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12 JANE ROE 2;
13 JANE ROE 33.

E-FILED
4/20/2022 1:38 PM
Superior Court of California
County of Fresno
By: Jamie Nelson, Deputy

9 **SUPERIOR COURT OF CALIFORNIA**
10 **COUNTY OF FRESNO**

11 *****

12 JANE ROE 2, an individual; JANE ROE)
13 33, an individual;)

14 Plaintiffs,)

15 v.)

16 RIVERDALE ASSEMBLY OF GOD)
17 CHURCH, INC. d.b.a. RIVERDALE)
18 CHRISTIAN ACADEMY, a California)
19 non-profit religious corporation; THE)
20 GENERAL COUNCIL OF THE)
21 ASSEMBLIES OF GOD, a foreign non-)
22 profit religious corporation, THE)
23 SOUTHERN CALIFORNIA DISTRICT)
24 COUNCIL OF THE ASSEMBLIES OF)
25 GOD; a California non-profit religious)
26 corporation; CHARLES SPENCER, JR., an)
27 individual; and DOES 5 through 100,)
28 inclusive,)

Defendants.)

Case No.: 22CECG01108

FIRST AMENDED COMPLAINT FOR DAMAGES:

1. **NEGLIGENCE**
2. **CLAIM FOR CHILDHOOD SEXUAL ASSAULT (California Civil Code § 340.1)**
3. **NEGLIGENT SUPERVISION/ FAILURE TO WARN**
4. **NEGLIGENT HIRING/RETENTION**
5. **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
6. **BREACH OF STATUTORY DUTY (California Civil Code § 51.7)**

26 Based upon information and belief available to Plaintiffs, JANE ROE 2 and JANE ROE
27 33, at all times relevant to the filing of this Complaint Plaintiffs allege as follows against
28 Defendants RIVERDALE ASSEMBLY OF GOD CHURCH, INC. d.b.a. RIVERDALE

1 CHRISTIAN ACADEMY, a California non-profit religious corporation; THE GENERAL
2 COUNCIL OF THE ASSEMBLIES OF GOD, a foreign non-profit religious corporation; THE
3 SOUTHERN CALIFORNIA DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, a
4 California non-profit religious corporation; CHARLES SPENCER, JR., an individual; and
5 DOES 5 through 100, inclusive, as follows:

6 **NATURE OF THE ACTION**

7 1. Between approximately 1998 and 2003, when Plaintiff JANE ROE 2 was a
8 minor child and a member, congregant and student of RIVERDALE ASSEMBLY OF GOD
9 CHURCH, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY in Riverdale, California, she
10 was groomed and sexually molested. Commencing at the age of 12 years old Plaintiff JANE
11 ROE 2 was groomed for a sexual relationship by Defendant CHARLES SPENCER, JR. At the
12 age of 14 years old CHARLES SPENCER, JR. initiated and maintained a pattern of sexually
13 assaulting Plaintiff JANE ROE 2 until the time she fled RIVERDALE ASSEMBLY OF GOD
14 CHURCH, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, at the age of 17 years old.

15 2. Between approximately 2001 and 2004, when Plaintiff JANE ROE 33 was a
16 minor child and a member, congregant and student of RIVERDALE ASSEMBLY OF GOD
17 CHURCH, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY in Riverdale, California, she
18 was groomed and sexually molested. Commencing at the age of 15 years old Plaintiff JANE
19 ROE 33 was groomed for a sexual relationship by CHARLES SPENCER, JR. CHARLES
20 SPENCER, JR. sexually assaulted JANE ROE 33 on a choir trip which was sanctioned,
21 managed, and/or controlled by RIVERDALE ASSEMBLY OF GOD CHURCH, INC. d.b.a.
22 RIVERDALE CHRISTIAN ACADEMY, THE GENERAL COUNCIL OF THE ASSEMBLIES
23 OF GOD and THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF THE
24 ASSEMBLIES OF GOD.

25 3. At all relevant times CHARLES SPENCER, JR. was a teacher and/or school
26 supervisor, pastor and choir tour chaperone, at RIVERDALE ASSEMBLY OF GOD CHURCH,
27 INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY. Despite the fact that RIVERDALE
28 ASSEMBLY OF GOD CHURCH, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, THE

1 GENERAL COUNCIL OF THE ASSEMBLIES OF GOD and THE SOUTHERN
2 CALIFORNIA DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, knew or should have
3 known that CHARLES SPENCER, JR. was a danger to children, in that he was likely to use his
4 positions with them to groom and to sexually assault them, they failed to take reasonable steps to
5 protect Plaintiff JANE ROE 2, Plaintiff JANE ROE 33 and other children from that danger.

6 **PARTIES**

7 4. Plaintiff, JANE ROE 2 (“ROE 2”), is an adult female resident of Kings County,
8 within the State of California. ROE 2 was a minor throughout the period of child sexual assault
9 alleged herein. At the time of filing this Complaint for childhood sexual assault ROE 2 is under
10 the age of 40 years old. At all times, ROE 2 resided in Kings County, California. ROE 2 attended
11 RIVERDALE ASSEMBLY OF GOD CHURCH, INC. (“RIVERDALE ASSEMBLY OF
12 GOD”) as a congregant of the church and attended school at RIVERDALE ASSEMBLY OF
13 GOD, doing business as RIVERDALE CHRISTIAN ACADEMY (“ACADEMY”) located on
14 the premises of RIVERDALE ASSEMBLY OF GOD. ROE 2 brings this Complaint pursuant to
15 Code of Civil Procedure Section 340.1, as amended by Assembly Bill 218, for the childhood
16 sexual assault she suffered due to Defendants’ negligence and malfeasance. Thus, ROE 2’s
17 claims for damages suffered as a result of childhood sexual assault are timely, as it is filed within
18 three years of January 1, 2020.

