

**IN MONTGOMERY COUNTY CIRCUIT COURT, MARYLAND  
CIVIL DIVISION**

HEATHER THOMPSON BRYANT  
Missouri

JESSICA ROBERTS-THOMAS  
Maryland

DARA SUTHERLAND  
Maryland

RENEE PALMER GAMBY  
Maryland

JAMES ROBERTS  
Hawaii

JANE DOE (pseudonym)  
Virginia

KAREN KOE (pseudonym)  
Virginia

KARL KOE (pseudonym),  
Virginia

CARLA COE (pseudonym)  
Georgia

GRACE GOE (pseudonym)  
Maryland

DONNA DOE (pseudonym)  
Virginia

Plaintiffs and Class Representatives,

v.

SOVEREIGN GRACE MINISTRIES, INC.

**JURY DEMAND**

**RECEIVED**

MAY 14 2013

Clerk of the Circuit Court  
Montgomery County, Md.

Case No. 369721-V

Judge: Hon. Sharon V. Burrell

7505 Muncaster Mill Rd )  
Gaithersburg, MD 20877 )  
 )  
COVENANT LIFE CHURCH, INC. )  
7505 Muncaster Mill Rd )  
Gaithersburg, MD 20877 )  
 )  
COVENANT LIFE SCHOOL, INC. )  
7501 Muncaster Mill Road )  
Gaithersburg, MD 20877 )  
 )  
SOVEREIGN GRACE CHURCH OF FAIRFAX )  
5200 Ox Rd, )  
Fairfax, VA 22030 )  
 )  
CHARLES JOSEPH MAHANEY, )  
20911 Lochaven Court )  
Gaithersburg, MD 20882-4467 )  
 )  
GARY RICUCCI )  
404 Sanders Lane )  
Gaithersburg, MD 20877-3410 )  
 )  
DAVID HINDERS, )  
5328 Ox Road )  
Fairfax, VA 22030-4606 )  
 )  
LOUIS GALLO )  
9663 Mason Bluff Court )  
Burke, VA 22015-3148 )  
 )  
FRANK ECELBARGER )  
4113 Leafy Glade Place )  
Casselberry, FL 32707-5286 )  
 )  
JOHN LOFTNESS )  
3005 Arden Forest Lane )  
Bowie, MD 20716-3821 )  
 )  
GRANT LAYMAN )  
20305 Oyster Bay Terrace )  
Montgomery Village, MD 20886-5908 )  
 )  
LAWRENCE TOMCZAK )  
1312 Wolverton Drive )

Franklin, TN 37067-6523 )  
)  
MARK MULLERY )  
10606 Henrico Street )  
Fairfax, VA 22032 )  
)  
VINCE HINDERS )  
5587 Ann Peake Drive )  
Fairfax, VA 22032 )  
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Defendants. )  
)

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**SECOND AMENDED CLASS ACTION COMPLAINT AND JURY DEMAND**

1. This lawsuit seeks damages for all persons who were harmed and continue to be harmed by an ongoing conspiracy formed in Maryland and implemented across the nation in the SGM “family” of churches. This conspiracy has existed for decades, and resulted in numerous children being sexually assaulted on church and school property and by church and school employees and volunteers. Participants in the conspiracy include Defendants Mahaney, Loftness, Tomczak, Layman, Riccuci, Gallo, Ecelbarger, Mullery, D. Hinders, and V. Hinders. These men conspired, and continue to conspire, to permit sexual deviants to have unfettered access to children for purposes of predation, and to obstruct justice by covering up ongoing and past predation.

2. The institutional Defendants (Sovereign Grace Ministries, Inc., Covenant Life Church, Inc., Covenant Life School, Inc., Sovereign Grace Church of Fairfax) negligently and/or intentionally permitted and continue to permit the conspiracy to operate unchecked and permitted the abuse of children to occur in church buildings, school building and during church retreats and other events. The institutional Defendants negligently and/or intentionally failed and continue to fail to follow the laws governing youth-serving organizations, and instead are continuing to

permit known sexual predators to have access to children during school, church, youth ministry, home group and other church-sponsored activities.

3. This action arises under common law of Maryland.

#### **PARTIES**

4. Plaintiff Heather Thompson Bryant (hereinafter Plaintiff Thompson) was born in October 1980 and resides in Missouri.
5. Plaintiff Jessica Roberts-Thomas was born in January 1978 and resides in Maryland.
6. Plaintiff Dara Sutherland was born in April 1975 and resides in Maryland.
7. Plaintiff Renee Palmer Gamby was born in April 1990 and resides in Maryland.
8. James Roberts was born in May 1974 and resides in Hawaii.
9. Jane Doe was born in February 1995 and resides in Virginia. Due to the nature of the lawsuit, she wishes to use the pseudonym Jane Doe to keep her identity confidential.
10. Karen Koe was born in September 1994 and resides in Virginia. Due to the nature of the lawsuit, she wishes to use the pseudonym Karen Koe to keep her identity confidential.
11. Karl Koe was born in March 1990 and resides in Virginia. Due to the nature of the lawsuit, he wishes to use the pseudonym Karl Koe to keep the identity of his sister confidential.
12. Carla Coe was born in July 1981 and resides in Georgia. Due to the nature of the lawsuit, she wishes to use the pseudonym Carla Coe to keep her identity confidential.
13. Grace Goe was born in September 1983 and resides in Virginia. Due to the nature of the lawsuit, she wishes to use the pseudonym Grace Goe to keep her identity confidential.

