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12 Attorneys for Plaintiffs

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **COUNTY OF SACRAMENTO**

15 DAVID “SCOTT” SORGEA, an individual,
DARREN SORGEA, an individual, DAN
16 SCHUMACHER, an individual, ROBBE
TAYLOR, an individual, KEVIN WILLIAMS,
17 an individual,

18 Plaintiffs,

19 v.

20 CAPITAL CHRISTIAN SCHOOL; CAPITAL
CHRISTIAN CENTER; DAVID ARNOLD;
21 and DOES 4-10,

22 Defendants.

Case No. 34-2022-00317282

FIRST AMENDED COMPLAINT FOR DAMAGES for:

- 1) Negligence
- 2) Negligent Supervision and Retention
- 3) Negligence Per Se
- 4) Sexual Harassment
- 5) Sexual Battery

Filed Pursuant to Code of Civil Procedure
Section 340.1, as Amended by Assembly
Bill 218

[Jury Trial Demanded]

23
24 Plaintiffs David “Scott” Sorgea, Darren Sorgea, Dan Schumacher, Robbe Taylor, and Kevin
25 Williams (together, “Plaintiffs”) bring this action against Defendants Capital Christian School
26 (“CCS”); Capital Christian Center (“CC Center”); David Arnold (“Arnold”); and DOES 4-10
27 (together, “Defendants”), and based on information and belief allege as follows:
28

1 **INTRODUCTION**

2 1. “Nobody is going to bring down my school. Not Arnold, not those boys, not anyone.”
3 These are the words Pastor Glen Cole declared to Vice Principal Susan Catlett in or around 1983,
4 which Susan Catlett shared with Plaintiff David “Scott” Sorgea years later. This statement
5 exemplifies CCS’s decades-long campaign to cover up the systemic sexual abuse of minors that
6 permeated the CCS campus throughout the 1980s.

7 2. This case is about a tragic and preventable campaign of abuse by a teacher who
8 preyed on the innocence of minor students, and a Pastor who put the construction of a new campus
9 above the psychological, emotional, and physical well-being of the students at that school. The
10 teacher’s abuse was so pervasive and so notorious amongst the CCS community that rumors
11 continued to circulate about Arnold long after he left the school.

12 3. Moreover, Arnold was so secure in his belief that CCS and CC Center wouldn’t take
13 action against him that he kept graphic evidence of his sexual abuse of minors *in his classroom*. He
14 stashed photographic negatives showing the sexual abuse of Plaintiffs between the pages of books,
15 where any student, teacher, or administrator could have found them. CCS and CC Center’s sustained
16 negligence eventually resulted in elementary students stumbling upon these photographic negatives.

17 4. This school and the Pastor at its helm turned a blind eye to countless red flags in a
18 sexual predator’s behavior. When the sexual grooming and abuse of minors was brought to the
19 attention of CCS, those in charge initially failed to act. It took a subsequent wave of reports from
20 different students regarding Arnold’s sexual abuse for Arnold to remove him from the school. Even
21 then, Pastor Glen Cole allowed Arnold to quietly leave in an effort to cover up the sexual abuse and
22 protect the reputation of the institutional defendants.

23 5. Simply put, CCS had multiple opportunities to do the right thing and to prevent the
24 abuse perpetrated by Arnold. This lawsuit is an effort by Plaintiffs to shed light on sexual abuse that
25 CCS and CC Center buried for decades.

26 **PARTIES**

27 6. Plaintiff David “Scott” Sorgea (“Scott”) is an adult male presently residing within the
28 State of California. Scott was born in 1964.

1 7. Plaintiff Darren Sorgea (“Darren”) is an adult male presently residing within the State
2 of California. Darren was born in 1966.

3 8. Plaintiff Dan Schumacher (“Dan”) is an adult male presently residing in the State of
4 Washington. Dan was born in 1965.

5 9. Plaintiff Robbe Taylor (“Robbe”) is an adult male presently residing in the State of
6 Tennessee. Robbe was born in 1964.

7 10. Plaintiff Kevin Williams (“Kevin”) is an adult male presently residing in the State of
8 Utah. Kevin was born in 1964.

9 11. At all times relevant to this Complaint, Plaintiffs all resided in Sacramento County,
10 California. Plaintiffs were minors throughout the period of childhood sexual assault alleged herein,
11 all of which took place in Sacramento County. Plaintiffs bring this Complaint pursuant to Code of
12 Civil Procedure Section 340.1, as amended by Assembly Bill 218, for the childhood sexual assault
13 they suffered at the hands of Defendants. Thus, Plaintiffs’ claims for damages suffered as a result
14 of childhood sexual assault are timely filed as they are filed within three years of January 1, 2020.

15 12. Defendant CCS at all times mentioned herein was and is an entity of unknown form
16 having its principal place of business in Sacramento County, California. At all times relevant herein,
17 CCS was and continues to be under the direct authority, control, and province of CC Center. CCS
18 purposely conducts substantial educational business activities in the State of California, and is
19 responsible for the funding, staffing, and direction of a Christian school located in Sacramento,
20 California.

21 13. At all times mentioned herein, CC Center was and is a domestic non-profit,
22 established in 1922. Its principal place of business is located in Sacramento County, California. CC
23 Center conducts substantial business operations in the State of California. CC Center is responsible
24 for various Christian church operations, missions, and outreach in and throughout Northern
25 California, and is responsible for the funding, staffing, and direction of parochial schools and
26 missions within the geographic area of the County of Sacramento. CC Center was the primary entity
27 owning, operating, and controlling the activities and behavior of its employees and agents at CCS,
28 including Arnold and DOES 4-10, and all other employees, agents and supervisors of Defendants.

1 Upon information and belief, Plaintiffs allege that CC Center had authority and responsibility to
2 control and supervise the actions of the employees and agents at CCS.

3 14. On information and belief, Defendant Arnold is an individual currently residing in
4 the State of Oklahoma. Arnold served as a teacher to minor students at CCS from 1980 through
5 1983. At all times relevant to this Complaint, Arnold acted as an employee, agent, and servant of
6 CCS and was under its complete control and supervision.

7 15. The true names and capacities, whether individual, corporate, partnership, associate,
8 or otherwise, of Defendants DOES 4-10, inclusive, are unknown to Plaintiffs. Accordingly,
9 Plaintiffs sue DOES 4-10 by such fictitious names pursuant to section 474 of the California Code of
10 Civil Procedure. Plaintiffs will seek leave to amend this Complaint to allege their true names and
11 capacities when they are ascertained. Each of these fictitiously named defendants is an alter ego of
12 one or more of the named defendants, or is in some manner liable or responsible for the events,
13 happenings, and/or tortious and unlawful conduct that caused the injuries and damages alleged in
14 this Complaint.

