

1 **STEVEN S. DIAS, #251138**  
2 **BRIAN J. FORSYTHE, #338685**  
3 **DIAS HALL INC.**  
4 A Professional Corporation  
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9 Attorneys for Plaintiffs,  
10 JANE ROE 5 and JANE ROE 11,  
11 JOHN ROE 12 & JANE ROE 30.

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Superior Court of California  
County of Fresno  
By: A. Ramos, Deputy

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

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12 JANE ROE 5, an individual; JANE ROE  
13 11, an individual; JOHN ROE 12, an  
14 individual; JANE ROE 30, an individual;

15 Plaintiffs,

16 v.

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

Defendants.

Case No.: 22CECG04117

**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)
7. **NEGLIGENCE AS TO JANE ROE 30**
8. **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AS TO JANE ROE 30**
9. **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AS TO JANE ROE 30**

Based upon information and belief available to Plaintiffs, JANE ROE 5, JANE ROE 11, JOHN ROE 12 and JANE ROE 30, at all times relevant to the filing of this Complaint, Plaintiffs

1 allege against Defendants, RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE  
2 CHRISTIAN ACADEMY, a California non-profit religious corporation; THE GENERAL  
3 COUNCIL OF THE ASSEMBLIES OF GOD, a foreign nonprofit religious corporation; THE  
4 SOUTHERN CALIFORNIA DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, a  
5 California non-profit religious corporation; JERRY WHITED, an individual; CHARLES  
6 SPENCER, SR., an individual; JAMES MIDDLETON, an individual; TIMOTHY  
7 GOLDSMITH, an individual; and DOES 18 through 100, inclusive, as follows:

8 **NATURE OF THE ACTION**

9 1. Between approximately 1982 and 1996, Plaintiff JANE ROE 5 was a minor  
10 child and member, congregant, and student of Defendants RIVERDALE ASSEMBLY OF GOD,  
11 INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, THE GENERAL COUNCIL  
12 ASSEMBLIES OF GOD, and THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF  
13 THE ASSEMBLIES OF GOD, in Riverdale, California. Plaintiff JANE ROE 5 was groomed for  
14 a sexual relationship by Defendants JERRY WHITED, CHARLES SPENCER, SR. and JAMES  
15 MIDDLETON. Defendant JERRY WHITED, a Sunday school teacher at RIVERDALE  
16 ASSEMBLY OF GOD, initiated a pattern of grooming which culminated with sexual assaults of  
17 JANE ROE 5. Defendant CHARLES SPENCER, SR., the head pastor and Chief Executive  
18 Officer of RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN  
19 ACADEMY, initiated a pattern of grooming which culminated with sexual assaults of JANE  
20 ROE 5. Defendant JERRY WHITED, a Sunday school teacher at RIVERDALE ASSEMBLY  
21 OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, initiated a pattern of grooming  
22 which culminated with sexual assaults of JANE ROE 5. Defendant JAMES MIDDLETON, a  
23 children’s ministry worker and agent at RIVERDALE ASSEMBLY OF GOD, INC. d.b.a.  
24 RIVERDALE CHRISTIAN ACADEMY, initiated a pattern of grooming which culminated with  
25 sexual assaults of JANE ROE 5. RIVERDALE ASSEMBLY OF GOD, INC. d.b.a.  
26 RIVERDALE CHRISTIAN ACADEMY, THE GENERAL COUNCIL ASSEMBLIES OF GOD  
27 and THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF THE ASSEMBLIES OF  
28

1 GOD concealed and failed to report the sexual abuse committed by JERRY WHITED,  
2 CHARLES SPENCER, SR. and JAMES MIDDLETON.

3           2.       Between approximately 1983 and 1998, Plaintiff JANE ROE 11 and ROE 12  
4 were minor children and members, congregants, and students of Defendants RIVERDALE  
5 ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, THE GENERAL  
6 COUNCIL ASSEMBLIES OF GOD and THE SOUTHERN CALIFORNIA DISTRICT  
7 COUNCIL OF THE ASSEMBLIES OF GOD in Riverdale, California. Plaintiff JANE ROE 11  
8 and JOHN ROE 12 were groomed for a sexual relationship when they were in the age of  
9 minority by Defendants JAMES MIDDLETON and TIMOTHY GOLDSMITH. Defendant  
10 JAMES MIDDLETON, a children’s ministry worker and agent at RIVERDALE ASSEMBLY  
11 OF GOD, initiated a pattern of grooming which culminated with the sexual assault of JANE  
12 ROE 11 and JOHN ROE 12. Defendant CHARLES SPENCER, SR. and employees,  
13 congregants, elders and agents, concealed and failed to report the sexual abuse committed by  
14 JAMES MIDDLETON. Defendant TIMOTHY GOLDSMITH, as a congregant, church elder,  
15 groundskeeper and agent at RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE  
16 CHRISTIAN ACADEMY initiated a pattern of grooming which culminated with the sexual  
17 assault of JANE ROE 11 and JOHN ROE 12. Defendants RIVERDALE ASSEMBLY OF GOD,  
18 INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, THE GENERAL COUNCIL  
19 ASSEMBLIES OF GOD, THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF THE  
20 ASSEMBLIES OF GOD and CHARLES SPENCER, SR. concealed and failed to report the  
21 sexual abuse committed by Defendants JAMES MIDDLETON and TIMOTHY GOLDSMITH.

22           3.       Plaintiff JANE ROE 30 was an adult female, and member and congregant of  
23 Defendants RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN  
24 ACADEMY, THE GENERAL COUNCIL ASSEMBLIES OF GOD and THE SOUTHERN  
25 CALIFORNIA DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, in Riverdale,  
26 California. In or around 1990, Plaintiff JANE ROE 30 began attending Defendant RIVERDALE  
27 ASSEMBLY OF GOD, after her husband passed away. JANE ROE 30 believed that Defendant  
28 RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY

1 would be a sanctuary where she could seek help to raise her children. Shortly thereafter,  
2 Defendant CHARLES SPENCER, SR. head pastor and Chief Executive Officer at RIVERDALE  
3 ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY began taking  
4 advantage of JANE ROE 30 emotionally and sexually. Defendant CHARLES SPENCER, SR.'s  
5 wife, Wilma Spencer, a pastor at Defendant RIVERDALE ASSEMBLY OF GOD, INC. d.b.a.  
6 RIVERDALE CHRISTIAN ACADEMY discovered that Defendant CHARLES SPENCER, SR.  
7 was taking advantage of JANE ROE 30 emotionally and sexually, in an adulterous relationship  
8 that threatened the legitimacy of Defendant CHARLES SPENCER, SR.'s position as head pastor  
9 and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE  
10 CHRISTIAN ACADEMY and the legitimacy of Defendant RIVERDALE ASSEMBLY OF  
11 GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY tenets through his depraved actions,  
12 thereafter Defendant CHARLES SPENCER, SR.'s wife, Wilma Spencer, Defendant CHARLES  
13 SPENCER, SR., congregants, elders and employees of Defendant RIVERDALE ASSEMBLY  
14 OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY began a campaign to shame,  
15 embarrass and emotionally abuse JANE ROE 30. By and through the intentional acts, omissions  
16 instrumentalities and directives of RIVERDALE ASSEMBLY OF GOD, INC. d.b.a.  
17 RIVERDALE CHRISTIAN ACADEMY, THE GENERAL COUNCIL ASSEMBLIES OF  
18 GOD, THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF THE ASSEMBLIES OF  
19 GOD and Defendant CHARLES SPENCER, SR. caused ROE 30 to suffer, and continue to  
20 suffer, injuries as a result of their negligence, intentional infliction of emotional distress and  
21 negligent infliction of emotional distress.

22 4. At all relevant times, Defendant JERRY WHITED was a Sunday school teacher  
23 and bus driver at Defendant RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE  
24 CHRISTIAN ACADEMY. Despite the fact that Defendants RIVERDALE ASSEMBLY OF  
25 GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, THE GENERAL COUNCIL  
26 ASSEMBLIES OF GOD and THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF  
27 THE ASSEMBLIES OF GOD knew or should have known that Defendant JERRY WHITED  
28 was a danger to children, in that he was likely use his positions within the organization to groom

1 and sexually assault children, they failed to take reasonable steps to protect JANE ROE 5, and  
2 other children from that danger.

3           5. At all relevant times, Defendant CHARLES SPENCER, SR. was the head  
4 pastor and Chief Executive Officer of Defendant RIVERDALE ASSEMBLY OF GOD, INC.  
5 d.b.a. RIVERDALE CHRISTIAN ACADEMY. Despite the fact that Defendants RIVERDALE  
6 ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, THE GENERAL  
7 COUNCIL ASSEMBLIES OF GOD and THE SOUTHERN CALIFORNIA DISTRICT  
8 COUNCIL OF THE ASSEMBLIES OF GOD knew or should have known that Defendant  
9 CHARLES SPENCER, SR. was a danger to children, in that he was likely use his positions  
10 within the organization to groom and sexually assault children and congregants, they failed to  
11 take reasonable steps to protect JANE ROE 5, and other children from that danger. Additionally,  
12 at all relevant times, despite the fact that Defendants RIVERDALE ASSEMBLY OF GOD, INC.  
13 d.b.a. RIVERDALE CHRISTIAN ACADEMY, THE GENERAL COUNCIL ASSEMBLIES OF  
14 GOD and THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF THE ASSEMBLIES  
15 OF GOD knew or should have known that Defendant CHARLES SPENCER, SR. was a danger  
16 to vulnerable adult female congregants, they failed to take reasonable steps to prevent Defendant  
17 CHARLES SPENCER, SR.'s acts and in doing so allowed Defendant RIVERDALE  
18 ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY's congregants,  
19 elders and employees to shame, embarrass and emotionally abuse JANE ROE 30, and other  
20 similarly situated adult female congregants. Additionally, by and through the intentional acts,  
21 omissions instrumentalities and directives of Defendants RIVERDALE ASSEMBLY OF GOD,  
22 INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY, THE GENERAL COUNCIL  
23 ASSEMBLIES OF GOD and THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF  
24 THE ASSEMBLIES OF GOD, JANE ROE 30 continues to be harassed, emotionally abused and  
25 shamed for the intentional and depraved acts of Defendant CHARLES SPENCER, SR.

26           6. At all relevant times, Defendant JAMES MIDDLETON was a children's  
27 ministry worker and agent at RIVERDALE ASSEMBLY OF GOD. Despite the fact that  
28 Defendants RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN

1 ACADEMY, THE GENERAL COUNCIL ASSEMBLIES OF GOD and THE SOUTHERN  
2 CALIFORNIA DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD knew or should have  
3 known that Defendant JAMES MIDDLETON was a danger to children, in that he was likely use  
4 his positions within the organization to groom and sexually assault children, they failed to take  
5 reasonable steps to protect JANE ROE 11 and JOHN ROE 12, and other children from that  
6 danger.

7 7. At all relevant times, Defendant TIMOTHY GOLDSMITH was as a  
8 congregant, church elder, groundskeeper and agent at Defendant RIVERDALE ASSEMBLY OF  
9 GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY. Despite the fact that Defendants  
10 RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN ACADEMY,  
11 THE GENERAL COUNCIL ASSEMBLIES OF GOD and THE SOUTHERN CALIFORNIA  
12 DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, knew or should have known that  
13 Defendant TIMOTHY GOLDSMITH was a danger to children, in that he was likely use his  
14 positions within the organization to groom and sexually assault children, they failed to take  
15 reasonable steps to protect JANE ROE 11 and JOHN ROE 12, and other children from that  
16 danger.

17 **PARTIES**

18 8. Plaintiff, JANE ROE 5 (“ROE 5”), is an adult female currently residing within  
19 the State of California. ROE 5 was a minor throughout the period of child sexual assault alleged  
20 herein. At the time of filing this Complaint for childhood sexual assault ROE 5 is over the age of  
21 40 years old. At all times relevant, ROE 5 resided in Fresno County, California. ROE 5 attended  
22 Defendant RIVERDALE ASSEMBLY OF GOD, INC. d.b.a. RIVERDALE CHRISTIAN  
23 ACADEMY, (“RIVERDALE ASSEMBLY OF GOD”) as a congregant of the church and  
24 attended school at RIVERDALE ASSEMBLY OF GOD, doing business as RIVERDALE  
25 CHRISTIAN ACADEMY (“RIVERDALE CHRISTIAN ACADEMY”) located on the premises  
26 of RIVERDALE ASSEMBLY OF GOD. ROE 5 brings this Complaint pursuant to Code of Civil  
27 Procedure Section 340.1, as amended by Assembly Bill 218, for the childhood sexual assault she  
28 suffered due to DOE Defendants negligence and malfeasance. Thus, Plaintiff’s claim for



1 damages suffered as a result of childhood sexual assault is timely, as it is filed within three years  
2 of January 1, 2020.

3 9. Plaintiff, JANE ROE 11 (“ROE 11”), is an adult female currently residing in  
4 within the State of California. ROE 11 was a minor throughout the period of childhood sexual  
5 assault alleged herein. At the time of filing this Complaint for childhood sexual assault ROE 11  
6 is over the age of 40 years old. At all times relevant, ROE 11 resided in Fresno County,  
7 California. ROE 11 attended Defendant RIVERDALE ASSEMBLY OF GOD, as a congregant  
8 of the church and attended school at RIVERDALE CHRISTIAN ACADEMY located on the  
9 premises of RIVERDALE ASSEMBLY OF GOD. ROE 11 brings this Complaint pursuant to  
10 Code of Civil Procedure Section 340.1. ROE 11 brings this Complaint pursuant to Code of Civil  
11 Procedure Section 340.1, as amended by Assembly Bill 218, for the childhood sexual assault she  
12 suffered due to DOE Defendants negligence and malfeasance. Thus, Plaintiff’s claim for  
13 damages suffered as a result of childhood sexual assault is timely, as it is filed within three years  
14 of January 1, 2020.

15 10. Plaintiff, JOHN ROE 12 (“ROE 12”), is an adult male currently residing in  
16 within the State of California. ROE 12 was a minor throughout the period of childhood sexual  
17 assault alleged herein. At the time of filing this Complaint for childhood sexual assault ROE 12  
18 is over the age of 40 years old. At all times relevant, ROE 12 resided in Fresno County,  
19 California. ROE 12 attended Defendant RIVERDALE ASSEMBLY OF GOD, as a congregant  
20 of the church and attended school at RIVERDALE CHRISTIAN ACADEMY located on the  
21 premises of RIVERDALE ASSEMBLY OF GOD. ROE 12 brings this Complaint pursuant to  
22 Code of Civil Procedure Section 340.1. ROE 12 brings this Complaint pursuant to Code of Civil  
23 Procedure Section 340.1, as amended by Assembly Bill 218, for the childhood sexual assault she  
24 suffered due to DOE Defendants negligence and malfeasance. Thus, Plaintiff’s claim for  
25 damages suffered as a result of childhood sexual assault is timely, as it is filed within three years  
26 of January 1, 2020.

27 11. Plaintiff, JANE ROE 30 (“ROE 30”), is an adult female currently residing in  
28 within the State of California. ROE 30 was and is an adult female throughout the period of

1 emotional abuse and emotional distress resulting from the intentional and negligent actions of  
2 Defendants RIVERDALE ASSEMBLY OF GOD, THE GENERAL COUNCIL ASSEMBLIES  
3 OF GOD and THE SOUTHERN CALIFORNIA DISTRICT COUNCIL OF THE  
4 ASSEMBLIES OF GOD. At all times relevant, ROE 30 resided in Fresno County, California.  
5 ROE 30 attended Defendant RIVERDALE ASSEMBLY OF GOD, as a congregant. ROE 30  
6 brings this Complaint base upon Defendants’ RIVERDALE ASSEMBLY OF GOD, Defendant  
7 THE GENERAL COUNCIL ASSEMBLIES OF GOD and THE SOUTHERN CALIFORNIA  
8 DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, continued harassment, emotional  
9 abuse, and intentional acts to attempt to dissuade ROE 30 from disclosing that wrongful and  
10 depraved acts of Defendant CHARLES SPENCER, SR.

11 12. At all relevant times, Defendant RIVERDALE ASSEMBLY OF GOD, was and  
12 is a California non-profit religious corporation authorized to conduct business and is conducting  
13 business in the State of California, with its principal place of business in the County of Fresno,  
14 California. At all times relevant, RIVERDALE ASSEMBLY OF GOD, had responsibility for  
15 church operations in Riverdale, California.