14. Donna Doe was born in October 1989 and resides in Virginia. Due to the nature of the lawsuit, she wishes to use the pseudonym Donna Doe to keep her identity confidential.
15. Defendant Sovereign Grace Ministries, Inc. (“SGM”) operates in 21 countries and the United States. SGM is located at 7505 Muncaster Mill Road, Gaithersburg, MD 20877, and at 2002 Fandango Court, Louisville, KY 40245. SGM is a nonprofit organized under Maryland law. SGM operates a family of churches that include Sovereign Grace Church Fairfax at 5200 Ox Road, Fairfax, VA 22030, Covenant Life Church, at 7501 Muncaster Mill Rd, Gaithersburg, MD 20877, and numerous other churches in the United States and abroad. SGM generated substantial revenues in Maryland and elsewhere by planting churches,<sup>1</sup> training leaders, holding conferences, operating the “Pastors College,” selling books, music and audio products, and owning real estate in this District and elsewhere.
16. Defendant Covenant Life Church (“CLC”) is located at 7505 Muncaster Mill Road, Gaithersburg, MD 20877. CLC is a nonprofit organized under Maryland law and operates in Maryland. During timeframe at issue in this lawsuit, CLC generated substantial revenues in Maryland and elsewhere by planting churches, training leaders, holding conferences, operating the “Pastors College,” selling books, music and audio products, and owning real estate in this District and elsewhere.
17. Defendant Sovereign Grace Church of Fairfax (“Fairfax Church”) is located at 5200 Ox Road, Fairfax, VA 22030. At all times relevant to the allegations in this lawsuit, the

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<sup>1</sup> Church planting involves sending groups of SGM members to begin an SGM church in a new area. Many SGM members all buy or rent houses near each other to live out their religious beliefs in a communal setting. Church planting requires members to attempt to persuade other neighbors to attend and participate in the new church.

Fairfax Church was part of SGM. During timeframe at issue in this lawsuit, the Fairfax Church generated substantial revenues that were sent to Maryland, and worked in collaboration with SGM and CLC to plant churches, train leaders, hold conferences, operate the “Pastors College,” and sell books, music and audio products.

18. Defendant Covenant Life School (“School”) is located at 7501 Muncaster Mill Road, Gaithersburg, MD 20879. The School is a nonprofit organized under Maryland law and operates in Maryland. The School began in 1979, and has graduated 225 students. The School’s current enrollment is 260 children. The School provides an education based on the SGM’s philosophy in exchange for tuition payments. The School is controlled by Defendants SGM and CLC.
19. Defendant Charles Joseph (“C.J.”) Mahaney resides at 20911 Lochaven Court, Gaithersburg, MD 20882-4467. Together with Defendant Tomczak, he founded SGM in 1982. He also served as Pastor for CLC. From 1988 until 2007, Defendant Mahaney served as the CLC’s appointment to the SGM Board. From 1990 until he resigned in 2012, Defendant Mahaney also served as President of the SGM Board. Defendant Mahaney is a member of the ongoing conspiracy.
20. Defendant Lawrence Tomczak resides at 1312 Wolverton Drive, Franklin, TN 37067-6523. Together with Defendant Mahaney, Defendant Tomczak founded SGM in 1982. Defendant Tomczak abused Carla Coe, and is a member of the ongoing conspiracy.
21. Defendant John Loftness resides at 3005 Arden Forest Lane, Bowie, MD 20716-3821. He served as Chairman of the Board of SGM until he recently stepped down. Defendant Loftness abused Plaintiffs Thompson and Roberts-Thomas, and is a member of the ongoing conspiracy.

22. Defendant Grant Layman resides at 20305 Oyster Bay Terrace, Montgomery Village, MD 20886-5908. He is employed by CLC and is a member of the ongoing conspiracy.
23. Defendant Gary Ricucci resides at 404 Sanders Lane, Gaithersburg, MD 20877-3410. He is employed by SGM and is a member of the ongoing conspiracy.
24. Defendant David Hinders resides at 5328 Ox Road, Fairfax, VA 22030-4606. He operates Hinders Realty Inc., a real estate brokerage firm licensed to do business in Maryland. He also is employed by the Fairfax Church. He has numerous and systemic contacts with Maryland, including contacts related to this lawsuit. He is a member of the ongoing conspiracy.
25. Defendant Louis Gallo resides at 9663 Mason Bluff Court, Burke, VA 22015-3148. He has numerous and systemic contacts with Maryland, including contacts related to this lawsuit. He is employed by the Fairfax Church and is a member of the ongoing conspiracy.
26. Defendant Frank Ecelbarger resides at 4113 Leafy Glade Place, Casselberry, FL 32707-5286. He has numerous and systemic contacts with Maryland, including contacts related to this lawsuit. He was employed by the Fairfax Church, and is a member of the ongoing conspiracy.
27. Defendant Mark Mullery resides at 1606 Henrico Street, Fairfax, VA 22302. He has numerous and systemic contacts with Maryland, including contacts related to this lawsuit. He is employed by the Fairfax Church, and is a member of the ongoing conspiracy.
28. Defendant Vince Hinders resides 5587 Ann Peake Drive, Fairfax, VA 22302. He is a real estate broker licensed to do business in Maryland, and also is employed as a pastor

by the Fairfax Church. He has numerous and systemic contacts with Maryland, including contacts related to this lawsuit. He is a member of the ongoing conspiracy.

