

1 MICHELE M. BETTI, ESQ. (SBN 204939)
2 LAW OFFICES OF BETTI & ASSOCIATES
3 1732 Knoll Field Way
4 Encinitas, CA 92024
5 Telephone: (760) 500-5451
6 Facsimile: (760) 454-2204
7 Email: mbetilaw@gmail.com

8 Attorneys for Plaintiff
9 ERIC NORWOOD

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

FILED
OCT 21 PM 3:00
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

12 Eric Norwood,

13 Plaintiff,

14 v.

15 Children And Youth Services Inc., West
16 Ridge Academy and DOES 1 through 100,
17 inclusive,

18 Defendants.

CV 10 7944

GAF (MANX)

COMPLAINT FOR:

1. CHILDHOOD SEXUAL ABUSE;
2. NEGLIGENCE;
3. NEGLIGENT SUPERVISION;
4. NEGLIGENT HIRING/RETENTION;
5. NEGLIGENT FAILURE TO WARN, TRAIN, OR EDUCATE PLAINTIFF
6. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS;
7. VIOLATION OF PENAL CODE § 236;
8. VIOLATION OF PENAL CODE § 237.

[Demand for Jury Trial]

23 Based upon information and belief available to Plaintiff at the time of the filing of this
24 Complaint, Plaintiff makes the following allegations:

25 PARTIES

26 1. Plaintiff Eric Norwood ("Plaintiff") is and was at all times relevant a citizen of California
27 residing in Los Angeles County, California. Plaintiff was born on October 24, 1984, and is
28

1 currently 25 years old. Plaintiff was a minor between the ages of 15 to 18 years old at the time
2 the sexual and physical abuse alleged herein occurred.

3 2. Defendant Children And Youth Services Inc., (employer identification number
4 870265761) is also known as West Ridge Academy. West Ridge Academy was known as the
5 Utah Boys Ranch from 1964 to 2005. It changed its name to West Ridge Academy after
6 allegations of abuse at the Utah Boys Ranch.

7 Defendant Children And Youth Services Inc., West Ridge Academy/Utah Boys Ranch
8 (“West Ridge Academy/Utah Boys Ranch”) is a citizen of the State of Utah pursuant to 28
9 U.S.C.A. § 1332 (West). Defendant is a corporation incorporated in the State of Utah, and has
10 its principal place of business at 5500 Bagley Park Rd, West Jordan, Utah 84081.

11 2.1 Brent Sanderson (“Perpetrator Sanderson”) was at all times relevant a staff member of
12 West Ridge Academy/Utah Boys Ranch.

13 2.2 Chris Teehan (“Perpetrator Teehan”) was at all times relevant a staff member of West
14 Ridge Academy/Utah Boys Ranch.

15 2.3 Michael Ruoho (“Perpetrator Ruoho”) was at all times relevant a staff member and
16 clinician of West Ridge Academy/Utah Boys Ranch.

17 2.4 Daniel Bartlett (“Perpetrator Bartlett”) was at all times relevant a staff member of West
18 Ridge Academy/Utah Boys Ranch.

19 2.5 Paul Keene (“Perpetrator Keene”) was at all times relevant a staff member and principal
20 of West Ridge Academy/Utah Boys Ranch.

21 2.6 Darryl Small (“Perpetrator Small”) was at all times relevant a staff member and clinician
22 of West Ridge Academy/Utah Boys Ranch.

23 2.7 Chris Buttars (“Perpetrator Buttars”) was at all times relevant a staff member and the
24 Executive Director of West Ridge Academy/Utah Boys Ranch.

25 2.8 Kim and Paul Fowler (“Perpetrator Fowlers”) were at all times relevant staff members
26 and home parents of Plaintiff at the West Ridge Academy/Utah Boys Ranch.

27 2.9 Brian Young (“Perpetrator Young”) was at all times relevant a staff member and Brent
28 Sanderson’s direct supervisor of West Ridge Academy/Utah Boys Ranch.

1 2.10 Barry McArthur (“Perpetrator McArthur”) was at all times relevant a staff member of
2 West Ridge Academy/Utah Boys Ranch.