16 13. At all relevant times, Defendant THE GENERAL COUNCIL ASSEMBLIES  
17 OF GOD, ("GENERAL COUNCIL") was and is a foreign non-profit religious corporation with  
18 its principal place of business in the State of Missouri. At all times relevant, GENERAL  
19 COUNCIL organized, administered and directed the congregational affairs of church members in  
20 the United States. At all times relevant GENERAL COUNCIL owned, operated, managed,  
21 and/or controlled local churches and schools throughout the United States, including  
22 RIVERDALE ASSEMBLY OF GOD, in Riverdale, California.

23 14. At all relevant times, Defendant THE SOUTHERN CALIFORNIA DISTRICT  
24 COUNCIL OF THE ASSEMBLIES OF GOD, (“DISTRICT COUNCIL”) was and is a  
25 California non-profit religious corporation authorized to conduct business and is conducting  
26 business in the State of California, with its principal place of business in Irvine, California. At all  
27 times relevant, DISTRICT COUNCIL, organized, administered and directed the congregational  
28 affairs of church members in the State of California. At all times relevant GENERAL COUNCIL



1 owned, operated, managed, and/or controlled local churches and schools throughout California,  
2 including RIVERDALE ASSEMBLY OF GOD, in Riverdale, California.

3 15. At all relevant times, Defendant JERRY WHITED (“WHITED”), an individual,  
4 was and is an adult male who was associated with, supervised, directed and controlled by  
5 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL While  
6 supervised, directed and controlled by RIVERDALE ASSEMBLY OF GOD, GENERAL  
7 COUNCIL, DISTRICT COUNCIL, WHITED committed the acts of wrongful sexual abuse  
8 alleged herein as an employee, bus driver, and Sunday school teacher of RIVERDALE  
9 ASSEMBLY OF GOD.

10 16. At all relevant times, Defendant CHARLES SPENCER, SR. (“SPENCER”), an  
11 individual, was and is an adult male who was associated with, employed, supervised, directed  
12 and controlled by RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
13 COUNCIL. While supervised, directed and controlled by RIVERDALE ASSEMBLY OF GOD,  
14 GENERAL COUNCIL, DISTRICT COUNCIL, SPENCER committed the acts of wrongful  
15 sexual conduct alleged herein as the head pastor and Chief Executive Officer of RIVERDALE  
16 ASSEMBLY OF GOD.

17 17. At all relevant times, Defendant JAMES MIDDLETON (“MIDDLETON”), an  
18 individual, was and is an adult male who was associated with, supervised, directed and  
19 controlled by RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
20 COUNCIL. While supervised, directed and controlled by RIVERDALE ASSEMBLY OF GOD,  
21 GENERAL COUNCIL, DISTRICT COUNCIL, MIDDLETON committed the acts of wrongful  
22 sexual conduct alleged herein as a student, children’s ministry worker and agent at RIVERDALE  
23 ASSEMBLY OF GOD.

24 18. At all relevant times, Defendant TIMOTHY GOLDSMITH (“GOLDSMITH”),  
25 an individual, was and is an adult male who was associated with, supervised, directed and  
26 controlled by RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
27 COUNCIL. While supervised, directed and controlled by RIVERDALE ASSEMBLY OF GOD,  
28 GENERAL COUNCIL, DISTRICT COUNCIL, GOLDSMITH committed the acts of wrongful

1 sexual conduct alleged herein as a congregant, church elder, groundskeeper and agent at  
2 RIVERDALE ASSEMBLY OF GOD.

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

6 20. At all relevant times GENERAL COUNCIL through its agents, servants, and  
7 employees, managed, maintained, operated, and controlled RIVERDALE ASSEMBLY OF  
8 GOD.

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

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

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

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

20 25. At all relevant times DISTRICT COUNCIL, through its agents, servants, and  
21 employees, managed, maintained, operated, and controlled RIVERDALE ASSEMBLY OF  
22 GOD.

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

27 27. At all relevant times DISTRICT COUNCIL, was responsible for and did the  
28 hiring and staffing at RIVERDALE ASSEMBLY OF GOD.

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

3           29. At all relevant times WHITED was on the staff of, acted as an agent of, and/or  
4 served as an employee and agent of RIVERDALE ASSEMBLY OF GOD, GENERAL  
5 COUNCIL and DISTRICT COUNCIL.

6           30. At all relevant times WHITED was acting in the course and scope of his  
7 employment or agency with RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and  
8 DISTRICT COUNCIL.

9           31. At all relevant times GENERAL COUNCIL and DISTRICT COUNCIL,  
10 materially benefited from the operation of RIVERDALE ASSEMBLY OF GOD, including the  
11 services of WHITED and the services of those who managed and supervised WHITED.

12           32. At all relevant times WHITED was employed by RIVERDALE ASSEMBLY  
13 OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, he used his positions as Sunday  
14 school bus driver and Sunday school teacher at of RIVERDALE ASSEMBLY OF GOD.

15           33. To the extent RIVERDALE ASSEMBLY OF GOD, was a different entity,  
16 corporation, or organization during the period of time during which WHITED used his positions  
17 as Sunday school bus driver and Sunday school teacher at RIVERDALE ASSEMBLY OF GOD,  
18 to groom and sexually assault ROE 5, such entity, corporation, or organization is hereby on  
19 notice that it is intended to be a defendant in this lawsuit and is identified in the Complaint as  
20 RIVERDALE ASSEMBLY OF GOD.

21           34. To the extent RIVERDALE ASSEMBLY OF GOD, is a successor to a different  
22 entity, corporation, or organization which existed during the period of time during which  
23 WHITED used his positions as Sunday school bus driver and Sunday school teacher at  
24 RIVERDALE ASSEMBLY OF GOD, to groom and to sexually assault ROE 5, such predecessor  
25 entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this  
26 lawsuit and is identified in the Complaint as RIVERDALE ASSEMBLY OF GOD.

27           35. To the extent GENERAL COUNCIL was a different entity, corporation, or  
28 organization during the period of time during which WHITED used his positions as Sunday

1 school bus driver and Sunday school teacher at RIVERDALE ASSEMBLY OF GOD, to groom  
2 and to sexually assault ROE 5, such entity, corporation, or organization is hereby on notice that it  
3 is intended to be a defendant in this lawsuit and is identified in the Complaint as GENERAL  
4 COUNCIL.

5 36. To the extent GENERAL COUNCIL is a successor to a different entity,  
6 corporation, or organization which existed during the period of time during which WHITED  
7 used his positions as Sunday school bus driver and Sunday school teacher at RIVERDALE  
8 ASSEMBLY OF GOD, to groom and to sexually assault ROE 5 and such predecessor entity,  
9 corporation, or organization is hereby on notice that it is intended to be a defendant in this  
10 lawsuit and is identified in the Complaint as GENERAL COUNCIL.

11 37. To the extent DISTRICT COUNCIL, was a different entity, corporation, or  
12 organization during the period of time during which WHITED use his positions as Sunday  
13 school bus driver and Sunday school teacher at RIVERDALE ASSEMBLY OF GOD, to groom  
14 and to sexually assault ROE 5, such entity, corporation, or organization is hereby on notice that it  
15 is intended to be a defendant in this lawsuit and is identified in the Complaint as DISTRICT  
16 COUNCIL.

17 38. To the extent DISTRICT COUNCIL is a successor to a different entity,  
18 corporation, or organization which existed during the period of time during which WHITED  
19 used his positions as Sunday school bus driver and Sunday school teacher at RIVERDALE  
20 ASSEMBLY OF GOD, to groom and to sexually assault ROE 5, such predecessor entity,  
21 corporation, or organization is hereby on notice that it is intended to be a defendant in this  
22 lawsuit and is identified in the Complaint as DISTRICT COUNCIL.

23 39. At all relevant times SPENCER was on the staff of, acted as an agent of, and  
24 served as an employee of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and  
25 DISTRICT COUNCIL

26 40. At all relevant times SPENCER was acting in the course and scope of his  
27 employment with RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
28 COUNCIL.

1           41. At all relevant times GENERAL COUNCIL and DISTRICT COUNCIL,  
2 materially benefited from the operation of RIVERDALE ASSEMBLY OF GOD, including the  
3 services of SPENCER and the services of those who managed and supervised SPENCER.

4           42. At all relevant times SPENCER was employed by RIVERDALE ASSEMBLY  
5 OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, he used his positions as head  
6 pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, to groom and  
7 sexually assault ROE 5.

8           43. To the extent RIVERDALE ASSEMBLY OF GOD, was a different entity,  
9 corporation, or organization during the period of time during which SPENCER used his positions  
10 as head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, to groom  
11 and sexually assault ROE 5, such entity, corporation, or organization is hereby on notice that it is  
12 intended to be a defendant in this lawsuit and is identified in the Complaint as RIVERDALE  
13 ASSEMBLY OF GOD.

14           44. To the extent RIVERDALE ASSEMBLY OF GOD, is a successor to a different  
15 entity, corporation, or organization which existed during the period of time during which  
16 SPENCER used his positions as head pastor and Chief Executive Officer of RIVERDALE  
17 ASSEMBLY OF GOD, to groom and to sexually assault ROE 5, such predecessor entity,  
18 corporation, or organization is hereby on notice that it is intended to be a defendant in this  
19 lawsuit and is identified in the Complaint as RIVERDALE ASSEMBLY OF GOD.

20           45. To the extent GENERAL COUNCIL was a different entity, corporation, or  
21 organization during the period of time during which SPENCER used his positions as head pastor  
22 and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, to groom and to sexually  
23 assault ROE 5, such entity, corporation, or organization is hereby on notice that it is intended to  
24 be a defendant in this lawsuit and is identified in the Complaint as GENERAL COUNCIL.

25           46. To the extent GENERAL COUNCIL is a successor to a different entity,  
26 corporation, or organization which existed during the period of time during which SPENCER  
27 used his positions as head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF  
28 GOD, to groom and to sexually assault ROE 5 and such predecessor entity, corporation, or

1 organization is hereby on notice that it is intended to be a defendant in this lawsuit and is  
2 identified in the Complaint as GENERAL COUNCIL.

3 47. To the extent DISTRICT COUNCIL, was a different entity, corporation, or  
4 organization during the period of time during which SPENCER used his positions as head pastor  
5 and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, to groom and to sexually  
6 assault ROE 5, such entity, corporation, or organization is hereby on notice that it is intended to  
7 be a defendant in this lawsuit and is identified in the Complaint as DISTRICT COUNCIL.

8 48. To the extent DISTRICT COUNCIL, is a successor to a different entity,  
9 corporation, or organization which existed during the period of time during which SPENCER  
10 used his positions as head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF  
11 GOD, to groom and to sexually assault ROE 5, such predecessor entity, corporation, or  
12 organization is hereby on notice that it is intended to be a defendant in this lawsuit and is  
13 identified in the Complaint as DISTRICT COUNCIL.

14 49. At all relevant times SPENCER was employed by RIVERDALE ASSEMBLY  
15 OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, he used his positions as head  
16 pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, to shame, harass,  
17 embarrass and emotionally abuse ROE 30.

18 50. 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 head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, to shame,  
21 harass, embarrass and emotionally abuse ROE 30, such entity, corporation, or organization is  
22 hereby on notice that it is intended to be a defendant in this lawsuit and is identified in the  
23 Complaint as RIVERDALE ASSEMBLY OF GOD.

24 51. To the extent RIVERDALE ASSEMBLY OF GOD, is a successor to a different  
25 entity, corporation, or organization which existed during the period of time during which  
26 SPENCER used his positions as head pastor and Chief Executive Officer of RIVERDALE  
27 ASSEMBLY OF GOD, to shame, harass, embarrass and emotionally abuse ROE 30, such  
28 predecessor entity, corporation, or organization is hereby on notice that it is intended to be a



1 defendant in this lawsuit and is identified in the Complaint as RIVERDALE ASSEMBLY OF  
2 GOD.

3 52. To the extent GENERAL COUNCIL was a different entity, corporation, or  
4 organization during the period of time during which SPENCER used his positions as head pastor  
5 and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, to shame, harass,  
6 embarrass and emotionally abuse ROE 30, such entity, corporation, or organization is hereby on  
7 notice that it is intended to be a defendant in this lawsuit and is identified in the Complaint as  
8 GENERAL COUNCIL.

9 53. To the extent GENERAL COUNCIL is a successor to a different entity,  
10 corporation, or organization which existed during the period of time during which SPENCER  
11 used his positions as head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF  
12 GOD, to shame, harass, embarrass and emotionally abuse ROE 30, and such predecessor entity,  
13 corporation, or organization is hereby on notice that it is intended to be a defendant in this  
14 lawsuit and is identified in the Complaint as GENERAL COUNCIL.

15 54. To the extent DISTRICT COUNCIL, was a different entity, corporation, or  
16 organization during the period of time during which SPENCER used his positions as head pastor  
17 and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, to shame, harass,  
18 embarrass and emotionally abuse ROE 30, such entity, corporation, or organization is hereby on  
19 notice that it is intended to be a defendant in this lawsuit and is identified in the Complaint as  
20 DISTRICT COUNCIL.

21 55. To the extent DISTRICT COUNCIL, is a successor to a different entity,  
22 corporation, or organization which existed during the period of time during which SPENCER  
23 used his positions as head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF  
24 GOD, to shame, harass, embarrass and emotionally abuse ROE 30, such predecessor entity,  
25 corporation, or organization is hereby on notice that it is intended to be a defendant in this  
26 lawsuit and is identified in the Complaint as DISTRICT COUNCIL.

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

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

7           58. 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 MIDDLETON and the services of those who managed and supervised  
10 MIDDLETON.

11           59. At all relevant times MIDDLETON was employed by RIVERDALE  
12 ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, he used his  
13 positions, a student, children’s ministry worker and agent at RIVERDALE ASSEMBLY OF  
14 GOD.

15           60. To the extent RIVERDALE ASSEMBLY OF GOD, was a different entity,  
16 corporation, or organization during the period of time during which MIDDLETON used his  
17 positions as a children’s ministry worker and agent at RIVERDALE ASSEMBLY OF GOD, to  
18 groom and sexually assault ROE 11 and ROE 12, such entity, corporation, or organization is  
19 hereby on notice that it is intended to be a defendant in this lawsuit and is identified in the  
20 Complaint as RIVERDALE ASSEMBLY OF GOD.

21           61. To the extent RIVERDALE ASSEMBLY OF GOD, is a successor to a different  
22 entity, corporation, or organization which existed during the period of time during which  
23 MIDDLETON used his positions as a children’s ministry worker and agent at RIVERDALE  
24 ASSEMBLY OF GOD, to groom and to sexually assault ROE 11 and 12, such predecessor  
25 entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this  
26 lawsuit and is identified in the Complaint as RIVERDALE ASSEMBLY OF GOD.

27           62. To the extent GENERAL COUNCIL was a different entity, corporation, or  
28 organization during the period of time during which MIDDLETON used his positions as a

1 children’s ministry worker and agent at RIVERDALE ASSEMBLY OF GOD, to groom and to  
2 sexually assault ROE 11 and ROE 12, such entity, corporation, or organization is hereby on  
3 notice that it is intended to be a defendant in this lawsuit and is identified in the Complaint as  
4 GENERAL COUNCIL.

5 63. To the extent GENERAL COUNCIL is a successor to a different entity,  
6 corporation, or organization which existed during the period of time during which MIDDLETON  
7 used his positions as a children’s ministry worker and agent at RIVERDALE ASSEMBLY OF  
8 GOD, to groom and to sexually assault ROE 11 and ROE 12 and such predecessor entity,  
9 corporation, or organization is hereby on notice that it is intended to be a defendant in this  
10 lawsuit and is identified in the Complaint as GENERAL COUNCIL.

11 64. To the extent DISTRICT COUNCIL, was a different entity, corporation, or  
12 organization during the period of time during which MIDDLETON use his positions as a  
13 children’s ministry worker and agent at RIVERDALE ASSEMBLY OF GOD, to groom and to  
14 sexually assault ROE 11 and ROE 12, such entity, corporation, or organization is hereby on  
15 notice that it is intended to be a defendant in this lawsuit and is identified in the Complaint as  
16 DISTRICT COUNCIL.