### **FACTUAL ALLEGATIONS**

29. From 1982 to the present, the individual Defendants participated in a conspiracy to permit sexual deviants to have unfettered access to children for purposes of predation, and to obstruct justice from occurring with respect to past and ongoing predation. Defendants covered up ongoing sexual and physical abuse of minors and repeatedly and routinely violated the mandatory reporting laws designed to keep children safe from sexual predation.
30. The conspiracy was formed in Maryland and through telephone calls and emails into Maryland. All of the individual Defendants living outside Maryland (Mullery, D. Hinders, V. Hinders, Gallo and Ecelbarger) physically traveled to Maryland on multiple occasions to attend sessions and/or teach sessions at the Pastors College, various retreats and conferences, and church-related social gatherings. Defendant Mullery also preached repeatedly in Maryland SGM churches. All of the individual Defendants living outside Maryland consulted with the Maryland-based Defendants (Mahaney, Tomczak, Ricucci, Layman, Loftness) by telephone and email as part of the implementation of the conspiracy.
31. Plaintiffs discovered the conspiracy in August 2011 and believe discovery will show the conspiracy persists to date. The following acts taken by the Defendants establish the conspiracy.
32. In 1982/1984 timeframe, Plaintiff James Roberts was sexually molested by David Adams on the CLC premises. David Adams was playing the banjo in the lobby, and



Plaintiff Roberts, a child attending church and Children's Ministry, wandered out to listen. David Adams isolated Plaintiff Roberts, had him sit on his knee, and began to rub his hands over Plaintiff Roberts' penis while telling Plaintiff Roberts "what a good boy [he] was.'" David Adams tried to push his hands up Plaintiff Roberts' shorts, and Plaintiff Roberts pushed him off and escaped.

33. During the 1982/1984 timeframe, Plaintiff Roberts knew Defendant Loftness as the principal of the School. Some time after the molestation, Plaintiff Roberts approached Defendant Loftness and told him that David Adams had molested him. Defendant Loftness directed Plaintiff Roberts, an elementary school child, to re-enact the molestation.
34. From the date of this report to present, Defendant Loftness failed to inform Plaintiff Roberts' parents of the molestation. Nor did Defendant Loftness abide by his mandatory reporting obligations to report the molestation or take any steps whatsoever to prevent David Adams from having access to children for abusive purposes. Instead, Defendant Loftness required Plaintiff Roberts, a child, to attend a meeting with himself and David Adams. Plaintiff Roberts was directed by Defendant Loftness, the principal of his school, to "forgive" Adams for the molestation.
35. From 1982/1984 to the present, Defendant Loftness conspired with David Adams and the other Defendants to cover up David Adams' pedophilia. As a result of the conspiracy, David Adams had access to and did molest other children, including his daughter, which is discussed below.
36. During 1986/1989 timeframe, during Plaintiff Roberts' middle school years, Plaintiff Roberts was molested again on church premises, this time by a man named Nathaniel

Morales who was involved in youth ministries. At that time, the CLC church services occurred at Magruder High School. Morales pulled Plaintiff Roberts into one of the dressing rooms off the side of the stage, and began to profess his love for Plaintiff Roberts. Morales began hugging Plaintiff Roberts and manually manipulating his penis. Plaintiff Roberts escaped but did not initially report the molestation because he feared being forced to sit and “reconcile” and “forgive” Morales for the molestation.

37. During 1990/1994 timeframe, as Plaintiff Roberts reached high school, he continued to engage in self-help by avoiding Morales. He knew others had been molested by Morales, as his molestations were well known. During one youth group discussion group about being “pure,” some of the teenage boys expressed dismay that it was “too late” for them to be “pure.” Plaintiff Roberts then openly referred to Morales’ ongoing molestation of boys, stating words to the effect, “yeah, Nate got me too.” This discussion group was headed up by Chris Glass, who reported directly to Defendant Layman. After Plaintiff Roberts was questioned about what he meant, and disclosed that Morales molested boys, Chris Glass cautioned him and the other boys against talking about the facts. Plaintiff Roberts learned that Chris Glass informed Defendant Layman about what had transpired immediately after the discussion closed.
38. The Individual Defendants conspired to cover up Morales’ ongoing molestation of boys at church events, and conspired to violate their mandatory obligations to report. Wholly apart from and without any help from Defendants, law enforcement years later investigated and indicted Morales for sexually abusing children.
39. This ongoing conspiracy is evidenced by, among other things, Defendant Layman’s statements made to police in connection with their investigation of Morales.

40. The Individual Defendants' cover-up regarding molestation by David Adams caused and continues to cause direct harm to Plaintiff Dara Sutherland and to the class.
41. On or about November 2, 1987, the daughter of David Adams disclosed to her mother, Peggy, that her father had been sexually molesting her from age 11 (1983) until age 14 (1986). Among other abuses, David Adams was going into the daughter's bedroom and performing oral sex and penetrating her digitally.
42. At that time, Plaintiff Dara Sutherland, another daughter of Peggy, was also living in the home with David Adams, the adoptive father. (The molested daughter remains psychologically disabled from the assaults.)
43. On or about November 2, 1987, Peggy reported David Adams' sexual assaults on her daughter to Church leader Dave Mays, who in turn immediately reported the abuse to Defendant Ricucci, and later reported the abuse to Defendant Loftness.
44. Beginning in November 1987 and continuing to present, Defendant Loftness conspired with David Adams and the other Defendants to prevent the police from learning about David Adams' prior molestation of Plaintiff James Roberts.
45. In 1987, Defendants conspired to cover up David Adams' pedophilia, and conspired to violate their mandatory reporting obligations. Acting through Defendant Ricucci, they directed Peggy to let them "take care of everything."
46. Defendant Ricucci never told Peggy about David Adams' abuse of Plaintiff Roberts. Indeed, when Peggy referred to David Adams as a pedophile, Defendant Ricucci objected, insisting the label did not apply to David Adams. When Peggy replied that she was received letters from the police department referencing pedophilia, Defendant Ricucci looked the word up in the dictionary, and then told her that Adams was not a

pedophile because he was not attracted to his 11-year old daughter but rather to the “woman” she “was becoming.”