19 5. Plaintiff, JANE ROE 33 (“ROE 33”), is an adult female resident of Kings
20 County, within the State of California. ROE 33 was a minor throughout the period of child
21 sexual assault alleged herein. At the time of filing this Complaint for childhood sexual assault
22 ROE 33 is under the age of 40 years old. At all relevant times, ROE 33 resided in Fresno County,
23 California. ROE 33 attended RIVERDALE ASSEMBLY OF GOD as a congregant and attended
24 school at ACADEMY located on the premises of RIVERDALE ASSEMBLY OF GOD. ROE 33
25 brings this Complaint pursuant to Code of Civil Procedure Section 340.1, as amended by
26 Assembly Bill 218, for the childhood sexual assault she suffered due to Defendants’ negligence
27 and malfeasance. Thus, ROE 33’s claims for damages suffered as a result of childhood sexual
28 assault are timely, as it is filed within three years of January 1, 2020.

1 6. At all relevant times, Defendant, RIVERDALE ASSEMBLY OF GOD was and
2 is a California non-profit religious corporation authorized to conduct business and is conducting
3 business in the State of California, with its principal place of business in the County of Fresno,
4 California. At all times relevant, RIVERDALE ASSEMBLY OF GOD had responsibility for
5 church operations in Riverdale, California.

6 7. At all relevant times, Defendant, THE GENERAL COUNCIL OF THE
7 ASSEMBLIES OF GOD, (“GENERAL COUNCIL”) was and is a foreign non-profit religious
8 corporation with its principal place of business in the State of Missouri. At all times relevant,
9 GENERAL COUNCIL organized, administered and directed the congregational affairs of church
10 members in the United States. At all times relevant GENERAL COUNCIL owned, operated,
11 managed, and/or controlled local churches and schools throughout California, including
12 RIVERDALE ASSEMBLY OF GOD, in Riverdale, California.

13 8. At all relevant times, Defendant, THE SOUTHERN CALIFORNIA DISTRICT
14 COUNCIL OF THE ASSEMBLIES OF GOD; a California non-profit religious corporation,
15 (“DISTRICT COUNCIL”) was and is a non-profit California corporation with its principal place
16 of business in Irvine, California. At all times relevant, DISTRICT COUNCIL organized,
17 administered and directed the congregational affairs of church members in the United States. At
18 all times relevant DISTRICT COUNCIL owned, operated, managed, and/or controlled local
19 churches and schools throughout California, including RIVERDALE ASSEMBLY OF GOD, in
20 Riverdale, California.

21 9. At all relevant times, Defendant, CHARLES SPENCER, JR. (“SPENCER”), an
22 individual, is an adult male who, at all times relevant, was associated with, supervised, directed
23 and controlled by RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT
24 COUNCIL. While supervised, directed and controlled by RIVERDALE ASSEMBLY OF GOD,
25 GENERAL COUNCIL and DISTRICT COUNCIL, SPENCER committed the acts of childhood
26 sexual assault alleged herein as an employee of RIVERDALE ASSEMBLY OF GOD and a
27 teacher and/or school supervisor at ACADEMY and in his capacity as pastor at RIVERDALE
28 ASSEMBLY OF GOD.

1 10. At all relevant times GENERAL COUNCIL was the owner of RIVERDALE
2 ASSEMBLY OF GOD and held itself out to the public as the owner or controller of
3 RIVERDALE ASSEMBLY OF GOD.

4 11. At all relevant times GENERAL COUNCIL through its agents, servants, and
5 employees, managed, maintained, operated, and controlled RIVERDALE ASSEMBLY OF
6 GOD.

7 12. At all relevant times GENERAL COUNCIL through its agents, servants, and
8 employees, managed, maintained, operated, and controlled RIVERDALE ASSEMBLY OF GOD
9 and held out to the public its agents, servants, and employees as those who managed, maintained,
10 operated, and controlled RIVERDALE ASSEMBLY OF GOD.

11 13. At all relevant times GENERAL COUNCIL was responsible for and did the
12 hiring and staffing at RIVERDALE ASSEMBLY OF GOD.

13 14. At all relevant times GENERAL COUNCIL was responsible for and did the
14 recruitment and staffing of volunteers at RIVERDALE ASSEMBLY OF GOD.

15 15. At all relevant times DISTRICT COUNCIL was the owner of RIVERDALE
16 ASSEMBLY OF GOD and held itself out to the public as the owner or controller of
17 RIVERDALE ASSEMBLY OF GOD.

18 16. At all relevant times DISTRICT COUNCIL through its agents, servants, and
19 employees, managed, maintained, operated, and controlled RIVERDALE ASSEMBLY OF
20 GOD.

21 17. At all relevant times DISTRICT COUNCIL through its agents, servants, and
22 employees, managed, maintained, operated, and controlled RIVERDALE ASSEMBLY OF GOD
23 and held out to the public its agents, servants, and employees as those who managed, maintained,
24 operated, and controlled RIVERDALE ASSEMBLY OF GOD.

25 18. At all relevant times DISTRICT COUNCIL was responsible for and did the
26 hiring and staffing at RIVERDALE ASSEMBLY OF GOD.

27 19. At all relevant times DISTRICT COUNCIL was responsible for and did the
28 recruitment and staffing of volunteers at RIVERDALE ASSEMBLY OF GOD.

1 20. At all relevant times SPENCER was on the staff of, acted as an agent of, and
2 served as an employee of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and
3 DISTRICT COUNCIL.

4 21. At all relevant times SPENCER was acting in the course and scope of his
5 employment with RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT
6 COUNCIL.

7 22. At all relevant times GENERAL COUNCIL and DISTRICT COUNCIL
8 materially benefited from the operation of RIVERDALE ASSEMBLY OF GOD including the
9 services of SPENCER and the services of those who managed and supervised SPENCER.