15 16. On information and belief, at all times material hereto, there existed a unity of interest
16 and ownership among Defendants and each of them, such that an individuality and separateness
17 between Defendants ceased to exist. Defendants were the successors-in-interest and/or alter egos of
18 the other Defendants in that they purchased, controlled, dominated and operated each other without
19 any separate identity, observation of formalities, or any other separateness. To continue to maintain
20 the façade of a separate and individual existence between and among Defendants, and each of them,
21 would serve to perpetuate a fraud and injustice.

22 17. On information and belief, Defendants were the agents, representatives, servants,
23 employees, partners, and/or joint venturers of each and every other Defendant and were acting within
24 the course and scope of said alternative capacity, identity, agency, representation and/or employment
25 and were within the scope of their authority, whether actual or apparent. Each of the Defendants is
26 responsible in some manner for one or more of the events and happenings described herein. Each
27 Defendant approved and/or ratified the conduct of each other Defendant. Consequently, each
28 Defendant is jointly and severally liable to Plaintiffs for the damages sustained as a proximate result

1 of his, her, or its conduct. Each of the Defendants proximately caused the injuries and damages
2 alleged.

3 18. Each of the Defendants aided and abetted each other Defendant. Each Defendant
4 knowingly gave substantial assistance to each other Defendant who performed the wrongful conduct
5 alleged herein. Accordingly, each Defendant is jointly and severally liable for the damages
6 proximately caused by the wrongful conduct of each Defendant, and their respective employees.

7 19. Each of the Defendants is, and at all relevant times herein mentioned was, the co-
8 conspirator of each other Defendant, and, therefore, each Defendant is jointly and severally liable to
9 Plaintiff for the damages sustained as a proximate result of each other Defendant. Each Defendant
10 entered into an express or implied agreement with each of the other Defendants to commit the
11 wrongs herein alleged. This includes, but is not limited to, the conspiracy to perpetrate sexual
12 violence against Plaintiffs and other young male students of Defendant CCS.

13 20. Whenever reference is made to “Defendants” in this Complaint, such allegation shall
14 be deemed to mean the acts of Defendants acting individually, jointly, and/or severally.

15 **GENERAL FACTUAL ALLEGATIONS**

16 **I. Arnold Sexually Grooms and Assaults Several Minor Students at CCS.**

17 21. From approximately 1980 to 1983, Arnold was a teacher, yearbook advisor,
18 newspaper advisor, and football coach at CCS, and he repeatedly engaged in inappropriate and
19 criminal sexual behavior with minor children entrusted to CCS’s care. Arnold assaulted *at least* five
20 young male students while he was employed by CCS.

21 ***A. Arnold Begins Sexually Grooming Scott and Kevin.***

22 22. Before the start of their junior year of high school, CCS placed Scott and Kevin in a
23 class taught by Arnold. During their very first day in Arnold’s class, when the boys were
24 approximately 16 years old, Arnold walked up to Scott and Kevin, shook their hands, and said “God
25 has called me to take care of you in every way possible.” This statement was the genesis of Arnold’s
26 emotional, psychological, and physical grooming of Scott and Kevin.

27 23. Arnold openly developed a close friendship with Scott specifically, showing him
28 extreme favoritism compared to other students. As examples, Arnold began buying Scott expensive

1 meals almost daily, and thereafter began giving Scott money. Other teachers and staff at CCS ignored
2 these red flags which showed Arnold's unusually close relationship with Scott.

3 24. Arnold further emotionally groomed Scott by telling him how special Scott was and
4 how much Arnold cared about him. Arnold made Scott feel not only accepted, but important.

5 25. During the Fall of Scott's and Kevin's junior year in high school, Arnold escalated
6 his grooming of both boys. Scott was enrolled in several classes with Arnold. On information and
7 belief, Arnold not only encouraged Scott to sign up for his classes, but also helped make sure Scott
8 received a schedule that included numerous classes and electives with Arnold. He also began
9 physically grooming both Kevin and Scott, often stopping the boys in the hallways around CCS's
10 campus. Arnold would grab Scott and Kevin and wrestle with them, pulling their arms behind their
11 backs or wrapping his arm around their necks. Arnold would wrestle with Kevin and Scott in plain
12 view of the staff, faculty, and administration on CCS's campus in the middle of the school day.
13 However, rather than address or at least inquire into the inappropriate behavior Arnold was engaging
14 in with minor students, CCS's administration, faculty, and staff chose to actively ignore what was
15 so clearly and openly taking place.

16 26. During their junior year, Arnold's gifts to the boys became more extravagant. Arnold
17 began paying Scott's tuition to attend CCS. This was in addition to offering Scott and Kevin
18 expensive meals and other monetary gifts. Arnold would take both Scott and Kevin to Golden State
19 Warriors basketball games and other sporting events. Most ostentatiously, Arnold bought Scott a car
20 and paid for custom wheels, paint and a stereo for the vehicle. On information and belief, it was
21 well-known that Arnold gave this car to Scott. But despite these glaring red flags in Arnold's
22 behavior, the teachers, staff and administration at CCS continued to choose to do nothing in terms
23 of inquiring into and/or investigating Arnold's actions.

24 27. On information and belief, it was well-known to the CCS community that Arnold
25 maintained unhealthy relationships with minor boys. In fact, students recall seeing Scott and Kevin
26 around Arnold constantly. They remember Arnold giving Scott and Kevin money and gifts. On
27 information and belief, it was well-known to the CCS community that students referred to Scott and
28 Kevin as "Arnold's slaves" or "Arnold's pets."

1 28. Simply put, it was no secret that Arnold was sexually grooming Scott and Kevin
2 throughout their junior year. Arnold expressed and showed excessive favoritism of Scott and Kevin
3 in plain view of CCS’s administration, faculty, and staff.

4 ***B. Arnold Begins Sexually Assaulting Scott.***

5 29. During Scott’s junior year at CCS, Arnold approached Scott and asked if Scott would
6 help Arnold grade papers for money. Having gained Scott’s trust through months of emotional and
7 psychological grooming, Arnold insisted that they work on grading the papers at Arnold’s apartment.

8 30. The following Saturday, Scott went to Arnold’s apartment. As he stepped through the
9 door, Scott immediately noticed several pictures of teenage boys around the apartment. When Scott
10 asked about the pictures, Arnold explained that the pictures were of boys from Arnold’s youth group
11 at Arden Nazarene Church.

12 31. Arnold lulled Scott into a false sense of security that first Saturday, simply paying
13 Scott for his help grading papers as promised. Soon, Scott was visiting Arnold’s apartment one to
14 two nights per week to help Arnold grade papers. During these nights, Arnold would strip down to
15 only his underwear and an undershirt before grading papers with Scott. Scott distinctly remembers
16 Arnold would tuck his undershirt into his underwear.

17 32. After having groomed him emotionally, physically, and psychologically for months,
18 Arnold began to sexually abuse Scott. One night, Arnold offered Scott an opportunity to make twice
19 as much money as normal. Specifically, Arnold explained that he would “hog tie” Scott, and, if Scott
20 escaped his bindings, Arnold would pay him double the amount offered for grading papers.

