directions, and control of DOE 1 and its Legal and Service Departments; and served as Elders only
21 with the consent and approval of DOE 1.

22 11. Defendant DOE 2 (“DOE 2”) is a non-profit California corporation having its
23 principal place of business in the County of Riverside, State of California. DOE 2 purposefully
24 conducts substantial religious and educational business activities in the State of California. Plaintiff
25 is informed, believes, and thereupon alleges that DOE 1 co-owned, controlled, managed, oversaw,
26 directed, and operated a variety of other services to its membership and others in the community.
27 Such services included DOE 2’s church that Plaintiff attended and the premises/property where the
28 unlawful acts of childhood sexual assault alleged herein occurred.

1 12. At all times herein DOE 2 co-owned, managed, operated, supervised, and staffed a
2 religious facility, organized and existing for the purpose of practicing and promoting Defendants’
3 faith and located within the City of Indio, State of California. (“Indio Congregation”).

4 13. At all times herein, DOE 3 was an individual, residing in Riverside County, State of
5 California and an employee and/or agent of DOE 1, DOE 2, and DOES 4 through 60, inclusive.

6 14. There exists within Defendants’ an administrative position known as Elders
7 Ministerial Servant. Plaintiff is informed and believes, and thereupon alleges that:

8 a) Elders and Ministerial Servants have administrative responsibilities within each
9 congregation, including DOE 2, and were at all times relevant herein appointed to their positions
10 only with the approval and consent of DOE 1.

11 b) DOE 3 was appointed to the position of Elder at the Indio Congregation by order of
12 DOE 1.

13 15. Defendants, and each of them, all relevant times, were each the agent, principal, joint
14 venturer, partner, subsidiary and/or parent organization of the other. At all relevant times
15 Defendants, and each of them, acted in concert with each other in operating, staffing, managing,
16 overseeing, running, and controlling the Indio Congregation. DOE 1 had the ability to control who
17 became an employee, volunteer, and/or agent of the Indio Congregation including DOE 3.

18 16. DOE 3 was an employee, agent, servant, member, and/or volunteer of DOE 1, DOE
19 2, DOES 4 through 60, inclusive when he sexually assaulted the Plaintiff—then a minor.

20 17. The true names, identities, or capacities, whether individual, associate, corporate or
21 otherwise, of Defendants DOES 4 through 60, inclusive, is unknown to Plaintiff who therefore sues
22 said Defendants by such fictitious names. When the true names, identities or capacities of such
23 fictitiously designated Defendants are ascertained, Plaintiff will ask leave of Court to amend the
24 Complaint to assert the true names, identities and capacities, together with the proper charging
25 allegations.

26 18. Except as otherwise noted, a reference to “Defendants” in this Complaint shall
27 include DOE 1, DOE 2, DOE 3, and DOES 4 through 60, inclusive.

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19. Each of the Defendants designated herein is responsible, in some manner, for the events and happenings herein referred to, thereby legally causing the injuries and damages to Plaintiff as hereinafter alleged.

20. Plaintiff is further informed and believes, and on that basis alleges that at all times relevant herein:

a) There existed a unity of interest and ownership among Defendants and each of them, such that any individuality and separateness between Defendants, and each of them, ceased to exist. Defendants and each of them, were the successors-in-interest and/or alter egos of the other Defendants, and each of them, in that they purchased, controlled, dominated and operated each other without any separate identity, observation of formalities, or other manner of division. To continue maintaining the facade of a separate and individual existence between and among Defendants, and each of them, would allow Defendants to perpetrate a fraud and an injustice.

b) Defendants and each of them were the agents, representatives, joint venturers, and/or employees of each and every other Defendant. In doing the things hereinafter alleged, Defendants and each of them, were acting within the course and scope of said alternative personality, capacity, identity, agency, representation and/or employment and were within the scope of their authority, whether actual or apparent.

c) Defendants and each of them were the trustees, partners, servants, joint venturers, shareholders, contractors, and/or employees of each and every other Defendant, and the acts and omissions herein alleged were done by them, acting individually, through such capacity and within the scope of their authority, and with the permission and consent of each and every other.

21. Wherever appearing in this complaint, each and every reference to Defendants, or any of them, is intended to include, and shall be deemed to include, all fictitiously named Defendants.

FACTUAL ALLEGATIONS

22. At all times relevant, Plaintiff was a member of Defendants' religious group and Indio Congregation. Plaintiff attended, participated in, and was a member of Defendants' Indio Congregation that were owned, managed, operated, supervised, and staffed by Defendants.

