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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
SAN BERNARDINO DISTRICT

**JUL 06 2022**

BY Jasmine Balanos  
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8 Attorneys for Plaintiffs

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF SAN BERNARDINO, SAN BERNARDINO DISTRICT**

**CIV SB 2213930**

13 JANE DOE (PSBR) 1 through JANE DOE  
14 (PSBR) 28, individuals, et al,

Case No.

**COMPLAINT FOR DAMAGES FOR:**

15 Plaintiffs,

- 1. NEGLIGENCE
- 2. NEGLIGENT SUPERVISION
- 3. NEGLIGENT HIRING/RETENTION
- 4. NEGLIGENT FAILURE TO WARN, TRAIN, EDUCATE, OR ENFORCE PROTECTIVE POLICIES

16 v.

17 CHAFFEY JOINT UNION HIGH SCHOOL  
DISTRICT, DAVID ARTHUR RIDEN; and  
18 DOES 1 THROUGH 100, inclusive,

**DEMAND FOR JURY TRIAL**

19 Defendants.

20  
21 Plaintiffs JANE DOE (PSBR) 1 through JANE DOE (PSBR) 28 along with such other  
22 plaintiffs as may be added by leave of Court or stipulation, hereby allege and assert the following  
23 causes of action against Defendants, CHAFFEY JOINT UNION HIGH SCHOOL DISTRICT,  
24 DAVID ARTHUR RIDEN, and DOES 1 THROUGH 100, inclusive,:

25 **GENERAL ALLEGATIONS**

26 1. This suit arises from the failure of defendant CHAFFEY JOINT UNION HIGH  
27 SCHOOL DISTRICT (hereinafter "the DISTRICT") to prevent its former employee, DAVID  
28 ARTHUR RIDEN (hereinafter "RIDEN") from placing a hidden recording device disguised as a

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SUPERIOR COURT  
SAN BERNARDINO COUNTY

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1 cellular telephone charger in the women's locker room and bathroom adjacent to the swimming pool  
2 at Los Osos High School, the failure of the DISTRICT to enforce policies and rules that would have  
3 caused the device to be located and removed, and the failure of the DISTRICT to otherwise locate  
4 and remove that device over an extended period of time. Had the DISTRICT exercised reasonable  
5 care in the management of Los Osos High School and supervision of its employees, the events  
6 described hereinafter would have been prevented.

7 2. RIDEN utilized this hidden recording device to capture illicit images of young  
8 women, including minors, who utilized the women's locker room and bathroom adjacent to the Los  
9 Osos High School swimming pool for hygienic purposes and/or to change for (1) DISTRICT  
10 sponsored events, including but not limited to: women's water polo, women's swim team, women's  
11 soccer, women's track, women's cross country, women's tennis, women's basketball, women's  
12 softball, women's physical education, women's diving team, dance program and cheer program, (2)  
13 other programs and activities that utilized those areas with DISTRICT permission and/or (3) who  
14 otherwise foreseeably used those same areas.

15 PARTIES

16 3. Plaintiffs JANE DOE (PSBR) 1 through JANE DOE (PSBR) 28 along with such  
17 other plaintiffs as may be added by leave of Court or stipulation, are individuals who are present or  
18 former students of Los Osos High School and/or who otherwise foreseeably utilized the Los Osos  
19 High School facilities described hereinafter. Each plaintiff utilized the women's bathroom and/or  
20 locker room adjacent to the swimming pool at Los Osos High School (other than when the facilities  
21 were unavailable due to the pandemic), where she had a reasonable expectation of privacy and  
22 expected protection from hidden recording devices. When each plaintiff was in the women's  
23 bathroom and/or locker room adjacent to the swimming pool at Los Osos High School, she was at  
24 times fully or partially undressed in those facilities, she was exposed to recording by defendant  
25 RIDEN's recording devices and/or was in fact recorded by RIDEN's devices. This complaint may  
26 be amended from time to time to add additional plaintiffs.

27 4. Defendant CHAFFEY JOINT UNION HIGH SCHOOL DISTRICT is a public entity  
28 and a California corporation organized under the laws of the State of California. DISTRICT

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1 manages, controls, and/or operates public schools in the County of San Bernardino, including Los  
2 Osos High School.