10 23. At all relevant times SPENCER was employed by RIVERDALE ASSEMBLY
11 OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL he used his positions as a as a
12 teacher and/or school supervisor at ACADEMY and as pastor at RIVERDALE ASSEMBLY OF
13 GOD to groom and sexually assault ROE 2 and ROE 33.

14 24. Despite a mandatory reporting obligation, RIVERDALE ASSEMBLY OF
15 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, their directors, employees, agents,
16 pastors and teachers knew of or reasonably suspected the sexual abuse, and did not report the
17 abuse to law enforcement.

18 25. To the extent RIVERDALE ASSEMBLY OF GOD was a different entity,
19 corporation, or organization during the period of time during which SPENCER used his positions
20 as a teacher and/or school supervisor at the ACADEMY and as pastor at RIVERDALE
21 ASSEMBLY OF GOD to groom and sexually assault ROE 2 and ROE 33, such entity,
22 corporation, or organization is hereby on notice that it is intended to be a defendant in this
23 lawsuit and is identified in the Complaint as RIVERDALE ASSEMBLY OF GOD or as a
24 “DOE” Defendant.

25 26. To the extent RIVERDALE ASSEMBLY OF GOD is a successor to a different
26 entity, corporation, or organization which existed during the period of time during which
27 SPENCER used his positions as a teacher and/or school supervisor at ACADEMY and as pastor
28 at RIVERDALE ASSEMBLY OF GOD to groom and to sexually assault ROE 2 and ROE 33,

1 such predecessor entity, corporation, or organization is hereby on notice that it is intended to be a
2 defendant in this lawsuit and is identified in the Complaint as RIVERDALE ASSEMBLY OF
3 GOD or as a “DOE” Defendant.

4 27. To the extent GENERAL COUNCIL was a different entity, corporation, or
5 organization during the period of time during which SPENCER used his positions as a teacher
6 and/or school supervisor at ACADEMY and as pastor at RIVERDALE ASSEMBLY OF GOD
7 to groom and to sexually assault ROE 2 and ROE 33, such entity, corporation, or organization is
8 hereby on notice that it is intended to be a defendant in this lawsuit and is identified in the
9 Complaint as GENERAL COUNCEL or as a “DOE” Defendant.

10 28. To the extent GENERAL COUNCIL is a successor to a different entity,
11 corporation, or organization which existed during the period of time during which SPENCER
12 used his positions as a teacher and/or school supervisor at ACADEMY and as pastor at
13 RIVERDALE ASSEMBLY OF GOD to groom and to sexually assault ROE 2 and ROE 33, such
14 predecessor entity, corporation, or organization is hereby on notice that it is intended to be a
15 defendant in this lawsuit and is identified in the Complaint as GENERAL COUNCIL or as a
16 “DOE” Defendant.

17 29. To the extent DISTRICT COUNCIL was a different entity, corporation, or
18 organization during the period of time during which SPENCER used his positions as a teacher
19 and/or school supervisor at ACADEMY and as pastor at RIVERDALE ASSEMBLY OF GOD
20 to groom and to sexually assault ROE 2 and ROE 33, such entity, corporation, or organization is
21 hereby on notice that it is intended to be a defendant in this lawsuit and is identified in the
22 Complaint as DISTRICT COUNCIL or as a “DOE” Defendant.

23 30. To the extent DISTRICT COUNCIL is a successor to a different entity,
24 corporation, or organization which existed during the period of time during which SPENCER
25 used his positions as a teacher and/or school supervisor at the ACADEMY and as pastor at
26 RIVERDALE ASSEMBLY OF GOD to groom and to sexually assault ROE 2 and ROE 33, such
27 predecessor entity, corporation, or organization is hereby on notice that it is intended to be a
28

1 defendant in this lawsuit and is identified in the Complaint as DISTRICT COUNCIL or as a
2 “DOE” Defendant.

3 31. Defendant DOES 5 through 100, inclusive, are individuals and/or business or
4 corporate entities incorporated in and/or doing business in California whose true names and
5 capacities are unknown to Plaintiffs who therefore sue such defendants by such fictitious names,
6 and who will amend the Complaint to show the true names and capacities of each such DOE
7 Defendant when ascertained. Each such Defendant DOE is legally responsible in some manner
8 for the events, happenings and/or tortious and unlawful conduct that caused the injuries and
9 damages alleged in this Complaint. Defendants RIVERDALE ASSEMBLY OF GOD,
10 GENERAL COUNCIL OF THE ASSEMBLIES OF GOD, THE SOUTHERN CALIFORNIA
11 DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, SPENCER and DOES 5 through 100,
12 are sometimes hereinafter referred to collectively as the "Defendants”.

13 32. Each Defendant is the agent, servant and/or employee of other Defendants, and
14 each Defendant was acting within the course and scope of his, her or its authority as an agent,
15 servant and/or employee of the other Defendants. Defendants, and each of them, are individuals,
16 corporations, partnerships and other entities which engaged in, joined in and conspired with the
17 other wrong doers in carrying out the tortious and unlawful activities described in this
18 Complaint.

19 **BACKGROUND FACTS APPLICABLE TO ALL COUNTS**

20 33. Plaintiffs are informed and believe, and upon such information and belief
21 hereby allege the following:

22 34. Defendant RIVERDALE ASSEMBLY OF GOD is located in Riverdale, County of
23 Fresno, California, and at all times relevant is and was a member church of Defendants,
24 GENERAL COUNCIL and DISTRICT COUNCIL.