21 33. Scott agreed to the “game,” and Arnold watched as Scott wiggled his way out of the
22 ACE Bandages Arnold had used to tie Scott’s wrists and ankles. Having escaped, Scott collected the
23 money from Arnold. This “game” occurred at least three more times before Arnold began adding
24 even more disturbing elements.

25 34. As the weeks went by, Arnold began blindfolding and gagging Scott with bandanas
26 in addition to the “hog-tying,” all while Arnold remained clothed only in his underwear and
27 undershirt. Arnold would tell Scott that he was going to the store, and he would set a one hundred
28

1 dollar bill on the coffee table as incentive before blindfolding Scott. Arnold would tell Scott that if
2 he hadn't freed himself by the time Arnold returned from the store, Arnold would untie him.

3 35. During these abusive incidents, Arnold was not actually leaving the apartment to go
4 to the store. On information and belief, Arnold would watch and photograph Scott struggling to
5 escape for Arnold's own sexual gratification. On information and belief, Arnold also masturbated as
6 he watched Scott struggle to escape.

7 36. Eventually, Arnold escalated his abuse by incorporating additional elements,
8 claiming he was toughening Scott up. Arnold began handcuffing Scott to a chair before blindfolding
9 him. Next, Arnold would turn the television up to its highest volume. This element allowed him to
10 watch and photograph Scott without Scott knowing Arnold was still in the apartment.

11 37. During the spring break of Scott's junior year, Arnold offered to take Scott and a
12 friend to Point Loma Nazarene University for a purported basketball recruiting trip. Once there,
13 Arnold told Scott and his friend that the coach just wanted to watch them play basketball together
14 while watching through his office window. Scott and his friend agreed. However, once they had
15 finished playing, Arnold claimed the coach was not interested in further recruiting them.
16 Unbeknownst to Scott and his friend, Arnold was taking photographs of Scott and his friend shirtless
17 and sweaty while they played basketball. On information and belief, these pictures were taken for
18 Arnold's prurient sexual gratification.

19 38. Over the course of Scott's junior year of high school, Scott was tied up, gagged, and
20 blindfolded on numerous occasions – being sexually abused at least once a week.

21 ***C. Arnold Begins Sexually Assaulting Kevin As His Abuse of Scott Escalates.***

22 39. During Scott and Kevin's senior year, the sexual grooming escalated. Once again,
23 Scott was enrolled in several classes with Arnold. On information and belief, Arnold not only
24 encouraged Scott to sign up for his classes, but also helped make sure Scott received a schedule that
25 included numerous classes and electives with Arnold. Meanwhile, although Kevin only had 4 total
26 classes during his senior year, two of the classes were periods he served as Arnold's teaching
27 assistant. On information and belief, Arnold arranged for Kevin to be his teacher's assistant in an
28 effort to create more opportunities to sexually groom and abuse Kevin.

1 40. In addition to their regular classes with Arnold, Kevin and Scott both served
2 executive positions on the CCS student newspaper, run by Arnold. Scott was also part of the
3 yearbook editing team and the senior class council, both of which Arnold advised. All of these
4 positions forced Scott and Kevin to be in close proximity to Arnold on a daily basis.

5 41. During the Fall of 1981, Scott tried out for and made the CCS football team. Kevin
6 had been on the varsity football team since the year before. Suspiciously close in time to Scott joining
7 the football team, Arnold joined the coaching staff for the CCS football team. This afforded Arnold
8 increased access to Kevin and Scott.

9 42. During Kevin's senior year, Arnold asked if Kevin would help Arnold grade papers
10 in exchange for money. Having gained Kevin's trust through months of emotional and psychological
11 grooming, Arnold insisted that they work on grading the papers at Arnold's apartment.

12 43. After a few days of grading papers, Arnold asked Kevin if he wanted to earn extra
13 money by playing a "game." Just like he did with Scott, Arnold explained that he would tie Kevin
14 up, and if Kevin escaped, Arnold would give Kevin extra money. Trusting Arnold as a teacher and
15 his football coach, Kevin agreed. Arnold tied Kevin up and watched as Kevin struggled out of the
16 ACE Bandages used to tie Kevin's wrists and ankles.

17 44. Arnold quickly escalated his abuse of Kevin, adding even more disturbing elements
18 to the "game." Arnold began gagging Kevin with black dress socks, tying Kevin up with ACE
19 Bandages, and putting Kevin on the floor in a coat closet or on a chair in a spare bedroom. Arnold
20 would tell Kevin that he was leaving for 15 to 30 minutes, and that, if Kevin hadn't freed himself by
21 the time Arnold returned, Arnold would untie him.

22 45. On information and belief, Arnold did not leave while Kevin struggled to untie
23 himself. On information and belief, Arnold masturbated and obtained sexual gratification from
24 knowing, seeing, and/or hearing that Kevin was struggling to escape from the coat closet or spare
25 bedroom.

26 46. Arnold continued to sexually abuse Scott into Scott's senior year until Scott realized
27 Arnold's behavior was more than a "game."
28

1 47. Over the course of Kevin’s senior year of high school, Kevin was tied up, gagged,
2 and put in Arnold’s coat closet or spare bedroom approximately 12 to 15 times.

3 48. One day, while Scott and Arnold were grading papers, Scott accidentally uncovered
4 a photograph in Arnold’s Bible, which depicted Scott gagged, blindfolded, tied up, and handcuffed
5 to a chair. Scott tried to escape the house with the picture, but Arnold snatched the photograph back.
6 The struggle over the picture developed into a fight between Scott and Arnold.

7 49. After the fight, Arnold apologized and manipulated Scott into returning to the
8 apartment to grade papers, taking advantage of Scott’s vulnerability and misplaced trust. However,
9 before long, Scott uncovered more disturbing pictures.

10 50. One evening, while Arnold was picking up dinner, Scott snuck into Arnold’s
11 bedroom. As he entered the bedroom, Scott noticed approximately 10 large photographs of teenage
12 boys hanging on the walls. Most of the photographs were of Scott and his teammates. Scott found a
13 large poster, as well as at least 20 smaller photographs, of Scott and his friend playing basketball
14 shirtless at Point Loma Nazarene University. Little did Scott know, Arnold had a poster of Scott and
15 Kevin, sweating after playing a basketball game, hanging in Arnold’s master bedroom as well as a
16 poster of Scott’s senior picture hanging on the back of the bathroom door in Arnold’s apartment.