3 5. Defendant DAVID ARTHUR RIDEN is an adult male who currently resides in San  
4 Bernardino County, California. From 2015 through August 2021, RIDEN was an employee of  
5 DISTRICT, in the roles of assistant football coach and locker room attendant. Plaintiffs are informed  
6 and believe that RIDEN had other roles as a DISTRICT employee which are presently unknown.  
7 During that time, RIDEN, and as a result of his employment and the negligence of the DISTRICT,  
8 was able to enter the women’s bathroom and/or locker room adjacent to the swimming pool at Los  
9 Osos High School, to place recording devices disguised as cellular telephone chargers in that  
10 bathroom and locker room, to surreptitiously record females in those areas, to enter those areas to  
11 retrieve his devices so that he could view the images he illegally obtained for his own gratification  
12 and/or for other purposes not currently known to plaintiffs, and to re-enter those areas to put the  
13 devices back to obtain more images. Plaintiffs are also informed that at times, RIDEN concealed  
14 himself in the women’s locker room.

15 6. The true names and capacities, whether individual, plural, corporate, partnership,  
16 associate, or otherwise, of DOES 1 through 100, inclusive, are unknown to plaintiffs who therefore  
17 sue said defendants by such fictitious names. The full extent of the facts linking such factiously sued  
18 defendants is unknown to plaintiffs. Plaintiffs are informed, believe, and thereupon allege, that each  
19 of the defendants designated herein as a DOE was, and is, negligent, or in some other actionable  
20 manner, responsible for the events and happenings hereinafter referred to, and thereby negligently,  
21 or in some other actionable manner, legally and proximately caused the hereinafter described  
22 injuries and damages to plaintiffs. Plaintiffs will hereafter seek leave of the Court to amend this  
23 Complaint to show the defendants' true names and capacities after the same have been ascertained.

24 7. Plaintiffs are informed and believe, and thereon allege, that at all times mentioned  
25 herein, DISTRICT, RIDEN and DOES 1 through 100, inclusive, were agents, servants, employees,  
26 successors in interest, and/or joint ventures of their co-defendants, and were, as such, acting within  
27 the course, scope, and authority of said agency, employment, and/or venture, and that each and every  
28 Defendant, as foresaid, when acting as a principal, was negligent in the selection and hiring of each

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1 and every other Defendant as an agent, servant, employee, successor in interest, and/or joint venture.

2 DUTY OF DEFENDANTS

3 8. Article I, Section 28(c) of the California Constitution provides that all public-school  
4 students "have the inalienable right to attend campuses which are safe, secure, and peaceful."

5 9. California law has long imposed on schools an affirmative duty to supervise at all  
6 times the conduct of children on school grounds and to enforce the rules and regulations necessary  
7 to protect students.

8 10. "The standard of care imposed upon school personnel in carrying out this duty to  
9 supervise is identical to that required in the performance of their other duties. This uniform standard  
10 to which they are held is that degree of care 'which a person of ordinary prudence, charged with  
11 [comparable] duties, would exercise under the same circumstances.' [Citations.] Either a total lack  
12 of supervision [citation] or ineffective supervision [citation] may constitute a lack of ordinary care  
13 on the part of those responsible for student supervision. Under section 815.2, subdivision (a) of the  
14 Government Code, a school district is vicariously liable for injuries proximately caused by such  
15 negligence." *C.A. v. William S. Hart Union High School Dist.* (2012) 53 Cal.4th 861, 869.

16 11. Public employees have a duty of care and are statutorily liable for injury caused by  
17 their act or omission to the same extent as a private person would be, as provided by Government  
18 Code Section 820(a).

19 12. At all relevant times, there existed a special relationship between the DISTRICT and  
20 plaintiffs which imposed upon the DISTRICT an affirmative duty to take all reasonable steps to  
21 protect its students.

22 13. In the school setting, the special relationship arises from the comprehensive control  
23 over students exercised by school personnel and is "analogous in many ways to the relationship  
24 between parents and their children." *Hoff v. Vacaville Unified School Dist.* (1998) 19 Cal.4th 925,  
25 935. 935.

26 14. Because of this special relationship, the duty owed by school personnel includes the  
27 duty to use reasonable measures to protect students from foreseeable injury at the hands of third  
28 parties. See, e.g., *J.H. v. Los Angeles Unified School Dist.* (2010) 183 Cal.App.4th 123, 141-148

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1 [injury of one student by another].

2 15. Because of this special relationship, imposing obligations beyond what each person  
3 generally owes others under Civil Code section 1714, the duty of care owed by school personnel  
4 includes the duty to use reasonable measures to protect students from foreseeable injury at the hands  
5 of third parties acting negligently or intentionally. *C.A. v. William S. Hart Union High School Dist.*  
6 (2012) 53 Cal.4th 861, 870.