25 35. At all times relevant to this Complaint, Defendants operated a church in
26 Riverdale, California, and invited the participation of the public, including ROE 2 and ROE 33,
27 into the church community. As part of the church community, minors were invited to participate
28 in youth group activities, attend the ACADEMY for their schooling, participate in volunteer

1 events and participate in RIVERDALE ASSEMBLY OF GOD sponsored choir tours.
2 Additionally, members were invited to participate in other church activities including mission
3 trips, bible study, and choir trips throughout United States. The choir tours and other activities
4 were organized and chaperoned by paid staff and/or volunteers that were selected, approved and
5 maintained by Defendants and operational agents in the church community. Defendants accepted
6 these paid staff and/or volunteers as agents of RIVERDALE ASSEMBLY OF GOD, GENERAL
7 COUNCIL and DISTRICT COUNCIL.

8 36. At all times relevant to this Complaint, Plaintiffs ROE 2 and ROE 33 attended
9 RIVERDALE ASSEMBLY OF GOD as congregants, and attended ACADEMY located on the
10 premises of RIVERDALE ASSEMBLY OF GOD as students.

11 37. At all times relevant to this Complaint, SPENCER acted in the capacity as a
12 church elder and was a pastor at RIVERDALE ASSEMBLY OF GOD. Further, SPENCER acted
13 as a teacher and/or school supervisor at ACADEMY located on the premises of RIVERDALE
14 ASSEMBLY OF GOD. Additionally, SPENCER was a chaperone on RIVERDALE
15 ASSEMBLY OF GOD choir tours which were sanctioned, managed, and/or controlled by
16 Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT
17 COUNCIL.

18 38. At all-time relevant to this Complaint, Defendants facilitated activities,
19 including but not limited to, bible study, church and ACADEMY functions, chaperoning events
20 including, sports activities, choir activities, interstate travel for RIVERDALE ASSEMBLY OF
21 GOD purposes, administration of RIVERDALE ASSEMBLY OF GOD and school
22 administration of ACADEMY. Their positions and responsibilities within RIVERDALE
23 ASSEMBLY OF GOD were evident to all church attendees as RIVERDALE ASSEMBLY OF
24 GOD would advertise their involvement with various activities through announcements and
25 flyers, and through the operation of the ACADEMY. At the time of the sexual assault of
26 Plaintiffs, ROE 2 and ROE 33, SPENCER was employed by and acted as an agent of
27 RIVERDALE ASSEMBLY OF GOD and by ACADEMY, and was under the direct supervision,
28

1 employ and control of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
2 DISTRICT COUNCIL, SPENCER and DOES 5 through 100.

3 39. During all times relevant to this complaint, SPENCER was employed by
4 RIVERDALE ASSEMBLY OF GOD and ACADEMY, and was employed by and acted as an
5 agent of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT
6 COUNCIL and was under their direct supervision and employment as a teacher and/or school
7 supervisor at ACADEMY located on the premises of RIVERDALE ASSEMBLY OF GOD and
8 pastor at RIVERDALE ASSEMBLY OF GOD.

9 40. At the time of the sexual assaults alleged herein Plaintiffs, ROE 2 and ROE 33,
10 belonged to RIVERDALE ASSEMBLY OF GOD and regularly attended RIVERDALE
11 ASSEMBLY OF GOD services and events sponsored by that congregation. At all relevant times,
12 ROE 2 and ROE 33 attended school at ACADEMY located on the premises of RIVERDALE
13 ASSEMBLY OF GOD where SPENCER was a teacher and/school supervisor. RIVERDALE
14 ASSEMBLY OF GOD was operated and controlled by senior pastors who performed duties to
15 control, operate, supervise and direct staff and volunteers at both RIVERDALE ASSEMBLY OF
16 GOD and ACADEMY.

17 41. Plaintiffs, ROE 2 and ROE 33, began attending services at RIVERDALE
18 ASSEMBLY OF GOD in the 1990's. ROE 2 and ROE 33 attended church services, attended
19 youth groups, participated in volunteer events, were members of the choir, attended mission
20 trips, attended school at ACADEMY and travelled with the choir on interstate tours where they
21 were housed with other minor members of the church.

22 42. Plaintiffs, ROE 2 and ROE 33, were minors, they and their parents were
23 members and congregants of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and
24 DISTRICT COUNCIL. Further, ROE 2 and ROE 33 were students at ACADEMY.

25 43. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT
26 COUNCIL through their respective agents, servants, and employees, held SPENCER out to the
27 public, to Plaintiffs, and to Plaintiffs' parents, as their agent and employee.

28

1 44. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT
2 COUNCIL through their respective agents, servants, and employees, held SPENCER out to the
3 public, to Plaintiffs, and to Plaintiffs' parents, as having been vetted, screened, and approved by
4 them as someone who was safe and could be trusted with children.

5 45. Plaintiffs, ROE 2 and ROE 33, and Plaintiffs' parents reasonably relied upon
6 the acts and representations of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL
7 and DISTRICT COUNCIL through their respective agents, servants, and employees, and
8 reasonably believed that SPENCER was an agent or employee of the Defendants who was
9 vetted, screened, and approved by it and who was safe and could be trusted with children.

10 46. Plaintiffs, ROE 2 and ROE 33, and Plaintiffs' parents trusted SPENCER
11 because RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT
12 COUNCIL held him out as someone who was safe and could be trusted with the supervision,
13 care, custody, and control of children, including Plaintiffs, ROE 2 and ROE 33.

14 47. Plaintiffs, ROE 2 and ROE 33, and Plaintiffs' parents believed that
15 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL would
16 exercise such care as would a parent of ordinary prudence in comparable circumstances when the
17 Defendants assumed supervision, care, custody, and control of minor Plaintiffs, including
18 protecting Plaintiffs from the danger of being sexually abused.

19 **JANE ROE 2**

20 48. Between approximately 1998 and 2003, ROE 2, who was a minor, she was
21 groomed and sexual abused by SPENCER. Plaintiff ROE 2 was approximately 12 to 17 years old
22 when SPENCER groomed and sexually abused her in his capacity as teacher, school supervisor
23 and pastor at RIVERDALE ASSEMBLY OF GOD.