3 2.11 Dustin Hinson (“Perpetrator Hinson”) was at all times relevant a staff member and the
4 “A-Home Parent” of West Ridge Academy/Utah Boys Ranch.

5 2.12 Brice Cuervo (“Perpetrator Cuervo”) was at all times relevant a staff member of West
6 Ridge Academy/Utah Boys Ranch and Dustin Hinson’s supervisor.

7 2.13 James McMasters (“Perpetrator McMasters”) was at all times relevant a staff member of
8 West Ridge Academy/Utah Boys Ranch and was Michael Ruoho’s direct supervisor.

9 2.14 The above listed perpetrators and staff members – Sanderson, Teehan, Ruoho, Bartlett,
10 Keene, Small, Buttars, Kim and Paul Fowler, Young, McArthur, Hinson, Cuervo, and
11 McMasters committed acts of abuse against Plaintiff from approximately February 14, 2000 to
12 October 24, 2002 at West Ridge Academy/Utah Boys Ranch. They are some times hereinafter
13 referred to as the “Perpetrators.”

14 3. The district court has original jurisdiction of this civil action in that the matter in
15 controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and the matter
16 is between citizens of different States pursuant to 28 U.S.C.A. § 1332 (West). A corporation
17 shall be deemed to be a citizen of any State by which it has been incorporated and of the State
18 where it has its principal place of business. 28 U.S.C.A. § 1332 (West). Defendant Children
19 And Youth Services Inc., West Ridge Academy/Utah Boys Ranch is a citizen of the State of
20 Utah pursuant to 28 U.S.C.A. § 1332 (West). Defendant is a corporation incorporated in the
21 State of Utah, and has its principal place of business at 5500 Bagley Park Rd, West Jordan, Utah
22 84081. Plaintiff Eric Norwood is a citizen of the State of California. Therefore, this district
23 court has original jurisdiction over this civil action.

24 4. During the dates of abuse, the Perpetrators were assigned to, working at, and/or
25 performing services for Defendant Children And Youth Services Inc., West Ridge
26 Academy/Utah Boys Ranch, and Does 1 through 100, and were under the direct supervision,
27 employment and control of Defendant Children And Youth Services Inc., West Ridge
28 Academy/Utah Boys Ranch and Does 1 through 100.

1 5. Defendant Does 1 through 100, inclusive, are individuals and/or business or corporate
2 entities incorporated in and/or doing business in Utah whose true names and capacities are
3 unknown to Plaintiff who therefore sues such defendants by such fictitious names, and who will
4 amend the Complaint to show the true names and capacities of each such Doe defendant when
5 ascertained. Each such Defendant Doe is legally responsible in some manner for the events,
6 happenings and/or tortious and unlawful conduct that caused the injuries and damages alleged in
7 this Complaint. Defendant Children And Youth Services Inc., West Ridge Academy/Utah Boys
8 Ranch and Does 1 through 100 are some times hereinafter referred to as the “Defendants.”

9 6. Each Defendant is the agent, servant and/or employee of other Defendants, and each
10 Defendant was acting within the course and scope of his, her or its authority as an agent, servant
11 and/or employee of the other Defendants. Defendants, and each of them, are individuals,
12 corporations, partnerships and other entities which engaged in, joined in and conspired with the
13 other wrongdoers in carrying out the tortious and unlawful activities described in this Complaint,
14 and Defendants, and each of them, ratified the acts of the other Defendants as described in this
15 Complaint.

16 7. Plaintiff is informed and believes, and on that basis alleges, that the Perpetrators, were at
17 all times mentioned herein an agent, employee, or servant of the Defendants, and/or were under
18 the jurisdiction and control of the Defendants.

19 8. Plaintiff is informed and believes, and on that basis alleges, the Perpetrators molested and
20 abused minor students from West Ridge Academy/Utah Boys Ranch owned, operated, and
21 controlled by the Defendants. The Plaintiff is informed and believes, and on that basis alleges,
22 that Defendants were aware of, had notice of, and should have known of the molestations, sexual
23 and physical abuse by the Perpetrators. For example, Plaintiff is informed and believes, and on
24 that basis alleges, the following:

25 A. That on or about February 14, 2000, Perpetrators Keene and McArthur (staff
26 members of West Ridge Academy/Utah Boys Ranch) under direct order by the Defendants,
27 kidnapped Plaintiff from his grandmother’s home in Agoura, California in the middle of the
28 night. Plaintiff was handcuffed and threatened with bodily harm if he did not comply.