7 16. A further duty arises when there is a special relationship where the defendant has a  
8 special relationship with the potential victim, such that it gives the victim the right to expect  
9 protection. *Regents of University of California v. Superior Court* (2018) 4 Cal.5th 607, 619–620.

10 17. A greater degree of care is owed to minors because of their lack of capacity to  
11 appreciate risks and by virtue of the special relationships between minors and those charged with  
12 caring for them. That duty extends to preventing harms caused by the intentional or criminal conduct  
13 of third parties. *Juarez v. Boy Scouts of America, Inc.* (2000) 81 Cal. App. 4th 377 [97 Cal. Rptr. 2d  
14 12, 36].

15 18. In addition, a duty to control, warn, or protect arose out of the DISTRICT’s  
16 employment relationship with RIDEN and the DISTRICT’s assumption of control over the  
17 premises, rules of student conduct and personnel of Los Osos High School. (Rest.3d Torts, Liability  
18 for Physical and Emotional Harm, § 41).

19 19. At all relevant times, each plaintiff had a right to expect protection from the  
20 DISTRICT. *Regents of University of California v. Superior Court* (2018) 4 Cal.5th 607, 619–620  
21 [230 Cal.Rptr.3d 415, 424] by virtue of, among other things, (1) each plaintiff’s dependency upon  
22 the DISTRICT to put in place rules and procedures for their privacy and safety and (2) the  
23 DISTRICT’s superior control over the means of protection. *Regents v. Superior Court*, supra, 4  
24 Cal.5th at 620–621 [230 Cal.Rptr.3d at 425].

25 20. Responsibility for the safety of public-school students is not borne solely by  
26 instructional personnel. School principals and other supervisory employees, to the extent their duties  
27 include overseeing the educational environment and the performance of teachers and counselors,  
28 also have the responsibility of taking reasonable measures to guard pupils against harassment and

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1 abuse from foreseeable sources. *C.A. v. William S. Hart Union High School Dist.* (2012) 53 Cal.4th  
2 861, 871.

3 21. The principal is responsible for the supervision and administration of his school.  
4 Cal.Code Regs., tit. 5, § 5551. The principal has the necessary power which is inherent in his office  
5 to properly administer and supervise his school. *McGrath v. Burkhard* (1955) 131 Cal.App.2d 367.

6 22. California Government Code Section 815.6 states that "Where a public entity is  
7 under a mandatory duty imposed by an enactment that is designed to protect against the risk of a  
8 particular kind of injury, the public entity is liable for an injury of that kind proximately caused by  
9 its failure to discharge the duty unless the public entity establishes that it exercised reasonable  
10 diligence to discharge the duty."

11 23. Defendant DISTRICT is liable for any breach of said duties by its employees, agents,  
12 servants and/or joint ventures, as provided under California Government Code Sections 815.2 and  
13 820.

14 24. At Los Osos, the school attended by plaintiffs, the DISTRICT through its agents and  
15 employees, was and is directly in charge of pupils, staff (teachers and coaches) children and their  
16 environs. The Los Osos Parent Student Handbook ("PSH") provides as follows:

- 17 a. "We are committed to connecting all students with opportunities and  
18 advantages within a safe and healthy learning environment." PSH at 4.
- 19 b. "A high priority for the Board of Trustees, Superintendent and staff is to  
20 ensure all students, regardless of...gender...will be provided... resources in  
21 a caring, safe, and supportive environment." PSH at 4.
- 22 c. "...we are committed to... providing a safe, caring, and productive learning  
23 environment for all students." PSH at 5.

24 25. The DISTRICT had the sole ability to discipline and control both faculty and students  
25 at Los Osos. The DISTRICT had the sole ability to establish and enforce rules, policies, and  
26 procedures for the protection of students. Each plaintiff was therefore dependent upon the  
27 DISTRICT and its agents and employees to act reasonably protect her safety, to protect her privacy  
28 while in areas of the campus of Los Osos High School such as the women's locker room and

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1 bathroom, and to protect her against abuse from the DISTRICT's agents and employees.