24 49. Commencing in 1998 when ROE 2 was 12 years old SPENCER, in his capacity
25 as teacher and school supervisor at ACADEMY, and as pastor and choir tour chaperone for
26 RIVERDALE ASSEMBLY OF GOD began grooming ROE 2 for the purposes of initiating a
27 sexual relationship with ROE 2.

28

1 50. SPENCER first initiated grooming ROE 2 by greeting her at church with a
2 handshake, where he would grasp her hand with both of his hands, ROE 2 describes the way he
3 grabbed her hand as in an “extra special way”.

4 51. ROE 2 began noticing SPENCER staring at her and winking at her during
5 church services at RIVERDALE ASSEMBLY OF GOD and during class at ACADEMY.

6 52. During class at ACADEMY, SPENCER would utilize the schools integrated
7 computer system to direct message ROE 2 written compliments and give her special attention
8 that to ROE 2’s knowledge at the time other students were not receiving.

9 53. During the course of the grooming, whenever SPENCER had an opportunity to
10 touch ROE 2 during school he would. The touching progressed to scratching ROE 2’s back and
11 rubbing her shoulders, all while giving her complements.

12 54. As a direct result of the grooming over a two-year period SPENCER was able to
13 easily initiate and maintain a pattern of sexual molestation of ROE 2, commencing at the onset of
14 the 2000-2001 school year when ROE 2 was 14 years old.

15 55. SPENCER began inappropriately touching ROE 2, first by rubbing her legs.
16 SPENCER became more blatant and inappropriate as time went on. SPENCER would also
17 “tickle her”, despite her repeatedly asking him to stop. SPENCER then progressed his abuse by
18 attempting to touch ROE 2’s breasts while massaging her. Despite efforts by ROE 2 to block
19 SPENCER’s hands from touching her breasts, SPENCER fondled ROE 2’s breasts, both over
20 and under ROE 2’s clothing. SPENCER would commit these acts while on the premises of
21 RIVERDALE ASSEMBLY OF GOD and in the classrooms at ACADEMY.

22 56. When ROE 2 turned 14 years old she joined the volleyball team at ACADEMY.
23 The volleyball team would practice at 7:00 a.m. prior to classes starting for the day. ROE 2
24 would go for morning runs at approximately 6:00 a.m. to warm up for practice. SPENCER knew
25 ROE 2’s morning routine and would drive his vehicle to intercept her as she ran along the
26 roadway near her parents’ house. SPENCER would lure ROE 2 into his vehicle and drive to a
27 nearby orchard where SPENCER sexual assaulted ROE 2 and forced her to perform wrongful
28 sex acts.

1 57. SPENCER would request that ROE 2 stay after school to assist him with special
2 projects knowing that they would be alone at ACADEMY. SPENCER would then sexually
3 assault ROE 2 in the classrooms.

4 58. During class SPENCER would walk up behind ROE 2 while she was sitting at
5 her computer and commence rubbing his genitals on her back until he became aroused for the
6 purpose of his sexual pleasure.

7 59. On the premises of RIVERDALE ASSEMBLY OF GOD there are modular
8 trailers where missionaries and other church affiliated visitors would be lodged when they visited
9 RIVERDALE ASSEMBLY OF GOD. ROE 2 was a good student and would be rewarded by
10 being let out of class to clean the trailers. SPENCER would then make his way to the trailer ROE
11 2 was cleaning where he would sexually assault ROE 2 and force her to perform wrongful sexual
12 acts. ROE 2 is informed and believes and thereon alleges, that senior members of RIVERDALE
13 ASSEMBLY OF GOD were aware that sexual acts were being perform in the trailers because on
14 occasion church elders would walk in on SPENCER and ROE 2 alone in the trailer, apologize
15 and exit the structure closing the door behind them without further inquiry.

16 60. RIVERDALE ASSEMBLY OF GOD was and is very active in the network of
17 churches associated with GENERAL COUNCIL and DISTRICT COUNCIL. RIVERDALE
18 ASSEMBLY OF GOD would arrange for the church's choir, comprised of minor church
19 members, to tour the country and perform at GENERAL COUNCIL and DISTRICT COUNCIL
20 affiliated churches. SPENCER would accompany the RIVERDALE ASSEMBLY OF GOD
21 choir as a chaperone. At night minor choir members would be segregated by gender and placed
22 in a room with like genders either at a hotel or dwelling provided by the associated church the
23 choir was visiting. In the evening before the minor church members would go to bed SPENCER
24 would wait for ROE 2 to be separated from the other choir members, find a place of relative
25 privacy and fondle ROE 2's breasts while forcing her to grab his genitals for the purpose of his
26 sexual pleasure.

27 //

28 //

1 61. At all times ROE 2 felt that she had to allow SPENCER to sexually assault her
2 as SPENCER was her teacher, school supervisor, church elder and pastor, and feared
3 repercussions if she failed to allow the sexual acts to be performed.

4 62. On or about August 2003, ROE 2 started her senior year of high school. One
5 day during class SPENCER direct messaged ROE 2 a sexually explicit message on the schools
6 integrated computer system. Shortly thereafter, ROE 2 looked at the computer screen of ROE 33
7 who was sitting adjacent to her and saw that SPENCER was direct messaging ROE 33
8 inappropriate compliments and sexually explicit messages. At that time ROE 2 became aware of
9 SPENCER grooming and/or sexually abusing other minor students.

