

72. The Assailant's conduct – namely, having sexual relations with minors and students – that is at issue in this action is the same as the Assailant's conduct that Principia was aware of. Principia was on actual notice of Assailant's proclivity for sexually assaulting minors; therefore, it was reasonably foreseeable that he would continue that type of conduct with its students, including the sexual assault of Ms. Doe.

73. Despite Principia being aware of the Assailant's sexual proclivities and the likelihood he would harm young students who were attending Principia, while living on campus; Principia still chose to retain the Assailant.

74. Principia's retention of the Assailant was the proximate cause of Ms. Doe's injuries.

75. 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.

76. As a result of the 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. The losses are either permanent or continuing, and Ms. Doe will suffer the losses in the future.

77. 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 III
(Negligent Supervision)

78. This is a claim for negligence against Principia.

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

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

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

82. At all times material hereto, the Assailant was an employee of Principia.

83. At all times material hereto, the Assailant was on the premises in possession of Principia or on areas that he was only allowed to be as an employee of Principia, including its campus where students go to school and live full time.

84. At all times material hereto, Principia owed Ms. Doe a duty to ensure that it used reasonable care to supervise its employees, including Assailant, to make sure its employees are not carrying on and/or fostering inappropriate relationships with its children and/or minor students by molesting, sexually abusing, and/or creating a dangerous environment for them. Further, Principia owed Ms. Doe a duty to ensure that she was not molested, physically/mentally/sexually abused and/or left to fend for herself in a dangerous environment under the care of a depraved authoritative figure with unrestricted access to her. Principia breached this duty to Ms. Doe by committing one or more of the following acts, to wit:

- a. Condoning the Assailant's behavior with Ms. Doe and turning a blind eye;
- b. Placing a known pedophile in an authoritative position of significant power and persuasion with minor children, including Ms. Doe;

- c. Allowing a known pedophile to prey upon Ms. Doe, a minor child entrusted to Principia;
- d. Failing to closely monitor Assailant's behavior with Ms. Doe and other minor children entrusted to their care and supervision;
- e. Permitting Assailant, a known deviant with a disclosed sexual attraction to minor children Principia was actually and/or constructively aware of, unfettered and unsupervised access to minor children, including Ms. Doe, while on school grounds;
- f. Permitting Assailant, a known deviant with a disclosed sexual attraction to minor children Principia was actually and/or constructively aware of, unfettered and unsupervised access to minor children, including Ms. Doe, and allowing him to take said minor children, including Ms. Doe, away from school grounds;
- g. Knowing that Assailant was molesting and inflicting physical, sexual and emotional abuse to one of their minor children and failing to ensure that the minor child, Ms. Doe, was safe and secure from the Assailant;
- h. Failing to exercise its authority and ability to control the Assailant by taking the necessary measures (including termination) after it learned that he was having illegal, physically abusive and continuous sexual relations with Ms. Doe, a minor child;
- i. Allowing Ms. Doe to spend an inordinate amount of unsupervised time with Assailant while on school grounds;
- j. Allowing Assailant to take Ms. Doe away from school grounds on a continuous and repetitive behavior;

- k. Failing to promptly separate the Assailant from his victim, Ms. Doe, after identifying the physical signs of abuse on her person;
- l. Allowing Assailant to meet and seduce multiple minor students and engage in sexual relations while on Principia's campus after possessing actual and/or constructive knowledge of same;
- m. Allowing Assailant to continue to live and work on the campus after Principia knew and/or reasonably should have known he was having sexual relations with minor students;
- n. Failing to implement policies and procedures to guard against inappropriate physical/emotional/sexual abuse from occurring on campus from an adult in an authoritative position to one of the minor children;
- o. Holding itself out as a 24/7 campus that is a safe place to live and learn, but failing to closely monitor its employees, minor children, and premises 24/7.

85. Principia knew or had reason to know that it had the ability to control the Assailant, including firing the Assailant after it learned that he was having sexual relations with minor students that he was meeting and seducing on Principia's campus. Principia knew or should have known of the necessity and opportunity to exercise such control over the Assailant. Principia holds itself out as a 24/7 campus that is a safe place to live and learn. Therefore, Principia knew that it was illegal and dangerous for its employee to have sexual relationships with minor students.

86. It was reasonably foreseeable to Principia that the conduct at issue in this action would occur based on, among other matters, Principia's knowledge of the Assailant's sexual proclivities towards minors (including Ms. Doe), S&M and group sex.

87. Principia retained 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.

88. Principia's failure to supervise the Assailant was the proximate cause of Ms. Doe's injuries.

89. 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.

90. As a result of the 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. The losses are either permanent or continuing, and Ms. Doe will suffer the losses in the future.