2 FACTUAL ALLEGATIONS

3 26. At all relevant times, DISTRICT, its agents and employees knew or should have  
4 known:

5 a. students, including minor females, on the premises of Los Osos High School used  
6 a women's locker room and bathroom adjacent to the campus swimming pool to  
7 change clothes, and for sanitary and other purposes;

8 b. students, including minor females, on the premises of Los Osos High School used  
9 a women's locker room and bathroom adjacent to the campus swimming pool to  
10 change clothes, and for sanitary and other purposes with an expectation of  
11 privacy;

12 c. students, including minor females, were at times fully or partially undressed  
13 when in the women's locker room and bathroom adjacent to the campus  
14 swimming pool at Los Osos High School;

15 d. members of the Los Osos High School women's water polo, women's swim  
16 team, women's soccer, women's track/cross-country, women's tennis, women's  
17 basketball, women's softball, women's physical education, women's diving  
18 team, dance program and cheer program, along with members of the Foothill  
19 Club Water Polo program (women's), visiting teams, and a variety of other  
20 females, including minor females, were at times fully or partially undressed when  
21 in the women's locker room and bathroom adjacent to the campus swimming  
22 pool at Los Osos High School. Those areas were designated and known to the  
23 school and District as ones in which females, such as plaintiffs, used bathroom  
24 facilities, showered and changed clothes. Female student were required to change  
25 clothes in connection with approved activities held on the Los Osos High School  
26 campus including athletic events, physical education programs and other school  
27 activities and practices;

28 e. in this digital era, students, including minors, were and are vulnerable to

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electronic invasions of privacy and concealed surveillance devices inserted into areas such as locker rooms and bathrooms, where privacy is expected;

- f. the media has published reports about concealed cameras spying on unsuspecting females, and about secretly recorded images being illegally viewed for sexual pleasure and/or circulated on the internet;
- g. school faculty members, agents and employees are allowed unique access to students, including minors, by virtue of their school positions. That access includes access to areas where students have an expectation of privacy. That access includes access to keys and other means of entry to areas where students have an expectation of privacy;
- h. because of the unique access to students, including minors, allowed to school faculty members, agents and employees by virtue of their school positions, school faculty members, agents and employees pose a risk of inappropriate conduct toward students, including conduct such as placing concealed surveillance devices in areas of the school where privacy is expected.

27. The negligence of the DISTRICT is believed to include, but not be limited the following:

- a. Although surveillance cameras were on campus, there was inadequate viewing of footage. As a result, RIDEN, a male, was able to gain access to the women's locker room and bathroom adjacent to the swimming pool at Los Osos High School. Had reasonable care been exercised, the DISTRICT would have observed RIDEN entering the women's locker room and bathroom area, would have terminated RIDEN's employment and would have located his recording devices.
- b. Even without surveillance cameras, there was inadequate supervision of employees and inadequate patrolling of school grounds. Such supervision and patrolling would have revealed that RIDEN was entering the women's locker room and bathroom adjacent to the swimming pool at Los Osos High School for

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no legitimate reason and at odd hours. With that information, DISTRICT could have prevented the illegal recording.

c. RIDEN was an assistant football coach and men’s locker room assistant at Los Osos High School. Personnel employed at Los Osos could see or should have seen that RIDEN spent inordinate time outside of the mens’ locker room, where he had duties, in order to stare at women entering and exiting the womens’ locker room and bathroom so that he could choose his moments to enter the areas designated for women.

d. The Los Osos Employee handbook states: “SALTO electronic key cards/fobs to District property and facilities are the property of the Chaffey Joint Union High School District and are issued to employees to conduct District related business. It is the employee’s responsibility to assure their District issued key cards/fobs are cared for in a secure manner and not given to students or other unauthorized persons.” Employee Handbook p.49. There was no legitimate reason for RIDEN to have key access to the women’s locker room and bathroom adjacent to the swimming pool at Los Osos High School. Had reasonable care been exercised, the DISTRICT would not have issued a key to RIDEN, would have kept track of keys issued, would have realized that RIDEN had a key allowing him access to private areas used by females, including minors, and would have monitored key usage to show that RIDEN was using key access to enter the private areas used by females (where he placed recording devices).

e. The Los Osos Parent Student Handbook (“PSH”) provides that “[u]nauthorized videos, audio recordings or still images of students or staff, including the posting and transferring of these recordings/images on social media during the school day, is not allowed.” PSH at 32. The PSH specifically states that except as directed in class by an instructor, use of “[e]lectronic communication devices...during all other times is strictly prohibited. If such devices are turned on or used without permission, any teacher or administrator has the right to

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immediately confiscate the device and the principal, or their designee may thereafter revoke the privilege and prohibit a student from possessing such a device on campus.” PSH at 34. In addition, the PSH provides that outside of authorized classroom use, if electronic devices “are turned on or used without permission, any teacher or administrator has the right to immediately confiscate the device and the principal, or their designee may thereafter revoke the privilege and prohibit a student from possessing such a device on campus.” p.34. The PSH also states: “By policy or practice the school district, or its individual schools, may regulate the right of pupils to possess or use electronic signaling devices, including cell phones and pagers, during the school day or at school functions.” PSH at 53.