10 63. On or about October 2003, ROE 2 was called to the office of the senior pastor,
11 Charles Spencer, Sr. In the office was Wilma Spencer, the wife of Charles Spencer, Sr., Lyndsay
12 Spencer, the wife of SPENCER and Darla Davis, the wife of Jim Davis. ROE 2 was told by the
13 women that they had a dream that ROE 2 was seducing SPENCER and was attempting to ruin
14 SPENCER's family. Wilma Spencer is a senior pastor at RIVERDALE ASSEMBLY OF GOD,
15 while Lyndsay Spencer and Darla Davis, are church elders and employees. The women shamed
16 ROE 2 into confessing that she was seducing SPENCER and that she would stop immediately.
17 ROE 2 is informed and believes that the RIVERDALE ASSEMBLY OF GOD female church
18 elders' intention in calling her into the office was to shame, embarrass and threaten her from
19 disclosing SPENCER's prolonged sexual abuse.

20 **JANE ROE 33**

21 64. Between approximately 2002 and 2004, ROE 33 was a minor, she was groomed
22 and sexual abused by SPENCER. Plaintiff ROE 33 was a member, congregant, and student at
23 RIVERDALE ASSEMBLY OF GOD and between the ages 15 to 18 years old SPENCER
24 groomed and sexually abused her in his capacity as teacher, school supervisor and pastor at
25 RIVERDALE ASSEMBLY OF GOD.

26 65. When SPENCER had an opportunity to touch ROE 33 during school he would.
27 The touching progressed to rubbing ROE 33's back and shoulders, while giving her
28 complements.

1 66. During class at ACADEMY, SPENCER would utilize the schools integrated
2 computer system to direct message ROE 33 compliments and give her special attention. The
3 messages sent by SPENCER started as simple compliments and progressed overtime to become
4 inappropriate and sexually explicit in nature.

5 67. Throughout ROE 33's senior year at ACADEMY, while still a minor,
6 SPENCER continuously propositioned her to "meet up" for the purpose of sexual intercourse.

7 68. RIVERDALE ASSEMBLY OF GOD was and is very active in the network of
8 churches associated with GENERAL COUNCIL and DISTRICT COUNCIL. RIVERDALE
9 ASSEMBLY OF GOD would arrange for the church's choir, comprised of minor church
10 members, to tour the country and perform at GENERAL COUNCIL and DISTRICT COUNCIL
11 affiliated churches. SPENCER would accompany the RIVERDALE ASSEMBLY OF GOD
12 choir as a chaperone.

13 69. At night minor church choir members would be segregated by gender and
14 placed in a room with like genders either at a hotel or dwelling provided by the associated church
15 the choir was visiting. ROE 33 would routinely travel with the choir on tour.

16 70. During ROE 33's senior year the choir stopped at an out of state hotel while on
17 tour for the evening. ROE 33 and some of the minor female choir members were utilizing the
18 hotel's basement laundry room to wash clothing. The other minor female choir members left
19 ROE 33 alone with her laundry to wait for it to finish in the drier. ROE 33 finished her laundry
20 and began walking back to her assigned room when SPENCER approached and requested ROE
21 33 come with him. SPENCER took ROE 33 to a dark hallway outside of the hotel gym and
22 began kissing her and unzipping her robe. SPENCER then put his hand under ROE 33's shirt and
23 fondled her breasts. Thereafter, SPENCER put his hands down ROE 33's pajama pants and
24 forced her hand down his pants to perform a wrongful sex act.

25 71. SPENCER refused to stop sexually assaulting ROE 33 despite her pleas for him
26 stop immediately. Out of fear and shame ROE 33 was able to break free of SPENCER, running
27 back to the laundry room in a panic before breaking down and crying. SPENCER followed ROE
28 33 back to the laundry room. Standing behind a visibly distraught ROE 33, SPENCER began

1 rubbing her shoulders as if to comfort her, his hands then moved to her throat, where his grip
2 tighten. SPENCER told her not to tell anybody what had happened.

3 72. After the sexual assault and SPENCER's threat, ROE 33 was left confused,
4 embarrassed, threatened and afraid. ROE 33 did not tell anyone about SPENCER's sexual
5 assault.

6 73. A couple months after returning from the choir tour ROE 33 attended a family
7 church camp hosted at RIVERDALE ASSEMBLY OF GOD at which time, she was approached
8 by Lyndsey Spencer, the wife of SPENCER, and an elder in the church who said, "I know what
9 happened between you and my husband, and I forgive you."

10 74. ROE 33 is informed and believes that Lyndsey Spencer in saying she knew of
11 the sexual assault and that she forgives ROE 33 was intending to shame, embarrass and threaten
12 her from disclosing the sexual assault committed by SPENCER.

13 75. As a result of the above-described conduct, Plaintiffs ROE 2 and ROE 33 have
14 suffered, and will continue to suffer great pain of mind and body, shock, emotional distress,
15 physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace,
16 humiliation, and loss of enjoyment of life; have suffered and continues to suffer spiritually; were
17 prevented and will continue to be prevented from performing Plaintiffs' daily activities and
18 obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity; and/or
19 have incurred and will continue to incur expenses for medical and psychological treatment,
20 therapy, and counseling.

21 **FIRST CAUSE OF ACTION**

22 **(Negligence)**

23 **Against Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,**

24 **DISTRICT COUNCIL, SPENCER, and DOES 5 through 100**

25 76. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

26 77. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
27 DISTRICT COUNCIL, SPENCER and DOES 5 through 100, had a duty to protect the minor
28 Plaintiffs while they were entrusted to their care by Plaintiffs parents. Plaintiffs' care, welfare,

1 and/or physical custody were temporarily entrusted to Defendants. Defendants voluntarily
2 accepted the entrusted care of Plaintiffs. As such, Defendants owed Plaintiffs, minor children, a
3 special duty of care, in addition to a duty of ordinary care, and owed Plaintiffs the higher duty of
4 care that adults dealing with children owe to protect them from harm.