17 65. To the extent DISTRICT COUNCIL ,is a successor to a different entity,  
18 corporation, or organization which existed during the period of time during which MIDDLETON  
19 used his positions as a children’s ministry worker and agent at RIVERDALE ASSEMBLY OF  
20 GOD, to groom and to sexually assault ROE 11 and 12, such predecessor entity, corporation, or  
21 organization is hereby on notice that it is intended to be a defendant in this lawsuit and is  
22 identified in the Complaint as DISTRICT COUNCIL.

23 66. At all relevant times GOLDSMITH was on the staff of, acted as an agent of,  
24 and/or served as an employee of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL  
25 and DISTRICT COUNCIL.

26 67. At all relevant times GOLDSMITH was acting in the course and scope of his  
27 employment or agency with RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and  
28 DISTRICT COUNCIL.

1           68. At all relevant times GENERAL COUNCIL and DISTRICT COUNCIL,  
2 materially benefited from the operation of RIVERDALE ASSEMBLY OF GOD, including the  
3 services of GOLDSMITH and the services of those who managed and supervised GOLDSMITH.

4           69. At all relevant times GOLDSMITH was employed by RIVERDALE  
5 ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, he used his  
6 positions as an agent of RIVERDALE ASSEMBLY OF GOD.

7           70. To the extent RIVERDALE ASSEMBLY OF GOD, was a different entity,  
8 corporation, or organization during the period of time during which GOLDSMITH used his  
9 positions as a congregant, church elder, groundskeeper and agent at RIVERDALE ASSEMBLY  
10 OF GOD, to sexually assault ROE 11 and ROE 12, such entity, corporation, or organization is  
11 hereby on notice that it is intended to be a defendant in this lawsuit and is identified in the  
12 Complaint as RIVERDALE ASSEMBLY OF GOD.

13           71. To the extent RIVERDALE ASSEMBLY OF GOD, is a successor to a different  
14 entity, corporation, or organization which existed during the period of time during which  
15 GOLDSMITH used his positions as a congregant, church elder, groundskeeper and agent at  
16 RIVERDALE ASSEMBLY OF GOD, to sexually assault ROE 11 and ROE 12, such  
17 predecessor entity, corporation, or organization is hereby on notice that it is intended to be a  
18 defendant in this lawsuit and is identified in the Complaint as RIVERDALE ASSEMBLY OF  
19 GOD.

20           72. To the extent GENERAL COUNCIL was a different entity, corporation, or  
21 organization during the period of time during which GOLDSMITH used his position as a  
22 congregant, church elder, groundskeeper and agent at RIVERDALE ASSEMBLY OF GOD, to  
23 sexually assault ROE 11 and ROE 12, such entity, corporation, or organization is hereby on  
24 notice that it is intended to be a defendant in this lawsuit and is identified in the Complaint as  
25 GENERAL COUNCIL.

26           73. To the extent GENERAL COUNCIL is a successor to a different entity,  
27 corporation, or organization which existed during the period of time during which GOLDSMITH  
28 used his position as a congregant, church elder, groundskeeper and agent at RIVERDALE

1 ASSEMBLY OF GOD, to sexually assault ROE 11 and ROE 12 and such predecessor entity,  
2 corporation, or organization is hereby on notice that it is intended to be a defendant in this  
3 lawsuit and is identified in the Complaint as GENERAL COUNCIL.

4 74. To the extent DISTRICT COUNCIL, was a different entity, corporation, or  
5 organization during the period of time during which GOLDSMITH use his as a congregant,  
6 church elder, groundskeeper and agent at RIVERDALE ASSEMBLY OF GOD, to sexually  
7 assault ROE 11, such entity, corporation, or organization is hereby on notice that it is intended to  
8 be a defendant in this lawsuit and is identified in the Complaint as DISTRICT COUNCIL.

9 75. To the extent DISTRICT COUNCIL, is a successor to a different entity,  
10 corporation, or organization which existed during the period of time during which GOLDSMITH  
11 used his position as a congregant, church elder, groundskeeper and agent at RIVERDALE  
12 ASSEMBLY OF GOD, to sexually assault ROE 11 and ROE 12, such predecessor entity,  
13 corporation, or organization is hereby on notice that it is intended to be a defendant in this  
14 lawsuit and is identified in the Complaint as DISTRICT COUNCIL.

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

19 77. Defendant DOES 18 through 100, inclusive, are individuals and/or business or  
20 corporate entities incorporated in and/or doing business in California whose true names and  
21 capacities are unknown to Plaintiffs who therefore sues such defendants by such fictitious names,  
22 and who will amend the Complaint to show the true names and capacities of each such DOE  
23 Defendant when ascertained. Each such Defendant DOE is legally responsible in some manner  
24 for the events, happenings and/or tortious and unlawful conduct that caused the injuries and  
25 damages alleged in this Complaint. Defendants RIVERDALE ASSEMBLY OF GOD,  
26 GENERAL COUNCIL, DISTRICT COUNCIL, WHITED, SPENCER, MIDDLETON and  
27 GOLDSMITH and DOES 18 through 100, are sometimes hereinafter referred to collectively as  
28 the "Defendants".





1           85.     At all times relevant to this Complaint, MIDDLETON acted in the capacity as a  
2 children’s ministry worker and agent at RIVERDALE ASSEMBLY OF GOD.

3           86.     At all times relevant to this Complaint, GOLDSMITH acted in the capacity as a  
4 congregant, church elder, groundskeeper and agent at RIVERDALE ASSEMBLY OF GOD.

5           87.     At all times relevant to this Complaint, RIVERDALE ASSEMBLY OF GOD,  
6 GENERAL COUNCIL, DISTRICT COUNCIL, WHITED, SPENCER, MIDDLETON and  
7 GOLDSMITH facilitated activities, including but not limited to, bible study, church and  
8 RIVERDALE CHRISTIAN ACADEMY functions, chaperoning events including, sports  
9 activities, choir activities, interstate travel, Sunday school and driving the Sunday school bus for  
10 RIVERDALE ASSEMBLY OF GOD. WHITED’s, SPENCER’s, MIDDLETON’s and  
11 GOLDSMITH’s positions and responsibilities within RIVERDALE ASSEMBLY OF GOD,  
12 were evident to all church attendees as RIVERDALE ASSEMBLY OF GOD, would advertise  
13 WHITED’s, SPENCER’s, MIDDLETON’s and GOLDSMITH’s involvement with various  
14 activities through announcements and flyers, and through the operation of the RIVERDALE  
15 CHRISTIAN ACADEMY. At the time of the childhood sexual assaults, negligent acts and  
16 omissions and emotional abuse and distress, Defendants WHITED, SPENCER, MIDDLETON  
17 and GOLDSMITH were employed by and acted as agents of RIVERDALE ASSEMBLY OF  
18 GOD, and by RIVERDALE CHRISTIAN ACADEMY, and were under it’s the direct  
19 supervision, employ and control of RIVERDALE ASSEMBLY OF GOD, GENERAL  
20 COUNCIL, DISTRICT COUNCIL, and DOES 18 through 100.

21           88.     During all times relevant to this complaint, WHITED was employed by or acted  
22 as an agent of RIVERDALE ASSEMBLY OF GOD, and RIVERDALE CHRISTIAN  
23 ACADEMY, and was employed by and acted as an agent of RIVERDALE ASSEMBLY OF  
24 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, and was under their direct supervision  
25 and employment as a Sunday school bus driver and Sunday school teacher at RIVERDALE  
26 ASSEMBLY OF GOD.

27           89.     During all times relevant to this complaint, SPENCER was employed by or  
28 acted as an agent of RIVERDALE ASSEMBLY OF GOD, and RIVERDALE CHRISTIAN

1 ACADEMY, and was employed by and acted as an agent of RIVERDALE ASSEMBLY OF  
2 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, and was under their direct supervision  
3 and employment the head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF  
4 GOD.

5 90. During all times relevant to this complaint, MIDDLETON was employed by or  
6 acted as an agent of RIVERDALE ASSEMBLY OF GOD, and RIVERDALE CHRISTIAN  
7 ACADEMY, and was employed by and acted as an agent of RIVERDALE ASSEMBLY OF  
8 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, and was under their direct supervision  
9 and employment as an agent and in his capacity as a children’s ministry worker and agent at  
10 RIVERDALE ASSEMBLY OF GOD.

11 91. During all times relevant to this complaint, GOLDSMITH was employed by or  
12 acted as an agent of RIVERDALE ASSEMBLY OF GOD, and RIVERDALE CHRISTIAN  
13 ACADEMY, and was employed by and acted as an agent of RIVERDALE ASSEMBLY OF  
14 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, and was under their direct supervision  
15 and employment as a congregant, church elder, groundskeeper and agent at RIVERDALE  
16 ASSEMBLY OF GOD.

17 92. At the time of the childhood sexual assaults alleged herein ROE 5 belonged to  
18 RIVERDALE ASSEMBLY OF GOD, and regularly attended services and events sponsored by  
19 RIVERDALE ASSEMBLY OF GOD. At all relevant times, ROE 5 attended school at  
20 RIVERDALE CHRISTIAN ACADEMY located on the premises of RIVERDALE ASSEMBLY  
21 OF GOD, and was a congregant of RIVERDALE ASSEMBLY OF GOD, where WHITED, was  
22 employed and an agent of RIVERDALE ASSEMBLY OF GOD, as a Sunday school bus driver  
23 and Sunday school teacher, SPENCER was employed and acted as an agent of ROE 1, Local  
24 Church, as the head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD,  
25 MIDDLETON was a children’s ministry worker and agent at RIVERDALE ASSEMBLY OF  
26 GOD. RIVERDALE ASSEMBLY OF GOD, was operated and controlled by senior pastors who  
27 performed duties to control, operate, supervise and direct staff and volunteers at both  
28 RIVERDALE ASSEMBLY OF GOD, and RIVERDALE CHRISTIAN ACADEMY.

1           93.     At the time of the childhood sexual assaults alleged herein ROE 11 belonged to  
2 RIVERDALE ASSEMBLY OF GOD, and regularly attended RIVERDALE ASSEMBLY OF  
3 GOD, services and events sponsored by that congregation. At all relevant times, ROE 11  
4 attended school at RIVERDALE CHRISTIAN ACADEMY located on the premises of  
5 RIVERDALE ASSEMBLY OF GOD, where MIDDLETON was a children’s ministry worker  
6 and agent at RIVERDALE ASSEMBLY OF GOD. At all relevant times, ROE 11 attended  
7 school at RIVERDALE CHRISTIAN ACADEMY located on the premises of RIVERDALE  
8 ASSEMBLY OF GOD, where GOLDSMITH was a congregant, church elder, groundskeeper  
9 and agent of RIVERDALE ASSEMBLY OF GOD.

10           94.     At the time of the negligent acts and omissions, intentional infliction of  
11 emotional distress and negligent infliction of emotional distress alleged herein ROE 30 belonged  
12 to RIVERDALE ASSEMBLY OF GOD, and regularly attended RIVERDALE ASSEMBLY OF  
13 GOD, services and events sponsored by that congregation. At all relevant times, ROE 30  
14 attended church activities on the premises of RIVERDALE ASSEMBLY OF GOD, where  
15 SPENCER was the head pastor and Chief Executive Officer at RIVERDALE ASSEMBLY OF  
16 GOD. At all relevant times, ROE 30 was a congregant and regularly attending church services  
17 and sponsored activities on the premises of RIVERDALE ASSEMBLY OF GOD, where  
18 SPENCER was and is the head pastor and Chief Executive officer of RIVERDALE  
19 ASSEMBLY OF GOD.

20 **JANE ROE 5**

21 **ABUSE BY JERRY WHITED**

22           95.     When ROE 5 was a minor, she was groomed and sexually abused by WHITED.

23           96.     From approximately 1982 to 1996, when ROE 5 was a minor, WHITED  
24 sexually assaulted ROE 5 in his capacity as a Sunday school bus driver and Sunday school  
25 teacher at RIVERDALE ASSEMBLY OF GOD. During this time, ROE 5 was a member,  
26 congregant, and student at RIVERDALE ASSEMBLY OF GOD.

27           97.     WHITED began a pattern of grooming and sexually abusing ROE 5 when ROE  
28 5 was 3 years old. WHITED continued this pattern of grooming and sexually assaulting ROE 5

1 for more than a decade while ROE 5 remained a minor and WHITED was a Sunday school bus  
2 driver and Sunday school teacher at RIVERDALE ASSEMBLY OF GOD.

3 98. Based on the representations of RIVERDALE ASSEMBLY OF GOD,  
4 GENERAL COUNCIL and DISTRICT COUNCIL, that WHITED was safe and trustworthy,  
5 ROE 5 and her mother allowed her to be under the supervision, and in the care, custody, and  
6 control of Defendants, including WHITED, when ROE 5 was groomed and sexually assault by  
7 WHITED.

8 99. WHITED's first act of sexual assault occurred when ROE 5 was 3 years old.  
9 ROE 5 was playing with dolls in a back room of a dwelling being supervised by WHITED. ROE  
10 5's mother came into the back room and found ROE 5 sitting on WHITED's lap and WHITED  
11 was touching ROE 5 in a wrongfully sexual manner.

12 100. The next occurrence of childhood sexual assault that ROE 5 can recall occurred  
13 when ROE 5 was approximately 6 or 7 years old. ROE 5 and another minor female congregant  
14 were playing on swings located on the premises of RIVERDALE ASSEMBLY OF GOD, when  
15 WHITED approached them. WHITED told ROE 5 and the other minor female congregant to  
16 follow him to the buses located in the back parking lot of RIVERDALE ASSEMBLY OF GOD.  
17 Once at the buses WHITED convinced ROE 5 and the other minor female congregant to follow  
18 him underneath the lifted rear end of one of the buses. WHITED made ROE 5 and the other  
19 minor female congregant lay flat on their backs under the bus, WHITED lifted ROE 5's and the  
20 other minor female congregant's skirts and removed their underwear. Thereafter, WHITED  
21 began committed wrongful sexual acts upon ROE 5 and the other minor female congregant  
22 through digital penetration and oral copulation.

23 101. During the sexual assault ROE 5 heard her mother calling her name at which  
24 time she began screaming for help. As ROE 5's mother approached WHITED fled from under  
25 the bus leaving the two minor female congregants under the bus crying and traumatized. ROE  
26 5's mother went straight to SPENCER, the head pastor and Chief Executive Officer at  
27 RIVERDALE ASSEMBLY OF GOD, and his wife, Wilma Spencer, a pastor at RIVERDALE  
28 ASSEMBLY OF GOD, and principal of RIVERDALE CHRISTIAN ACADEMY, and reported

1 the sexual assault. WHITED's wrongful sexual assault of ROE 5 was never reported to law  
2 enforcement and WHITED was not reprimanded, and WHITED was allowed to continue as a  
3 Sunday school bus driver and Sunday school teacher at RIVERDALE ASSEMBLY OF GOD.

4 102. WHITED continued a pattern of sexually assaulting ROE 5 between the ages of  
5 7 years old to 14 years old on the premises of RIVERDALE ASSEMBLY OF GOD, during  
6 Sunday school where WHITED, used his position as Sunday school teacher to segregate ROE 5  
7 from other minor congregates to commit acts of childhood sexual assault include groping,  
8 digitally penetrating and orally copulating ROE 5. When ROE 5 was approximately 12 years old  
9 WHITED forced her to have sexual intercourse and threatened to kill her mother if she disclosed  
10 the sexual assault. Thereafter, WHITED continued his pattern of wrongful sexual acts and sexual  
11 assaults.

12 103. In or around 1993, ROE 5 was approximately 14 years old, after approximately  
13 2 years of WHITED forcing her to have sexual intercourse, ROE 5's mother started to notice  
14 ROE 5 putting on weight and the frequency of ROE 5 getting sick. ROE 5 was taken to a local  
15 doctor in Riverdale, CA, who determined ROE 5 was pregnant.

16 104. ROE 5 refused to tell her mother who had fathered the child, but ROE 5 knew it  
17 was WHITED because he was the only abuser at that time that was forcing her to have sexual  
18 intercourse. ROE 5 recalls her mother making a phone call to an unknown person or persons,  
19 thereafter her mother stated she could not keep the child. ROE 5's mother borrowed a car and  
20 brought her to a clinic in Fresno, CA to have an abortion.