47. In November 1987, rather than assisting the victims, Defendants retained and paid for a lawyer for David Adams.
48. Defendants interposed themselves between law enforcement authorities and the family members, and falsely claimed that they were acting on the family’s behalf. Defendants even suggested to Peggy that she send her molested daughter away in order to “bring” Adams home as “head of the household.”
49. Defendants took steps to prevent Dara Sutherland, then aged 12, from alerting others in the church community about her father’s sexual predation. After Dara confided in one friend, another church member, Defendants directed her to be quiet.
50. Defendants tried to intimidate Peggy, warning her that her means of financial support would disappear if David Adams was convicted, and tried to persuade her not to press charges. After Peggy refused to acquiesce in Defendants’ attempt to obstruct justice, Defendants dropped all pretense of support, and expelled the family from the Church. Defendants also effectively expelled the children from school by denying them the reduced tuition that the family had received for over ten years. Defendants told Peggy that the family’s financial destitution was self-induced because she was refusing to cooperate.
51. After David Adams was convicted and served his jail time, Defendants welcomed him back into the Church without taking any effective steps to prevent him from having continued access to children.

52. In August 2011, Defendants continued their conspiracy, both in terms of covering up the past and in providing David Adams access to children. Defendants permitted church members to send their children to a sleepover at the Adams home without advising them that Adams had been convicted for molesting his stepdaughter. Defendant did not implement any precautions to prevent David Adams from having access to the children who were sleeping at his home.
53. Those who voiced concerns were told they were “slandering” Adams and needed to keep quiet.
54. Defendant Riccuci – openly and in front of church members willing to testify at trial – called David Adams “his hero.”
55. David Adams and Nathaniel Morales were not the only pedophiles being protected by the Individual Defendants’ ongoing conspiracy and the Institutional Defendants’ gross negligence.
56. In summer 1984, Plaintiff Thompson and her mother Sandy Thompson were vacationing with three families, the Jones, the Bates, and the Grineys. (Her father, Pastor Chuck Thompson, was attending a pastors’ retreat.) Stephen Griney, a teacher at the School and the head of Childrens Ministry at the Church, came into the room where Plaintiff Thompson, then age three, was napping. He laid down next to her, began to kiss her neck and fondle her vagina. He told her she was “special.”
57. In fall of 1985, Plaintiff Thompson began to attend the School as a kindergarten student. At that time, the School was located on Aspen Hill. Griney was Plaintiff Thompson’s kindergarten teacher. On repeated occasions throughout the 1985/1986 school year, Griney isolated Plaintiff Thompson, then age five, in the coat closet in the classroom.

There, Griney kissed her on the mouth, used his hands and fondled her vagina, and rubbed his hands all over her body under her clothes.

58. On repeated occasions throughout the 1985/1986 school year, Griney isolated Plaintiff Thompson amidst the stage curtains in the gym. There, Griney fondled her vagina, licked her, pinched her, and smacked her on her buttocks.
59. On one occasion during the 1985/1986 school year, Defendant Loftness, Griney and a third person isolated Plaintiff Thompson along with two other girls attending the school. Defendants took the children to a room within the school, and directed them to take off their underwear. Defendant Loftness pulled a plastic rod along Plaintiff Thompson's left leg and through her vagina. He then began to hit her bottom.
60. At the close of the 1985/1986 school year, Griney and his wife Denise, also a teacher at the school, brought certain kindergarten girls to their home for a sleepover. During this sleepover, Griney gave Plaintiff Thompson a beverage that made her groggy. He then laid down on the ground next to Plaintiff Thompson who was in a sleeping bag, and began to fondle her buttocks. He then picked her up in his arms, and carried her down stairs. Griney then placed Plaintiff Thompson against a pole, with her head flopping to the side. Mark Hoffman, the Children's Ministry teacher, entered the room. Griney stripped Plaintiff Thompson's nightgown off her body, and tied her to the pole with only her underpants remaining.
61. Griney and Hoffman began to lick Plaintiff Thompson all over her body. Plaintiff Thompson urinated on herself from fear. Griney and Hoffman then took off Plaintiff Thompson's underwear, and performed oral sex on her. Defendants would alternate

between screaming at Plaintiff Thompson and patting her on the head, saying she was a good girl.

62. Griney then untied Plaintiff Thompson, and placed her naked body on a short platform. He placed a strand of pearls and a pink feather boa around her neck. He directed her to pose. When Plaintiff Thompson failed to move, Griney climbed up on the platform, and began to poke and tickle Plaintiff Thompson to elicit movement from her.
63. As Plaintiff Thompson moved about on the platform, light flashes repeatedly went off, likely as a result of Plaintiff Thompson being photographed. Plaintiff Thompson perceived a third participant in addition to Hoffman.
64. Griney then lifted Plaintiff Thompson off the platform, and placed her on the ground. He placed his hand over her mouth, kissed her on the cheek, and then raped her. After Griney raped Plaintiff Thompson, Hoffman joined him and together they wiped off Plaintiff Thompson's body. They both praised Plaintiff Thompson for being a "good girl" and said they were proud of her. Griney then dressed Plaintiff Thompson, and carried her back upstairs to her sleeping bag, and gave her a kiss goodnight.
65. During the summer of 1986, Griney served in the Childrens' Ministry and taught biblical classes to children. At that time, Defendants' church operations were temporarily located at Magruder High School. Griney isolated Plaintiff Thompson in hallways and behind stage curtains and fondled her vagina on several occasions over the summer.
66. Hoffman used his position in the Childrens' Ministry to obtain babysitting engagements with church members. On one occasion during the summer (either the summer of 1986 or the summer of 1987), Hoffman subjected Plaintiff Thompson to oral sex and sodomized her with his fingers in her own bed when he was babysitting her.