1 B. Upon arriving at the Ranch, Perpetrator Keene and other staff members repeatedly
2 punched Plaintiff in the forehead and on countless occasions wrapped Plaintiff up in duct tape
3 binding his arms to his body. Michelle Buttars-Edvick, the school secretary, Penny Allison, the
4 math teacher, Brian Jackson, the history teacher, Davis Ballard the assistant principle, and
5 countless students all saw Keene and other staff members repeatedly physically abuse Plaintiff.

6 C. Perpetrator Small, a clinician at West Ridge Academy/Utah Boys Ranch, wrestled
7 Plaintiff into submission in Mike Ruoho's office. Ruoho, Plaintiff's therapist at the Ranch,
8 witnessed this attack. Ruoho witnessed Small at a later date threaten Plaintiff with a fist fight in
9 front of an entire group of boys in Plaintiff's group home.

10 D. Perpetrators Sanderson and Teehan were the two main "Work Crew" staff at West
11 Ridge Academy/Utah Boys Ranch. From on or about 2000 to 2002, when Plaintiff was held
12 against his will at the Utah Boys Ranch, Sanderson asked his co-worker Teehan to take the rest
13 of the work crew boys down to the cafeteria leaving Sanderson and Plaintiff alone in Mrs.
14 Gerber's classroom. Without provocation, Sanderson grabbed Plaintiff's rope leash and bound
15 Plaintiff's arms to his body. Sanderson picked Plaintiff up and slammed him into the ground
16 driving his knees into Plaintiff's back. Sanderson then fish-hooked Plaintiff by sticking his
17 finger into Plaintiff's mouth and put his hand under Plaintiff's nose pulling it back. Sanderson
18 while taunting and sexually grinding on Plaintiff told Plaintiff that none of these acts would
19 leave any visible marks. Plaintiff was crying and pleading with Sanderson to get off of him.
20 Some time thereafter Plaintiff told Kim Fowler, a staff member and Plaintiff's "home parent,"
21 about the abuse. Brent Sanderson is currently employed at West Ridge Academy.

22 E. In the summer of 2002, a fellow resident at the Utah Boys Ranch gave Plaintiff a
23 five dollar bill, because Plaintiff told him he was planning on trying to escape the facility after
24 being physically assaulted by a staff member named Chris Teehan. This resident, Ryne Carlson,
25 later told a staff member that Plaintiff had the five dollars, which was considered contraband at
26 the Utah Boys Ranch. Plaintiff was approached by Michael Ruoho, his therapist, who
27 questioned Plaintiff about the money. Plaintiff had hid the money earlier that morning in a
28 bathroom stall in C-Home. After denying any knowledge of the money for awhile, Plaintiff

1 finally confessed and told Ruoho where he hid the money. Michael Ruoho with Daniel Bartlett,
2 another staff member, escorted Plaintiff to a storage closet in the cafeteria where all the tables
3 and chairs were kept. Brent Sanderson who was a “Work Crew” staff member asked if he could
4 join. All three men forced Plaintiff into the storage closet and shut the door. Plaintiff was in a
5 blanket dress and rope-leash. Plaintiff feared he was going to get beaten and raped. Ruoho
6 instructed Daniel Bartlett to get his clippers that he used to shave the heads of the new boys
7 when they arrived. When Daniel Bartlett returned with the electric hair clippers, he grabbed
8 Plaintiff’s head and shaved off the eyebrow over his left eye. Bartlett asked Ruoho if he should
9 shave the other. Sanderson watched as Ruoho asked Plaintiff if he still planned on running
10 away. Plaintiff said he wouldn’t and Ruoho instructed Sanderson to take Plaintiff back to “Work
11 Crew.” Ruoho told Sanderson that he could strip search Plaintiff whenever he felt it necessary.
12 Sanderson smirked and took Plaintiff’s rope leash and paraded him back out to the cafeteria,
13 where everyone, including other staff members, started laughing.