21 105. After ROE 5 underwent the abortion, she was kept away from RIVERDALE  
22 ASSEMBLY OF GOD, for approximately two weeks. ROE 5 did not disclose the pregnancy or  
23 abortion to any congregants of RIVERDALE ASSEMBLY OF GOD, or students at  
24 RIVERDALE CHRISTIAN ACADEMY. After, ROE 5 returned to RIVERDALE ASSEMBLY  
25 OF GOD, and RIVERDALE CHRISTIAN ACADEMY, WHITED ceased committing acts of  
26 childhood sexual assaults on ROE 5.

27 106. WHITED's wrongful sexual conduct with ROE 5 was witnessed or known by  
28 employees, congregants and agents of the RIVERDALE ASSEMBLY OF GOD. WHITED's

1 wrongful sexual assaults of ROE 5 were never reported to law enforcement and WHITED was  
2 allowed to remain a Sunday school bus driver and Sunday school teacher at RIVERDALE  
3 ASSEMBLY OF GOD.

4 107. During the time that WHITED was working for and serving the Defendants,  
5 each Defendant had a duty to use reasonable care to prevent WHITED from using the tasks,  
6 premises, and instrumentalities of his position with the Defendants to target, groom, and sexually  
7 abuse children, including ROE 5.

8 108. The sexual abuse of ROE 5 by WHITED occurred using the tasks, premises, or  
9 instrumentalities that the Defendants entrusted to WHITED, including the church grounds and  
10 school bathrooms, located on the premises of RIVERDALE ASSEMBLY OF GOD.

11 109. WHITED's sexual abuse of ROE 5 occurred during activities that were  
12 sponsored by, or were a direct result of activities sponsored by RIVERDALE ASSEMBLY OF  
13 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, including at or during school and  
14 church sponsored activities.

15 110. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
16 COUNCIL, through their respective agents, servants, and employees, held WHITED out to the  
17 public, to Plaintiff, and to Plaintiff's mother, as their agent and employee.

18 111. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
19 COUNCIL, through their respective agents, servants, and employees, held WHITED out to the  
20 public, to Plaintiff, and to Plaintiff's mother, as having been vetted, screened, and approved by  
21 them as someone who was safe and could be trusted with children.

22 112. Plaintiff ROE 5 and Plaintiff's mother reasonably relied upon the acts and  
23 representations of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
24 COUNCIL, through their respective agents, servants, and employees, and reasonably believed  
25 that WHITED was an agent or employee of the Defendants who was vetted, screened, and  
26 approved by it and who was safe and could be trusted with children.

27 113. Plaintiff ROE 5 and Plaintiff's mother trusted WHITED because RIVERDALE  
28 ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, held him out as



1 someone who was safe and could be trusted with the supervision, care, custody, and control of  
2 children, including Plaintiff ROE 5.

3 114. Plaintiff ROE 5 and Plaintiff's mother believed that RIVERDALE ASSEMBLY  
4 OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, would exercise such care as  
5 would a parent of ordinary prudence in comparable circumstances when the Defendants assumed  
6 supervision, care, custody, and control of minor Plaintiff, including protecting Plaintiff from the  
7 danger of being sexually abused.

8 115. WHITED's sexual abuse of ROE 5 was unlawful sexual molestation under  
9 California law, including California Code of Civil Procedure Section 340.1.

10 116. At all relevant times RIVERDALE ASSEMBLY OF GOD, GENERAL  
11 COUNCIL and DISTRICT COUNCIL, through their agents, servants, and employees, knew or  
12 should have known that WHITED was a danger to children, in that he was likely to sexually  
13 abuse them.

14 117. It was reasonably foreseeable to Defendants, through their agents, servants, and  
15 employees, that WHITED's sexual abuse of children would likely result in injury to others,  
16 including the sexual abuse of ROE 5 and other children by WHITED.

17 118. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
18 COUNCIL, through their agents, servants, and employees, knew or should have known that  
19 WHITED was sexually abusing children at RIVERDALE ASSEMBLY OF GOD, including  
20 ROE 5.

21 119. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
22 COUNCIL, through their respective agents, servants, and employees, consciously and recklessly  
23 disregarded their knowledge that WHITED would use his positions with the Defendants to  
24 sexually abuse children, including Plaintiff ROE 5.

25 120. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
26 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
27 other and/or with WHITED to conceal the danger that WHITED posed to children, including  
28

1 ROE 5, so that WHITED could continue serving the church despite their knowledge of that  
2 danger.

3 121. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
4 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
5 other and/or with WHITED to enable WHITED to sexually abuse children, including Plaintiff.

6 122. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
7 COUNCIL, through their respective agents, servants, and employees, knew that their negligent,  
8 reckless, and outrageous conduct would inflict severe emotional and psychological distress, as  
9 well as personal physical injury on others, including Plaintiff ROE 5.

10 123. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
11 COUNCIL, through their respective agents, servants, and employees, concealed the sexual abuse  
12 of children by pastors, teachers, school administrators, volunteers, and others, including  
13 WHITED, in order to conceal their own bad acts in failing to protect children from being abused,  
14 to protect their reputations, and to prevent victims of such sexual abuse from coming forward  
15 during the extremely limited statute of limitations prior to the enactment of the recent legislative  
16 amendment that allows Plaintiff to pursue this claim now, despite knowing that these pastors,  
17 religious persons, teachers, school administrators, and other personnel would continue to molest  
18 children, and continue to intentionally dissuade victims and their families from coming forward.

19 124. As a result of the above-described conduct, Plaintiff ROE 5 has suffered, and  
20 will continue to suffer great pain of mind and body, shock, emotional distress, physical  
21 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation,  
22 and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and  
23 will continue to be prevented from performing daily activities and obtaining the full enjoyment  
24 of life; will sustain loss of earnings and earning capacity; and/or has incurred and will continue  
25 to incur expenses for medical and psychological treatment, therapy, and COUNCIL.

26 **ABUSE BY CHARLES SPENCER, SR.**

27 125. Between approximately 1987 and 1991, when ROE 5 was a minor, she was  
28 groomed and sexually assaulted by SPENCER.

1           126. Plaintiff ROE 5 was a member, congregant, and student at RIVERDALE  
2 ASSEMBLY OF GOD, and between approximately the ages of 8 to 12 years old SPENCER  
3 groomed and sexually abused her in his capacity as head pastor and Chief Executive Officer of  
4 RIVERDALE ASSEMBLY OF GOD.

5           127. Based on the representations of RIVERDALE ASSEMBLY OF GOD,  
6 GENERAL COUNCIL and DISTRICT COUNCIL, that SPENCER was safe and trustworthy,  
7 ROE 5 and her mother allowed her to be under the supervision of, and in the care, custody, and  
8 control of Defendants including when ROE 5 was sexually abused by SPENCER.

9           128. In order to sexually abuse ROE 5, SPENCER exploited the trust and authority  
10 vested in him by the Defendants by grooming ROE 5 to gain her trust and to obtain control over  
11 her.

12           129. In approximately 1986, ROE 5 and her mother moved into a residence she  
13 believes to be owned or previously owned by SPENCER because he was the landlord.

14           130. Commencing in 1987, when ROE 5 was 8 years old, SPENCER, in his capacity  
15 as head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, began  
16 grooming ROE 5 for the purposes of initiating an inappropriate sexual relationship. ROE 5 and  
17 her mother would frequently visit the residence of SPENCER. While ROE 5's mother and  
18 SPENCER's wife, Wilma Spencer, would have conversations in another room of the residence,  
19 ROE 5 would play with dolls in the sitting room of the residence. SPENCER would come into  
20 the sitting room and talk with ROE 5 as she played with the dolls. SPENCER would sit on couch  
21 and invite ROE 5 to sit beside him. Thereafter, SPENCER would run his hands up ROE 5's legs  
22 below her skirt or have her sit on his lap. ROE 5 is informed and believes, and thereon alleges  
23 that SPENCER committed these acts of wrongful sexual touching to groom ROE 5 in order to  
24 normalize wrongful sex acts and sexual assault.

25           131. On one occasion when ROE 5 was a minor student at RIVERDALE  
26 CHRISTIAN ACADEMY located on the premises of RIVERDALE ASSEMBLY OF GOD, she  
27 had misbehaved in class and was sent to the principal's office. SPENCER, in his capacity as  
28 head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, was waiting

1 for her in the principal's office where he removed ROE 5's underwear, lifted her skirt and  
2 spanked ROE 5. On another occasion when ROE 5 was a minor student at RIVERDALE  
3 CHRISTIAN ACADEMY she was sent to the principal's office, SPENCER attempted to have  
4 ROE 5 remove her underwear, ROE 5 refused, thereafter SPENCER held her closely while  
5 fondling her breasts and buttocks.

6 132. When ROE 5 was between the ages of approximately 8 years old and 14 years  
7 old, SPENCER would often come to the house that he was renting to ROE 5's mother for the  
8 purpose of having sexual intercourse with ROE 5's mother. ROE 5's mother attempted to shield  
9 ROE 5 from knowing about her sexual relationship with SPENCER, but ROE 5 always  
10 suspected it until one day ROE 5 suspicions were confirmed when she walked in on SPENCER  
11 having sexual intercourse with her mother. SPENCER would frequently berate ROE 5's mother  
12 for having a television set at the house, SPENCER would quote scripture about sins and talk  
13 about all the evils of television.

14 133. One day when ROE 5 was approximately 12 years old, she was sitting in class  
15 at RIVERDALE CHRISTIAN ACADEMY when she was called to the principal's office. When  
16 ROE 5 enter the principal's office, SPENCER and SPENCER's wife, Wilma Spencer, the  
17 principal of RIVERDALE CHRISTIAN ACADEMY, were waiting for ROE 5. SPENCER told  
18 ROE 5 to come with him, thereafter SPENCER drove ROE 5 to his residence and placed her in a  
19 windowless room that contained only a bed, a pillow and a blanket, and locked the door. ROE 5  
20 was kept in the locked room for a prolonged period of time, ROE 5 estimates two weeks but the  
21 room being windowless deprived ROE 5 of the ability to keep an accurate account of the passing  
22 days. ROE 5 was only let out of the locked room to use the restroom after she would pound her  
23 fists on the door.

24 134. During the time ROE 5 was sequestered in room, SPENCER would visit her  
25 every night and told ROE 5, "Say your prayers". ROE 5 would kneel at the side of the bed and  
26 pray as SPENCER watched. After ROE 5 finished her prayers, SPENCER would help her into  
27 bed while fondling her chest and buttocks through her nightgown. SPENCER would have ROE 5  
28

1 lay on her back on the bed as he talked. As SPENCER talked to ROE 5, he would work his hand  
2 up her leg wrongfully sexual touching and committing acts of sexually assault upon ROE 5.

3 135. SPENCER continued to commit acts of childhood sexual assault on ROE 5 until  
4 she was finally let out of the locked room and met her mother in front of SPENCER's residence.  
5 ROE 5's mother had walked the television to SPENCER's residence on ROE 5's Radio Flyer  
6 wagon. SPENCER took the television from ROE 5's mother and disappeared to the side of his  
7 residence. ROE 5 heard the sound of shattering glass as SPENCER destroyed the television on  
8 the side yard of his residence. Thereafter, ROE 5 was allowed to leave with her mother.

9 136. During ROE 5's and ROE 5 mother's tenancy at SPENCER's rental property,  
10 SPENCER, or other RIVERDALE ASSEMBLY OF GOD, employees, elders or agents were  
11 suspected of searching the residence when ROE 5 and her mother when they were not present. A  
12 suspicion that was confirmed when ROE 5 and ROE 5's mother came home to find SPENCER in  
13 their residence in the middle of the day. ROE 5's mother developed a plan to flee Riverdale, CA  
14 to escape the influence, control, emotional abuse and pattern of shaming that was being  
15 perpetrated by RIVERDALE ASSEMBLY OF GOD, employees, church elders, congregants and  
16 agents, and SPENCER. When ROE 5 was approximately 17 years old, after multiple failed  
17 attempts to flee the control and influence of RIVERDALE ASSEMBLY OF GOD, and its  
18 employees, church elders, congregants and agents, ROE 5 and her mother loaded a rented  
19 storage truck with only essential personal belongings in the late evening and fled to a town in  
20 rural Northern California. Only through suddenly fleeing Riverdale, CA, under the cover of  
21 darkness did SPENCER's pattern of sexual assaults and emotional abuse come to an end.

22 137. During the time that SPENCER was an employee of and serving Defendants,  
23 each Defendant had a duty to use reasonable care to prevent SPENCER from using the tasks,  
24 premises, and instrumentalities of his position with the Defendants to target, groom, and sexually  
25 abuse children, including ROE 5.

26 138. The childhood sexual assault of ROE 5 by SPENCER occurred using the tasks,  
27 premises, or instrumentalities that the Defendants entrusted to SPENCER, including the church  
28 grounds and school bathrooms, located on the premises of RIVERDALE ASSEMBLY OF GOD.

1           139. SPENCER’s sexual assault of ROE 5 occurred during activities that were  
2 sponsored by, or were a direct result of activities sponsored by RIVERDALE ASSEMBLY OF  
3 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, including at or during school and  
4 church sponsored activities.

5           140. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
6 COUNCIL, through their respective agents, servants, and employees, held SPENCER out to the  
7 public, to Plaintiff, and to Plaintiff’s mother, as their agent and employee.

8           141. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
9 COUNCIL, through their respective agents, servants, and employees, held SPENCER out to the  
10 public, to Plaintiff, and to Plaintiff’s mother, as having been vetted, screened, and approved by  
11 them as someone who was safe and could be trusted with children.

12           142. Plaintiff ROE 5 and Plaintiff’s mother reasonably relied upon the acts and  
13 representations of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
14 COUNCIL, through their respective agents, servants, and employees, and reasonably believed  
15 that SPENCER was an agent or employee of the Defendants who was vetted, screened, and  
16 approved by it and who was safe and could be trusted with children.

17           143. Plaintiff ROE 5 and Plaintiff’s mother trusted SPENCER because RIVERDALE  
18 ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, held him out as  
19 someone who was safe and could be trusted with the supervision, care, custody, and control of  
20 children, including Plaintiff ROE 5.

21           144. Plaintiff ROE 5 and Plaintiff’s mother believed that RIVERDALE ASSEMBLY  
22 OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, would exercise such care as  
23 would a parent of ordinary prudence in comparable circumstances when the Defendants assumed  
24 supervision, care, custody, and control of minor Plaintiff, including protecting Plaintiff from the  
25 danger of being sexually abused.

26           145. SPENCER’s sexual abuse of ROE 5 was unlawful sexual molestation under  
27 California law, including California Code of Civil Procedure Section 340.1.  
28



1           146. At all relevant times RIVERDALE ASSEMBLY OF GOD, GENERAL  
2 COUNCIL and DISTRICT COUNCIL, through their agents, servants, and employees, knew or  
3 should have known that SPENCER was a danger to children, in that he was likely to sexually  
4 abuse them.

5           147. It was reasonably foreseeable to Defendants, through their agents, servants, and  
6 employees, that SPENCER’s sexual abuse of children would likely result in injury to others,  
7 including the sexual abuse of ROE 5 and other children by SPENCER.

8           148. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
9 COUNCIL, through their agents, servants, and employees, knew or should have known that  
10 SPENCER was sexually abusing children at RIVERDALE ASSEMBLY OF GOD, including  
11 ROE 5.

12           149. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
13 COUNCIL, through their respective agents, servants, and employees, consciously and recklessly  
14 disregarded their knowledge that SPENCER would use his positions with the Defendants to  
15 sexually abuse children, including Plaintiff ROE 5.

16           150. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
17 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
18 other and/or with SPENCER to conceal the danger that SPENCER posed to children, including  
19 ROE 5, so that SPENCER could continue serving the church despite their knowledge of that  
20 danger.

21           151. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
22 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
23 other and/or with SPENCER to enable SPENCER to sexually abuse children, including Plaintiff.

24           152. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
25 COUNCIL, through their respective agents, servants, and employees, knew that their negligent,  
26 reckless, and outrageous conduct would inflict severe emotional and psychological distress, as  
27 well as personal physical injury on others, including Plaintiff ROE 5.

28

1           153. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
2 COUNCIL, through their respective agents, servants, and employees, concealed the sexual abuse  
3 of children by pastors, teachers, school administrators, volunteers, and others, including  
4 SPENCER, in order to conceal their own bad acts in failing to protect children from being  
5 abused, to protect their reputations, and to prevent victims of such sexual abuse from coming  
6 forward during the extremely limited statute of limitations prior to the enactment of the recent  
7 legislative amendment that allows Plaintiff to pursue this claim now, despite knowing that these  
8 pastors, religious persons, teachers, school administrators, and other personnel would continue to  
9 molest children, and continue to intentionally dissuade victims and their families from coming  
10 forward.