1 23. In 1987, DOE 1 promulgated mandatory policies to its congregations, including DOE
2 2, expressly requiring that its Elders, Overseers, employees, and staff at its congregations, including
3 DOE 2, not inform police regarding suspected child abuse within its congregations. In fact, DOE
4 1's mandated policies regarding suspected childhood sexual abuse required its congregations,
5 Elders, Overseers, employees, and staff to inform DOE 1 first – not the police - of any suspected
6 childhood sexual abuse. Moreover, DOE 1's express and mandatory policy regarding potential
7 lawsuits arising from suspected childhood sexual abuse, at all relevant times, was to require silence
8 and strict confidentiality of its Elders, Overseers, employees, and staff including the requirement
9 that they do not speak to the police or make any type of reporting without DOE 1's strict approval.
10 Additionally, DOE 1 expressly required that any internal investigation's documents be destroyed
11 including any notes, witness statements, photographs, transcripts, etc. except for a summary of
12 evidence which was delivered directly to DOE 1 in a sealed envelope. DOE 1 even mandated that
13 if a wrongdoer and/or child abuser such as DOE 3 were to admit to the abuse, then no one should
14 be present during the admittance except for members of the select committee who would then
15 provide the report to DOE 1 in the sealed envelope and destroy all other evidence. DOE 1 also
16 mandated that if an employee such as DOE 3 was suspected of child abuse and moved to another
17 congregation, then the new congregation should not be informed of the prior abuse and/or
18 investigation by the prior congregation.

19 24. DOE 1 kept and maintained all records of suspected and reported childhood sexual
20 abuse, including by DOE 3, but intentionally withheld the revealing of these reports even to other
21 congregations and the police which substantially caused Plaintiff's injuries and abuse.

22 25. From approximately 1988 to 1993, Plaintiff was sexually assaulted and/or sexually
23 abused, and molested by DOE 1, DOE 2, DOES 4 through 60's, inclusive, employee and/or agent
24 DOE 3. During that same time period, DOE 3 was an agent, active member, and participant in the
25 congregation and congregation leadership of DOE 1, DOE 2, and DOES 4 through 60's, inclusive,
26 Indio Congregation. During that time period, DOE 3 sexually assaulted and/or sexually abused
27 Plaintiff on numerous occasions within the County of Riverside.

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1 26. DOE 3 accomplished the sexual assault and/or sexual abuse, and molestation of
2 Plaintiff by use of the trust, position, and authority he held as a fellow member, agent, and leader of
3 DOE 1, DOE 2, and DOES 4 through 60's, inclusive, Indio Congregation.

4 27. Plaintiff would attend bible study groups at DOE 1, DOE 2, and DOES 4 through
5 60's, inclusive, congregation.

6 28. DOE 3 led the bible study groups and singled out Plaintiff intending to groom him
7 for inappropriate and eventual sexual assault and abuse. DOE 3 was in charge of and appointed by
8 DOE 1, DOE 2, and DOES 4 through 60's, inclusive, bible study which inherently required close
9 contact and supervision of minor children, including Plaintiff.

10 29. DOE 3 began grooming Plaintiff by giving Plaintiff and other minor children gifts,
11 money, and car rides to bible study at the Indio Congregation.

12 30. DOE 3 began his sexual assault, abuse, and molestation of Plaintiff when Plaintiff
13 was just ten years old. DOE 3 began by offering Plaintiff money to perform sexual acts. Plaintiff
14 was forced to sleep next to DOE 3 in a bed before, during, and after mandatory bible study at DOE
15 1, DOE 2, and DOES 4 through 60's, inclusive, Indio Congregation on countless occasions. DOE 1
16 mandated that all minor members, including Plaintiff, attend the mandatory bible studies. Plaintiff
17 was mandated by DOE 1 and DOE 2 to attend bible study groups at the Indio Congregation.

18 31. DOE 1 mandated and promulgated policies which required that minor children,
19 including Plaintiff, be separated from their parents during the youth bible studies classes mandated
20 by at DOE 1, DOE 2, and DOES 4 through 60's, inclusive. DOE 1 mandated and promulgated
21 policies which disallowed parents from attending the youth bible studies classes with their children,
22 including Plaintiff's parents, even when the youth bible studies classes occurred in the home of one
23 of their employees. As such, DOE 1, DOE 2, and DOES 4 through 60's, inclusive, stood in loco
24 parentis of Plaintiff and the other minor children at all relevant times during their mandatory youth
25 bible studies classes. Despite standing in loco parentis of Plaintiff and the other minor children, at
26 DOE 1, DOE 2, and DOES 4 through 60's, inclusive, failed to establish, implement, or enforce
27 reasonable safeguards to prevent potential childhood sexual abuse during mandated church-related
28 activities.