14 Later that night, while Work Crew was being let into the bathroom individually to use the
15 toilets, Sanderson told Plaintiff to go into the bathroom and take off his blanket dress and shirt
16 after everyone else had used it. Sanderson then walked in and closed the door behind him.
17 Plaintiff stood there terrified in his boxer shorts. Sanderson told Plaintiff to drop his shorts.
18 Plaintiff dropped them covering all of his private parts with his hand. Sanderson told Plaintiff to
19 remove his hand. Plaintiff looked at Sanderson wanting to protest, but Sanderson scared Plaintiff
20 so much so that he complied and took his hand away for a few seconds then covered himself
21 again with his hands. Sanderson moved closer to Plaintiff and told him to lift up his scrotum to
22 show him nothing was underneath. Plaintiff reluctantly complied then returned his hand to cover
23 his genitals. Sanderson grabbed Plaintiff’s arm and violently pulled it away. Plaintiff feared
24 Sanderson was about to “restrain” him as he did before in Mrs. Gerber’s classroom and slam him
25 into the ground, but instead Sanderson grabbed Plaintiff’s penis and testicles and started fondling
26 them. Sanderson held Plaintiff’s genitals in his hand for about thirty seconds, then let go. He
27 then told Plaintiff to turn around and spread his butt cheeks. Plaintiff feared Sanderson was
28 going to rape him. Plaintiff turned around and spread his butt cheeks. Sanderson pushed

1 Plaintiff's upper back forward forcing him to bend over further then ran his hand along
2 Plaintiff's butt crack. After that, Sanderson told Plaintiff he had twenty seconds to get dressed
3 and be out of the bathroom and in line with the rest of Work Crew.

4 F. Thereafter, between 2000 and 2002, there were two other instances of sexual
5 abuse both lasting about thirty minutes wherein Sanderson forcefully grabbed Plaintiff's genitals
6 and fondled them, and ran his hand over Plaintiff's butt crack. Both times were in the same
7 manner and in the same bathroom (the bathroom in the school hallway) over an approximate two
8 week period that Plaintiff was on Work Crew. Both times Plaintiff feared Sanderson would rape
9 him.

10 G. Over the two year period between on or about February 2000 and October 2002,
11 Sanderson physically abused Plaintiff about 10 times, sometimes to within inches of his life.
12 Staff members, teachers and various other employees of West Ridge Academy/Utah Boys Ranch
13 observed these beatings and did nothing to stop them. Plaintiff was precluded from seeking
14 medical treatment in these instances because that would mean he would have to leave the Ranch
15 and go to a medical facility outside the control of the Ranch. No injuries were ever treated at the
16 Ranch. Boys who sustained injuries received no medical treatment and were left to heal on their
17 own.

18 H. Some time after September 11, 2001, Plaintiff was on work crew and Chris
19 Teehan told Plaintiff to lie on his stomach and put his chin on the concrete cafeteria floor, which
20 is called the "lock down position." Teehan picked Plaintiff up and threw him back on the ground
21 forcing his knees into Plaintiff's back until Plaintiff complied and was put in a lock down
22 position. Plaintiff was bleeding from his chin after being slammed to the ground and denied
23 medical care.

24 I. Employees and agents of Defendants were aware that the Perpetrators had an
25 unusual interest in minor boys at the Ranch, and had frequent unsupervised contact with minor
26 boys at the Ranch for extended periods of time. Many of the minor boys who were subjected to
27 sexual abuse by the Perpetrators reacted to the abuse in ways that should have made Defendants
28 question the circumstances and motivation of the Perpetrators' contact with minor boys. The

1 minor boys abused and molested by the Perpetrators were young, impressionable and particularly
2 vulnerable.