11           154. As a result of the above-described conduct, Plaintiff ROE 5 has suffered, and  
12 will continue to suffer great pain of mind and body, shock, emotional distress, physical  
13 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation,  
14 and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and  
15 will continue to be prevented from performing daily activities and obtaining the full enjoyment  
16 of life; will sustain loss of earnings and earning capacity; and/or has incurred and will continue  
17 to incur expenses for medical and psychological treatment, therapy, and COUNCIL.

18 **ABUSE BY MIDDLETON**

19           155. When ROE 5 was a minor, she was groomed and a victim of childhood sexual  
20 assault perpetrated by MIDDLETON.

21           156. In or around approximately 1990 to 1991, when ROE 5 was a minor,  
22 MIDDLETON sexually assaulted ROE 5 in his capacity as a children’s ministry worker and  
23 agent at RIVERDALE ASSEMBLY OF GOD. During this time, ROE 5 was a member,  
24 congregant, and student at RIVERDALE ASSEMBLY OF GOD.

25           157. ROE 5 was at MIDDLETON’s grandmothers house, ROE 5’s mother and other  
26 adult congregants, elders and employees of RIVERDALE ASSEMBLY OF GOD, were in the  
27 kitchen making preservatives and jams.

28

1 158. ROE 5 was in the backroom of the residence playing with dolls when  
2 MIDDLETON began to fondle her breast and buttocks above her clothing. Thereafter,  
3 MIDDLETON became more forceful a reached under ROE 5’s skirt fondling her genitals.

4 159. ROE 5’s mother heard ROE 5 tell MIDDLETON to stop multiple times before  
5 she yelled out to inquire what was occurring. MIDDLETON responded that they were just  
6 playing around. Thereafter, MIDDLETON hand moved under ROE 5 underwear where he  
7 committed a wrongful sexual act and groped ROE 5’s genitals.

8 160. During the time that MIDDLETON was working for and serving Defendants,  
9 each Defendant had a duty to use reasonable care to prevent MIDDLETON from using the tasks,  
10 premises, and instrumentalities of his position with the Defendants to target, groom, and sexually  
11 abuse children, including ROE 5.

12 161. The sexual assault of ROE 5 by MIDDLETON occurred using the tasks,  
13 premises, or instrumentalities that the Defendants entrusted to MIDDLETON, including the  
14 church grounds and school bathrooms, located on the premises of RIVERDALE ASSEMBLY  
15 OF GOD.

16 162. MIDDLETON’s sexual abuse of ROE 5 occurred during activities that were  
17 sponsored by, or were a direct result of activities sponsored by RIVERDALE ASSEMBLY OF  
18 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, including at or during school and  
19 church sponsored activities.

20 163. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
21 COUNCIL, through their respective agents, servants, and employees, held MIDDLETON out to  
22 the public, to Plaintiff, and to Plaintiff’s mother, as their agent and employee.

23 164. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
24 COUNCIL, through their respective agents, servants, and employees, held MIDDLETON out to  
25 the public, to Plaintiff, and to Plaintiff’s mother, as having been vetted, screened, and approved  
26 by them as someone who was safe and could be trusted with children.

27 165. Plaintiff ROE 5 and Plaintiff’s mother reasonably relied upon the acts and  
28 representations of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT

1 COUNCIL, through their respective agents, servants, and employees, and reasonably believed  
2 that MIDDLETON was an agent or employee of the Defendants who was vetted, screened, and  
3 approved by it and who was safe and could be trusted with children.

4 166. Plaintiff ROE 5 and Plaintiff's mother trusted MIDDLETON because  
5 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, held  
6 him out as someone who was safe and could be trusted with the supervision, care, custody, and  
7 control of children, including Plaintiff ROE 5.

8 167. Plaintiff ROE 5 and Plaintiff's mother believed that RIVERDALE ASSEMBLY  
9 OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, would exercise such care as  
10 would a parent of ordinary prudence in comparable circumstances when the Defendants assumed  
11 supervision, care, custody, and control of minor Plaintiff, including protecting Plaintiff from the  
12 danger of being sexually abused.

13 168. MIDDLETON's sexual abuse of ROE 5 was unlawful sexual molestation under  
14 California law, including California Code of Civil Procedure Section 340.1.

15 169. At all relevant times RIVERDALE ASSEMBLY OF GOD, GENERAL  
16 COUNCIL and DISTRICT COUNCIL, through their agents, servants, and employees, knew or  
17 should have known that MIDDLETON was a danger to children, in that he was likely to sexually  
18 abuse them.

19 170. It was reasonably foreseeable to Defendants, through their agents, servants, and  
20 employees, that MIDDLETON's sexual abuse of children would likely result in injury to others,  
21 including the sexual abuse of ROE 5 and other children by MIDDLETON.

22 171. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
23 COUNCIL, through their agents, servants, and employees, knew or should have known that  
24 MIDDLETON was sexually abusing children at RIVERDALE ASSEMBLY OF GOD, including  
25 ROE 5.

26 172. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
27 COUNCIL, through their respective agents, servants, and employees, consciously and recklessly  
28

1 disregarded their knowledge that MIDDLETON would use his positions with the Defendants to  
2 sexually abuse children, including Plaintiff ROE 5.

3 173. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
4 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
5 other and/or with MIDDLETON to conceal the danger that MIDDLETON posed to children,  
6 including ROE 5, so that MIDDLETON could continue serving the church despite their  
7 knowledge of that danger.

8 174. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
9 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
10 other and/or with MIDDLETON to enable MIDDLETON to sexually abuse children, including  
11 Plaintiff.

12 175. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
13 COUNCIL, through their respective agents, servants, and employees, knew that their negligent,  
14 reckless, and outrageous conduct would inflict severe emotional and psychological distress, as  
15 well as personal physical injury on others, including Plaintiff ROE 5.

16 176. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
17 COUNCIL, through their respective agents, servants, and employees, concealed the sexual abuse  
18 of children by pastors, teachers, school administrators, volunteers, and others, including  
19 MIDDLETON, in order to conceal their own bad acts in failing to protect children from being  
20 abused, to protect their reputations, and to prevent victims of such sexual abuse from coming  
21 forward during the extremely limited statute of limitations prior to the enactment of the recent  
22 legislative amendment that allows Plaintiff to pursue this claim now, despite knowing that these  
23 pastors, religious persons, teachers, school administrators, and other personnel would continue to  
24 molest children, and continue to intentionally dissuade victims and their families from coming  
25 forward.

26 177. As a result of the above-described conduct, Plaintiff ROE 5 has suffered, and  
27 will continue to suffer great pain of mind and body, shock, emotional distress, physical  
28 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation,

1 and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and  
2 will continue to be prevented from performing daily activities and obtaining the full enjoyment  
3 of life; will sustain loss of earnings and earning capacity; and/or has incurred and will continue  
4 to incur expenses for medical and psychological treatment, therapy, and COUNCIL.

5 **JANE ROE 11 & JOHN ROE 12**

6 **ABUSE BY JAMES MIDDLETON**

7 178. When ROE 11 and ROE 12 were minors, they were sexually abused by  
8 MIDDLETON.

9 179. In or around approximately 1983, when ROE 11 was a minor, MIDDLETON  
10 sexually assaulted ROE 11 in his capacity as a children’s ministry worker and agent at  
11 RIVERDALE ASSEMBLY OF GOD. During this time, ROE 11 was a member, congregant, and  
12 student at RIVERDALE ASSEMBLY OF GOD.

13 180. In or around approximately 1983, when ROE 12 was a minor, MIDDLETON  
14 sexually assaulted ROE 12 in his capacity as a children’s ministry worker and agent at  
15 RIVERDALE ASSEMBLY OF GOD. During this time, ROE 11 was a member, congregant, and  
16 student at RIVERDALE ASSEMBLY OF GOD.

17 181. MIDDLETON began a pattern of sexually assaulting ROE 11 when ROE 11  
18 was approximately 4 years old. MIDDLETON continued this pattern of grooming and sexually  
19 assaulting ROE 11 until it was discovered in December 1983 while ROE 11 remained a minor  
20 and MIDDLETON was a children’s ministry worker and agent at RIVERDALE ASSEMBLY  
21 OF GOD.

22 182. MIDDLETON began a pattern of sexually assaulting ROE 12 when ROE 12  
23 was approximately 7 years old. MIDDLETON continued this pattern of grooming and sexually  
24 assaulting ROE 11 until it was discovered in December 1983 while ROE 11 remained a minor  
25 and MIDDLETON was a children’s ministry worker and agent at RIVERDALE ASSEMBLY  
26 OF GOD.

27 183. Based on the representations of RIVERDALE ASSEMBLY OF GOD,  
28 GENERAL COUNCIL and DISTRICT COUNCIL, that MIDDLETON was safe and

1 trustworthy, ROE 11 and ROE 12, their parents allowed them to be under the supervision, and in  
2 the care, custody, and control of Defendants, including MIDDLETON, when ROE 11 and ROE  
3 12 were groomed and sexually abused by MIDDLETON.

4 184. In the summer of 1983 MIDDLETON used his position of trust at  
5 RIVERDALE ASSEMBLY OF GOD, to sexually assault ROE 11. MIDDLETON committed his  
6 first act of childhood sexual assault upon ROE 11 in or around July 1983. MIDDLETON waited  
7 for an opportunity to be alone with ROE 11, thereafter he fondled ROE 11's genitals under  
8 neither her underwear. MIDDLETON continued a pattern of sexually assaulting ROE 11 until  
9 December 1983. In December 1983 again MIDDLETON waited for an opportunity to be alone  
10 with ROE 11 before he fondled ROE 11's genitals. ROE 11's mother discovered MIDDLETON  
11 sexually assaulting ROE 11.

12 185. Upon discovery of MIDDLETON's wrongful sexual assaults of ROE 11, it was  
13 discovered that MIDDLETON had commenced and maintained a pattern of committing  
14 egregious acts of sexual assault upon her brother, ROE 12.

15 186. When ROE 12 was 4 years old MIDDLETON commenced grooming and  
16 sexually assaulting ROE 12. MIDDLETON initiated grooming ROE 2 by groping him playfully  
17 at first, overtime MIDDLETON's groping became more forceful and lead to fondling ROE 12's  
18 genitals. MIDDLETON became more emboldened as he was successful in the escalation of his  
19 sexual assaults. MIDDLETON continued to escalate the sexual assaults and was able to commit  
20 more serious wrongful sexual acts with ROE 12. By the time of discovery of the wrongful sexual  
21 abuse MIDDLETON was committing acts of oral copulation and sodomy upon ROE 12 three  
22 times a week.

23 187. ROE 11 and ROE 12's mother informed SPENCER, head pastor and Chief  
24 Executive Officer of RIVERDALE ASSEMBLY OF GOD, and his wife, Wilma Spencer, pastor  
25 and principal at RIVERDALE CHRISTIAN ACADEMY, of the sexual assault committed upon  
26 ROE 11 and ROE 12 by MIDDLETON. Shortly thereafter, ROE 11 and ROE 12's, their sibling  
27 and parents were loaded into cars at night and driven to Nevada, where they boarded a flight to  
28 Virginia. ROE 11 and ROE 12 are informed and believe and thereon allege that their family was



1 suddenly relocated to Virginia by and through the directives of RIVERDALE ASSEMBLY OF  
2 GOD, employees, elders and agents, and SPENCER, head pastor and Chief Executive Officer, to  
3 avoid any questions from law enforcement regarding the sexual assaults.

4 188. Shortly after ROE 11 and ROE 12's family relocated to Virginia the Fresno  
5 County Sheriff's Office ("FSCO"), which had received a report of the sexual assaults from ROE  
6 11 and ROE 12's grandfather, but were unable to conduct interviews with the ROE 11 and ROE  
7 12 as a result of the minor victims seemingly disappearing overnight. After receiving an  
8 anonymous tip as to the location of ROE 11 and ROE 12 in Virginia, FSCO detectives contacted  
9 police detectives in Virginia in the jurisdiction that ROE 11 and ROE 12 were located.  
10 Thereafter, police detectives in the jurisdiction in Virginia made contact with ROE 11 and ROE  
11 12, taking statements as to the sexual assaults perpetrated by MIDDLETON.

12 189. After FCSO detectives confirmed through interviews with ROE 11 and ROE 12  
13 regarding the alleged sexual assaults, Detectives from FCSO went to RIVERDALE ASSEMBLY  
14 OF GOD, to take MIDDLETON into custody and interview SPENCER, head pastor and Chief  
15 Financial Officer of RIVERDALE ASSEMBLY OF GOD.

16 190. Upon arrival at RIVERDALE ASSEMBLY OF GOD, FCSO detectives  
17 informed SPENCER, head pastor and Chief Executive Officer, and SPENCER's wife, Wilma  
18 Spencer, principal of RIVERDALE CHRISTIAN ACADEMY, that they were there to take  
19 MIDDLETON into custody. Upon the arrival of MIDDLETON's mother he was taken into  
20 custody.

21 191. ROE 11 and ROE 12 are informed and believe and thereon allege and based  
22 upon records available at the time of this pleading that FSCO took SPENCER, head pastor and  
23 Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD into custody concurrently with  
24 MIDDLETON because SPENCER failed to adhere to Penal Code section 11166 requiring  
25 mandated reporting. Plaintiffs allege that SPENCER stated that he knew of the law requiring  
26 mandated reporting and that he had done nothing wrong, and when someone comes to him for  
27 spiritual counseling it is confidential, and that MIDDLETON's sexual assaults of ROE 11 and  
28 ROE 12 was a matter dealing with family members and Juveniles.

1           192. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
2 COUNCIL, through their respective agents, servants, and employees, held MIDDLETON out to  
3 the public, to Plaintiff, and to Plaintiff’s parents, as their agent and employee.

4           193. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
5 COUNCIL, through their respective agents, servants, and employees, held MIDDLETON out to  
6 the public, to Plaintiff, and to Plaintiff’s parents, as having been vetted, screened, and approved  
7 by them as someone who was safe and could be trusted with children.

8           194. Plaintiff ROE 11 and ROE 12 and Plaintiff’s parents reasonably relied upon the  
9 acts and representations of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and  
10 DISTRICT COUNCIL, through their respective agents, servants, and employees, and reasonably  
11 believed that MIDDLETON was an agent or employee of the Defendants who was vetted,  
12 screened, and approved by it and who was safe and could be trusted with children.

13           195. Plaintiff ROE 11 and Plaintiff’s parents trusted MIDDLETON because  
14 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL, held  
15 him out as someone who was safe and could be trusted with the supervision, care, custody, and  
16 control of children, including Plaintiff ROE 11 and ROE 12.

17           196. Plaintiff ROE 11 and ROE 12 and Plaintiff’s parents believed that  
18 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL,  
19 would exercise such care as would a parent of ordinary prudence in comparable circumstances  
20 when the Defendants assumed supervision, care, custody, and control of minor Plaintiff,  
21 including protecting Plaintiff from the danger of being sexually abused.

22           197. MIDDLETON’s sexual abuse of ROE 11 and ROE 12 was unlawful sexual  
23 molestation under California law, including California Code of Civil Procedure Section 340.1.

24           198. At all relevant times RIVERDALE ASSEMBLY OF GOD, GENERAL  
25 COUNCIL and DISTRICT COUNCIL, through their agents, servants, and employees, knew or  
26 should have known that MIDDLETON was a danger to children, in that he was likely to sexually  
27 abuse them.

28

1           200. It was reasonably foreseeable to Defendants, through their agents, servants, and  
2 employees, that MIDDLETON's sexual abuse of children would likely result in injury to others,  
3 including the sexual abuse of ROE 11 and other children by MIDDLETON.

4           201. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
5 COUNCIL, through their agents, servants, and employees, knew or should have known that  
6 MIDDLETON was sexually abusing children at RIVERDALE ASSEMBLY OF GOD, including  
7 ROE 11 and ROE 12.

8           202. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
9 COUNCIL, through their respective agents, servants, and employees, consciously and recklessly  
10 disregarded their knowledge that MIDDLETON would use his positions with the Defendants to  
11 sexually abuse children, including Plaintiff ROE 11 and ROE 12.

