

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
TWENTY-FIRST JUDICIAL CIRCUIT
STATE OF MISSOURI

JANE DOE, a minor,)	
)	
Plaintiff,)	
)	Cause No.
vs.)	
)	Division No.
THE PRINCIPIA CORPORATION,)	
a Missouri Corporation,)	
(Serve at 13201 Clayton Road,)	
St. Louis, Missouri, 63131))	
)	
Defendant.)	

PETITION

Comes Now, Plaintiff, JANE DOE (“Ms. Doe”), a minor, by and through her mother and father, her legal guardians, and brings this Petition filing suit against THE PRINCIPIA CORPORATION, and states:

PARTIES, JURISDICTION AND VENUE

1. This is an action for damages arising from and relating to personal injuries suffered by Ms. Doe due to The Principia Corporation’s (“Principia”) negligence and gross negligence.
2. This is an action for damages in excess of \$1,000,000.00, exclusive of interest, fees and costs.
3. Ms. Doe is a minor and it is in her interest to keep her name confidential.
4. Ms. Doe’s mother and father are her legal and natural guardians, and they have the right to bring the claims set forth herein on behalf of Ms. Doe.
5. At all times material hereto, Ms. Doe, her mother, and her father were residents of St. Louis County, Missouri.

6. The Circuit Court has subject matter jurisdiction over Principia because this is a civil case.

7. This Court has personal jurisdiction and venue is proper in St. Louis County, Missouri for the following reasons:

- a. At all times material, Ms. Doe resided in St. Louis County, Missouri.
- b. The Principia Corporation is a Missouri corporation with its principal place of business in St. Louis County, Missouri.
- c. At all times material hereto, The Principia Corporation operated, conducted, engaged in and carried on business in St. Louis County, Missouri. In particular, The Principia Corporation owns and operates a boarding school located at 13201 Clayton Road, St. Louis, Missouri 63131. The Principia Corporation and its school are hereafter referred to as "Principia."
- d. The causes of action at issue occurred in St. Louis County, Missouri.

GENERAL FACTS AND ALLEGATIONS

A. INTRODUCTION

8. This action concerns multiple and repeated sexual assaults and batteries on Ms. Doe, a minor, by an employee of Principia, Zachary Retzlaff ("Assailant"). Principia is a private boarding school that asks parents to entrust it with the safekeeping of their young children from ages 5-18 years old, and holds itself out as a safe and secure place to live and learn. Despite these purported principles of living and education, Principia allowed and did nothing to stop Ms. Doe from being repeatedly sexually assaulted by its employee, despite having knowledge that the

Assailant had previously engaged in sexual acts with a minor, including group sex parties and sadomasochism (also referred to as S&M).

9. From July 2014 until May 2015, the Assailant repeatedly sexually assaulted Ms. Doe while she was a student at Principia.¹ The assaults occurred during the summer prior to, as well as during, Ms. Doe's junior year at Principia high school when she was just sixteen years old.

10. At the time, the Assailant was a thirty-one year old employee of Principia. He used his position at Principia to prey on a minor like Ms. Doe and convince her to engage in sexual acts with him.

11. The Assailant was able to use Ms. Doe's young age and vulnerability to force her to not only have sex with someone 15 years her senior, but he forced her to have group sex and engage in bondage S&M with him.

12. The Assailant was able to continue those acts for such a long time (more than 40 sexual acts) because Principia purposely turned a blind eye to it. Principia's only "attempt" to stop the sexual assault of its minor student, Jane Doe, was to verbally tell the Assailant to "knock it off" and "cut it out."

13. Despite actual knowledge of the repeated sexual batteries Assailant committed on Ms. Doe, Principia failed to take action to stop the Assailant. He ultimately violated Ms. Doe more than 40 times on and around the Principia campus.

14. The Assailant was able to have such easy access to her because she lived on Principia's campus, and he worked there as Principia's employee.

B. MS. DOE'S BACKGROUND

¹ Retzlaff has been indicted on a felony charge of Statutory Rape, and has admitted his actions to various individuals, including Ms. Doe's parents.