1 32. DOE 3’s sexual assault, abuse, and molestation of Plaintiff continued and escalated
2 to fondling of Plaintiff’s penis and forced masturbation by Plaintiff of DOE 3 on a nearly daily basis
3 at DOE 1, DOE 2, DOE 3, and DOES 5 through 60’s, inclusive, Indio Congregation.

4 33. Plaintiff believes that DOE 3’s sexual assault, abuse, and molestation of Plaintiff
5 occurred over one-hundred times between 1988 and 1993.

6 34. Plaintiff is informed, believes, and thereupon alleges that DOE 3 sexually assaulted,
7 abused, and molested other minor children at DOE 1, DOE 2, and DOES 4 through 60’s, inclusive,
8 Indio Congregation including Plaintiff’s brother prior to molesting Plaintiff prior to Plaintiff’s
9 abuse.

10 35. Plaintiff’s brother was also a minor member of the Indio Congregation. Plaintiff’s
11 brother was born in approximately 1974 and was abused by DOE 3 at DOE 1’s congregations,
12 including the Indio Congregation from approximately 1979 to 1985 when he was between just five
13 to eleven years old. DOE 3 sexually abused Plaintiff’s brother on a nearly daily basis between 1979
14 to 1985 and was an adult at all relevant times after similarly grooming him with gifts during
15 mandated youth bible studies classes. DOE 3 sexually assaulted Plaintiff’s brother in bathrooms at
16 DOE 1’s congregations, including the Indio Congregation, including forcing Plaintiff’s brother to
17 perform oral sex on DOE 3, performing oral sex on Plaintiff’s brother, and forced masturbation.
18 Plaintiff’s brother knew other members, including DOE 1 and DOE 2’s Elders, witnessed DOE 3,
19 an unrelated adult male, take him into bathrooms at congregations, including the Indio
20 Congregation, for extended periods of time without justification when he was between five to eleven
21 years old. However, DOE 1, DOE 2, and DOES 4 through 60’s, inclusive, Elders failed to take any
22 reasonable action whatsoever to investigate, report, or terminate DOE 3’s employment or
23 responsibilities with youth members at their congregations. Moreover, Plaintiff’s brother reported
24 DOE 3’s sexual abuse of him to DOE 1, DOE 2, and DOES 4 through 60’s, inclusive, Elders prior
25 to 1985. However, DOE 1, DOE 2, and DOES 4 through 60’s, inclusive, Elders failed to take any
26 reasonable action to investigate, report, or terminate DOE 3’s employment or responsibilities with
27 youth members at their congregations and, instead, continued to allow DOE 3 to serve as an Elder,
28 oversee youth members without adequate supervision, and conduct youth bible studies classes

1 which directly led to Plaintiff's abuse by DOE 3.

2 36. Prior to DOE 3's sexual assault and/or sexual abuse, and molestation of Plaintiff,
3 DOE 1, DOE 2, and DOES 4 through 60, inclusive, through their agents, representative, servants,
4 employees, and/or volunteers knew or should have known, reasonably suspected, and/or were
5 otherwise on notice, that DOE 3 conduct and relationship with young children, including Plaintiff,
6 was inappropriate, unlawful, wrongful, and/or otherwise created a risk of childhood sexual assault.

7 37. Notwithstanding their confirmed actual knowledge of DOE 3's sexual assault and/or
8 sexual abuse, and molestation of Plaintiff, DOE 1, DOE 2, and DOES 4 through 60's, inclusive,
9 Elders intentionally and purposely failed to notify or warn other Indio Congregation members,
10 parents of children active in the Congregation, Congregation members, or any other persons of the
11 possible risk of further childhood sexual abuse by DOE 3, limit or supervise DOE 3's access to
12 children, including Plaintiff, and notify law enforcement and other appropriate agencies of the
13 known sexual assault and/or sexual abuse, and molestation of Plaintiff.

14 38. Plaintiff is informed and believes, and thereupon alleges that DOE 1, DOE 2, and
15 DOES 4 through 60's, inclusive, Elders confirmed that other minor members had and continued to
16 be, sexually abused and/or sexually assaulted, and molested by DOE 3, yet despite this knowledge,
17 refused and/or failed to report the child abuse and/or assault to law enforcement and/or other
18 appropriate agency as required prior to DOE 3's abuse of Plaintiff.