12           203. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
13 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
14 other and/or with MIDDLETON to conceal the danger that MIDDLETON posed to children,  
15 including ROE 11 and ROE 12, so that MIDDLETON could continue serving the church despite  
16 their knowledge of that danger.

17           204. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
18 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
19 other and/or with MIDDLETON to enable MIDDLETON to sexually abuse children, including  
20 Plaintiff.

21           205. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
22 COUNCIL, through their respective agents, servants, and employees, knew that their negligent,  
23 reckless, and outrageous conduct would inflict severe emotional and psychological distress, as  
24 well as personal physical injury on others, including Plaintiff ROE 11.

25           206. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
26 COUNCIL, through their respective agents, servants, and employees, concealed the sexual abuse  
27 of children by pastors, teachers, school administrators, volunteers, and others, including  
28 MIDDLETON, in order to conceal their own bad acts in failing to protect children from being

1 abused, to protect their reputations, and to prevent victims of such sexual abuse from coming  
2 forward during the extremely limited statute of limitations prior to the enactment of the recent  
3 legislative amendment that allows Plaintiff to pursue this claim now, despite knowing that these  
4 pastors, religious persons, teachers, school administrators, and other personnel would continue to  
5 molest children, and continue to intentionally dissuade victims and their families from coming  
6 forward.

7 206. As a result of the above-described conduct, Plaintiff ROE 11 has suffered, and  
8 will 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; has suffered and continues to suffer spiritually; was prevented and  
11 will continue to be prevented from performing daily activities and obtaining the full enjoyment  
12 of life; will sustain loss of earnings and earning capacity; and/or has incurred and will continue  
13 to incur expenses for medical and psychological treatment, therapy, and COUNCIL.

14 **ABUSE BY TIMOTHY GOLDSMITH**

15 207. When ROE 11 was a minor, she was groomed and sexually abused by  
16 GOLDSMITH.

17 208. In or around approximately 1994 to 1998, when ROE 11 was a minor,  
18 GOLDSMITH groomed and sexually assaulted ROE 11 in his capacity as groundskeeper and  
19 agent of RIVERDALE ASSEMBLY OF GOD. During this time, ROE 11 was a member,  
20 congregant, and student at RIVERDALE ASSEMBLY OF GOD.

21 209. GOLDSMITH began a pattern of grooming and sexually assaulting ROE 11  
22 when ROE 11 was 10 years old to 11 years old. GOLDSMITH commenced the pattern of  
23 grooming and sexually assaulting ROE 11 in approximately 1995 while ROE 11 remained a  
24 minor and GOLDSMITH was a groundskeeper and agent of RIVERDALE ASSEMBLY OF  
25 GOD.

26 210. In or around approximately 1989 to 1992, when ROE 12 was a minor,  
27 GOLDSMITH sexually assaulted ROE 12 in his capacity as groundskeeper and agent of  
28

1 RIVERDALE ASSEMBLY OF GOD. During this time, ROE 12 was a member, congregant, and  
2 student at RIVERDALE ASSEMBLY OF GOD.

3 211. GOLDSMITH began a pattern of grooming and sexually assaulting ROE 12  
4 when ROE 12 was approximately between approximately 13 to 16 years old. GOLDSMITH  
5 continued this pattern of grooming and sexually assaulting ROE 12 until 1992 while ROE 12  
6 remained a minor and GOLDSMITH was a groundskeeper and agent of RIVERDALE  
7 ASSEMBLY OF GOD.

8 212. Based on the representations of RIVERDALE ASSEMBLY OF GOD,  
9 GENERAL COUNCIL and DISTRICT COUNCIL, that GOLDSMITH was safe and  
10 trustworthy, ROE 11 and ROE 12 and their parents allowed her to be under the supervision, and  
11 in the care, custody, and control of Defendants, including GOLDSMITH, when ROE 11 and  
12 ROE 12 were groomed and sexually abused by GOLDSMITH.

13 213. In or around approximately 1995, GOLDSMITH used his position of trust at  
14 RIVERDALE ASSEMBLY OF GOD, to groom and sexually assault ROE 11. GOLDSMITH  
15 committed his first act of childhood sexual assault upon ROE 11 in approximately January 1995.  
16 ROE 11 would stay the night at her aunt's house and sleep in bed with her aunt while  
17 GOLDSMITH would sleep on the couch. Commencing in January 1995 GOLDSMITH  
18 complaining of back pain began sleeping in the middle of the bed when ROE 11 would stay the  
19 night, between ROE 11 and ROE 11's aunt. At first GOLDSMITH would grope her buttocks or  
20 chest while ROE 11 laid in bed. One night ROE 11 was awakened by GOLDSMITH rubbing her  
21 genitals, shocked, afraid and confused ROE 11 pretended to be asleep. GOLDSMITH's sexual  
22 assaults progressed in severity until he was digitally penetrating ROE 11. ROE 11 was afraid,  
23 embarrassed and felt shame as a result of the childhood sexual assaults, and did not think anyone  
24 would believe her if she came forward.

25 214. The wrongful sexual assaults of ROE 11 were discovered by her brother ROE  
26 12. Upon discovering that wrongful sexual acts were being committed on his sister ROE 12 went  
27 to FCSO to report the sexual assault of his sister and the Sexual assaults that were committed  
28 upon him as a minor as well.

1           215. When ROE 12 was approximately 13 to 15 years old GOLDSMITH  
2 commenced grooming and sexually assaulting ROE 12. GOLDSMITH initiated grooming ROE  
3 12 by having ROE 12 rub his back on occasion under the guise of GOLDSMITH having back  
4 problems. The first occurrence of sexual assault occurred on a night that ROE 12, a minor male,  
5 was sleeping on the couch at GOLDSMITH's house. ROE 12 was awakened by GOLDSMITH  
6 rubbing his back as he laid on his stomach on the couch. GOLDSMITH then began groping ROE  
7 12's buttocks. ROE 12 pretended to be asleep because he was too afraid to ask GOLDSMITH  
8 what he was doing. GOLDSMITH then rolled ROE 12 onto his back and began rubbing his  
9 genitals. ROE 12 afraid and scared pretended to start waking up which caused GOLDSMITH to  
10 cease his wrongful sexual touching. ROE 12 frequently stayed the night at GOLDSMITH's  
11 house, wherein GOLDSMITH's sexual assaults continued and escalated to GOLDSMITH  
12 reaching down ROE 12's pants and fondling ROE 12's genitals. On multiple occasions while  
13 ROE 12 pretended to be asleep GOLDSMITH would commit acts of oral copulation on him.  
14 ROE 12 was too scared and embarrassed to confront GOLDSMITH about his sexual assaults.

15           216. Based upon ROE 12's reporting to FCSO of the instances of his own and ROE  
16 11's sexual assaults, GOLDSMITH was arrested for his acts of sexual assault on ROE 11, ROE  
17 12 and their other minor sibling. The Fresno County District Attorney's office prosecuted and  
18 convicted GOLDSMITH for his sex crimes against children. At GOLDSMITH's sentencing  
19 hearing he was given a term of one-year of incarceration for his sexual assault as a result of  
20 character references submitted by congregants of RIVERDALE ASSEMBLY OF GOD and  
21 SPENCER, head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD.

22           217. ROE 11 and ROE 12 are informed and believe and thereon allege that  
23 SPENCER, head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD,  
24 had used his influence over the congregants to misrepresent the acts of childhood sexual assault  
25 committed by GOLDSMITH and convinced congregant to write letters regarding  
26 GOLDSMITH's moral and upstanding character. ROE 11 and ROE 12 are informed and believe,  
27 and thereon alleged that at all relevant times SPENCER, lead pastor and Chief Executive Officer  
28 of RIVERDALE ASSEMBLY OF GOD, and employees, agents and elders of RIVERDALE

1 ASSEMBLY OF GOD acted to coverup and suppress the sexual assaults committed by  
2 GOLDSMITH, thereby protecting the legitimacy of RIVERDALE ASSEMBLY OF GOD's,  
3 tenets through suppressing the depraved acts of a congregant, employee and agent of  
4 RIVERDALE ASSEMBLY OF GOD.

5 218. As a result of the shame, abuse and sexual trauma ROE 11 and ROE 12 have  
6 suppressed additional instances of childhood sexual assault committed by GOLDSMITH, while  
7 he was a groundskeeper and agent of RIVERDALE ASSEMBLY OF GOD.

8 219. GOLDSMITH's wrongful sexual conduct with ROE 11 and ROE 12 was  
9 witnessed by other family members, congregants and agents of the RIVERDALE ASSEMBLY  
10 OF GOD.

11 220. During the time that GOLDSMITH was working for and serving the  
12 Defendants, each Defendant had a duty to use reasonable care to prevent GOLDSMITH from  
13 using the tasks, premises, and instrumentalities of his position with the Defendants to target,  
14 groom, and sexually abuse children, including ROE 11 and ROE 12.

15 221. The sexual abuse of ROE 11 and ROE 12 by GOLDSMITH occurred using the  
16 tasks, premises, or instrumentalities that the Defendants entrusted to GOLDSMITH, including  
17 the church grounds and school bathrooms, located on the premises of RIVERDALE  
18 ASSEMBLY OF GOD.

19 222. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
20 COUNCIL, through their respective agents, servants, and employees, held GOLDSMITH out to  
21 the public, to Plaintiff, and to Plaintiff's parents, as their agent and employee.

22 223. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
23 COUNCIL, through their respective agents, servants, and employees, held GOLDSMITH out to  
24 the public, to Plaintiffs, and to Plaintiffs' parents, as having been vetted, screened, and approved  
25 by them as someone who was safe and could be trusted with children.

26 224. Plaintiffs ROE 11 and ROE 12, and Plaintiffs' parents reasonably relied upon  
27 the acts and representations of RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL  
28 and DISTRICT COUNCIL, through their respective agents, servants, and employees, and



1 reasonably believed that GOLDSMITH was an agent or employee of the Defendants who was  
2 vetted, screened, and approved by it and who was safe and could be trusted with children.

3 225. Plaintiffs ROE 11 and ROE 12, Plaintiffs' parents trusted GOLDSMITH  
4 because RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
5 COUNCIL, held him out as someone who was safe and could be trusted with the supervision,  
6 care, custody, and control of children, including Plaintiff ROE 11 and ROE 12.

7 226. Plaintiffs ROE 11 and ROE 12 and Plaintiffs' parents believed that  
8 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL,  
9 would exercise such care as would a parent of ordinary prudence in comparable circumstances  
10 when the Defendants assumed supervision, care, custody, and control of minor Plaintiffs,  
11 including protecting Plaintiffs from the danger of being sexually abused.

12 227. GOLDSMITH's sexual abuse of ROE 11 and ROE 12 was unlawful sexual  
13 molestation under California law, including California Code of Civil Procedure Section 340.1.

14 228. At all relevant times RIVERDALE ASSEMBLY OF GOD, GENERAL  
15 COUNCIL and DISTRICT COUNCIL, through their agents, servants, and employees, knew or  
16 should have known that GOLDSMITH was a danger to children, in that he was likely to sexually  
17 abuse them.

18 229. It was reasonably foreseeable to Defendants, through their agents, servants, and  
19 employees, that GOLDSMITH's sexual abuse of children would likely result in injury to others,  
20 including the sexual abuse of ROE 11 and ROE 12, and other children by GOLDSMITH.

21 230. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
22 COUNCIL, through their agents, servants, and employees, knew or should have known that  
23 GOLDSMITH was sexually abusing children at RIVERDALE ASSEMBLY OF GOD, including  
24 ROE 11 and ROE 12.

25 231. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
26 COUNCIL, through their respective agents, servants, and employees, consciously and recklessly  
27 disregarded their knowledge that GOLDSMITH would use his positions with the Defendants to  
28 sexually abuse children, including Plaintiffs ROE 11 and ROE 12.

1           232. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
2 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
3 other and/or with GOLDSMITH to conceal the danger that GOLDSMITH posed to children,  
4 including ROE 11 and ROE 12, so that GOLDSMITH could continue serving the church despite  
5 their knowledge of that danger.

6           233. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
7 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
8 other and/or with GOLDSMITH to enable GOLDSMITH to sexually abuse children, including  
9 Plaintiff.

10           234. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
11 COUNCIL, through their respective agents, servants, and employees, knew that their negligent,  
12 reckless, and outrageous conduct would inflict severe emotional and psychological distress, as  
13 well as personal physical injury on others, including Plaintiffs ROE 11 and ROE 12.

14           235. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
15 COUNCIL, through their respective agents, servants, and employees, concealed the sexual abuse  
16 of children by pastors, teachers, school administrators, volunteers, and others, including  
17 GOLDSMITH, in order to conceal their own bad acts in failing to protect children from being  
18 abused, to protect their reputations, and to prevent victims of such sexual abuse from coming  
19 forward during the extremely limited statute of limitations prior to the enactment of the recent  
20 legislative amendment that allows Plaintiffs to pursue this claim now, despite knowing that these  
21 pastors, religious persons, teachers, school administrators, and other personnel would continue to  
22 molest children, and continue to intentionally dissuade victims and their families from coming  
23 forward.

24           236. As a result of the above-described conduct, Plaintiffs ROE 11 and ROE 12 have  
25 suffered, and will continue to suffer great pain of mind and body, shock, emotional distress,  
26 physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace,  
27 humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was  
28 prevented and will continue to be prevented from performing daily activities and obtaining the

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

4 **RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT COUNCIL**

5 237. WHITED's, SPENCER's, MIDDLETON's and GOLDSMITH's sexual abuse  
6 of ROE 5, ROE 11 and ROE 12 were unlawful sexual molestation under California law,  
7 including California Code of Civil Procedure Section 340.1.

8 238. At all relevant times RIVERDALE ASSEMBLY OF GOD, GENERAL  
9 COUNCIL and DISTRICT COUNCIL, through their agents, servants, and employees, knew or  
10 should have known that WHITED, SPENCER, MIDDLETON and GOLDSMITH were dangers  
11 to children, in that they were likely to sexually abuse them.

12 239. It was reasonably foreseeable to Defendants, through their agents, servants, and  
13 employees, that WHITED's, SPENCER's, MIDDLETON's and GOLDSMITH's sexual abuse of  
14 children would likely result in injury to others, including the sexual abuse of ROE 5, ROE 11  
15 and ROE 12, and other children by WHITED, SPENCER, MIDDLETON and GOLDSMITH.

16 240. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
17 COUNCIL, through their agents, servants, and employees, knew or should have known that  
18 WHITED, SPENCER, MIDDLETON and GOLDSMITH were sexually abusing children at  
19 RIVERDALE ASSEMBLY OF GOD, including ROE 5, ROE 11 and ROE 12.

20 241. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
21 COUNCIL, through their respective agents, servants, and employees, consciously and recklessly  
22 disregarded their knowledge that WHITED, SPENCER, MIDDLETON and GOLDSMITH  
23 would use their positions with the Defendants to sexually abuse children, including Plaintiffs  
24 ROE 5, ROE 11 and ROE 12.

25 242. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
26 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
27 other and/or with WHITED, SPENCER, MIDDLETON and GOLDSMITH to conceal the  
28 danger that WHITED, SPENCER, MIDDLETON and GOLDSMITH posed to children,

1 including ROE 5, ROE 11 and ROE 12, so that WHITED, SPENCER, MIDDLETON and  
2 GOLDSMITH could continue serving the church despite their knowledge of that danger.

3 243. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
4 COUNCIL, through their respective agents, servants, and employees, acted in concert with each  
5 other and/or with WHITED, SPENCER, MIDDLETON and GOLDSMITH to enable WHITED,  
6 SPENCER, MIDDLETON and GOLDSMITH to sexually abuse children, including Plaintiffs  
7 ROE 5, ROE 11 and ROE 12.

8 244. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
9 COUNCIL, through their respective agents, servants, and employees, knew that their negligent,  
10 reckless, and outrageous conduct would inflict severe emotional and psychological distress, as  
11 well as personal mental and physical injury on others, including Plaintiffs ROE 5, ROE 11 and  
12 ROE 12.

13 245. RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL and DISTRICT  
14 COUNCIL, through their respective agents, servants, and employees, concealed the sexual abuse  
15 of children by pastors, teachers, school administrators, volunteers, and others, in order to conceal  
16 their own bad acts in failing to protect children from being abused, to protect their reputations,  
17 and to prevent victims of such sexual abuse from coming forward during the extremely limited  
18 statute of limitations prior to the enactment of the recent legislative amendment that allows  
19 Plaintiffs to pursue their claims now, despite knowing that those pastors, other religious persons,  
20 teachers, school administrators, and other persons would continue to molest children.