15. Prior to July 2014, just before Ms. Doe's junior year at Principia, she was flourishing. She earned a 4.0 grade point average, and according to her teachers, she was a focused and confident student; one of the "best they had ever seen."

16. Ms. Doe was studying hard to prepare herself to go on to study elementary education at Webster University in St. Louis after her graduation from Principia. Webster was her dream school: close to her family, a small-campus environment, excellent early childhood and elementary education programs, and the ability to utilize Webster's worldwide network to study abroad and travel the world.

17. Ms. Doe also had a tight-knit group of friends; together they enjoyed shopping and attending concerts.

18. Ms. Doe's family was an integral part of her life. She was extremely close with her brother and sister, and she enjoyed taking family trips with her mother and father.

19. Ms. Doe and her mother had a close relationship. Prior to her junior year, Ms. Doe would routinely eat lunch with her mother at school, and also spent her study hall periods studying in her mother's classroom.

C. THE PRINCIPIA SCHOOL

20. Principia is a boarding school charged with the care, nurturing, and safeguarding of its students "24/7" according to its website. It provides education and lodging to students from middle school through high school.

21. Principia posts its mission throughout its campus, as well as on the internet. When describing its mission to the world, Principia boasts "**an earnest desire to promote children's moral and spiritual progress alongside their academic growth.**" Principia continues defining the core values of its mission statement:

“Teaching and learning • Thinking and acting from the basis of Principle, Love • Unfoldment of character • Individual and collective excellence • Citizenship and service • Innovation and continuous improvement.”²”

22. To exemplify the importance of promoting children’s moral and spiritual growth to its current and prospective future students, Principia’s website contains a 12 page list of all of its campus-based events and happenings. There are descriptions of scholastic achievements, new classes and extracurricular activities all being touted by Principia to support why it is a school of high educational prowess and a place to support young children and adults to grow and flourish.³ Principia profits from these sparkling representations.

23. Further, since Principia encourages parents to entrust their children to it on a 24/7 basis, there’s a section of Principia’s website dedicated to “boarding” of middle school and upper school students, specifically encouraging underage Principia students to stay on the campus under the care of “trusted” Principia staff members. The website encourages students to:

“Boarding - Learn, grow, play, live...here! Living on campus gives you 24/7 opportunities to discover, challenge, and develop yourself – to become the person you know you can be! The boarding experience at Principia School prepares you for far more than academic success...offers new opportunities...while learning to live independently. Each dorm is a home – a safe and secure place where every member is cherished, loved, and valued. It’s a place where you’ll discover a sense of belonging and the joy of doing your best...Join our dorms and expand your sense of home and family – and fun!”

24. Principia displays several videos on its website aimed at persuading new students to enroll.

² <http://www.principiaschool.org/our-mission-history> (last visited August 15, 2015).

³ <http://www.principiaschool.org/articles/school> (last visited August 15, 2014).

25. **Principal Brantington Video.** One such video features Principia's Principal, Travis Brantingham, personally addressing potential students and their parents.⁴ The video highlights Principia's supposedly safe and nurturing employees.

26. **Boarding Video.** Another video is geared towards selling the idea of students leaving their home towns to attend Principia.⁵ The video's message to parents is clear: do not worry about sending your child away from home to attend Principia, because whether they are attending classes or in their dorm, Principia will ensure that they are in a safe and secure environment.

27. One of the "Fast Facts" Principia touts on their site is the 7:1 student to faculty ratio, ensuring that each student is more nurtured and watched over at Principia than at other schools.

28. Principia undertakes a special duty as to its students, above and beyond that of other middle schools and high schools. They seek students from all of the country, and the world for that matter, by selling an image of safety, community, and protection. They purport to offer far more than classroom learning; they offer a place where students can feel at home.

29. In order to attract students from such far-reaching places, Principia convinces parents to entrust their minor children to Principia's care. Principia assumes the "parental role" over its students, and even employs a "House Mother" and "House Father" in its dorms. This creates a heightened duty of care.