67. During the 1986/1987 school year, Plaintiff Thompson continued to attend the School, and had Griney's wife, Denise Griney, as her teacher. The assistant teacher was a woman then named Holly O'Brien, who went on to marry Defendant Hoffman.
68. Throughout this school year, Griney would pull Plaintiff Thompson out of his wife's class. Griney repeatedly fondled Plaintiff Thompson's vagina and inserted his fingers inside her. These molestations occurred behind the curtains on the gym stage, behind the playground trees, and in the hallways. Griney told Plaintiff Thompson that she had to obey him and that it would ruin their "special relationship" if she told anyone. Griney told Plaintiff Thompson that he "owned" her.
69. During the 1986/1987 school year, Griney continued to serve in the Childrens' Ministry, and molested Plaintiff Thompson on the church premises on repeated Sundays.
70. Griney used a purple puppet named Homer to rub Plaintiff Thompson's legs. Griney kissed Plaintiff Thompson, and pulled her pants down to fondle her quickly in the Magruder hallways as the classes were switching. Griney was assisted in isolating Plaintiff Thompson by Hoffman, who was serving in the Childrens' Ministry as well.
71. In November 1986, Griney and his wife took Plaintiff Thompson and another first grade girl to their home for a "birthday lunch." As lunch was being served, Griney was fondling Plaintiff Thompson's vagina under the table.
72. During the 1987/1988 year, Plaintiff Thompson repeated first grade by being homeschooled. During that year, Plaintiff Thompson continued to be victimized by Griney and on less frequent occasions Hoffman, both of whom had unfettered access to Plaintiff Thompson during Childrens Ministry. Defendants continued their molestation



of Plaintiff Thompson, who recalls molestations including fingers inserted into her vagina, being pinched hard inside her vagina, and being bitten on her nipples.

73. In the summer of 1988, Plaintiff Thompson and her family traveled to Indiana, Pennsylvania to attend an event sponsored by the institutional Defendants called "Celebration." During that event, Plaintiff Thompson was staying in a dormitory room at Indiana University.
74. Griney directed Plaintiff Thompson to meet him at a certain location. He advised Plaintiff Thompson to tell anyone who saw her that she had left her room to go to the bathroom.
75. Plaintiff Thompson followed Griney's direction and went to the location. There, she found approximately 15 to 20 children, including some she recognized such as [name withheld pending court ruling on defense motion]. Other adults were present, some of whom were wearing masks.
76. Griney was in middle of circle. Plaintiff Thompson saw that some children were being chosen and taken away from the circle. Plaintiff Thompson walked into the center of the circle in a confrontational manner, which angered Griney. He pulled Plaintiff Thompson and several of the older boys away. Griney directed the older boys to push Plaintiff Thompson to the ground, and to yell at her and hit her.
77. Griney raped Plaintiff Thompson. Others were present and holding her down as Griney raped her. After Griney finished raping Plaintiff Thompson, he made her available to others, who raped her as well.
78. During the 1988/1989 school year, Plaintiff Thompson returned to church school for second grade and continued to attend Childrens Ministry on Sundays.

79. Throughout 1988/1989, Griney continued to molest Plaintiff Thompson in the same fashion as he had done in the past years. Plaintiff Thompson recalls that the molestations decreased in frequency as compared to the prior school year because as a child she perceived herself as losing her "special" status with Griney. Plaintiff Thompson, then aged 8, understood that Griney preferred even younger children, those in kindergarten and first grade.
80. Plaintiff Thompson recalled one instance of molestation occurring in the spring of 1990. Griney pulled her out of Children Ministry while she was playing a game called "7 Up." He took her out into the hallway, placed his hand on her throat, kissed her on the lips, and told her that she was "still so special."
81. On one Sunday during the 1988/1989 school year, Hoffman brought [name withheld pending court ruling on defense motion], two other boys, and Plaintiff Thompson into the band equipment room. Hoffman directed the boys to push, hit and humiliate Plaintiff to teach her that males dominate females. The boys did as directed, albeit reluctantly as they were friends with Plaintiff.
82. Towards the end of summer 1988, a man named Dave Mayo was babysitting the Thompson children at his home. Dave Mayo served as an assistant to a Pastor, taught New Member classes, served as an assistant Home Group leader, and also assisted in raising money for the CLC's building fund. As Plaintiff Thompson was sleeping upstairs, Dave Mayo entered the room and laid down next to her. He began to profess how precious she was, and began kissing her neck and mouth, playing with her hair, and rubbing her body, including her vagina. He pulled his pants down, licked Plaintiff's hand, and wrapped it around his penis. As he was forcing her to fondle his

- penis, he whispered "that's a good girl", and "I love you" into her ear. Similar molestations occurred on several subsequent occasions when Dave Mayo babysat.
83. In summer of 1990 or 1991, Plaintiff Thompson was attending a church picnic at Smokey Glen Park, and playing hide-and-seek out in the woods with other children.
84. Hoffman appeared as Plaintiff Thompson was hiding behind the tree. Hoffman inserted his fingers into Plaintiff Thompson's vagina, and gave her a long and sloppy kiss on her lips. Plaintiff Thompson, now 10 years old, slumped to the ground after Hoffman left, and formed her first suicidal thought.
85. As a child, Plaintiff Thompson formed the view that other children were being subjected to sexual molestation by Griney and Hoffman and others given access to children at the Church and School because the children would mimic what had been done to them during their playtimes. One of the children that Plaintiff Thompson perceived to have been molested was [name withheld pending court ruling on defense motion], who as a teenager subsequently molested toddler Renee Palmer as described below.
86. Another victim of the Individual Defendants' ongoing conspiracy and Institutional Defendants' gross negligence is Plaintiff Jessica Roberts-Thomas.
87. During the 1983/1984 school year, Plaintiff Roberts-Thomas was five years old and in kindergarten. At that time, Defendant Loftness was serving as the School principal as well as serving as a pastor in CLC. Plaintiff Roberts-Thomas was in kindergarten at the school, with Griney as her teacher. Defendant Loftness entered the class, and took Plaintiff Roberts-Thomas out of class and to a separate room that had a window. There was a man unknown to Plaintiff Roberts-Thomas standing outside the window watching her and Defendant Loftness. Defendant Loftness directed Plaintiff Roberts-Thomas to

bend over the desk and pull down her underwear. Defendant Loftness stood silently behind Plaintiff Roberts-Thomas for quite some time. Then Defendant Loftness began to beat Plaintiff with a white cord for a lengthy period of time. Defendant Loftness stopped beating Plaintiff Thompson-Roberts and she tried to pull up her underwear. Defendant Loftness directed her not to do so, and walked away, leaving Plaintiff there for quite some time. Defendant Loftness returned, and began hitting Plaintiff again with the white cord. Defendant Loftness then inserted the white cord into her vagina.