19 39. Further, DOE 1, DOE 2, and DOES 4 through 60's, inclusive, failure and/or refusal
20 to report the sexual assault and/or sexual abuse of Plaintiff's brother, other minor members, and
21 Plaintiff by DOE 3, created a foreseeable risk of continued sexual assault and/or abuse of Plaintiff
22 by DOE 3.

23 40. As a direct result of DOE 1, DOE 2, and DOES 4 through 60's, inclusive, failure
24 and/or refusal to timely and adequately act to prevent, stop, and report DOE 3's unlawful and
25 inappropriate misconduct, DOE 3 was able to continue his sexual assaults and/or sexual abuse, and
26 molestation of Plaintiff.

27 41. DOE 1, DOE 2, and DOES 4 through 60, inclusive, acting through their
28 representative, agents and employees, are liable to Plaintiff for harm from the sexual assault, abuse,

1 and other misconduct committed by DOE 3 because, inter alia, DOE 1, DOE 2, and DOES 4 through
2 60's, inclusive:

3 a) Negligently hired, supervised, retained, monitored, and/or investigated DOE 3.

4 b) Breached their duty to implement and enforce adequate policies, guidelines, training,
5 education, and procedures aimed at preventing, deterring, uncovering, and reporting instances of
6 child sexual assault and/or abuse by adults, including its agents, servants, representatives, staff and
7 volunteers.

8 c) Negligently and/or intentionally failed to report the known and reasonably suspected
9 sexual assaults and/or sexual abuse, and molestation of Plaintiff to law enforcement.

10 42. DOE 1, DOE 2, and DOES 4 through 60, inclusive, also intentionally and willfully
11 implemented various measures intended and designed to, or which effectively, made DOE 3's
12 conduct harder to detect including, but not limited to:

13 a) Permitting DOE 3 to remain in a position of good standing after the DOE 1, DOE 2,
14 and DOES 4 through 60, inclusive, knew and reasonably suspected that DOE 3 sexually abused
15 and/or sexually assaulted, and molested minor children, including Plaintiff.

16 b) Permitting DOE 3's continued and unsupervised access to Plaintiff and other minor
17 children, after they knew and reasonably suspected DOE 3's misconduct that created a risk of
18 childhood sexual assault.

19 c) Failing to inform, or concealing from law enforcement officials of the fact that
20 Plaintiff and others were or may have been sexually assaulted after DOE 1, DOE 2, and DOES 4
21 through 60, inclusive, knew and reasonably suspected that DOE 3 had and was engaged in the sexual
22 assault of Plaintiff's brother, other minor members, and Plaintiff, thereby creating the circumstance
23 where Plaintiff and others were less likely to receive medical/mental health care and treatment, thus
24 exacerbating the harm to Plaintiff.

25 d) Holding out and affirming DOE 3 to Plaintiff and Plaintiff's parent, other children
26 and their parents, and to the community as being in good standing and trustworthy.

27 e) Failing to take reasonable steps, and to implement reasonable policies, procedures,
28 and safeguards to avoid, detect, and report acts of unlawful sexual conduct by employees, including

1 DOE 3 with minor children.

2 f) Failing to implement a system or procedure to supervise or monitor employees,
3 volunteers, representatives or agents to ensure that DOE 3 did not molest or assault minors in DOE
4 1, DOE 2, and DOES 4 through 60's, inclusive, custody or care, including Plaintiff.

5 43. DOE 1, DOE 2, and DOES 4 through 60, inclusive, and each of them, negligently,
6 intentionally, maliciously and/or willfully refused to, and/or did not act reasonably to stop, inhibit,
7 and/or report DOE 3 to law enforcement prior to, during, and/or after his sexual assault and/or sexual
8 abuse, and molestation of Plaintiff, thereby allowing the assault to occur and to continue unabated.

9 44. The wrongful, intentional, negligent acts and/or omissions of Defendants, and each
10 of them was a legal cause of the childhood sexual assaults that caused injuries to Plaintiff.

11 45. As a direct and proximate result of DOE 3's childhood sexual assault against
12 Plaintiff, which was enabled and facilitated by DOE 1, DOE 2, and DOES 4 through 60, inclusive,
13 and each of them, Plaintiff suffered and will continue to suffer physical, psychological, emotional,
14 and economic harm in a sum to be proven at the time of trial.