5 78. All Defendants had a duty to control SPENCER and to prevent him from
6 sexually assaulting and molesting children. Defendants were aware, prior to the conclusion of the
7 sexual abuse of Plaintiffs listed herein, of SPENCER's dangerous and exploitive propensities.
8 Defendants were also aware that they had the ability to place restrictions on SPENCER's access
9 to children, give warnings to the congregation, and otherwise control SPENCER's conduct.
10 Defendants therefore assumed a duty to prevent SPENCER from sexually assaulting and
11 molesting children. Defendants also had a duty to report known or suspected child abuse or
12 neglect by SPENCER to law enforcement.

13 79. Defendants had a special duty to investigate and not employ SPENCER in his
14 position as a teacher, school supervisor, pastor, and choir tour chaperone. Defendants knew that
15 SPENCER was likely to harm others in light of the work entrusted to him.

16 80. Defendants, by and through their agents, servants and employees, knew or
17 reasonably should have known of SPENCER's dangerous and exploitive propensities and/or that
18 SPENCER was an unfit agent. It was foreseeable that if Defendants did not adequately exercise
19 or provide the duty of care owed to children in their care, including but not limited to Plaintiffs,
20 the children entrusted to Defendants' care would be vulnerable to sexual abuse by SPENCER.

21 81. Defendants breached their duty of care to the minor Plaintiffs by allowing
22 SPENCER who they permitted and enabled to have access to Plaintiffs; by failing to investigate
23 or otherwise confirm or deny such facts about SPENCER; by failing to tell or concealing from
24 Plaintiffs, Plaintiffs' parents, guardians, or law enforcement officials that SPENCER was or may
25 have been sexually abusing Plaintiffs; by failing to tell or concealing from Plaintiffs' parents,
26 guardians, or law enforcement officials that Plaintiffs were or may have been sexually abused
27 after Defendants knew or had reason to know that SPENCER may have sexually abused
28 Plaintiffs, thereby creating the circumstance where Plaintiffs were less likely to receive

1 medical/mental health care and treatment, thus exacerbating the harm done to Plaintiffs; by
2 holding out SPENCER to the Plaintiffs and their parents or guardians as being in good standing
3 and trustworthy; and/or by failing to report known child abuse of Plaintiffs by SPENCER to law
4 enforcement. Defendants cloaked within the facade of normalcy Defendants' and/or SPENCER's
5 contact and/or actions with the Plaintiffs and/or with other minors who were victims of
6 SPENCER and/or disguised the nature of the sexual abuse and contact.

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

15 **SECOND CAUSE OF ACTION**

16 **(Claim for Childhood Sexual Assault Pursuant to C.C.P. § 340.1)**

17 **Against Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,**
18 **DISTRICT COUNCIL, SPENCER, and DOES 5 through 100**

19 83. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

20 84. Between approximately 1998 to 2003, when Plaintiff ROE 2 was approximately
21 12 to 17 years old, SPENCER engaged in grooming and unpermitted, harmful, and offensive
22 sexual conduct and contact upon the person of Plaintiff ROE 2.

23 85. Between approximately 2002 to 2004, when Plaintiff ROE 33 was
24 approximately 15 to 18 years old, SPENCER engaged in grooming and unpermitted, harmful,
25 and offensive sexual conduct and contact upon the person of Plaintiff ROE 33.

26 86. Said conduct was undertaken while SPENCER was an agent, managing agent,
27 employee, and/or servant of the Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL
28

1 COUNCIL, DISTRICT COUNCIL and DOES 5 through 100, and while SPENCER was acting
2 in the course and scope of his employment, agency, and/or service with the Defendants.

3 87. Said conduct of SPENCER was known to and ratified by the Defendants.

4 88. Each Defendant had a duty to take reasonable steps to protect Plaintiff, ROE 2
5 and ROE 33, minor females, from foreseeable harm when they were in their care, custody, and
6 control.

7 89. During the time that SPENCER was working for and serving the Defendants,
8 each Defendant had a duty to use reasonable care to prevent SPENCER from using the tasks,
9 premises, and instrumentalities of his position with the Defendants to target, groom, and sexually
10 abuse children, including Plaintiffs ROE 2 and ROE 33.

11 90. Each Defendant breached the foregoing duties by failing to use reasonable care
12 to protect Plaintiffs ROE 2 and ROE 33 from SPENCER and allowed SPENCER to groom and
13 to sexually assault the minor females.

14 91. As a direct and proximate result of the above-described conduct, Plaintiffs ROE
15 2 and ROE 33 suffered, and will continue to suffer, great pain of mind and body, shock,
16 emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-
17 esteem, disgrace, humiliation, and loss of enjoyment of life, and Plaintiffs were prevented from
18 performing daily activities and obtaining the full enjoyment of life.

19 92. Between 1998 and 2003, SPENCER engaged in unpermitted, harmful and
20 offensive sexual contact upon the person of Plaintiff ROE 2, Defendants, RIVERDALE
21 ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL and DOES 5 through
22 100, ratified or approved of that sexual contact.

23 93. Between 2002 and 2004, SPENCER engaged in unpermitted, harmful and
24 offensive sexual contact upon the person of Plaintiff ROE 33, Defendants, RIVERDALE
25 ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL and DOES 5 through
26 100, ratified or approved of that sexual contact.

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1 94. Defendant SPENCER was aided in committing the harmful and offensive
2 touching of Plaintiffs by his status as an agent of Defendants, RIVERDALE ASSEMBLY OF
3 GOD, GENERAL COUNCIL, DISTRICT COUNCIL and DOES 5 through 100.

4 95. Without his position as a teacher and/or school supervisor, pastor and choir
5 chaperone, SPENCER could not have accomplished the harmful and offensive touching of
6 Plaintiffs.