17 51. Towards the end of Scott’s and Kevin’s senior year at CCS, Scott went to Arnold’s
18 apartment only to find that Arnold was in a particularly bad mood. That evening, Arnold began tying
19 Scott up, but Arnold was more aggressive than usual. Arnold pulled the bindings tight, and Scott
20 asked Arnold to stop. Arnold told Scott to “shut up” and quickly tied a gag around Scott’s mouth.
21 The gag was pulled so tight that Scott could barely breathe. Arnold pulled a blindfold tightly around
22 Scott’s eyes and turned the volume on the television all the way up. Feeling like he was suffocating,
23 Scott struggled to break free and began to rub his face against the carpet to try to remove the
24 blindfold.

25 52. Finally, Scott was able to slide the blindfold down his face, so that he could see out
26 of his right eye. When he did so, Scott saw Arnold standing behind the couch, aggressively
27 masturbating. Scott witnessed Arnold look toward the ceiling, and, on information and belief, Arnold
28 ejaculated, obtaining sexual gratification from watching Scott struggle with his bindings.

1 53. When Arnold untied Scott, he immediately confronted Arnold. Arnold proceeded to
2 threaten Scott, saying he would fail him in every class Scott had with him if Scott told anyone what
3 went on in the apartment.

4 54. That night, Arnold drove Scott home. When they pulled into Scott's driveway, Arnold
5 put his car in park and grabbed Scott's left arm with both hands. Scott tried to pull away, but Arnold
6 pulled him closer and attempted to kiss Scott. Scott punched Arnold and escaped. Although Scott
7 never returned to Arnold's apartment, Kevin continued to go to Arnold's home throughout his senior
8 year.

9 ***D. Arnold Begins Grooming Dan, Robbe, and Darren.***

10 55. Arnold began grooming Darren during his freshman year of high school. Arnold
11 would find reasons to touch Darren while Darren was in his class. In fact, Arnold would often come
12 up behind Darren at random and yank the back of his hair straight up. During the 1981-1982 school
13 year, Arnold also began grooming Dan and Robbe.

14 56. During the 1981-1982 school year, Dan was a junior, and Darren was a sophomore.
15 Robbe was a new student, transferring to CCS as a junior.

16 57. Much like with Scott and Kevin, Arnold began grooming Dan emotionally by making
17 him feel special. Dan served on the CCS yearbook editing team advised by Arnold. Not only did this
18 position allow Arnold to be in close proximity to Dan on a daily basis, but it reaffirmed for Dan that
19 Arnold saw potential in him.

20 58. Moreover, during the Fall of 1981, Darren and Dan began working with Arnold as
21 part of the varsity football team. Dan was the Quarterback, and Darren was a Flanker/Defensive
22 Back. Arnold was constantly working with Darren as the defensive back coach, but Arnold also
23 found reasons to work with Dan despite his position on the offense. During football practice, Arnold
24 was afforded increased access to Darren and Dan after school hours. Meanwhile, Arnold was also
25 able to increase his access to Darren and Robbe through his work at high school basketball games.
26 This position gave him the opportunity to sexually groom Darren and Robbe, who were basketball
27 players on the Junior Varsity and Varsity teams at CCS, respectively.

1 59. The red flags in Arnold’s behavior toward Dan, Robbe, and Darren substantially
2 increased during the 1982-1983 school year. Following the *modus operandi* that he had established
3 with Scott and Kevin, Arnold began showering Dan and Darren with gifts and money. Arnold even
4 bought Dan an expensive camera. He would also give Dan and Darren the keys to his car or to his
5 apartment. On information and belief, it was well-known that Arnold gave these extravagant gifts to
6 Darren and Dan. Unfortunately, the teachers, staff and administration at CCS chose to once again
7 ignore the signs of sexual grooming taking place.

8 60. It also became clear that Arnold demanded more from Darren and Dan due to these
9 gifts. Dan was often pressured into completing various tasks for Arnold, such as bringing items to
10 Arnold’s home. Meanwhile, on one occasion during the Spring of Darren’s junior year, Arnold
11 demonstrated just how far he was willing to go to exert control over Darren. On one of the days
12 Darren was required to go to Arnold’s apartment, Arnold told Darren to go to a local store,
13 approximately a quarter-mile from Arnold’s apartment. Arnold demanded Darren steal something
14 and bring it back to the apartment within 15 or 20 minutes. When Darren protested, Arnold
15 threatened to fail Darren in his classes if Darren did not comply. Darren, fearing the consequences
16 of failing his classes, acquiesced to Arnold’s demands, running the entire distance to the store and
17 back to the apartment.

18 61. Arnold also openly developed a friendship with Darren, showing him extreme
19 favoritism compared to other students. Once again, despite this excessive favoritism, other teachers
20 at CCS ignored the red flags of Darren’s unusually close relationship with Arnold. Arnold also
21 emotionally groomed Darren by constantly reminding him how special he was and how much Arnold
22 cared about him.

23 62. With Dan, Arnold’s grooming included encouraging Dan to sign up for classes with
24 Arnold. On information and belief, Arnold also helped make sure Dan had a schedule that included
25 numerous classes and electives, such as yearbook, with Arnold.

26 63. In the Fall of 1982, Dan, Robbe, and Darren were all on the CCS football team. Dan
27 began playing both the positions of Quarterback and Defensive Back. On information and belief,
28 Arnold encouraged Dan to join Darren as a Defensive Back in order to create more opportunities for

1 Arnold to sexually groom and abuse both boys. Robbe also joined the CCS football team, where he
2 was part of the offensive line. Once again, these practices afforded Arnold increased access to each
3 of the boys. Moreover, that year, both Robbe and Darren were on the Varsity basketball team at
4 CCS, which again placed them in close proximity to Arnold.

5 64. Much like Arnold's behavior with Scott and Kevin, Arnold appointed the boys he
6 sexually groomed to executive positions on the newspaper and yearbook staffs. Robbe and Darren
7 were appointed as Section Editors for the school yearbook. Even more surprising, as a junior, Darren
8 was also given the title of Assistant Editor. Dan and Darren served as co-editors for the school
9 newspaper, which Arnold advised. On information and belief, Arnold gave these executive positions
10 to each of the boys in an effort to increase his access to them, and to further emotionally and
11 psychologically groom them.

12 65. Darren was also the junior class president for the 1982-1983 school year. Arnold
13 served as the junior class council's advisor. It seemed that wherever Dan, Robbe, or Darren went,
14 Arnold hovered close by.

15 66. On information and belief, it was well-known to the CCS community that Arnold
16 maintained unhealthy relationships with Darren, Robbe, and Dan, which should have served as a
17 stark red flag that Arnold was, or at a minimum could have been, having inappropriate contact with
18 these minor boys. By this time, students were now referring to Dan, Robbe, and Darren as Arnold's
19 "slaves" or "pets."

20 67. It was no secret that Arnold was sexually grooming Dan, Robbe, and Darren
21 throughout the 1982-1983 school year. Arnold expressed and showed excessive favoritism toward
22 Dan, Robbe, and Darren in plain view of CCS's administration, faculty, and staff.