91. 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 IV
(Negligent Security)

92. This is a claim for negligence against Principia.

93. The basis for this claim is that Principia was negligent regarding its supervision of the Assailant and its protection of the Plaintiff, Ms. Doe.

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

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

96. At all times material hereto, the Assailant was on the premises in possession of Principia, including its campus where students go to school and live full time.

97. Ms. Doe was permissibly on Principia's premises. For example, Ms. Doe lived on the premises and went to school there.

98. At all times material hereto, Principia owed Ms. Doe a duty to ensure that it used reasonable care to guard against its minor children being ensnared in an inappropriate relationship consisting of molestation, sexual abuse, physical abuse, emotional abuse, and/or a toxic and inherently dangerous environment. Further, Principia owed Ms. Doe a duty to ensure that she was not molested, physically/mentally/sexually abused and/or left to fend for herself in a dangerous environment under the care of a depraved authoritative figure with unrestricted access to her. Additionally, a special relationship exists between students at Principia and Principia, which gives rise to an additional duty that Principia owes to its students to provide them with safety 24 hours per day. Principia represents and warrants to its students and their parents that it provides a safe place to live and go to school. It expressly represents and warrants to them that it provides a 24/7 environment of learning, living and safety. Further, Principia makes those representations and warranties to and for minor students and their parents. Principia steps into the shoes of those students' 24/7 caretakers and, therefore, it owes this duty at all times of the day, every day. Principia breached these duties to Ms. Doe by committing one or more of the following acts, to wit:

- a. Failing to perform spot checks at random intervals throughout the campus to deter sexual predators, including Assailant, from initiating and carrying on illegal and

inappropriate physical and/or sexual contact with minor children while on campus;

- b. Failure to restrict adult access to minor children while on campus in their dorms and/or living quarters;
- c. Failure to perform adequate background checks on its employees, including Assailant, prior to entrusting with access to minor children, buildings, living quarters and/or other appurtenances;
- d. Failing to lock and/or properly secure the campus, its buildings and/or appurtenances to prevent illicit trysts from occurring;
- e. Failing to remove Ms. Doe from any and/or all criminal acts enacted upon her person by Assailant upon actual and/or constructive knowledge;
- f. Failing to restrict Assailant's access to Ms. Doe upon learning of his sexual contact with Ms. Doe; and
- g. Failing to immediately contact the proper authorities when Principia, its agents, employees and/or independent contractors knew and/or reasonably should have known that Assailant was engaging in an improper and illegal sexual relationship with Ms. Doe, a minor child.

99. Principia failed to provide a safe and secure environment on its campus where sexual predators like the Assailant would not be able to seduce its students, like Ms. Doe and the other minor students he seduced, and have sexual relations with them.

100. Principia knew or should have known that the Assailant was likely to commit the types of illicit sexual acts at issue. In fact, it did know those acts were occurring. However,

Principia failed to put safety measures and security in place to ensure those types acts did not continue.

101. Principia had sufficient time to stop the types of acts at issue in this action. It knew the acts were occurring; they occurred more than 40 times. It also knew that other students were the victims of similar acts by the Assailant.

102. Principia knew or had reason to know that it had the ability to control the Assailant, including firing the Assailant after it learned that he was having sexual relations with minor students that he was meeting and seducing on Principia's campus. Principia knew or should have known of the necessity and opportunity to exercise such control over the Assailant. Principia holds itself out as a 24/7 campus that is a safe place to live and learn. Therefore, Principia knew that it was illegal and dangerous for its employee to have sexual relationships with minor students.

103. It was reasonably foreseeable to Principia that the conduct at issue in this action would occur based on, among other matters, Principia's knowledge of the Assailant's sexual proclivities towards minors (including Ms. Doe), S&M and group sex.

104. Principia retained 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.

105. Principia's negligent security was the proximate cause of Ms. Doe's injuries.

106. 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.

107. As a result of the 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. The losses are either permanent or continuing, and Ms. Doe will suffer the losses in the future.

108. 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 V
(Assumption of Duty to Provide Safe Environment to Students)

109. This is a claim for negligence against Principia.

110. The basis for this claim is that Principia assumed a duty to provide a safe environment for Ms. Doe and protect her, and it failed to act in a reasonable manner do so.

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

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

113. At all times material hereto, Principia assumed a duty to provide a safe and secure environment for Ms. Doe 24/7, including assuming the duty to ensure that its employees and other people did not harm Ms. Doe.