- f. Despite the rules against electronic devices, electronic devices were plainly allowed in the locker room and bathrooms, allowing RIDEN to place recording devices disguised as chargers in those areas, and to record females in those private areas.
- g. If electronic communication devices were prohibited, there was no reason for there to be chargers for those devices in the women’s locker room or bathroom areas. School personnel failed to confiscate those devices and/or failed to monitor items in the women’s locker room and bathroom. School personnel failed to take possession of apparent charging devices left for long periods of time in those areas and to turn them in to the school’s lost and found department. Had school personnel enforced rules against prohibited devices, properly monitored items in the bathroom and locker room areas and sought to prevent improper recordings in those private areas, RIDEN would not have been able to perpetrate his crimes.
- h. Los Osos High School assigned a female attendant to the women’s locker room adjacent to the swimming pool at Los Osos High School. The attendant’s duties included maintaining an orderly locker room and enforcing school rules in the women’s locker room. The attendant, whose name may have been Sanchez,

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should have spotted RIDEN's recording devices, determined their nature herself, confiscated those devices and turned them over to school personnel. If she had done so, the recording by RIDEN would have stopped and his nefarious activities would have been discovered.

- i. There was a hallway that connected an equipment room to both the men's and women's locker rooms, which provided RIDEN with easy access to the women's locker room. It was not monitored.
- j. Plaintiffs are informed and believes that the DISTRICT received complaints or reports about RIDEN which alerted, or should have alerted the DISTRICT, that RIDEN posed a risk of sexually improper conduct toward females, including minors. Plaintiffs believe that RIDEN was known by Los Osos faculty to have invited females for snacks behind closed doors in his office area, to stare conspicuously at young females in swim or athletic attire, and to stand outside of the boys' locker room at times when it was clear that his intent was to determine if young women would be changing in the women's locker room or using the bathroom. Plaintiffs do not have access to RIDEN's personnel records, but the DISTRICT has such access.

28. At all times relevant, it was foreseeable that concealed surveillance devices could be placed in areas of the school where privacy is expected, particularly when such placement is by faculty, staff or employees of Los Osos High School. The DISTRICT was at all times aware that the women's locker room and bathroom adjacent to the swimming pool at Los Osos High School were in regular use by students, particularly by participants in the school's athletic, physical education and other programs. The DISTRICT also knew that students who were not affiliated with teams used the bathroom facilities adjacent to that swimming pool. The DISTRICT also knew that parents who attended competitions or practices regularly used the bathroom facilities adjacent to that swimming pool.

29. While employed by DISTRICT, and a result of the DISTRICT's negligence, RIDEN was allowed to enter the women's bathroom and locker room adjacent to the swimming pool at Los

1 Osos High School and place recording devices disguised as a cellular telephone charger.

2 30. RIDEN used these devices to secretly record females in the women's bathroom and  
3 locker room for the purpose of his own sexual gratification.

4 31. As a result of the DISTRICT's negligence, RIDEN was able to repeatedly enter the  
5 bathroom and locker room to retrieve his devices and to replace them for further illicit recording.

6 32. Plaintiffs used the bathroom and locker room adjacent to the swimming pool at Los  
7 Osos High School while RIDEN's hidden recording devices were placed in the bathroom and locker  
8 room.

9 33. Each plaintiff reasonably believes she was secretly recorded, by RIDEN's recording  
10 devices, while fully or partially undressed.

11 34. The apprehension of being potentially recorded by a DISTRICT employee has  
12 caused each plaintiff great emotional distress.

13 35. DISTRICT failed to act reasonably to protect plaintiffs from the foreseeable risk of  
14 concealed recording devices in the bathroom and locker room adjacent to the swimming pool at Los  
15 Osos High School.