23 ***E. Arnold Sexually Assaults Robbe and Vice Principal Catlett Discloses Prior Complaints,***
24 ***But CCS Does Nothing.***

25 68. One day during the winter of the 1982-1983 school year, Arnold asked if Robbe
26 would help him grade papers. As he had with Scott and Kevin, Arnold insisted that they work on
27 grading the papers at Arnold's apartment.

28

1 69. Immediately after Robbe arrived at Arnold’s apartment, Arnold asked Robbe if he
2 wanted to play a game. Like any innocent teenager, Robbe assumed Arnold was talking about a card
3 game or a board game. However, to Robbe’s surprise, Arnold began trying to grab Robbe’s wrists.
4 When Robbe began to protest, Arnold became frustrated. Arnold threatened Robbe, saying that if
5 Robbe did not comply, Arnold would make sure Robbe did not graduate. Fearing the consequences
6 of refusing to play Arnold’s “game,” Robbe acquiesced.

7 70. Arnold immediately tied a blindfold around Robbe’s eyes and began tying Robbe’s
8 wrists and ankles. Next, Arnold pulled down Robbe’s pants. Arnold told Robbe to try to escape while
9 Arnold went out to get a pizza. On information and belief, Arnold did not leave the apartment, but
10 stayed to watch Robbe struggle with his bindings, as he did with Scott. On information and belief,
11 Arnold obtained sexual gratification watching Robbe with his pants pulled down, struggling to free
12 himself.

13 71. Robbe eventually begged Arnold to untie him. Robbe began to panic, fearing he may
14 be raped by Arnold. Once Arnold untied Robbe, Robbe lunged for the door to the apartment, only
15 to be blocked by Arnold. Arnold once again threatened Robbe’s grades, and insinuated that there
16 may be other consequences if Robbe told anyone what had happened. Terrified, Robbe ran into one
17 of the bedrooms in Arnold’s apartment, closed the door, and pushed a dresser in front of the door to
18 the bedroom. Robbe frantically searched for another way out of the apartment, but only found a
19 window. Robbe pushed open the window, hung off the window ledge, and dropped into the hedges
20 outside from the second floor.

21 72. The next day, undeterred by Arnold’s threats, Robbe headed to the Vice Principal,
22 Susan Catlett, who had previously served as the CCS guidance counselor. Sobbing, Robbe told Vice
23 Principal Catlett exactly what Arnold had done to him and the threats Arnold had made.

24 73. Vice Principal Catlett told Robbe that CCS was looking into other complaints about
25 Arnold. She told Robbe not to mention the abuse to anyone and that she would “handle” Arnold.
26 Despite Vice Principal Catlett’s promises, nothing was done.

27
28

1 ***F. Arnold Sexually Assaults Dan.***

2 74. During that same year, Arnold approached Dan and asked if he would help Arnold
3 grade papers. Just like all the other boys, Arnold insisted that they work on grading the papers at
4 Arnold's apartment.

5 75. One day, when Dan went over to Arnold's apartment, he found a note on the door.
6 The note included a small scavenger hunt, which ultimately required Dan to find Arnold within
7 Arnold's apartment. While exploring the apartment, Dan noticed a large poster of Darren and Dan
8 in Arnold's bedroom. Having followed the clues of the scavenger hunt, Dan walked in on Arnold,
9 who was sitting on the floor in his underwear. Arnold was tied up with rope. Arnold requested that
10 Dan untie him. He was so disturbed that he told one of his best friends about the experience the next
11 day.

12 76. After this initial scavenger hunt, each time Dan helped Arnold grade papers, Arnold
13 would ask Dan if he wanted to play a "game" for money. As part of this game, Arnold would "hog
14 tie" Dan in exchange for money. As he had with the other boys, Arnold tied Dan up, gagged him,
15 and blindfolded him. Arnold would place Dan in front of the television with the volume turned up
16 loud.

17 77. Throughout Dan's senior year, Arnold tied Dan up approximately 5 or 6 times.

18 ***G. Arnold Sexually Assaults Darren.***

19 78. Also during the 1982-1983 school year, when Darren was a junior, Arnold
20 approached Darren about helping Arnold grade papers. Once at his apartment, Arnold would strip
21 down to his underwear and undershirt before grading papers with Darren.

22 79. Similar to Arnold's interactions with Scott, Arnold lulled Darren into a sense of
23 security before asking if Darren wanted to play a "game." Darren agreed, and Arnold would tie
24 Darren up.

25 80. However, Arnold's assaults escalated even further. In the following weeks, while
26 Darren was grading papers, Arnold would sneak up on Darren and, without warning, grab Darren's
27 wrists. Arnold would pull Darren into the spare bedroom in his apartment before tying him up. He
28 would tie Darren's hands to his feet, gag Darren, and blindfold him with ACE Bandages. On

1 occasion, Arnold would handcuff Darren and use dress socks to gag and blindfold him, echoing the
2 sexual abuse Arnold had perpetuated on Kevin as well. Over the course of his high school year,
3 Arnold tied Darren up at least 20 times.

4 81. During most of the abuse, Darren was left on the floor to untie himself. However,
5 sometimes Arnold would place Darren in a chair. Arnold would say he was going out and that Darren
6 needed to untie himself. Arnold would also turn the television or music up loud, preventing Darren
7 from being able to determine if Arnold had truly left the house.

8 82. Darren was never able to fully untie himself. When Arnold would untie Darren,
9 Arnold would mock Darren for being unable to escape, and he would tell Darren about the other kids
10 he would tie up who were part of Arnold's youth group at Arden Nazarene Church.

11 83. One evening, Arnold was house sitting in Wilton, California and he asked Darren to
12 drive to the house to grade papers. As soon as Darren walked through the door, Arnold snuck up
13 behind Darren and grabbed him by the wrists. Rather than tie Darren up with ACE Bandages, Arnold
14 used duct tape. Arnold gagged Darren with dress socks.

15 84. After tying Darren up, Arnold threw Darren into a hall closet, and left Darren in the
16 closet for approximately 3 hours. Darren became more and more anxious, fearing Arnold would
17 never let him out.

18 85. The next time Darren went over to Arnold's apartment to grade papers, Arnold again
19 snuck up on Darren and grabbed Darren's wrist. This time, Darren fought back, telling Arnold that
20 he did not want to be tied up ever again. Knowing that escaping would be difficult, as Arnold was
21 blocking the locked and deadbolted apartment door, Darren struggled with Arnold before finally
22 punching Arnold in the face. This stunned Arnold long enough for Darren to unlock the door and
23 flee to his car. Arnold ran after Darren, stood in front of Darren's car, and begged Darren not to tell
24 anyone about the sexual abuse.

25 86. Throughout the period of sexual abuse, Arnold consistently threatened to fail Darren
26 in his classes if he told anyone about the abuse.