114. Principia assumed the relationship with its students, including Ms. Doe, because Principia is a boarding school that represents and warrants that it provides 24/7 education and care for its students. Further, Principia makes those representations and warranties to and for minor students and their parents. Principia steps into the shoes of those students 24/7 caretakers

and, therefore, it owes this duty at all times of the day, every day. In other words, Principia encourages the parents of its minor students and its students to trust it with the safety and security of their children 24/7. Ms. Doe and her mother relied on those representations and warranties, among others, and believed that Principia would provide a safe and secure environment for Ms. Doe.

115. Principia had knowledge of the Assailant's sexual proclivities for students and minors and, therefore, Principia knew or should have known that providing a safe environment for Ms. Doe included not allowing the Assailant to: (i) continue to work for Principia, (ii) to continue to have access to students, including Ms. Doe, and (iii) to be on and off campus with Ms. Doe.

116. Principia breached its assumed duty by, among other matters, allowing the Assailant to continue to work for Principia; to allow him to continue to have access to Ms. Doe, despite knowing of his illicit sexual relationship with her; and allowing him to be with her on and off the campus.

117. Principia knew or had reason to know that it had the ability to control the Assailant, including firing the Assailant after it learned that he was having sexual relations with minor students that he was meeting and seducing on Principia's campus.

118. It was reasonably foreseeable to Principia that the conduct at issue in this action would occur based on, among other matters, Principia's knowledge of the Assailant's sexual proclivities towards minors (including Ms. Doe), S&M and group sex.

119. Principia's breach of its assumed duties with respect to Ms. Doe was the proximate cause of her injuries.

120. 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.

121. As a result of the 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. The losses are either permanent or continuing, and Ms. Doe will suffer the losses in the future.

122. 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 VI
(Negligent Supervision of a Child)

123. This is a claim for negligence against Principia.

124. The basis for this claim is that Principia was negligent regarding its supervision of a child (Ms. Doe).

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

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

127. At all times material hereto, Principia owed Ms. Doe a duty to ensure that it provided reasonable supervision of her and those around her because she was a minor in its care.

128. Principia also had a duty to exercise reasonable care so as to control the Assailant so as to prevent him from intentionally harming its students (including Ms. Doe) or from so conducting himself so as to create an unreasonable risk of bodily harm to the students.

129. At all times material hereto, Principia acted in a supervisory capacity with respect to Ms. Doe.

130. At all times material hereto, the Assailant was an employee of Principia. The Assailant was on Principia's premises and upon premises he was only allowed to enter as an employee of Principia.

131. The Assailant's conduct – namely, having sexual relations with minors and students – that is at issue in this action is the same as the Assailant's conduct that Principia was aware of. Principia was on actual notice of Assailant's proclivity for sexually assaulting minors; therefore, it was reasonably foreseeable to that he would continue that type of conduct with its students, including the sexual assault of Ms. Doe.

132. Despite Principia being aware of the Assailant's sexual proclivities and the likelihood he would harm young students who were attending Principia, while living on the campus; Principia still chose to retain the Assailant.

133. Principia knew or had reason to know that it had the ability to control the Assailant. For example, Principia could have terminated the employment of the Assailant and reported him to the police.

134. Principia knew or should have known of the necessity for exercising control over the Assailant. For example, Principia knew of the Assailant's proclivities for sexual relationships with its students and minors.

135. At all times material hereto, Principia knew or should have known the harm caused to Ms. Doe by the Assailants was likely to occur and did occur.

136. Principia disregarded the risk that the Assailant would cause and did cause harm to Ms. Doe.

137. Principia breached its duty to Ms. Doe by retaining the Assailant after knowing that he was having sexual intercourse with minors and students, including S&M and group sex activities.

138. Principia retained 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.

139. Principia's negligence with respect to providing reasonable supervision of Ms. Doe and/or the Assailant was the proximate cause of her injuries.

140. 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.

141. As a result of the 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. The losses are either permanent or continuing, and Ms. Doe will suffer the losses in the future.

142. 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.

JURY TRIAL DEMAND

Plaintiff demands a trial by jury on all counts set forth herein.

Respectfully submitted,

FRANK, JUENGEL & RADEFELD,
ATTORNEYS AT LAW, P.C.

By: /s/ Matthew A. Radefeld
MATTHEW A. RADEFELD (#52288)
7710 Carondelet Ave., Suite 350
Clayton, Missouri 63105
Telephone: (314) 725-7777
Facsimile: (314) 721-4377

MASE LARA, P.A.

By: /s/ Curits J. Mase
CURTIS J. MASE (FL License)
CHRISTOPHER G. LYONS
ERIC C. HAYDEN
WILLIAM R. SEITZ
2601 South Bayshore Dr., Suite 800
Miami, Florida 33133
Telephone: (305) 377-3770
Facsimile: (305) 377-0080

Attorneys for Plaintiff