21 246. As a result of the above-described conduct, Plaintiffs ROE 5, ROE 11 and ROE  
22 12 have suffered, and will continue to suffer great pain of mind and body, shock, emotional  
23 distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem,  
24 disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer  
25 spiritually; was prevented and will continue to be prevented from performing Plaintiffs daily  
26 activities and obtaining the full enjoyment of life; will sustain loss of earnings and earning  
27 capacity; and/or has incurred and will continue to incur expenses for medical and psychological  
28 treatment, therapy and counseling.

1 **JANE ROE 30**

2 247. Commencing in 1990 ROE 30 an adult female, alleges that RIVERDALE  
3 ASSEMBLY OF GOD, GENERAL COUNCIL DISTRICT COUNCIL, and SPENCER, and  
4 their employees, agents, church elders and congregants, caused and continue to cause ROE 30 to  
5 suffer injuries as a result of their negligence, intentional infliction of emotional distress and  
6 negligent infliction of emotional distress, as follows:

7 248. In approximately 1990, following the death of her husband, ROE 30 was an  
8 adult female, member and congregant of RIVERDALE ASSEMBLY OF GOD, GENERAL  
9 COUNCIL and DISTRICT COUNCIL, in Riverdale, California.

10 249. After ROE 30's husbands passing, ROE 30 believed that  
11 RIVERDALE ASSEMBLY OF GOD, would be a sanctuary and a supportive community where  
12 she could seek help to raise her minor children.

13 250. Shortly thereafter, SPENCER head pastor and Chief Executive Officer of  
14 RIVERDALE ASSEMBLY OF GOD, began taking advantage of ROE 30 emotionally and  
15 sexually. SPENCER's inappropriate and manipulative influence over ROE 30, who was  
16 emotionally weak as a result of the death of her husband, continued for months.

17 251. After SPENCER continued his pattern of taking advantage of ROE 30 for a  
18 prolonged period of time, SPENCER's wife, Wilma Spencer, a pastor at RIVERDALE  
19 ASSEMBLY OF GOD, discovered that SPENCER was taking advantage of ROE 30 emotionally  
20 and sexually.

21 252 Thereafter, Plaintiff ROE 30, was accused by employees, elders, members of  
22 RIVERDALE ASSEMBLY OF GOD, of instigating the adulterous relationship with SPENCER,  
23 head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD.

24 253 ROE 30 is informed and believes, and thereon alleges that SPENCER, lead  
25 pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, his wife, Wilma  
26 Spencer, associate pastor at RIVERDALE ASSEMBLY OF GOD, and employees, directors and  
27 agents of RIVERDALE ASSEMBLY OF GOD believing that the adulterous relationship  
28 wherein SPENCER took advantage of ROE 30 sexually and emotionally, threatened the

1 legitimacy of SPENCER’s position as head pastor and Chief Executive Officer of RIVERDALE  
2 ASSEMBLY OF GOD, and the legitimacy of RIVERDALEASSEMBLY OF GOD’s, tenets by  
3 and through SPENCER’s depraved acts, undertook a campaign to shame, emotionally abuse,  
4 embarrass and threaten ROE 30, which has continued to the date of this filing.

5           254. On one occasion ROE 30 was brought in front of the entire congregation during  
6 a church service wherein she was emotionally abused, shamed, embarrassed and threatened for  
7 SPENCER taking advantage of her emotionally and sexually. ROE 30 is informed and believes,  
8 and thereon alleges that SPENCER and RIVERDALE ASSEMBLY OF GOD, employees,  
9 directors and agents, have undertaken acts to shame, emotionally abuse, embarrass and threaten  
10 ROE 30 as a means to dissuade her from talking about what happened to her and the sexual and  
11 emotional abuse suffered by current and former congregants of RIVERDALE ASSEMBLY OF  
12 GOD.

13           255. On or around May 26, 2021, ROE 30 received an envelope in the mail from  
14 DISTRICT COUNCIL, contained in that envelope was a letter written and signed by SPENCER,  
15 dated May 14, 2021. The letter states:

16           “Dear [ROE 30]:

17                   Approximately thirty (30) years ago, you met with myself and my family,  
18                   along with the ministerial staff of the church, to discuss the inappropriate physical  
19                   relationship which occurred between us. In the meeting, I apologized to you and  
20                   asked for your forgiveness for the part I played.

21                   I ask that you please accept this letter as another sincere apology for the  
22                   above-mentioned conduct that occurred approximately thirty (30) years ago.

23                   Sincerely,

24                   Rev. [SPENCER]”

25 Upon reading the letter sent by DISTRICT COUNCIL, authored by SPENCER, head pastor and  
26 Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, ROE 30 suffered severe  
27 emotional distress as the letter misstates the acts that SPENCER and RIVERDALE ASSEMBLY  
28 OF GOD, employees, directors and agents, undertook to shame, emotionally abuse, embarrass

1 and threaten ROE 30. Although ROE 30 had dealt with the emotional abuse and threats directed  
2 at her by RIVERDALE ASSEMBLY OF GOD, employees, directors, agents and congregants for  
3 approximately 30 years, the letter caused ROE 30 to relive the emotion abuse, embarrassment,  
4 fear and shame she felt on the day that she was forced in front of SPENCER, RIVERDALE  
5 ASSEMBLY OF GOD, employees, directors, agents, and congregants, to be emotional abused  
6 approximately 30 years prior. The letter has caused ROE 30 to suffer not only severe emotional  
7 distress but has impacted her physical and mentally health as well.

8           256. ROE 30 is informed and believes, and thereon alleges that as part of a stipulated  
9 punishment for SPENCER’s adulterous acts, and emotional and sexual abuse of ROE 30, and  
10 other current and former adult female congregants, GENERAL COUNCIL and DISTRICT  
11 COUNCIL, required SPENCER to perform remedial acts to preserve his status as a credentialed  
12 minister within the organizations. ROE 30 is informed and believes, and thereon alleges that  
13 SPENCER’s letter, that caused her severe emotional and physical distress, was one of those  
14 remedial acts require by GENERAL COUNCIL and DISTRICT COUNCIL.

15           257. By and through the intentional acts, omissions instrumentalities and directives  
16 of Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT  
17 COUNCIL, and Defendant SPENCER caused ROE 30 to suffer, and continue to suffer, injuries  
18 as a result of their acts or omissions.

19           258. As a result of the above-described conduct of RIVERDALE ASSEMBLY OF  
20 GOD, GENERAL COUNCIL and DISTRICT COUNCIL, through their respective agents,  
21 servants, and employees, Plaintiff ROE 30 has suffered, and will continue to suffer great pain of  
22 mind and body, shock, emotional distress, physical manifestations of emotional distress,  
23 embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has  
24 suffered and continues to suffer spiritually; was prevented and will continue to be prevented  
25 from performing Plaintiff’s daily activities and obtaining the full enjoyment of life; will sustain  
26 loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for  
27 medical and psychological treatment, therapy and counseling.

28 //



**FIRST CAUSE OF ACTION**

**(Negligence)**

**AGAINST ALL DEFENDANTS**

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

260. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL, WHITED, SPENCER, MIDDLETON, GOLDSMITH and DOES 18 through 100, had a duty to protect the Plaintiffs ROE 5, ROE 11 and ROE 12 while they were entrusted to their care by Plaintiffs' parents. Plaintiffs' care, welfare, and/or physical custody were temporarily entrusted to Defendants. Defendants voluntarily accepted the entrusted care of Plaintiffs. As such, Defendants owed Plaintiffs, minor children, a special duty of care, in addition to a duty of ordinary care, and owed Plaintiffs the higher duty of care that adults dealing with children owe to protect them from harm.

261. All Defendants had a duty to control WHITED, SPENCER, MIDDLETON and GOLDSMITH and to prevent them from sexually assaulting and molesting children. Defendants were aware, prior to the conclusion of the sexual abuse of Plaintiffs listed herein, of WHITED's, SPENCER's, MIDDLETON's and GOLDSMITH's dangerous and exploitive propensities. Defendants were also aware that they had the ability to place restrictions on WHITED's, SPENCER's, MIDDLETON's and GOLDSMITH's access to children, give warnings to the congregation, and otherwise control WHITED's, SPENCER's, MIDDLETON's and GOLDSMITH's conduct. Defendants therefore assumed a duty to prevent WHITED, SPENCER, MIDDLETON and GOLDSMITH from sexually assaulting and molesting children. Defendants also had a duty to report known or suspected child abuse or neglect by WHITED, SPENCER, MIDDLETON and GOLDSMITH to law enforcement.

262. Defendants had a special duty to investigate and not employ WHITED as an employee, Sunday school bus driver and Sunday school teacher at RIVERDALE ASSEMBLY OF GOD; or SPENCER in his position as the head pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD; or MIDDLETON, as a children's ministry worker and agent at RIVERDALE ASSEMBLY OF GOD; or GOLDSMITH as a groundskeeper and agent

1 at RIVERDALE ASSEMBLY OF GOD. Defendants knew that WHITED, SPENCER,  
2 MIDDLETON and GOLDSMITH were likely to harm others in light of the work entrusted to  
3 them.

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

11 264. Defendants breached their duty of care to the minor Plaintiffs ROE 5, ROE 11  
12 and ROE 12 by allowing, enabling and permitting WHITED, SPENCER, MIDDLETON and  
13 GOLDSMITH to have access to Plaintiffs; by failing to investigate or otherwise confirm or deny  
14 such facts about WHITED, SPENCER, MIDDLETON and GOLDSMITH; by failing to tell or  
15 concealing from Plaintiffs, Plaintiffs' parents, guardians, or law enforcement officials that  
16 WHITED, SPENCER, MIDDLETON and GOLDSMITH were or may have been sexually  
17 abusing Plaintiffs; by failing to tell or concealing from Plaintiffs' parents, guardians, or law  
18 enforcement officials that Plaintiffs were or may have been sexually abused after Defendants  
19 knew or had reason to know that WHITED, SPENCER, MIDDLETON and GOLDSMITH may  
20 have sexually abused Plaintiffs, thereby creating the circumstance where Plaintiffs were less  
21 likely to receive medical/mental health care and treatment, thus exacerbating the harm done to  
22 Plaintiffs; by holding out WHITED, SPENCER, MIDDLETON and GOLDSMITH to the  
23 Plaintiffs and their parents or guardians as being in good standing and trustworthy; and/or by  
24 failing to report known child abuse of Plaintiffs by WHITED, SPENCER, MIDDLETON and  
25 GOLDSMITH to law enforcement. Defendants cloaked within the facade of normalcy  
26 Defendants' and/or WHITED's, SPENCER's, MIDDLETON's and GOLDSMITH's contact  
27 and/or actions with Plaintiffs and/or with other minors who were victims of WHITED,  
28

1 SPENCER, MIDDLETON and GOLDSMITH, and/or disguised the nature of the sexual abuse  
2 and contact.

3 265. As a result of the above-described conduct, Plaintiffs ROE 5, ROE 11 and ROE  
4 12, have suffered, and continue to suffer great pain of mind and body, shock, emotional distress,  
5 physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace,  
6 humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was  
7 prevented and will continue to be prevented from performing Plaintiffs daily activities and  
8 obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity; and/or has  
9 incurred and will continue to incur expenses for medical and psychological treatment, therapy  
10 and counseling.

11 **SECOND CAUSE OF ACTION**

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

13 **AGAINST ALL DEFENDANTS**

14 266. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

15 267. Between approximately 1982 and 1996, WHITED, SPENCER and  
16 MIDDLETON engaged in grooming and unpermitted, harmful, and offensive sexual conduct and  
17 contact upon the person of Plaintiff ROE 5.

18 268. Between approximately 1987 and 1998, when MIDDLETON and  
19 GOLDSMITH engaged in grooming and unpermitted, harmful, and offensive sexual conduct and  
20 contact upon the person of Plaintiffs ROE 11 and ROE 12.

21 269. Said conduct was undertaken while WHITED, SPENCER, MIDDLETON and  
22 GOLDSMITH were agents, managing agents, employees, and/or servants of the Defendants,  
23 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL, and  
24 DOES 18 through 100, and while WHITED, SPENCER, MIDDLETON and GOLDSMITH were  
25 acting in the course and scope of their employment, agency, and/or service with the Defendants.

26 270. Said conduct of WHITED, SPENCER, MIDDLETON and GOLDSMITH was  
27 known to and ratified by the Defendants.

28

1           271. Each Defendant had a duty to take reasonable steps to protect Plaintiffs, ROE 5,  
2 ROE 11 and ROE 12, minor congregants, from foreseeable harm when they were in their care,  
3 custody, and control.

4           272. During the time that WHITED, SPENCER, MIDDLETON and GOLDSMITH  
5 were working for and serving the Defendants, each Defendant had a duty to use reasonable care  
6 to prevent WHITED, SPENCER, MIDDLETON and GOLDSMITH from using the tasks,  
7 premises, and instrumentalities of their positions with Defendants to target, groom, and sexually  
8 abuse children, including Plaintiffs, ROE 5, ROE 11 and ROE 12.

9           273. Each Defendant breached the foregoing duties by failing to use reasonable care  
10 to protect Plaintiffs ROE 5, ROE 11 and ROE 12 from WHITED, SPENCER, MIDDLETON  
11 and GOLDSMITH, and allowed WHITED, SPENCER, MIDDLETON and GOLDSMITH to  
12 groom and to sexually assault the minor congregants.

13           274. As a direct and proximate result of the above-described conduct Plaintiffs ROE  
14 5, ROE 11 and ROE 12 suffered and will continue to suffer, great pain of mind and body, shock,  
15 emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-  
16 esteem, disgrace, humiliation, and loss of enjoyment of life, and Plaintiffs were prevented from  
17 performing daily activities and obtaining the full enjoyment of life.

18           275. Between approximately 1982 and 1996, WHITED, SPENCER and  
19 MIDDLETON engaged in unpermitted, harmful, and offensive sexual conduct and contact upon  
20 the person of Plaintiff ROE 5, Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL  
21 COUNCIL, DISTRICT COUNCIL, and DOES 18 through 100, ratified or approved of that  
22 sexual contact.

23           276. Between approximately 1983 and 1998, MIDDLETON and GOLDSMITH  
24 engaged in grooming and unpermitted, harmful, and offensive sexual conduct and contact upon  
25 the person of Plaintiffs ROE 11 and ROE 12, Defendants RIVERDALE ASSEMBLY OF GOD,  
26 GENERAL COUNCIL, DISTRICT COUNCIL, and DOES 18 through 100, ratified or approved  
27 of that sexual contact.

28

1 277. Defendant WHITED, SPENCER, MIDDLETON and GOLDSMITH were aided  
2 in committing the harmful and offensive touching of Plaintiffs by their status as agents of  
3 Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT  
4 COUNCIL, and DOES 18 through 100.

5 278. Without WHITED's position as Sunday school bus driver and Sunday school  
6 teacher at RIVERDALE ASSEMBLY OF GOD, WHITED could not have accomplished the  
7 childhood sexual assault of ROE 5, ROE 11 and ROE 12. Without SPENCER's position the head  
8 pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, SPENCER could  
9 not have accomplished the childhood sexual assault of ROE 5. Without MIDDLETON's position  
10 as a children's ministry worker and agent at RIVERDALE ASSEMBLY OF GOD,  
11 MIDDLETON could not have accomplished the childhood sexual assault of ROE 5, ROE 11 and  
12 ROE 12. Without GOLDSMITH's position as a groundskeeper and agent at RIVERDALE  
13 ASSEMBLY OF GOD, GOLDSMITH could not have accomplished the childhood sexual  
14 assault of ROE 11 and ROE 12.

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

22 **THIRD CAUSE OF ACTION**

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

24 **AGAINST RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT**  
25 **COUNCIL and DOES 18 through 100**

26 280. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

27 281. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
28 DISTRICT COUNCIL, and DOES 18 through 100, had a duty to provide reasonable supervision

1 of WHITED, SPENCER, MIDDLETON and GOLDSMITH; to use reasonable care in  
2 investigating Defendants WHITED, SPENCER, MIDDLETON and GOLDSMITH; and to  
3 provide adequate warning to Plaintiffs, Plaintiffs' parents and other minor congregants of  
4 WHITED's, SPENCER's, MIDDLETON's and GOLDSMITH's dangerous propensities and  
5 unfitness.