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

15 **THIRD CAUSE OF ACTION**

16 **(Negligent Supervision/Failure to Warn)**

17 **Against Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,**
18 **DISTRICT COUNCIL, SPENCER, and DOES 5 through 100**

19 97. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

20 98. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
21 DISTRICT COUNCIL and DOES 5 through 100, had a duty to provide reasonable supervision
22 of SPENCER; to use reasonable care in investigating Defendant SPENCER; and to provide
23 adequate warning to the Plaintiffs, the Plaintiffs' family and minor congregants of SPENCER's
24 dangerous propensities and unfitness.

25 99. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
26 DISTRICT COUNCIL and DOES 5 through 100, by and through their agents, servants and
27 employees, knew or reasonably should have known of SPENCER's dangerous and exploitive
28 propensities and/or that SPENCER was an unfit agent. Despite such knowledge, Defendants

1 negligently failed to supervise SPENCER in the position of trust and authority as a teacher
2 and/or school supervisor, pastor and chaperone, where he was able to commit the wrongful acts
3 against the Plaintiffs. Defendants failed to provide reasonable supervision of SPENCER failed to
4 use reasonable care in investigating SPENCER and failed to provide adequate warning to
5 Plaintiffs and Plaintiffs' family of SPENCER's dangerous propensities and unfitness. Defendants
6 further failed to take reasonable measures to prevent future sexual abuse.

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

15 **FOURTH CAUSE OF ACTION**

16 **(Negligent Hiring/Retention)**

17 **Against Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,**
18 **DISTRICT COUNCIL, SPENCER, and DOES 5 through 100**

19 101. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

20 102. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
21 DISTRICT COUNCIL and DOES 5 through 100, had a duty to not hire and/or retain Defendant
22 SPENCER and other employees, agents, volunteers, and other representatives, given Defendant
23 SPENCER's dangerous and exploitive propensities.

24 103. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
25 DISTRICT COUNCIL and DOES 5 through 100, by and through their agents, servants and
26 employees, knew or reasonably should have known of SPENCER's dangerous and exploitive
27 propensities and/or that SPENCER was an unfit agent. Despite such knowledge, Defendants
28 negligently hired and/or retained SPENCER in the position of trust and authority as a teacher

1 and/or school supervisor, choir chaperone and pastor, where he was able to commit the wrongful
2 acts against the Plaintiffs. Defendants failed to use reasonable care in investigating SPENCER
3 and failed to provide adequate warning to Plaintiffs and Plaintiffs' family of SPENCER's
4 dangerous propensities and unfitness. Defendants further failed to take reasonable measures to
5 prevent future sexual abuse.

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

14 **FIFTH CAUSE OF ACTION**

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

16 **Against Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,**
17 **DISTRICT COUNCIL, SPENCER, and DOES 5 through 100**

18 105. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

19 106. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
20 DISTRICT COUNCIL and DOES 5 through 100, conduct was extreme and outrageous and was
21 intentional or done recklessly.

22 107. Defendant SPENCER's conduct in sexually assaulting Plaintiffs was extreme
23 and outrageous and was intentional.

24 108. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
25 DISTRICT COUNCIL and DOES 5 through 100, ratified or approved of the extreme and
26 outrageous conduct of Defendant SPENCER.

27 109. As a result of Defendants' conduct, Plaintiffs experienced and continue to
28 experience severe emotional distress resulting in bodily harm.

1 110. As a result of the above-described conduct, Plaintiffs have suffered, and
2 continues to suffer physical injury, shock, emotional distress, physical manifestations of
3 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of
4 enjoyment of life; have suffered and continues to suffer spiritually; was prevented and will
5 continue to be prevented from performing Plaintiffs daily activities and obtaining the full
6 enjoyment of life; will sustain loss of earnings and earning capacity; and/or have incurred and
7 will continue to incur expenses for medical and psychological treatment, therapy, and
8 counseling.

9 **SIXTH CAUSE OF ACTION**

10 **(Breach Of Statutory Duty-California Civil Code§ 51.7)**

11 **Against Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,**
12 **DISTRICT COUNCIL, SPENCER, and DOES 5 through 100**

13 111. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

14 112. Pursuant to California Civil Code§ 51.7(a), Plaintiffs have the right to be free
15 from any violence, or intimidation by threat of violence, committed against their person on
16 account of her gender. SPENCER had a statutory duty to not perpetrate violence or the threat of
17 violence upon Plaintiffs. Defendants repeatedly breached that duty as alleged in the facts above.

18 113. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,
19 DISTRICT COUNCIL and DOES 5 through 100, ratified or approved of the violence against
20 them committed by Defendant SPENCER.

21 114. At all material times, Plaintiffs were persons within the jurisdiction of this State
22 and, at all material times, Defendants were required to comply with the laws of this State,
23 including, but not limited to, California Civil Code § 51.7.

24 115. As a result of the above-described conduct, Plaintiffs have suffered, and
25 continue to suffer physical injury, shock, emotional distress, physical manifestations of
26 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of
27 enjoyment of life; have suffered and continues to suffer spiritually; was prevented and will
28 continue to be prevented from performing Plaintiffs daily activities and obtaining the full

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

3 **WHEREFORE**, Plaintiffs pray for a jury trial and for judgment against Defendants,
4 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL,
5 SPENCER and DOES 5 through 100, and each of them, as follows:

- 6 1. General damages in an amount to be shown according to proof at the time of
7 trial;
- 8 2. Special damages including medical and psychological care expenses in an
9 amount to be shown according to proof at the time of trial;
- 10 3. Treble damages, pursuant to CCP § 340.1(b);
- 11 4. Costs of suit incurred herein;
- 12 5. For punitive damages;
- 13 6. For prejudgment and post-judgment interest as may be allowed; and
- 14 7. Such other and further relief as this Court deems just and proper.

15 DATED: April 20, 2022

16 DIAS HALL INC.
17 A Professional Corporation



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20 STEVEN S. DIAS,
21 Attorney for Plaintiffs,
22 ROE 2 and ROE 33

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