3 9. Plaintiff is further informed and believes, and on that basis alleges, that even though the
4 Defendants knew or should have known that the Perpetrators had molested, sexually abused, and
5 physically abused minors, and even though the Defendants had actual and constructive
6 knowledge of the abuse, the Defendants covered up the molestations and abuses by the
7 Perpetrators. The Defendants continued to hold the Perpetrators out as staff members who could
8 be trusted with minors. And the Defendants continued to allow the Perpetrators to work with
9 minors on a daily basis, failing to supervise and/or monitor the Perpetrators to ensure that they
10 were not molesting, sexually abusing, or physically abusing minors.

11 **The Perpetrators Abuse of Eric Norwood**

12 10. During the time that the Perpetrators were working for and employed by the Defendant,
13 the Perpetrators sexually abused and molested Plaintiff Eric Norwood from on or about 2000 to
14 2002 when he was a minor. The acts of sexual abuse, molestation and physical abuse included,
15 but were not limited to, fondling of the genitals (skin to skin), fondling of the buttocks and the
16 anus skin to skin, hugging, rubbing and massaging in sexual manner, threats, physical abuse, and
17 more.

18 11. As a direct result of the wrongful conduct alleged herein, Plaintiff suffered, and
19 continues to suffer, great pain of mind and body, shock, emotional distress, physical
20 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation,
21 and loss of enjoyment of life; was prevented and will continue to be prevented from performing
22 daily activities and obtaining the full enjoyment of life; has sustained and continues to sustain
23 loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for
24 medical and psychological treatment, therapy, and counseling.

25 **FIRST CAUSE OF ACTION**

26 **(Childhood Sexual Abuse - Cal. Civ. Proc. Code § 340.1 (West 2003))**

27 **(Against All Defendants)**

28 12. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

1 13. The Perpetrators engaged in unpermitted, harmful and offensive conduct and contact
2 upon the person of Plaintiff in violation of Cal. Civ. Proc. Code § 340.1 (West 2003). Said
3 conduct was undertaken while the Perpetrators were an employee, volunteer, representative, or
4 agent of Defendants while in the course and scope of employment with Defendants.

5 14. Prior to or during the abuse alleged above, Defendants knew, had reason to know, or
6 were otherwise on notice of unlawful sexual conduct and physical abuse by the Perpetrators.
7 Defendants failed to take reasonable steps and failed to implement reasonable safeguards to
8 avoid acts of unlawful sexual conduct and physical contact in the future by the Perpetrators,
9 including, but not limited to, preventing or avoiding placement of the Perpetrators in functions or
10 environments in which contact with children was an inherent part of those functions or
11 environments. Furthermore, at no time during the periods of time alleged did Defendants have in
12 place a system or procedure to supervise and/or monitor employees, volunteers, representatives,
13 or agents to insure that they did not molest, sexually or physically abuse minors in Defendants'
14 care, including the Plaintiff.

15 15. As a result of the above-described conduct, Plaintiff has suffered, and continues to
16 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
17 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of
18 enjoyment of life; was prevented and will continue to be prevented from performing daily
19 activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss
20 of earnings and earning capacity; and/or has incurred and will continue to incur expenses for
21 medical and psychological treatment, therapy, and counseling.

22 **SECOND CAUSE OF ACTION**

23 **(Negligence)**

24 **(Against All Defendants)**

25 16. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

26 17. Defendants had a duty to protect the minor Plaintiff when he was entrusted to their care
27 by Plaintiff's parents. Plaintiff's care, welfare, and/or physical custody were temporarily
28 entrusted to Defendants. Defendants voluntarily accepted the entrusted care of Plaintiff. As

1 such, Defendants owed Plaintiff, and all minor children, a special duty of care, in addition to a
2 duty of ordinary care, and owed Plaintiff the higher duty of care that adults dealing with children
3 owe to protect them from harm.

4 18. Defendants, by and through their agents, servants and employees, knew or reasonably
5 should have known of the Perpetrators' dangerous and exploitive propensities and/or that the
6 Perpetrators were unfit agents. It was foreseeable that if Defendants did not adequately exercise
7 or provide the duty of care owed to children in their care, including but not limited to the
8 Plaintiff, the children entrusted to Defendants' care would be vulnerable to sexual and physical
9 abuse by the Perpetrators.