88. Also during the 1983/84 school year, Griney arrived outside where Plaintiff Roberts-Thomas and the other children were playing at recess. Griney isolated Plaintiff Roberts-Thomas from the other children, and took her into a room with windows from which the children outside were visible. Griney directed Plaintiff to lean over the table and look outside at the children. Griney pulled down her underpants, and began to rub his hands up and down her legs. Griney hit Plaintiff a few times, and then inserted his fingers into her vagina repeatedly as he aroused himself. After he concluded, Griney directed Plaintiff not to tell anyone what occurred, and sent her by herself back to recess.
89. During the 1983/1984 school year, Defendant Loftness pulled Plaintiff Roberts-Thomas out of class as the class was learning to read. Defendant Loftness brought her into an empty class room, and directed her to pull her underwear down and lie across a desk. Defendant Loftness beat Plaintiff Roberts-Thomas repeatedly with a plastic cord. Defendant Loftness stopped beating, and Plaintiff Roberts-Thomas heard him unzip his zipper. Plaintiff Roberts-Thomas cannot presently recall what happened after that point.
90. During the 1985/1986 school year, Defendant Loftness, Griney and Defendant Riccuci brought Plaintiff Roberts-Thomas into an empty room with two other girls. Plaintiff

Roberts-Thomas recognized the girls, one of whom was Plaintiff Thompson. (The other is not being named here to protect her privacy.) Defendants directed the girls to strip off their underwear, and lay across desks. Defendant Loftness beat Plaintiff Roberts-Thomas on her bare buttocks. Plaintiff Roberts-Thomas heard the unnamed girl crying, and saw Griney hitting her on her bare buttocks. Plaintiff Roberts-Thomas turned over her shoulder to look for Plaintiff Thompson, and realized Defendant Riccuci had taken her out of the room. Defendant Loftness continued to beat Plaintiff Thomas –Roberts' bare buttocks, and then he inserted his fingers into her vagina.

91. On one Sunday, Plaintiff Roberts-Thomas was attending Sunday School (then held at Magruder High School) when Defendant Loftness arrived and told the Sunday School teacher that he needed to take Plaintiff Roberts-Thomas. Defendant Loftness took Plaintiff down a hallway, and began to hit her, and then fondle her vagina. Defendant Loftness told Plaintiff that she needed to “learn to be good” and that he “loves” her. Defendant Loftness told her it is “her fault” but that he is going to help her “learn to be good.” Defendant Loftness hit Plaintiff again, and then walked her back to Sunday School. Just before permitting her to enter the class, Defendant Loftness told her that she is being “very good” and cannot tell anyone what occurred or she would “get in trouble.”
92. Plaintiff Roberts-Thomas' parents arranged for the Grineys to babysit Plaintiff and her brother during the mother's surgery. Griney directed Mrs. Griney and Plaintiff's brother to go to the store. After they left, Griney brought Plaintiff Roberts-Thomas to a bedroom, leaned her over the bed, and told her she needed to learn to be good. Griney

hit Plaintiff, inserted his fingers into her vagina, unzipped his pants and proceeded to molest Plaintiff.

93. In or around 1988, Plaintiff Roberts-Thomas was attending Sunday School (then at Magruder High School). Defendant Loftness called her over into a hallway, and began to fondle Plaintiff Roberts-Thomas' vagina. Defendant Loftness explained he was going to teach her things she needed to know, and took Plaintiffs' hand and began to rub it on his penis.
94. Defendants' ongoing misconduct ruined so many young lives, as some victims of molestation followed the foreseeable pattern of becoming predators themselves.
95. On or about March 17, 1993, [name withheld pending court ruling on defense motion], a teenager who was likely a victim himself, sexually assaulted Renee Palmer, who was two years old at the time of the sexual assault and living in Gaithersburg, Maryland.
96. On or about March 18, 1993, Dominic and Pamela Palmer, Renee's parents, learned of the assault and immediately called the police and reported the assault. They then called Defendant Loftness, who immediately advised them "do not call the police." When the Palmers told Defendant Loftness that they had already called the police, he expressed his displeasure (stating "that is going to be a problem"), and explained that such matters were handled internally by the church leadership, not by secular authorities.
97. Defendants, acting through Defendant Loftness, immediately interfered with the administration of justice by tipping off [name withheld pending court ruling on defense motion] that the police were coming to arrest him. Defendant Loftness also took steps to ensure that other church members in the neighborhood were not alerted to [name withheld pending court ruling on defense motion]'s crime.

98. Defendant Loftness continued to interfere with the impartial administration of justice. Defendant Loftness “obtained” a confession from [name withheld pending court ruling on defense motion], and began to serve as an intermediary between the police and [name withheld pending court ruling on defense motion] in order to control and prevent the dissemination of information to many other families whose children were at risk of predation from [name withheld pending court ruling on defense motion].
99. Defendants required Dominic and Pamela Palmer to bring Renee to a meeting with [name withheld pending court ruling on defense motion] to be “reconciled.” When Renee (who had just turned three) was brought into the same room as [name withheld pending court ruling on defense motion], she was visibly scared and crawled under the chair. The “reconciliation” meeting created additional damage to Renee, already traumatized by the initial abuse, and also traumatized Dominic and Pam, her parents.
100. Defendant Loftness, Ricucci and Layman began actively disseminating false and misleading information to the police and to church members about [name withheld pending court ruling on defense motion]’s crimes.
101. Defendants withheld from police certain facts, such as the fact that [name withheld pending court ruling on defense motion] had access to numerous toddlers in his role as a Home Group babysitter. Defendants never advised the parents of other children exposed to [name withheld pending court ruling on defense motion] about the assault and about the need to be alert for signs of trauma in their children.
102. Defendants advised the Palmers that they were required to remain completely silent about who had committed the assault, and thus refrain from providing other members of the Church information needed to protect their own children from the sexual predation.