D. INITIATION OF RELATIONSHIP WITH MS. DOE

30. Assailant first met Ms. Doe through his work at Principia.

⁴ <http://www.principiaschool.org/welcome> (last visited August 27, 2015)

⁵ <http://www.principiaschool.org/boarding> (last visited August 27, 2015)

31. Shortly thereafter, Assailant began spending time with Ms. Doe outside of school at the home of Adriane Fredrikson, the Dean of Admissions at Principia. It was there, at the Dean's home, that Assailant targeted Ms. Doe, recruiting her to help him care for his three children at his house where he lived alone with his children.

32. The Dean of Admissions at Principia, Adriane Fredrikson, is Assailant's aunt (by marriage).

33. As time progressed, Assailant utilized Ms. Doe's help with his children on a more frequent basis. He would even engage her services to help clean the house after the children had already gone to sleep. At some point during this time period is when Assailant began sexually assaulting Ms. Doe.

34. Additionally, the Assailant had many other close connections to high-level employees at Principia who it is believed knew of his conduct. For example, former Trustee of Principia, Hans Fredrikson, is Assailant's uncle (by marriage). Mr. Fredrikson served as a Trustee at Principia until approximately April 2015. Assailant's deceased wife was best friends with the daughter of Jonathan Palmer, the President of Principia. Bill Whitney and Cherul Crandall Whitney, who both work in the computer information department at Principia, are Assailant's aunt and uncle (by marriage).

E. SEXUAL ASSAULTS

35. **Sadomasochism/S&M.** Assailant did not merely sexually assault a minor child more than forty times; he introduced her to and practiced S&M on her. Merriam Webster's Dictionary defines S&M as: "sexual behavior that involves getting pleasure from causing or feeling pain."⁶ In this instance, the Assailant would inflict pain on Ms. Doe. During several of the sexual assaults, Assailant choked Ms. Doe with his hands until she lost consciousness. After

⁶ <http://www.merriam-webster.com/dictionary/sadomasochism> (last visited August 16, 2015).

the child was unconscious, Assailant would begin engaging in vaginal intercourse with her while she was passed out so that when she awoke, his penis would already be inside of her.

36. **Group Sex.** In addition to the sadomasochism, Assailant invited other minors to join him in “group sex” with Ms. Doe, including other Principia students, both male and female. On several occasions, these other minors chose to flee the group sex session because the sexual acts Assailant was performing on Ms. Doe became so extreme.

37. Principia knew that the Assailant was engaging in these inappropriate sexual acts with the minor student. They even told him to “cut it out” on occasion, but they never took any other action to stop the illicit sexual relationship from taking place. They neither restrained nor fired the Assailant, or provided any type of counseling to Ms. Doe.

38. The sexual assaults, including the sadomasochism and group sex, took place on or around the Principia campus.

F. ASSAILANT’S SEXUAL ASSAULT OF OTHER PRINCIPIA STUDENTS

39. Ms. Doe was not the first Principia student to fall victim to the Assailant. In the years prior to sexually assaulting Ms. Doe, Assailant initiated illegal sexual relationships with other Principia students.

40. The Assailant had a history of preying on and having sexual relationships with students at Principia. For example, prior to Ms. Doe, Assailant targeted at least two other female students at Principia (“Prior Students”). Assailant initiated these relationships by luring Prior Students with alcohol to spend time with him, which led to sexual intercourse with the students. Over a period of time, Assailant engaged in continuous and repeated sexual acts on Prior Students on and around the Principia campus.

G. PRINCIPIA'S KNOWLEDGE OF ASSAILANT'S SEX ACTS

41. Principia had actual notice of Assailant's sexual relationship with Prior Students. It was "common knowledge" around the Principia campus that Assailant was involved in sexual relationships with Principia students, and several Principia employees knew of the relationship. Despite this knowledge, Principia chose to retain Assailant as an employee at the high school.