27
28

1 ***H. Arnold's Abuse of Minor Students is Reported Once Again Only to be Swept Under the***
2 ***Rug by CCS.***

3 87. Shortly before CCS's senior night, Dan and Scott, went to a sleepover at a friend's
4 house. On information and belief, several other students also attended the sleepover.

5 88. Arnold became a topic of conversation amongst the students present. More
6 specifically, the conversation shifted to Arnold's behavior and how he liked to tie up his students.
7 Learning of the existence of other victims of Arnold's sexual abuse, Dan decided to inform Vice
8 Principal Catlett of what Arnold had been doing to his students.

9 89. Thereafter, on information and belief, Vice Principal Catlett approached the head
10 pastor of CCS and requested that Arnold be terminated and reported to the proper authorities. On
11 information and belief, the head pastor warned her not to tell law enforcement. In fact, he explicitly
12 told Vice Principal Catlett that he would not allow Arnold's actions or the complaints of any of the
13 boys to ruin the reputation of the school. Arnold quietly left his employment with CCS at the end of
14 the 1982-1983 school year.

15 90. During the 1982-1983 school year, CC Center was in the process of building a large,
16 multi-million dollar campus for CCS and CC Center. In fact, CCS and CC Center moved to this new
17 campus before the end of the 1983-1984 school year.

18 91. During the 1983-1984 school year, students were required to pack up various
19 classrooms at the old school site. STUDENT 1, who was a 7th or 8th grader at the time, was assigned
20 to pack up Arnold's old classroom with two of her friends. As the girls were packing up the
21 classroom, STUDENT 1 began shaking out books to make sure no notes were stuck between the
22 pages. As she shook one of the books, a packet of approximately 20 strips of photographic negatives
23 dropped out. STUDENT 1 and her friends held the negatives up to the light, revealing numerous
24 pictures of minor boys lying on the floor or seated in chairs with their wrists tied. STUDENT 1
25 quickly recognized the boys as members of the football team, and specifically recognized Scott.

26 92. In sum, on information and belief, Pastor Glen Cole presided over and directed the
27 cover up of Arnold's sexual abuse in an effort to protect the reputation of CCS and CC Center and
28 to prevent any scandal from putting the construction of the new campus in jeopardy. He prioritized

1 the reputation and ongoing expansion of CC Center and CCS over acknowledging and correcting
2 the pervasive abuse of a sexual predator.

3 **II. CCS and CC Center Were Negligent in Their Duties to Plaintiffs and Repeatedly**
4 **Ratified Arnold's Misconduct**

5 93. Plaintiffs did not, and were unable to, give free or voluntary consent to the sexual acts
6 perpetrated against them by Arnold as they were minors at the time of the assaults alleged herein.

7 94. The sexual acts perpetrated upon Plaintiffs constitute childhood sexual assault as
8 defined by California Code of Civil Procedure Section 340.1, as modified by Assembly Bill 218,
9 and were a violation of the California Penal Code, including, but not limited to, Penal Code Sections
10 311.4(d)(1) and 647.6.

11 95. As set forth herein, Arnold was an adult male employed by CCS and CC Center as a
12 teacher at CCS. In such capacity, Arnold was under the direct supervision, employ, agency, and
13 control of CCS, CC Center and DOES 4-10.

14 96. At all times relevant herein, Arnold's duties and responsibilities with CCS included,
15 in part, providing for the supervision, counseling, advisory, educational, athletic, and emotional
16 needs and well-being of the students of CCS.

17 97. Plaintiffs are informed and believe, and thereon allege, that at all times relevant
18 herein, CC Center owned, operated, maintained, controlled, and staffed CCS. CC Center and CCS
19 promoted CCS as a safe place where students could obtain a high quality and safe education.

20 98. Upon information and belief, Plaintiffs allege that, in hiring its administrators,
21 teachers, and coaches, at CCS, Defendants gave these employees full power, control, and authority
22 to provide instruction, emotional and psychological support, spiritual guidance, and other
23 educational and religious services to CCS's students.

24 99. As a teacher, and with the endorsement of CCS and CC Center, Arnold stood in a
25 position of power, respect, confidence, trust, and authority among Plaintiffs and numerous other
26 minor students. Defendants lodged with Arnold the color of authority, through which he was able to
27 influence, direct, and assault Plaintiffs, and to act illegally, unreasonably, and without respect for the
28 person and safety of Plaintiffs.

1 Defendants clearly had special relationships with each of the Plaintiffs and the other young students
2 at the school.

3 106. CCS and CC Center were required but failed to exercise careful supervision of the
4 moral conditions in their school. This duty extended beyond the classroom. These Defendants had
5 a duty to put rules and regulations in place to protect their students from the possibility of childhood
6 sexual abuse at the hands of CCS's teachers, staff, employees, and volunteers, regardless of the
7 location of the abuse itself. Instead, CCS turned a blind eye to the sexual exploitation of minors
8 under its care by its employees.

9 107. CCS and CC Center had a duty to and failed to adequately train and supervise all
10 counselors, advisors, teachers, administrators, coaches, mentors and staff to create a positive, safe,
11 and educational environment. Such specific obligations include training to perceive, report and stop
12 inappropriate conduct with minors by other members of the staff, employees, and volunteers. These
13 Defendants owed Plaintiffs a duty to institute reasonable measures to protect Plaintiffs and other
14 minor children in their charge from the risk of sexual assault, harassment and molestation by Arnold
15 by properly warning, training, or educating CCS's staff members about how to spot red flags in other
16 staff members', employees', and volunteers' behavior with minor students.

17 108. As a teacher and coach at CCS, Arnold had unique access to, and held a position of
18 authority among, students who were attending CCS and their families who either belonged to and
19 attended CCS or approved of their minor children doing so, like Plaintiffs' parents.

20 109. CCS and CC Center, by and through their agents, servants, and employees, knew or
21 reasonably should have known of Arnold's sexually abusive and exploitative propensities and/or
22 that Arnold was an unfit agent. It was foreseeable that if these Defendants did not adequately exercise
23 or provide the duty of care owed to minors in their care, the minors entrusted to their care would be
24 vulnerable to sexual assault by Arnold.

25 110. Specific acts of grooming, in and of themselves, constitute sexual assault. (Cal. Penal
26 Code § 647.6.) It is also foreseeable to CCS and CC Center that Arnold's grooming behaviors could
27 lead to more severe acts of sexual assault if unchecked. This is particularly true in light of the
28 specific grooming that took place in this case.

1 111. CCS and CC Center had a duty to disclose these facts to Plaintiffs, their parents, and
2 others, but negligently and/or intentionally suppressed, concealed, or failed to disclose this
3 information for the express purpose of maintaining Arnold's image as an ethical, wholesome, safe,
4 and trusted teacher. The duty to disclose this information arose from the special relationship between
5 these Defendants and Plaintiffs.