16 36. As a result of DISTRICT's failure to act reasonably, RIDEN was able, for an  
17 extended period of time, to surreptitiously record females, including minors, while in the women's  
18 bathroom and locker room areas and to enter the women's bathroom and locker room as well as  
19 being able to retrieve his devices so that he could view the images he surreptitiously obtained for  
20 his personal sexual pleasure or for other illegal purposes.

21 37. If DISTRICT had exercised reasonable care in the management of Los Osos High  
22 School and in the supervision of employees, RIDEN would not have had the opportunity to place  
23 recording devices in those private areas, to retrieve those devices and/or to replace those devices to  
24 obtain more recordings.

25 38. If DISTRICT had exercised reasonable care in the management of Los Osos High  
26 School and in the supervision of employees, those devices would have been discovered and  
27 removed, and RIDEN would have been terminated from employment, long before August of 2021.

28 39. Plaintiffs could not discover that they were taped or exposed to taping at Los Osos



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1 High School until approximately August 27, 2021, when the Rancho Cucamonga Police Department  
2 first notified the public of RIDEN's actions. Plaintiffs were unable to discover those circumstances  
3 prior to that date because of acts of concealment by RIDEN and because information concerning  
4 RIDEN's actions and/or the negligence of CJUHSD was not available and/or concealed from  
5 plaintiffs.

6 40. Each plaintiff has timely filed a Government Code Claim with the DISTRICT, and  
7 each such claim has been denied by operation of law.

8 **FIRST CAUSE OF ACTION**

9 **NEGLIGENCE**

10 (Against Defendants DISTRICT and DOES 1 through 100, inclusive)

11 41. Plaintiffs re-allege and incorporate by reference herein each and every allegation  
12 contained herein above though fully set forth and brought in this cause of action.

13 42. Prior to the discovery of the hidden camera, it was foreseeable that concealed  
14 surveillance devices could be placed in areas of the school where privacy is expected, particularly  
15 when such placement is by faculty, staff or employees of Los Osos High School.

16 43. By virtue of plaintiffs' special relationships with Defendants, and Defendants relation  
17 to RIDEN, Defendants owed plaintiffs a duty to provide reasonable supervision of RIDEN, to use  
18 reasonable care in investigating RIDEN's background, to maintain the privacy of areas such a  
19 bathrooms and locker rooms, to enforce school rules and policies for the protection of privacy and  
20 safety, to ascertain RIDEN's offensive and harmful propensities, and to provide adequate warning  
21 to plaintiffs and other students of RIDEN's dangerous propensities and unfitness. As organizations  
22 and individuals responsible for, and entrusted with, the welfare of students, Defendants had a duty  
23 to protect, supervise, and monitor plaintiffs from being preyed upon by sexual predators and to  
24 supervise and monitor RIDEN such that he would not be placed in a position where he could hide  
25 recording devices in the women's bathroom and locker room.

26 44. Defendants, by and through their respective agents, servants and employees, knew  
27 or should have known of RIDEN's dangerous and exploitive propensities and that RIDEN was an  
28 unfit agent. Despite such knowledge, Defendants negligently failed to supervise RIDEN in his

1 position of trust and authority as an assistant football coach and locker room attendant, where he  
2 used the instrumentalities of his position as a means to illicitly record women in the bathroom and  
3 locker room adjacent to the swimming pool at Los Osos High School.

4 45. Defendants at no time had in place a sufficient or reasonable system or procedure to  
5 investigate, supervise, or monitor its locker room attendants, including RIDEN.

6 46. Defendants failed to provide adequate warning to plaintiffs of RIDEN's dangerous  
7 propensities and unfitness. Defendants further failed to take reasonable steps to ensure the safety of  
8 students, including plaintiffs, from sexual harassment in the form of illicit recording.

9 47. Each plaintiff reasonably believes she was secretly recorded, by RIDEN's recording  
10 devices, while fully or partially undressed.

11 48. The apprehension of being potentially recorded by a DISTRICT employee has  
12 caused each plaintiff great emotional distress.

13 49. As a result of the above-described conduct, plaintiffs have suffered and continue to  
14 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
15 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment  
16 of life; have suffered and continues to suffer and were prevented and will continue to be prevented  
17 from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
18 and earning capacity, and have incurred and will continue to incur expenses for medical and  
19 psychological treatment, therapy, and counseling.

20 **SECOND CAUSE OF ACTION**

21 **NEGLIGENT SUPERVISION**

22 (Against Defendants DISTRICT and DOES 1 through 100, inclusive)

23 50. Plaintiffs re-allege and incorporate by reference herein each and every allegation  
24 contained herein above though fully set forth and brought in this cause of action.