15 **FIRST CAUSE OF ACTION**

16 **SEXUAL ASSAULT OF A MINOR**

17 **(Against Defendant DOE 3)**

18 46. Plaintiff re-alleges and incorporates by reference herein each and every allegation
19 contained herein above as though fully set forth and brought in this cause of action.

20 47. DOE 3 sexually assaulted Plaintiff by molesting, fondling, abusing, raping, and
21 sodomizing on countless occasions between 1988 and 1993.

22 48. DOE 3 committed unlawful acts of childhood sexual assault and/or abuse of Plaintiff.

23 49. In committing the unlawful acts of sexual assault against Plaintiff, DOE 3 intended
24 to put Plaintiff in imminent apprehension of harmful or offensive contact.

25 50. DOE 3 did put Plaintiff in imminent apprehension of such harmful or offensive
26 contact as Plaintiff actually believed DOE 3 had the ability to make harmful or offensive contact
27 with Plaintiff's person.

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1 each of them, were negligent in failing to exercise reasonable care to protect Plaintiff, and other
2 minors, who were members of, or participants in, activities at the Indio Congregation, from the risk
3 of sexual assault, sexual abuse and molestation by perpetrators, including DOE 3.

4 65. DOE 1, DOE 2, and DOES 4 through 60, inclusive, were further negligent in failing
5 to notify law enforcement and other appropriate authority that other minors and Plaintiff were and/or
6 continued to be victims of child abuse/assault by DOE 3 when they learned of this fact. DOE 1,
7 DOE 2, and DOES 4 through 60's, inclusive, failure to report the known and/or reasonably
8 suspected child abuse of other minor members and Plaintiff perpetuated and facilitated DOE 3's
9 continued sexual abuse and/or sexual assault, and molestation of Plaintiff.

10 66. If DOE 1, DOE 2, and DOES 4 through 60, inclusive, satisfied their duty to take
11 reasonable steps to protect Plaintiff, a minor child, from known and/or foreseeable harm, including
12 sexual assault, including reporting the sexual assault and/or sexual abuse, and molestation to law
13 enforcement, then some or all of the Plaintiff's injuries would have been avoided.

14 67. Prior to the sexual assault of Plaintiff, DOE 1, DOE 2, and DOES 4 through 60,
15 inclusive, through their administrators, employees, agents, and/or volunteers, had knowledge and
16 were otherwise on notice, that DOE 3 had and/or was engaged in, and/or presented the risk of, sexual
17 assault of Plaintiff, and other minors.

18 68. Plaintiff is informed, believes, and thereupon alleges that prior to DOE 3's sexual
19 assault and/or sexual abuse, and molestation of Plaintiff, DOE 1, DOE 2, and DOES 4 through 60,
20 inclusive, knew and reasonable suspected DOE 3's unlawful conduct, as set forth in this Complaint,
21 but failed and refused to take any affirmative action, including but not limited to notifying law
22 enforcement. Instead, DOE 1, DOE 2, and DOES 4 through 60, inclusive, directed Plaintiff and to
23 have continued contact with DOE 3 thereby ratifying and facilitating DOE 3's continued sexual
24 assault and/or sexual abuse and molestation of Plaintiff.

25 69. DOE 1, DOE 2, and DOES 4 through 60, inclusive, breached their duties by failing
26 to use reasonable care to protect Plaintiff from DOE 3.

27 70. If DOE 1, DOE 2, and DOES 3 through 60, inclusive, fulfilled their duty and
28 responsibility, then Plaintiff would not have been subject to all or most of the misconduct

1 perpetrated against him and the resulting harm.

2 71. As a direct and legal result of DOE 1, DOE 2, and DOES 3 through 60's, inclusive,
3 conduct, Plaintiff suffered harm including, but not limited to, physical, mental, and emotional
4 injuries of childhood sexual abuse and molestation; was caused to incur medical and other expenses
5 for care, treatment, and counseling, and Plaintiff will continue to incur all such damages in the
6 future, and other damages, in an amount not yet ascertained, but which exceed the minimum
7 jurisdictional limits of this Court.

8 **FOURTH CAUSE OF ACTION**

9 **NEGLIGENCE**

10 **(Against Defendants DOES 4 through 60, Inclusive)**

11 72. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

12 73. Defendants DOES 4 through 60, inclusive, are persons or entities who owed a duty
13 of care to the minor Plaintiff or had a duty to control the conduct of the DOE 3 by way of the special
14 relationship existing between those individuals.