6 112. CCS and CC Center breached their duty of care to Plaintiffs by (1) allowing Arnold
7 to come into contact with Plaintiffs as minors without supervision; (2) by failing to properly
8 investigate Arnold and the numerous instances of behavior that clearly raised red flags; (3) by failing
9 to supervise and/or stop Arnold from committing wrongful sexual acts with minor children; (4) by
10 shielding Arnold from responsibility for his sexual assaults of Plaintiffs; (5) by failing to inform or
11 concealing from Plaintiffs' parents, guardians, or law enforcement officials that Arnold was or may
12 have been sexually abusing minors; (6) by holding out Arnold to the CCS community at large as
13 being in good standing and trustworthy as a person of stature and integrity; (7) by failing to take
14 reasonable steps or implementing reasonable safeguards to protect Plaintiffs and other minor
15 children from the risk of sexual assault, harassment, and molestation, including by failing to enact
16 adequate policies and procedures or failing to ensure their policies and procedures were followed;
17 and (8) by failing to properly warn, train or educate CCS's staff members about how to spot red flags
18 in the behavior of other staff members, employees, and volunteers.

19 113. CCS and CC Center are vicariously liable for the injuries proximately caused by each
20 of their agents, representatives, servants, and employees, including but not limited to those expressly
21 identified herein.

22 114. As a direct and proximate result of these Defendants' multiple and continuous
23 breaches, Plaintiffs have suffered and continue to suffer emotional distress, physical manifestations
24 of emotional distress, anxiety, a lost sense of trust, and were prevented and will continue to be
25 prevented from performing daily activities and obtaining the full enjoyment of life, all in an amount
26 exceeding the jurisdictional minimum of the Superior Court according to proof at trial.

1 **SECOND CAUSE OF ACTION**

2 **NEGLIGENT SUPERVISION AND RETENTION**

3 **(Against CCS, CC Center, and DOES 4-10)**

4 115. Plaintiffs repeat, re-allege and incorporate herein by reference all consistent
5 paragraphs of this Complaint as if fully set forth herein.

6 116. As an educational institution entrusted with the care of minors, where all students are
7 entrusted to the teachers, counselors, advisors, mentors, coaches, faculty members, volunteers and
8 administrators, CCS expressly and implicitly represented that these individuals, including Arnold,
9 were not a sexual threat to minors and others who would fall under Arnold's influence, control,
10 direction, and guidance.

11 117. Defendants had and have a duty to supervise their students, including Plaintiffs, who
12 were entrusted to Defendants' care, as well as their employees. Supervision requires more than
13 simply the presence of staff or administration on campus. It requires the knowledge and care as an
14 institution as to the types of foreseeable harm that a student may encounter, and protecting against
15 those harms by establishing, implementing, and enforcing adequate policies and procedures.
16 Supervision requires adequate training, adequate staff, and adequate involvement by staff and
17 administration. Defendants owed Plaintiffs, as minors at the time, a special duty of care, in addition
18 to a duty of ordinary care, and owed Plaintiffs the higher duty of care that adults dealing with minors
19 owe to protect them from harm.

20 118. CCS failed to provide such supervision to the Plaintiffs by allowing Arnold to be
21 alone with minor students in violation of its own policies and/or the applicable standard of care. CCS
22 failed to take reasonable measures to prevent the grooming and childhood sexual abuse of its
23 students.

24 119. On information and belief, CCS did not have in place a system or procedure to
25 reasonably investigate, supervise and monitor teachers, employees, staff, and volunteers nor
26 safeguards designed to prevent sexual grooming and sexual abuse of children. Even if such
27 procedures existed on paper, CCS did not implement any system or procedure to oversee or monitor
28 conduct towards minors, students and others in its care during the time period at issue.

1 120. Once hired by CCS, Arnold undertook to openly and obviously groom multiple
2 students, including Plaintiffs. It thus appears that school leadership, staff and employees were not
3 able to recognize the signs of grooming by Arnold due to inappropriate training or lack thereof.
4 Moreover, these Defendants failed in their obligation to inquire into the grooming activities that
5 were so clearly taking place.

6 121. On information and belief, had school leadership and staff been trained to recognize
7 red flags associated with grooming, they would have undertaken to cease, report and stop the
8 behavior of Arnold before Plaintiffs were actually sexually assaulted.

9 122. By the time Plaintiffs were sexually abused by Arnold, CCS knew or should have
10 known of the ongoing grooming and abuse of Plaintiffs, but due to its lack of training, failed to
11 recognize those signs.

12 123. CCS was aware or should have been aware of its students' significant vulnerability
13 to sexual harassment, molestation and assault by mentors, advisors, teachers, counselors, coaches,
14 employees, staff, volunteers, and other persons of authority within CCS.

15 124. Defendants owed Plaintiffs a duty to provide reasonable supervision of Plaintiffs and
16 Arnold; to use reasonable care in investigating Arnold; and to provide adequate warning to Plaintiffs
17 and their families, and to families of other minor students who were entrusted to Arnold, of Arnold's
18 sexually abusive and exploitative propensities and unfitness.

19 125. Defendants owed Plaintiffs a duty not to retain Arnold given his actions as described
20 herein, which Defendants knew, or should have known had they engaged in a meaningful and
21 adequate investigation of the allegations of sexual assault of Plaintiffs and other minor students at
22 CCS, or red flags in Arnold's behavior.

23 126. Defendants failed to properly evaluate Arnold's conduct and performance as
24 employees of, or providers of services to Defendants, and failed to exercise the due diligence
25 incumbent upon employers to investigate employee misconduct, or to take appropriate disciplinary
26 action. Defendants negligently continued to retain Arnold in service as teacher, which enabled him
27 to continue engaging in the sexually abusive and predatory behavior described herein.

1 trauma resulting from Arnold's sexual abuse were the type of injuries that the Child Abuse and
2 Neglect Reporting Act was designed to prevent.

3 133. Accordingly, CCS's employees' violation of the duties prescribed under California
4 Penal Code §§ 11165-11174 constitute negligence per se. The violation of this duty occurred while
5 Plaintiffs were under the control of CCS and CC Center and their agents, acting in their capacity as
6 teachers, counselors, mentors, advisors, coaches, and administrators on behalf of Defendants

7 134. As a direct and proximate result of Defendants' multiple and continuous breaches,
8 Plaintiffs have suffered and continue to suffer emotional distress, physical manifestations of
9 emotional distress, anxiety, a lost sense of trust, and were prevented and will continue to be
10 prevented from performing daily activities and obtaining the full enjoyment of life, all in an amount
11 exceeding the jurisdictional minimum of the Superior Court according to proof at trial.

12 **FOURTH CAUSE OF ACTION**

13 **SEXUAL HARASSMENT**

14 **(Against All Defendants)**

15 135. Plaintiffs repeat, re-allege and incorporate herein by reference all consistent
16 paragraphs of this Complaint as if fully set forth herein.