6 282. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
7 DISTRICT COUNCIL, and DOES 18 through 100, by and through their agents, servants and  
8 employees, knew or reasonably should have known of WHITED's, SPENCER's,  
9 MIDDLETON's and GOLDSMITH's dangerous and exploitive propensities and/or that  
10 WHITED, SPENCER, MIDDLETON and GOLDSMITH were unfit agents. Despite such  
11 knowledge, Defendants negligently failed to supervise WHITED in his position of trust and  
12 authority as Sunday school bus driver and Sunday school teacher at RIVERDALE ASSEMBLY  
13 OF GOD, where he was able to commit the wrongful acts against Plaintiff ROE 5. Despite such  
14 knowledge, Defendants negligently failed to supervise SPENCER in his position as the head  
15 pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, where he was able  
16 to commit the wrongful acts against Plaintiff ROE 5. Despite such knowledge, Defendants  
17 negligently failed to supervise MIDDLETON in his position of trust and authority as a children's  
18 ministry worker and agent at RIVERDALE ASSEMBLY OF GOD, where he was able to  
19 commit the wrongful acts against Plaintiff ROE 5, ROE 11 and ROE 12. Despite such  
20 knowledge, Defendants negligently failed to supervise GOLDSMITH in his position of trust and  
21 authority as a groundskeeper and agent at RIVERDALE ASSEMBLY OF GOD, where he was  
22 able to commit the wrongful acts against Plaintiff ROE 11 and ROE 12.

23 WHITED in his position as Sunday school bus driver and Sunday school teacher at  
24 RIVERDALE ASSEMBLY OF GOD, where he was able to commit the acts of childhood sexual  
25 assault on Plaintiffs, ROE 5. SPENCER in his position as in his position as the head pastor and  
26 Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, where he was able to commit  
27 the acts of childhood sexual assault on Plaintiff, ROE 11. MIDDLETON in his position as a  
28 children's ministry worker and agent of RIVERDALE ASSEMBLY OF GOD, where he was

1 able to commit the acts of childhood sexual assault on Plaintiffs, ROE 5, ROE 11 and ROE 12.  
2 GOLDSMITH in his position as a groundskeeper and agent of RIVERDALE ASSEMBLY OF  
3 GOD, where he was able to commit the acts of childhood sexual assault on Plaintiffs, ROE 11  
4 and ROE 12.

5 283. Defendants failed to provide reasonable supervision of WHITED, SPENCER,  
6 MIDDLETON and GOLDSMITH, failed to use reasonable care in investigating WHITED,  
7 SPENCER, MIDDLETON and GOLDSMITH, and failed to provide adequate warning to  
8 Plaintiffs and Plaintiffs' families of WHITED's, SPENCER's, MIDDLETON's and  
9 GOLDSMITH's dangerous propensities and unfitness. Defendants further failed to take  
10 reasonable measures to prevent future sexual abuse.

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

18 **FOURTH CAUSE OF ACTION**

19 **(Negligent Hiring/Retention)**

20 **AGAINST RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT**  
21 **COUNCIL and DOES 18 through 100**

22 285. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

23 286. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
24 DISTRICT COUNCIL, and DOES 18 through 100, had a duty to not hire and/or retain  
25 Defendants WHITED, SPENCER, MIDDLETON and GOLDSMITH, and other employees,  
26 agents, volunteers, and other representatives, given Defendants WHITED's, SPENCER's,  
27 MIDDLETON's and GOLDSMITH's dangerous and exploitive propensities.

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1           287. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
2 DISTRICT COUNCIL, and DOES 18 through 100, by and through their agents, servants and  
3 employees, knew or reasonably should have known of WHITED's, SPENCER's,  
4 MIDDLETON's and GOLDSMITH's dangerous and exploitive propensities and/or that  
5 WHITED, SPENCER, MIDDLETON and GOLDSMITH were unfit agents.

6           Despite such knowledge, Defendants negligently hired and/or retained: WHITED in his  
7 position of trust and authority as Sunday school bus driver and Sunday school teacher at  
8 RIVERDALE ASSEMBLY OF GOD, where he was able to commit the acts of childhood sexual  
9 assault on Plaintiff, ROE 5; SPENCER in his position of trust and authority as the head pastor  
10 and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD, where he was able to  
11 commit the acts of childhood sexual assault on Plaintiff, ROE 5; MIDDLETON in his position of  
12 trust and authority as a children's ministry worker and agent of RIVERDALE ASSEMBLY OF  
13 GOD, where he was able to commit the acts of childhood sexual assault on Plaintiffs, ROE 5,  
14 ROE 11 and ROE 12; GOLDSMITH in his position of trust and authority as a groundskeeper  
15 and agent at RIVERDALE ASSEMBLY OF GOD, where he was able to commit the acts of  
16 childhood sexual assault on Plaintiff, ROE 11 and ROE 12. Defendants failed to use reasonable  
17 care in investigating WHITED, SPENCER, MIDDLETON and GOLDSMITH and failed to  
18 provide adequate warning to Plaintiffs and Plaintiffs' parents of WHITED's, SPENCER's,  
19 MIDDLETON's and GOLDSMITH's dangerous propensities and unfitness. Defendants further  
20 failed to take reasonable measures to prevent future sexual abuse.

21           288. As a result of the above-described conduct, Plaintiffs ROE 5, ROE 11 and ROE  
22 12 have suffered, and continue to suffer great pain of mind and body, shock, emotional distress,  
23 physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace,  
24 humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was  
25 prevented and will continue to be prevented from performing Plaintiffs daily activities and  
26 obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity; and/or has  
27 incurred and will continue to incur expenses for medical and psychological treatment, therapy,  
28 and counseling.

**FIFTH CAUSE OF ACTION**

**(Intentional Infliction of Emotional Distress)**

**AGAINST ALL DEFENDANTS**

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

290. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL, and DOES 18 through 100, conduct was extreme and outrageous and was intentional or done recklessly.

291. Defendants WHITED's, SPENCER's, MIDDLETON's and GOLDSMITH's conduct in sexually assaulting Plaintiffs ROE 5, ROE 11 and ROE 12 was extreme and outrageous and was intentional.

292. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL, and DOES 18 through 100, ratified or approved of the extreme and outrageous conduct of Defendants WHITED, SPENCER, MIDDLETON and GOLDSMITH.

293. As a result of Defendants' conduct, Plaintiffs ROE 5, ROE 11 and ROE 12 experienced and continues to experience severe emotional distress resulting in mental and bodily harm.

294. As a result of the above-described conduct, Plaintiffs ROE 5, ROE 11 and ROE 12 have suffered, and continue to suffer physical injury, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiffs daily activities and obtaining the full enjoyment of life; will 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.

**SIXTH CAUSE OF ACTION**

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

**AGAINST ALL DEFENDANTS**

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



1 accepted care demonstrated by other members of the ministry within the sect and the scope of  
2 training in the community, in addition to a duty of ordinary care, and owed Plaintiff the higher  
3 duty of care that is required to protect parishioners and congregants mental, emotional and  
4 spiritual harm.

5 302. All Defendants had a duty to control and prevent SPENCER, SPENCER's wife,  
6 Wilma Spencer, employees, elders and agents of RIVERDALE ASSEMBLY OF GOD,  
7 undertake a campaign to shame, embarrass and emotionally abuse ROE 30. Defendants were  
8 aware of SPENCER's dangerous and exploitive propensities and allowed him to retain a place of  
9 authority and influence wherein he caused ROE 30 to suffer emotional distress, shame,  
10 embarrassment and fear. Defendants were also aware that they had the ability to place  
11 restrictions on SPENCER's access to vulnerable adult female congregants, give warnings to the  
12 congregation, and otherwise control SPENCER's conduct. Defendants therefore assumed a duty  
13 to prevent SPENCER from causing emotional distress, shame, embarrassment and fear to  
14 dissuade ROE 30 from divulging and disseminating details of SPENCER's emotional and sexual  
15 abuse of ROE 30.

16 303. Defendants had a special duty to investigate and not employ SPENCER as head  
17 pastor and Chief Executive Officer of RIVERDALE ASSEMBLY OF GOD. Defendants knew  
18 that SPENCER was likely to harm others in light of the work entrusted to him.

19 304. Defendants, by and through their agents, servants and employees, knew or  
20 reasonably should have known of SPENCER's dangerous and exploitive propensities and/or that  
21 was an unfit agent. It was foreseeable that if Defendants did not adequately exercise or provide  
22 the duty of care owed to congregants in his care, including but not limited to Plaintiff, the  
23 vulnerable and emotionally susceptible adult female congregants entrusted to Defendant's care  
24 would be vulnerable to emotional and spiritual injury as a result of SPENCER causing emotional  
25 distress, shame, embarrassment and fear to ROE 30.

26 305. Defendants breached their duty of care to the Plaintiff ROE 30 by allowing,  
27 enabling and permitting SPENCER to have access to Plaintiffs; by failing to investigate or  
28 otherwise confirm or deny such facts about SPENCER; by failing to tell or concealing from

1 Plaintiff and congregants that SPENCER had dangerous and exploitive propensities and/or was  
2 emotionally and spiritually abusing Plaintiff; by holding out SPENCER to the Plaintiff,  
3 congregants, the community and the public in general as being in good standing and trustworthy.  
4 Defendants cloaked within the facade of normalcy Defendants' and/or SPENCER's, contact  
5 and/or actions with Plaintiffs and/or with other vulnerable adult female congregants who were  
6 victims of SPENCER and/or disguised the nature of the emotional and spiritual abuse and  
7 contact.

8 306. As a result of the above-described conduct, ROE 30 has suffered, and continues  
9 to suffer great pain of mind and body, shock, emotional distress, physical manifestations of  
10 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of  
11 enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will  
12 continue to be prevented from performing Plaintiffs daily activities and obtaining the full  
13 enjoyment of life; will sustain loss of earnings and earning capacity; and/or has incurred and will  
14 continue to incur expenses for medical and psychological treatment, therapy and counseling.

15 **EIGHTH CAUSE OF ACTION**

16 **(Negligent Infliction of Emotional Distress as to JANE ROE 30)**

17 **AGAINST DEFENDANTS, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,**  
18 **DISTRICT COUNCIL and SPENCER**

19 307. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

20 308. Plaintiff ROE 30 claims the conduct of Defendants, RIVERDALE ASSEMBLY  
21 OF GOD, GENERAL COUNCIL DISTRICT COUNCIL, SPENCER and DOES 18 through  
22 100, caused ROE 30 to suffer serious emotional distress.

23 309. Plaintiff ROE 30 claims the conduct of Defendants, RIVERDALE ASSEMBLY  
24 OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL, SPENCER and DOES 18 through  
25 100, were negligent and caused ROE 30 to suffer serious emotional distress.

26 310. Defendant SPENCER's wife, Wilma Spencer, Defendant SPENCER,  
27 congregants, elders and employees of RIVERDALEASSEMBLY OF GOD, acted negligently to  
28 shame, embarrass and emotionally abuse ROE 30, and employees, administrators, congregants,

1 and agents of GENERAL COUNCIL and DISTRICT COUNCIL, engaged in negligent acts,  
2 omissions and directives as to cause Plaintiff JANE ROE 30 serious emotional distress.

3 311. Defendant SPENCER, Defendant SPENCER’s wife, Wilma Spencer,  
4 congregants, elders and employees of RIVERDALEASSEMBLY OF GOD, acted negligently to  
5 shame, embarrass and emotionally abuse ROE 30, and employees, administrators, congregants,  
6 and agents of GENERAL COUNCIL and DISTRICT COUNCIL, engaged in negligent acts,  
7 omissions, directives and instrumentalities where a substantial factor in causing ROE 30 serious  
8 emotional distress.

9 312. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
10 DISTRICT COUNCIL, and DOES 18 through 100, ratified or approved of the negligent conduct  
11 of Defendant SPENCER and the congregants, church elders, employees and agents of  
12 RIVERDALE ASSEMBLY OF GOD, operating at the direction of Defendant SPENCER and his  
13 wife, Wilma Spencer, a pastor at RIVERDALE ASSEMBLY OF GOD.

14 313. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
15 DISTRICT COUNCIL, and DOES 18 through 100, ratified or approved with reckless disregard  
16 the negligent conduct of employees, elders, agents and congregants of  
17 RIVERDALEASSEMBLY OF GOD, operating at the direction of Defendant SPENCER and  
18 SPENCER’s wife, Wilma Spencer, a pastor at RIVERDALE ASSEMBLY OF GOD, would  
19 cause ROE 30 to suffer emotional distress, knowing that ROE 30 was present when the conduct  
20 occurred or knowing the conduct was directed at her through Defendants instrumentalities.

21 314. As a result of Defendants' conduct, Plaintiff ROE 30 experienced and continues  
22 to experience severe emotional distress resulting in mental and bodily harm.

23 315. As a result of the above-described conduct, Plaintiff ROE 30 has suffered, and  
24 continues to suffer physical injury, shock, emotional distress, physical manifestations of  
25 emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of  
26 enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will  
27 continue to be prevented from performing Plaintiffs daily activities and obtaining the full  
28

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

3 316. The conduct of Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL  
4 COUNCIL, DISTRICT COUNCIL and SPENCER, was a substantial factor in causing ROE 30's  
5 sever emotional distress.

6 **NINTH CAUSE OF ACTION AS TO JANE ROE 30**

7 **(Intentional Infliction of Emotional Distress as to JANE ROE 30)**

8 **AGAINST DEFENDANTS, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,**  
9 **DISTRICT COUNCIL and SPENCER**

10 317. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth herein.

11 318. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
12 DISTRICT COUNCIL, and DOES 18 through 100, conduct was extreme and outrageous and  
13 was intentional or done recklessly.

14 319. Defendant SPENCER, Defendant SPENCER's wife, Wilma Spencer,  
15 employees, elders, agents and congregants of RIVERDALEASSEMBLY OF GOD, commenced  
16 a campaign to shame, embarrass and emotionally abuse ROE 30, such conduct directed at  
17 Plaintiff JANE ROE 30 was extreme and outrageous and was intentional.

18 320. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
19 DISTRICT COUNCIL, and DOES 18 through 100, ratified or approved of the extreme and  
20 outrageous conduct of Defendant SPENCER, Defendant SPENCER's wife, Wilma Spencer,  
21 employees, elders, agents and congregants of RIVERDALEASSEMBLY OF GOD, operating at  
22 the direction of Defendant SPENCER and his wife, Wilma Spencer, a pastor at RIVERDALE  
23 ASSEMBLY OF GOD.

24 321. Defendants, RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL,  
25 DISTRICT COUNCIL, and DOES 18 through 100, ratified or approved with reckless disregard  
26 the extreme and outrageous conduct of Defendant SPENCER, Defendant SPENCER's wife,  
27 Wilma Spencer, employees, elders, agents and congregants of RIVERDALE ASSEMBLY OF  
28 GOD, operating at the direction of Defendant SPENCER and his wife, Wilma Spencer, a pastor



1 at RIVERDALE ASSEMBLY OF GOD, knowing such conduct would cause ROE 30 to suffer  
2 emotional distress, and knowing that ROE 30 was present when the conduct occurred or  
3 knowing the conduct was directed at her through Defendants instrumentalities.

4 322. As a result of Defendants' conduct, Plaintiff experienced and continues to  
5 experience severe emotional distress resulting in mental and bodily harm.

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

13 324. The conduct of Defendants RIVERDALE ASSEMBLY OF GOD, GENERAL  
14 COUNCIL, DISTRICT COUNCIL and SPENCER, was a substantial factor in causing ROE 30's  
15 severe emotional distress.

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1           **WHEREFORE**, Plaintiffs pray for a jury trial and for judgment against Defendants,  
2 RIVERDALE ASSEMBLY OF GOD, GENERAL COUNCIL, DISTRICT COUNCIL,  
3 WHITED, SPENCER, MIDDLETON and GOLDSMITH and DOES 18 through 100, and each  
4 of them, as follows:

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

14 DATED: February 10, 2023

DIAS HALL INC.  
A Professional Corporation



\_\_\_\_\_  
STEVEN S. DIAS,  
Attorney for Plaintiffs,  
ROE 5, ROE 11, ROE 12 &  
ROE 30

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