10 19. Defendants breached their duty of care to the minor Plaintiff by allowing the
11 Perpetrators to come into contact with the minor Plaintiff without supervision; by failing to
12 adequately hire, supervise, or retain the Perpetrators who they permitted and enabled to have
13 access to the Plaintiff; by failing to investigate or otherwise confirm or deny such facts about the
14 Perpetrators; by failing to tell or concealing from Plaintiff, Plaintiff's parents, guardians, or law
15 enforcement officials that the Perpetrators were or may have been sexually and physically
16 abusing minors; by failing to tell or concealing from Plaintiff's parents, guardians, or law
17 enforcement officials that the Plaintiff was or may have been sexually and physically abused
18 after Defendants knew or had reason to know that the Perpetrators may have sexually and
19 physically abused the Plaintiff, thereby enabling Plaintiff to continue to be endangered and
20 sexually and physically abused, and/or creating the circumstance where the Plaintiff was less
21 likely to receive medical/mental health care and treatment, thus exacerbating the harm done to
22 the Plaintiff; and/or by holding out the Perpetrators to the Plaintiff and his parents or guardians
23 as being in good standing and trustworthy.

24 20. As a result of the above-described conduct, the Plaintiff has suffered, and continues to
25 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
26 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of
27 enjoyment of life; was prevented and will continue to be prevented from performing daily
28 activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss

1 of earnings and earning capacity; and/or has incurred and will continue to incur expenses for
2 medical and psychological treatment, therapy, and counseling.

3 **THIRD CAUSE OF ACTION**
4 **(Negligent Supervision/Failure to Warn)**
5 **(Against All Defendants)**

6 21. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

7 22. Defendants had a duty to provide reasonable supervision of the Perpetrators; to use
8 reasonable care in investigating the Perpetrators; and to provide adequate warning to the
9 Plaintiff, the Plaintiff's family, and minor students, of the Perpetrators' dangerous propensities
10 and unfitness.

11 23. Defendants, by and through their agents, servants and employees, knew or reasonably
12 should have known of the Perpetrators' dangerous and exploitive propensities and/or that the
13 Perpetrators were unfit agents. Despite such knowledge, Defendants negligently failed to
14 supervise the Perpetrators in the position of trust and authority as staff members, disciplinarians,
15 house parents, counselors, school administrators, school teachers, emotional mentors, and/or
16 other authority figures, where each Perpetrator was able to commit the wrongful acts against the
17 Plaintiff. Defendants failed to provide reasonable supervision of the Perpetrators, failed to use
18 reasonable care in investigating the Perpetrators, and failed to provide adequate warning to
19 Plaintiff and Plaintiff's family of the Perpetrators' dangerous propensities and unfitness.
20 Defendants further failed to take reasonable measures to prevent future sexual and physical
21 abuse.

22 24. As a result of the above-described conduct, Plaintiff has suffered, and continues to
23 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
24 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of
25 enjoyment of life; was prevented and will continue to be prevented from performing daily
26 activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss
27 of earnings and earning capacity; and/or has incurred and will continue to incur expenses for
28 medical and psychological treatment, therapy, and counseling.

1 **FOURTH CAUSE OF ACTION**

2 **(Negligent Hiring/Retention)**

3 **(Against All Defendants)**

4 25. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

5 26. Defendants had a duty to not hire and/or retain the Perpetrators, and other employees,
6 agents, volunteers, and other representatives, given the Perpetrators' dangerous and exploitive
7 propensities.

8 27. Defendants, by and through their agents, servants and employees, knew or reasonably
9 should have known of the Perpetrators' dangerous and exploitive propensities and/or that the
10 Perpetrators were unfit agents. Despite such knowledge, Defendants negligently hired and/or
11 retained the Perpetrators in the position of trust and authority as staff members, disciplinarians,
12 house parents, counselors, school administrators, school teachers, emotional mentors, and/or
13 other authority figures, where each Perpetrator was able to commit the wrongful acts against the
14 Plaintiff. Defendants failed to use reasonable care in investigating the Perpetrators and failed to
15 provide adequate warning to the Plaintiff and the Plaintiff's families of the Perpetrators'
16 dangerous propensities and unfitness. Defendants further failed to take reasonable measures to
17 prevent future sexual and physical abuse.