25 51. By virtue of Plaintiffs' special relationships with Defendants, and Defendants relation  
26 to RIDEN, Defendants owed plaintiffs a duty to provide reasonable supervision of RIDEN, to use  
27 reasonable care in investigating RIDEN's background, and to provide adequate warning to plaintiffs  
28 and other students of RIDEN's dangerous propensities and unfitness. As organizations and

1 individuals responsible for, and entrusted with, the welfare of students, Defendants had a duty to  
2 protect, supervise, and monitor plaintiffs from being preyed upon by sexual predators and to  
3 supervise and monitor RIDEN such that he would not be placed in a position where he could hide  
4 recording devices in the women's bathroom and locker room.

5 52. Defendants, by and through their respective agents, servants and employees, knew  
6 or should have known of RIDEN's dangerous and exploitive propensities and that RIDEN was an  
7 unfit agent. Despite such knowledge, Defendants negligently failed to supervise RIDEN in his  
8 position of trust and authority as an assistant football coach and locker room attendant, where he  
9 used the instrumentalities of his position as a means to illicitly record women in the bathroom and  
10 locker room adjacent to the swimming pool at Los Osos High School.

11 53. Defendants at no time had in place a sufficient or reasonable system or procedure to  
12 investigate, supervise, or monitor its locker room attendants, including RIDEN.

13 54. Defendants failed to provide adequate warning to Plaintiffs of RIDEN's dangerous  
14 propensities and unfitness. Defendants further failed to take reasonable steps to ensure the safety of  
15 students, including plaintiffs, from sexual harassment in the form of illicit recording.

16 55. Defendants were aware or should have been aware of how vulnerable high school  
17 students were to sexual harassment by persons with authority within Defendant's entities, such as  
18 RIDEN.

19 56. If DISTRICT had exercised reasonable care in the management of Los Osos High  
20 School and in the supervision of employees, RIDEN would not have had the opportunity to place  
21 recording devices in those private areas, to retrieve those devices and/or to replace those devices to  
22 obtain more recordings. If DISTRICT had exercised reasonable care in the management of Los Osos  
23 High School and in the supervision of employees, those devices would have been discovered and  
24 removed, and RIDEN would have been terminated from employment, long before August of 2021.

25 57. Each plaintiff reasonably believes she was secretly recorded, by RIDEN's recording  
26 devices, while fully or partially undressed.

27 58. The apprehension of being potentially recorded by a DISTRICT employee has  
28 caused each plaintiff great emotional distress.

1 59. As a result of the above-described conduct, Plaintiffs have suffered and continue to  
2 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
3 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment  
4 of life; have suffered and continue to suffer and were prevented and will continue to be prevented  
5 from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
6 and earning capacity, and have incurred and will continue to incur expenses for medical and  
7 psychological treatment, therapy, and counseling.

8 **THIRD CAUSE OF ACTION**

9 **NEGLIGENT HIRING/RETENTION**

10 (Against Defendants DISTRICT and DOES 1 through 100, inclusive)

11 60. Plaintiffs re-allege and incorporate by reference herein each and every allegation  
12 contained herein above though fully set forth and brought in this cause of action.

13 61. By virtue of plaintiffs' special relationship with Defendants, and Defendants' relation  
14 to RIDEN, Defendants owed plaintiffs a duty to not hire or retain, given his dangerous and exploitive  
15 propensities, which Defendants knew or should have known about had they engaged in a reasonable,  
16 meaningful and adequate investigation of his background prior to his hiring or retaining him in  
17 subsequent positions of employment.

18 62. Defendants expressly and implicitly represented that the faculty and staff of Los Osos  
19 High School, including RIDEN, were not a sexual threat to students and others who would use the  
20 bathroom and locker room at Los Osos High School.

21 63. At no time during the time periods alleged did Defendants have in place a reasonable  
22 system or procedure to investigate, supervise, and monitor its locker room attendants, including  
23 RIDEN, to prevent illicit recording of students.

24 64. Defendants were aware or should have been aware and understand how vulnerable  
25 female students were to sexual harassment and illicit recording by faculty, staff, and other persons  
26 of authority within the control of Defendants prior to plaintiffs' sexual abuse by RIDEN.