42. Principia had knowledge of Assailant's sexual relationship with Ms. Doe. Upon information and belief, several Principia staff and faculty members had specific knowledge of the relationship, including the Dean of Admissions. Despite this knowledge, Principia did not report Assailant to law enforcement and did not offer Ms. Doe any form of counseling or way to seek help. Instead, it retained him as an employee, merely warning him to "knock it off" and to "cut it out."

H. HOW MS. DOE HAS CHANGED BECAUSE OF THE SEXUAL ASSAULT

43. During Ms. Doe's junior year at Principia, her family noticed a stark difference in her behavior: she stopped spending time with her mother at school, she became more secretive with her cell phone, she stopped hanging out as frequently with her friends, she spent much less time with her sister who she used to "do everything" with, and her grades slipped dramatically.

44. Most shocking of all was Ms. Doe's sudden change in education and career goals. Towards the end of her junior year, Ms. Doe wrote off the idea of attending Webster, and instead started researching how she could either: (a) finish high school at Principia, or (b) complete her senior year of high school online.

45. Ultimately, in May 2015 after her family learned of the relationship with Assailant, Ms. Doe informed her family that her new "goal" was to finish high school as quickly as possible so she could marry the Assailant, abandon her education, and care for his three sons.

46. Ms. Doe has since run away from home and alienated her entire family. She has already missed the beginning of her senior year of high school.

I. PRINCIPIA'S CONDUCT SINCE BEING PUT ON NOTICE OF CLAIM

47. Principia, after learning that Ms. Doe was represented by counsel, has continued its pattern of manipulation and coercion of the minor child.

48. On August 28, 2015, Ms. Doe's counsel notified Principia of her claim against the school, and of counsel's representation of Ms. Doe in all matters related to the claim. Sharon Popp, in-house counsel for Principia, acknowledged in writing Ms. Doe's counsel's representation of her regarding this claim.

49. Despite this acknowledgement, Principia and its counsel Ms. Popp had improper contact with Ms. Doe (through Ms. Popp's son, attorney Warren Popp). Warren Popp now represents Ms. Doe in seeking an Adult Abuse/Stalking Order of Protection against both her mother and father (her natural and legal guardians).⁷

50. Additionally, at Principia and Ms. Popp's direction, Warren Popp contacted the prosecutor assigned to Assailant's pending felony case purporting to represent Ms. Doe. Based on his communications to the prosecutor, it is apparent that he was willing to allow Ms. Doe to make false statements as part of the investigation into Assailant's sexual assaults of Ms. Doe.

51. Keeping in line with Principia's pattern of manipulation and coercion, Principia, by and through its counsel Ms. Popp, directly contacted Ms. Doe and induced her to sign an affidavit replete with factual omissions for their benefit in the instant matter.

52. Principia's contact and communication with Ms. Doe, a represented party, is a clear violation of the Missouri Rules of Professional Conduct for attorneys.

⁷ The case is currently pending in Circuit Court for the 21st Judicial Circuit, Case No. 15SL-PN03812.

COUNT I
(Negligent Hiring)

53. This is a claim for negligence against Principia.

54. The basis for this claim is that Principia was negligent regarding its hiring of the Assailant.

55. The allegations set forth in paragraphs 1 through 46 are incorporated herein.

56. All conditions precedent to this action have been satisfied, performed or waived.

57. At all times material hereto, the Assailant was an agent and/or employee of Principia.

58. At all times material hereto, Principia owed Ms. Doe a duty to ensure that it used reasonable care in the selection and/or hiring of its employees.