103. Defendants required the Palmers, under risk of church discipline, to refrain from telling any other church members the name of the sexual predator who had sexual assaulted their three-year old daughter.
104. Defendants knowingly permitted [name withheld pending court ruling on defense motion] to continue to participate, unsupervised, in church activities with children despite his conviction for assaulting the three-year old Renee Palmer.
105. Defendants withheld information from the Palmers about the assault that they had obtained directly from [name withheld pending court ruling on defense motion] in non-confessional circumstances.
106. Defendants misled the Palmers about courts dates in order to prevent them from attending court appearances and filing a victim impact statement.
107. In 1996, [name withheld pending court ruling on defense motion], the son of [name withheld pending court ruling on defense motion], began to molest Karl Koe, then six years old and living in Virginia. [name withheld pending court ruling on defense motion] isolated Karl Koe in various locations, including his home, Karl Koe's home, outdoors and the Fairfax Church bathrooms. [name withheld pending court ruling on defense motion] kissed Karl Koe, and used his hands to fondle Karl Koe's penis and anus under his clothes. [name withheld pending court ruling on defense motion] forced Karl Koe to put his hands down [name withheld pending court ruling on defense motion]'s pants and fondle his penis and his anus. [name withheld pending court ruling on defense motion] also frequently exposed himself to Karl Koe, and forced Karl Koe to do the same. [name withheld pending court ruling on defense motion] would press his nakedness against Karl Koe as he fondled Koe's penis and anus.



108. In 1997, Karl Koe informed his parents that he was being repeatedly molested by [name withheld pending court ruling on defense motion]. His parents, members of the Fairfax Church, told Defendants Ecelbarger, Gallo, Mullery and V. Hinders about [name withheld pending court ruling on defense motion]'s repeated molestation of Karl Koe.
109. Defendants Ecelbarger, Gallo, Mullery and V. Hinders, conspiring together and with Defendants Mahaney and Loftness, violated their mandatory reporting obligations and conspired together to cover up [name withheld pending court ruling on defense motion]'s molestation of children.
110. Defendant V. Hinders misrepresented to the parents of Karl Koe that the Church had taken care of the matter by requiring [name withheld pending court ruling on defense motion] to attend a different church service than Karl Koe.
111. In fact, after Defendants were put on notice of the ongoing molestation, [name withheld pending court ruling on defense motion] continued to molest Karl Koe in the bathrooms at the Fairfax Church. Approximately forty percent of [name withheld pending court ruling on defense motion]'s molestations of Karl Koe occurred after Defendants had been put on express notice that [name withheld pending court ruling on defense motion] was molesting young children in the Fairfax Church.
112. Defendants Ecelbarger, Mullery, V. Hinders and D. Hinders conspired with Defendant Loftness, Mahaney, and upon information and belief the other individual Defendants to cover up [name withheld pending court ruling on defense motion]'s ongoing molestation of young children and to violate the laws on mandatory reporting. Defendant Mahaney and Loftness imposed "church discipline" on [name withheld pending court ruling on

defense motion] for failing to control his [name withheld pending court ruling on defense motion]. This conspiracy remains ongoing.

113. In 1998, after [name withheld pending court ruling on defense motion] had molested Karl Koe, the Defendants engaged in additional overt acts establishing their ongoing conspiracy to cover up sexual abuse and to violate mandatory reporting laws. At this time, Jane Doe's parents were serving under Defendants' direction and control as Home Group leaders of the Defendant Fairfax Church (Prince William South Caregroup). Their Home Group included a woman named [name withheld pending court ruling on defense motion], who was married to [name withheld pending court ruling on defense motion]. [name withheld pending court ruling on defense motion]'s brother [name withheld pending court ruling on defense motion] lived with [name withheld pending court ruling on defense motion].
114. In summer 1998, [name withheld pending court ruling on defense motion] shared with Home Group leader Jane Doe's mother that her husband [name withheld pending court ruling on defense motion] was sexually molesting her daughter. [name withheld pending court ruling on defense motion] learned of the molestation when she found semen in her daughter's hair, and was told by her daughter that her father had hurt her vagina.
115. When [name withheld pending court ruling on defense motion] shared these facts with Jane Doe's mother, Jane Doe's mother refused to keep the molestation a secret and insisted that it be reported to Defendant Ecelbarger. Home Group leader Jane Doe's mother and [name withheld pending court ruling on defense motion] went together and reported the child molestation to Defendant Ecelbarger.

116. Defendant Ecelbarger failed to report the incidents to secular authorities, as he is required to do by law. Instead, he told [name withheld pending court ruling on defense motion] to go back home and ask her husband and other children about the sexual assaults.
117. Neither Defendant Ecelbarger nor any other Defendant abided by their mandatory reporting responsibilities or took any steps to alert the law enforcement authorities to the ongoing molestation in the [name withheld pending court ruling on defense motion] household. Instead, conspiring together, they acted in concert to violate the mandatory reporting laws and to cover up the ongoing abuse of children.<sup>2</sup>
118. As a result of Defendants' conspiracy of silence, more children were sexually and physically abused.
119. On or about August 1998, February 14, 18 and 21, 1999, [name withheld pending court ruling on defense motion]'s son, [name withheld pending court ruling on defense motion], repeatedly raped and molested Jane Doe, who was three years old at the time. (The dates are approximations based on admissions by [name withheld pending court ruling on defense motion] and other corroborating evidence.)
120. On or about March 15, 1999, [name withheld pending court ruling on defense motion] told his mother, [name withheld pending court ruling on defense motion], that he had sexually abused three-year old Jane Doe. [name withheld pending court ruling on defense motion] informed Defendants Ecelbarger, David Hinders, Vincent Hinders, Gallo, and another pastor, Benny Phillips, that her son had admitted to these crimes.