18 28. As a result of the above-described conduct, the Plaintiff has suffered, and continues to
19 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
20 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of
21 enjoyment of life; was prevented and will continue to be prevented from performing daily
22 activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss
23 of earnings and earning capacity; and/or have incurred and will continue to incur expenses for
24 medical and psychological treatment, therapy, and counseling.

25 **FIFTH CAUSE OF ACTION**

26 **(Negligent Failure to Warn, Train, or Educate Plaintiff)**

27 **(Against All Defendants)**

28 29. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

1 30. Defendants breached their duty to take reasonable protective measures to protect the
2 Plaintiff and other minors students from the risk of childhood sexual abuse by the Perpetrators,
3 such as the failure to properly warn, train, or educate the Plaintiff and other minor students about
4 how to avoid such a risk, pursuant to Juarez v. Boy Scouts of America, Inc., 81 Cal. App. 4th
5 377 (2000).

6 31. As a result of the above-described conduct, the Plaintiff has suffered, and continues to
7 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
8 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of
9 enjoyment of life; was prevented and will continue to be prevented from performing daily
10 activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss
11 of earnings and earning capacity; and/or has incurred and will continue to incur expenses for
12 medical and psychological treatment, therapy, and counseling.

13 **SIXTH CAUSE OF ACTION**

14 **(Intentional Infliction of Emotional Distress)**

15 **(Against All Defendants)**

16 32. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

17 33. Defendants' conduct was extreme and outrageous and was intentional or done recklessly.

18 34. As a result of Defendants' conduct, the Plaintiff experienced and continues to experience
19 severe emotional distress resulting in bodily harm.

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

27 ///

28 ///

1 **SEVENTH CAUSE OF ACTION**

2 **(Violation of Penal Code § 236)**

3 **(Against All Defendants)**

4 36. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

5 37. Defendants' acts described herein violate California Penal Code § 236 in that Defendants
6 falsely imprisoned Plaintiff.

7 38. Defendants unlawfully violated Plaintiff's liberty when they kidnapped him from his
8 grandmother's house and took him across state lines to the West Ridge Academy/Utah Boys
9 Ranch on or about February 14, 2000. While at the Ranch Plaintiff was sexually and physically
10 abused. Plaintiff was forced to remain at the West Ridge Academy/Utah Boys Ranch until he
11 reached the age of majority (age 18).

12 39. As a result of the above-described conduct, the Plaintiff has suffered, and continues to
13 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
14 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of
15 enjoyment of life; was prevented and will continue to be prevented from performing daily
16 activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss
17 of earnings and earning capacity; and/or has incurred and will continue to incur expenses for
18 medical and psychological treatment, therapy, and counseling.

19 **EIGHTH CAUSE OF ACTION**

20 **(Violation of Penal Code § 237)**

21 **(Against All Defendants)**

22 40. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

23 41. Defendants' acts described herein violate California Penal Code § 237 in that Defendants
24 falsely imprisoned Plaintiff.

25 42. Defendants unlawfully violated Plaintiff's liberty when they kidnapped him from his
26 grandmother's house and took him across state lines to the West Ridge Academy/Utah Boys
27 Ranch on or about February 14, 2000. Plaintiff was forced to remain at the West Ridge
28 Academy/Utah Boys Ranch until he reached the age of majority (age 18). Plaintiff could not

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

leave and was subjected to sexual and physical abuse while at the Ranch.

43. Defendants' false imprisonment of Plaintiff consisted of the "nonconsensual, intentional confinement of Plaintiff, without lawful privilege, for an appreciable length of time, however short.

44. As a result of the above-described conduct, the Plaintiff has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

WHEREFORE, Plaintiff prays for damages; costs; interest; attorneys' fees; statutory/civil penalties according to law; and such other relief as the court deems appropriate and just.

JURY DEMAND

Plaintiff demands a jury trial on all issues so triable.

Dated: October 21, 2010

Michele M. Betti
Michele M. Betti, Esq.
Law Offices Of Betti & Associates
Attorneys for Plaintiff
Eric Norwood