59. That the Defendant, Principia, breached these duties by committing one or more of the following acts, to wit:

- a. Hiring the Assailant despite actual and/or constructive notice that he was a sexual predator and abuser of children;
- b. Hiring the Assailant, a known sexual predator and abuser of children, to operate autonomously and with little to no supervision with children, including Ms. Doe;
- c. Hiring the Assailant despite having actual and/or constructive knowledge of the Assailant previously engaging in illegal and illicit sexual relations with minors;
- d. Hiring the Assailant despite having actual and/or constructive knowledge of the Assailant previously engaging in illegal and illicit sexual relations with minors and placing him in an unsupervised role with unfettered access to minor children including Ms. Doe;

- e. Hiring the Assailant despite having actual and/or constructive knowledge of the Assailant previously engaging in dangerous sadomasochistic (“S&M”) activities with minors;
- f. Hiring the Assailant despite having actual and/or constructive knowledge of the Assailant’s dangerous sexual proclivities towards minors;
- g. Hiring the Assailant despite actual knowledge that he was a sexual predator and a pedophile;
- h. Hiring the Assailant despite actual knowledge that he previously attempted to and/or succeeded in coercing minors into having group sex;
- i. Hiring the Assailant despite actual notice that he was a sexual predator and abuser of children;
- j. Hiring the Assailant despite actual notice that he had previously engaged in inappropriate sexual activity with students;
- k. Hiring the Assailant despite being aware of his dangerous sexual proclivities and the likelihood he would harm young students who were attending Principia and living on the campus;
- l. Hiring the Assailant despite being aware of his dangerous sexual proclivities and the likelihood he would harm young students who were attending Principia and allowing the Assailant to live on the campus;
- m. Showing a complete indifference to or conscious disregard for the safety of Ms. Doe and the other students (and residents) of Principia; and

- n. Having actual and/or constructive knowledge that there was a high degree of probability that Principia's action (and inaction) would result in serious personal injury to the wards and/or students and/or children under its care and supervision.

60. Principia hired the Assailant despite having knowledge of the Assailant's dangerous sexual proclivities; in particular, his taste for sexual relations with minors, his taste for S&M and his coercion of minors into having group sex. Therefore, it was reasonably foreseeable to Principia at the time the Assailant was hired that he would continue that type of illegal and illicit conduct with its wards and/or students and/or children under its care and supervision, including Ms. Doe.

61. Principia's hiring of the Assailant was the proximate cause of Ms. Doe's injuries.

62. Principia showed a complete indifference to or conscious disregard for the safety of Ms. Doe and the other students (and residents) of Principia, and Principia had reason to know that there was a high degree of probability that its action (and inaction) would result in serious injury.

63. As a result of Principia's negligence, Ms. Doe suffered bodily injury and mental injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization and medical treatment, loss of earnings, loss of ability to earn money, and aggravation of previously existing conditions. These losses are either permanent or continuing in nature, and Ms. Doe will suffer the losses in the future.

64. Further, given the extreme nature of Principia's negligence and the injuries to Ms. Doe, Ms. Doe is entitled to punitive damages against Principia.

WHEREFORE, Ms. Doe demands judgment for damages that are fair and reasonable, including punitive damages, against Principia and any other relief the Court deems just.

COUNT II
(Negligent Retention)

65. This is a claim for negligence against Principia.
66. The basis for this claim is that Principia was negligent regarding its retention of the Assailant.
67. The allegations set forth in paragraphs 1 through 46 are incorporated herein.
68. All conditions precedent to this action have been satisfied, performed or waived.
69. At all times material hereto, the Assailant was an employee of Principia.
70. At all times material hereto, Principia owed Ms. Doe a duty to use reasonable care to continually monitor, supervise, evaluate, and assess the behavior and/or performance of its employees in order to determine whether to retain its employees, including the Assailant.
71. That the Defendant, Principia, breached its duty to Ms. Doe by committing one or more of the following acts, to wit:
- a. Retaining the Assailant even after learning about his current and repeated instances of engaging in sexual intercourse with minors and/or students, including S&M and group sex activities;
 - b. Retaining the Assailant and affording him direct and unsupervised access to minors and/or students including the Plaintiff, Ms. Doe, despite knowledge of his dangerous and illicit sexual proclivities (including S & M and group sex activities) and his current and repeated practice of same with minors and/or students, including Ms. Doe;
 - c. Retaining the Assailant and failing to remove the danger to the children and/or students of the school;