27 65. Defendants were put on notice, and should have known that RIDEN had previously  
28 engaged and continued to engage in unlawful sexual conduct with patients, and was committing

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1 other felonies, for his own personal gratification, and that it was, or should have known it would  
2 have been foreseeable that he was engaging, or would engage in illicit recording of plaintiffs, and  
3 others, under the cloak of his authority, confidence, and trust, bestowed upon him through  
4 Defendants.

5 66. Even though Defendants knew or should have known of the illicit recording by  
6 RIDEN, Defendants failed to use reasonable care in investigating RIDEN and did nothing to  
7 reasonably investigate, supervise, or monitor RIDEN to ensure the safety of students.

8 67. If DISTRICT had exercised reasonable care in the management of Los Osos High  
9 School and in the supervision of employees, RIDEN would not have had the opportunity to place  
10 recording devices in those private areas, to retrieve those devices and/or to replace those devices to  
11 obtain more recordings.

12 68. If DISTRICT had exercised reasonable care in the management of Los Osos High  
13 School and in the supervision of employees, those devices would have been discovered and  
14 removed, and RIDEN would have been terminated from employment, long before August of 2021.

15 69. Defendants' conduct was a breach of their duties to plaintiffs.

16 70. Each plaintiff reasonably believes she was secretly recorded, by RIDEN's recording  
17 devices, while fully or partially undressed.

18 71. The apprehension of being potentially recorded by a DISTRICT employee has  
19 caused each plaintiff great emotional distress.

20 72. As a result of the above-described conduct, Plaintiffs have suffered and continue to  
21 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
22 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment  
23 of life; have suffered and continues to suffer and were prevented and will continue to be prevented  
24 from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
25 and earning capacity, and have incurred and will continue to incur expenses for medical and  
26 psychological treatment, therapy, and counseling.

27 **FOURTH CAUSE OF ACTION**

28 **NEGLIGENT FAILURE TO WARN, TRAIN, EDUCATE OR ENFORCE**

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PROTECTIVE POLICIES

(Against Defendants DISTRICT and DOES 1 through 100, inclusive)

73. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained herein above though fully set forth and brought in this cause of action.

74. Defendants owed plaintiffs a duty to take reasonable protective measures to protect plaintiffs and other students from the risk of sexual harassment in the form of illicit recording while on school property.

75. Defendants breached their duty by failing to implement reasonable or sufficient policies and procedures and/or failing to enforce existing policies to prevent the illicit recording of female students in the bathroom and locker room.

76. Defendants breached their duty by failing to reasonably or sufficiently train their employees to recognize and report the hidden camera placed in the bathroom and locker room by RIDEN.

77. Defendants breached their duty by failing to reasonably or sufficiently train its employees to enforce its own policies and procedures banning cellular phones from the bathroom and locker room.

78. Due to Defendant's breach of duty, its employee RIDEN was able to hide a recording device in the bathroom and locker room adjacent to the swimming pool at Los Osos High School.

79. Each plaintiff reasonably believes she was secretly recorded by RIDEN's recording devices, while fully or partially undressed.

80. The apprehension of being potentially recorded by a DISTRICT employee has caused each plaintiff great emotional distress.

81. As a result of the above-described conduct, plaintiffs have suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment of life; have suffered and continues to suffer and were prevented and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity, and have incurred and will continue to incur expenses for medical and

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1 psychological treatment, therapy, and counseling.

2 **PRAYER FOR RELIEF**

3 **WHEREFORE**, plaintiffs pray for a jury trial and for judgement against Defendants  
4 as follows: **FOR ALL CAUSES OF ACTION**

5 1. For past, present and future non-economic damages in an amount to be determined  
6 at trial;

7 2. For past, present and future special damages, including but not limited to past,  
8 present and future lost earnings, economic damages and others, in an amount to be determined at  
9 trial;

10 3. Any appropriate statutory damages;

11 4. For costs of suit;

12 5. Punitive damages, according to proof, though not as to the Negligence Causes of  
13 Action;

14 6. For interest based on damages, as well as pre-judgment and post-judgment interest  
15 as allowed by law;

16 7. For attorney's fees pursuant to California Code of Civil Procedure sections 1021.5,  
17 et seq., 52, et seq., 51, et seq., or as otherwise allowable by law;

18 8. For declaratory and injunctive relief;

19 9. For such other and further relief as the Court may deem proper.

20  
21 DATED: July 6, 2022

PANISH SHEA BOYLE RAVIPUDI, LLP

22  
23 By: 

24 ADAM SHEA  
25 Attorney for Plaintiffs  
26  
27  
28