15 74. DOES 4 through 60, inclusive, knew or should have known, reasonably suspected,
16 and/or were otherwise on notice, of the misconduct and sexually predatory behavior of DOE 3
17 directed towards minor children, including Plaintiff.

18 75. Despite having knowledge of the misconduct of DOE 3, DOES 4 through 60,
19 inclusive, failed to take any preventative action to control, curb, and/or prevent that conduct, failed
20 to warn Plaintiff or his parents of that wrongful conduct, and/or failed to notify law enforcement,
21 despite having a legal duty to do so.

22 76. As a direct and legal result of the negligence of DOES 4 through 60, inclusive,
23 Plaintiff was sexually assaulted, sexually abused, sexually harassed, and assaulted by DOE 3.

24 77. If DOES 4 through 60, inclusive, fulfilled their duty and responsibility, then Plaintiff
25 would not have been subject to all or most of the misconduct perpetrated against her and the resulting
26 harm.

27 78. As a direct and legal result of DOES 4 through 60's, inclusive, conduct, Plaintiff
28 suffered severe and permanent injuries including, but not limited to, physical and mental pain and

1 suffering, severe emotional distress, physical injuries, past and future costs of medical care and
2 treatment, and other damages, in an amount not yet ascertained, but which exceed the minimum
3 jurisdictional limits of this Court.

4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 6 1. For past, present and future general damages in an amount to be determined at trial;
- 7 2. For past, present and future special damages in an amount to be determined at trial;
- 8 3. For punitive and exemplary damages against Defendant DOE 3 in an amount to be
9 determined at trial;
- 10 4. For cost of suit;
- 11 5. For pre- and post-judgment interest as allowed by law; and
- 12 6. For such other and further relief as the Court may deem just and proper.

13
14 DATED: September 6, 2023

SLATER SLATER SCHULMAN, LLP

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17 By: 

18 Simona Danesh, Esq.
19 Michael A. Amaro, Esq.
20 Attorneys for Plaintiff, J.R.1.

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JURY DEMAND

Plaintiff demands a trial by jury on all causes of action which may be tried by a jury.

DATED: September 6, 2023

SLATER SLATER SCHULMAN, LLP

By: 

Simona Danesh, Esq.
Michael A. Amaro, Esq.
Attorneys for Plaintiff J.R.1.

PROOF OF SERVICE

STATE OF CALIFORNIA

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 8383 Wilshire Blvd., Suite 255, Beverly Hills, CA 90211.

On September 6, 2023, I served the foregoing **FIRST AMENDED COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL** on the interested parties in this action by following one of the methods of service as follows:

Brian D. Walters, Esq. Poole Shaffery, LLP 25350 Magic Mountain Prkwy, Suite 250 Phone: (661) 290-2991 Fax: (661) 290-3338 bwalters@pooleshaffery.com mdreher@pooleshaffery.com RKhudir@pooleshaffery.com JSoll@pooleshaffery.com NSabawi@pooleshaffery.com	<i>Attorney for Defendant, Doe 1</i>
Beth Kahn, Esq. Pamela A. Palmer, Esq. Ryan C. McKim, Esq. Matthew R. Richardson, Esq CLARK HILL LLP 555 South Flower Street, 24th Floor Los Angeles, CA 90071 Telephone: (213) 891-9100 Facsimile: (213) 488-1178 BKahn@ClarkHill.com PPalmer@ClarkHill.com MRichardson@ClarkHill.com amelhadoburke@clarkhill.com	<i>Attorney for Defendant, Doe 2</i>

- () **BY MAIL:** I enclosed the above documents in a sealed envelope with postage thereon fully prepaid and placed for collection and mailing on the above date in accordance with ordinary business practices. I am readily familiar with this firm’s practice of collection and processing of correspondence for mailing with the United States Postal Service, and that the correspondence shall be deposited with the United States Postal Service the same day in the ordinary course of business pursuant to Cal. Code Civ. Proc. § 1013(a).
- (X) **ELECTRONIC MAIL (Email):** I emailed the above document(s) from e-mail address *kristinaa@sssfirm.com* to the person(s) at the email address(es) set forth below. No error was reported. A true and correct copy of the transmittal report will be produced if requested by any party or the court.

I declare under the penalty of perjury under the laws of the State of California, that the

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foregoing is true and correct.

Executed on September 6, 2023, at Los Angeles, California.

Kristina Amidi
Kristina Amidi