17 136. During Plaintiffs' time as minor students at CCS, Arnold intentionally, recklessly,
18 and wantonly made sexual advances, solicitations, requests, and demands for sexual compliance of
19 a hostile nature based on Plaintiffs' gender that were unwelcome, pervasive, and severe. The specific
20 sexual harassment and assaults are described in detail herein.

21 137. These incidents of sexual harassment and assault occurred while Plaintiffs were under
22 the control of CCS and CC Center and their agents, acting in their capacity as teachers, counselors,
23 mentors, advisors, coaches, and administrators on behalf of Defendants.

24 138. Because of Plaintiffs' relationships with Defendants and Plaintiffs' age of minority,
25 Plaintiffs were unable to terminate the relationship they had with Defendants.

26 139. Because of Arnold's position of authority over Plaintiffs, physical seclusion of
27 Plaintiffs, and Plaintiffs' young age, Plaintiffs were unable to and did not give meaningful consent
28 to such acts.

1 140. Even though CCS knew or should have known of these activities by Arnold, CCS
2 and CC Center did nothing to investigate, supervise, or monitor Arnold to ensure the safety of minor
3 children.

4 141. On information and belief, CCS and CC Center ratified and authorized Arnold's
5 sexual assaults of Plaintiffs by (1) failing to properly investigate Arnold and the numerous instances
6 of behavior that clearly raised red flags of misconduct; (2) failing to supervise and/or stop Arnold
7 from committing wrongful sexual acts with minor children; (3) actively shielding Arnold from
8 responsibility for his sexual assaults of Plaintiffs in an effort to protect the reputation of CCS; (4)
9 failing to discharge, dismiss, discipline, suspend and/or supervise Arnold after being on notice of
10 Arnold sexually assaulting minors; (5) allowing Arnold to groom and yield authority over minor
11 students on and off campus; (6) failing to report complaints against Arnold of sexual assault on
12 Plaintiffs to civil or criminal authorities; (7) failing to take reasonable steps or implement reasonable
13 safeguards to protect Plaintiffs and other minor children in their charge from the risk of sexual
14 assault, harassment, and molestation, including by failing to enact adequate policies and procedures
15 or failing to ensure their policies and procedures were followed; (8) failing to properly warn, train
16 or educate CCS's staff members about how to spot red flags in other staff members' behavior with
17 minor students; and (9) holding out Arnold to the CCS and CC Center community at large as being
18 in good standing and trustworthy as a person of stature and integrity despite having notice that he
19 was sexually abusing Plaintiffs and other minor children.

20 142. As a result of the above-described conduct, Plaintiffs have suffered and continue to
21 suffer emotional distress, physical manifestations of emotional distress, anxiety, a lost sense of trust,
22 and were prevented and will continue to be prevented from performing daily activities and obtaining
23 the full enjoyment of life, all in an amount exceeding the jurisdictional minimum of the Superior
24 Court according to proof at trial.

25 143. In subjecting Plaintiffs to the wrongful treatment alleged herein, Arnold acted
26 willfully and maliciously with the intent to harm Plaintiffs and in conscious disregard for Plaintiffs'
27 rights so as to constitute malice and oppression under Civil Code section 3294. Plaintiffs are
28

1 therefore entitled to the recovery of punitive damages in a sum to be shown according to proof at
2 trial.

3 144. Based on information and belief, CCS and CC Center are religious organizations
4 under California law, and thus afforded the protection of Section 425.14 of the Code of Civil
5 Procedure. Plaintiffs expressly reserve the right to file a Motion to Amend in order to allege facts
6 sufficient to support punitive damages against CCS and CC Center as provided by California law.

7 145. Plaintiffs also seek appropriate statutory penalties pursuant to section 52 of the Civil
8 Code.

9 **FIFTH CAUSE OF ACTION**

10 **SEXUAL BATTERY**

11 **(Against Defendant Arnold)**

12 146. Plaintiffs repeat, re-allege and incorporate herein by reference all consistent
13 paragraphs of this Complaint as if fully set forth herein.

14 147. During Plaintiffs' time as minor students at CCS, Arnold intentionally, recklessly,
15 and wantonly made sexual advances, solicitations, requests, and demands for sexual compliance of
16 a hostile nature based on Plaintiffs' gender that were unwelcome, pervasive, and severe. The specific
17 sexual harassment and assaults are described in detail herein.

18 148. Arnold did the aforementioned acts with the intent to cause a harmful or offensive
19 contact with intimate parts of Plaintiffs' persons and would offend a reasonable sense of personal
20 dignity. Further, said acts did cause a harmful or offensive contact with intimate parts of Plaintiffs'
21 person that would offend a reasonable sense of personal dignity.

22 149. Because of Arnold's position of authority over Plaintiffs, physical seclusion of
23 Plaintiffs, and Plaintiffs' young age, Plaintiffs were unable to and did not give meaningful consent
24 to such acts.

25 150. As a direct and proximate result of the above-described conduct, Plaintiffs have
26 suffered and continue to suffer emotional distress, physical manifestations of emotional distress,
27 anxiety, a lost sense of trust, and were prevented and will continue to be prevented from performing
28

1 daily activities and obtaining the full enjoyment of life, all in an amount exceeding the jurisdictional
2 minimum of the Superior Court according to proof at trial.

3 151. In subjecting Plaintiffs to the wrongful treatment alleged herein, Arnold acted
4 willfully and maliciously with the intent to harm Plaintiffs and in conscious disregard for Plaintiffs'
5 rights so as to constitute malice and oppression under Civil Code section 3294. Plaintiffs are
6 therefore entitled to the recovery of punitive damages in a sum to be shown according to proof at
7 trial.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiffs pray for the following relief against Defendants:

- 10 1. For past, present, and future general damages in an amount to be determined at trial;
- 11 2. For past, present, and future special damages, in an amount to be determined at trial;
- 12 3. Any appropriate statutory damages;
- 13 4. For cost of suit;
- 14 5. For interest as allowed by law;
- 15 6. For any appropriate punitive damages as to Defendant Arnold;
- 16 7. For attorney's fees pursuant to Code of Civil Procedure section 1021.5 and Civil
17 Code section 51.9(b), or otherwise as allowable by law; and
- 18 8. For such other and further relief as the Court may deem proper.

19
20 DATED: April 19, 2022

GREENBERG GROSS LLP

21
22 By: 

23 Brian L. Williams
24 Daniel S. Cha
25 Bailee B. Pelham

26 JEFF ANDERSON & ASSOCIATES
27 Michael Reck
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Attorneys for Plaintiffs


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DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a trial by jury in this action for any and all claims so triable.

DATED: April 19, 2022

GREENBERG GROSS LLP

By:  _____

Brian L. Williams
Daniel S. Cha
Bailee B. Pelham

JEFF ANDERSON & ASSOCIATES
Michael Reck
Hagerey Mengistu

Attorneys for Plaintiffs