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<sup>2</sup> On March 12, 2000, [name withheld pending court ruling on motion] committed suicide.

121. Subsequently, Defendants Ecelbarger, V. Hinders, D. Hinders, and Gallo told Defendants Mullery about the sexual abuse. Discovery has and will show that Defendants Ecelbarger, V. Hinders, D. Hinders, Gallo and Mullery contacted their co-conspirators located in Maryland on multiple occasions to discuss how to handle the sexual abuse. These contacts were made by telephone and by email.
122. Defendants conspired to cover up the abuse and to violate their mandatory reporting duties. Defendants used and continue to use fraud and deception to try to prevent anyone from learning the full extent of the ongoing criminal activity by [name withheld pending court ruling on defense motion].
123. From on or about March 15 until on or about March 29, 1999, Defendants made a series of false statements to obscure the extent of molestation to Jane Does' parents as a means to persuade them not to report [name withheld pending court ruling on defense motion]'s crimes to the secular authorities.
124. On or about March 29, 1999, after learning of the falsity of the representations and breaking free from Defendants' efforts at coercion and intimidation, Jane Does' parents sought and obtained medical care for Jane Doe from a physician not affiliated with Defendants. This resulted in [name withheld pending court ruling on defense motion] being reporting to the authorities.
125. Beginning on March 15 and continuing to date, Defendants conspired together to mislead other church members about the extent of [name withheld pending court ruling on defense motion]'s crimes.

126. On or about June 7, 2001, Defendants made a series of misrepresentations to persuade members that [name withheld pending court ruling on defense motion]'s transgressions were minor, and that they need not take any steps to protect their children.
127. As but one example of Defendants attempt to mislead about the rapes of Jane Doe, Defendant Gallo made a statement to the effect that he learned not to let teenage boys "change diapers while babysitting as that is too much temptation for any teenager."
128. On or about February 9, 2001, Defendants used [name withheld pending court ruling on defense motion] to provide childcare services in the Childrens' Ministry. Defendants also continued to include [name withheld pending court ruling on defense motion] and the [name withheld pending court ruling on defense motion] household within the long-standing church policy and practice of providing babysitting services for Home Group members, most of whom home-schooled their children. Church members permitted their children to be cared for in the [name withheld pending court ruling on defense motion] home because Defendants failed to advise them that [name withheld pending court ruling on defense motion] had raped and assaulted Jane Doe.
129. Defendants interfered with the administration of justice by repeatedly interviewing [name withheld pending court ruling on defense motion], and working with [name withheld pending court ruling on defense motion] and [name withheld pending court ruling on defense motion] to determine how best to prevent any prosecution and publicity regarding his criminal sexual deviance.
130. Defendants misled secular authorities into believing that it was providing "accountability measures" to ensure that [name withheld pending court ruling on defense motion] was not permitted access to his siblings or other children. In fact,

Defendants did not put any effective “accountability measures” in place, and permitted children of members to be babysat the [name withheld pending court ruling on defense motion] home. [name withheld pending court ruling on defense motion] also continued to interact with children at church events, including a weekend retreat, without any supervision whatsoever.

131. Defendants made a series of misrepresentations to the parents of Jane Doe in order to prevent them from attending court appearances and to prevent them from filing a victim impact statement. As a result of Defendants’ misconduct, the Commonwealth failed to know the extent of harm to Jane Doe, and permitted [name withheld pending court ruling on defense motion] to plead guilty to lesser offenses and be sentenced to only two years probation without any jail time.
132. Defendants lied to the public authorities, including but not limited to an attorney representing the Commonwealth of Virginia. Defendants falsely claimed that they were speaking on behalf of the parents of Jane Doe, and falsely claimed that the parents did not wish to participate in the court proceedings regarding the sexual assault and sexual molestation of Jane Doe.
133. Defendants also conspired to permit and cover up the ongoing sexual and physical abuse of even those children who themselves sought Defendants’ assistance in stopping sexual and physical abuse.
134. In or around November 2000, Donna Doe’s mother began to suspect that her husband was sexually molesting their daughter. As she was tucking Donna Doe into bed one night, she told Donna Doe that “no one, not even mommy or daddy, should touch you in a way that makes you uncomfortable.”

135. At that point, Donna Doe began crying and told her mother that she was being sexually abused by her father almost every day. Donna Doe's mother went downstairs and confronted the father, who confessed that he had been sexually abusing their daughter.
136. Donna Doe's mother immediately called Defendant David Hinders, who asked her if she had called the police. Donna Doe explained she had not done so. At this point, Defendant Hinders said "good" and directed the mother to refrain from reporting the pedophilia to the police or other authorities until Defendants had an opportunity to confer and decide how best to handle the matter. As this telephone call was going on, the pedophile fled the house.
137. Defendant David Hinders did not call the police. Instead, he involved Defendant Vincent Hinders, who was in charge of the Home Group attended by the family. Defendant David Hinders also involved Defendant Mullery, explaining to the mother that Defendant Mullery was going to be in charge of the resolution of the father's repeated sexual molestation of the daughter.
138. Discovery will show that Defendants Mullery, David Hinder and Vince Hinders spoke with Maryland-based Defendants Mahaney and Loftness, and together conspired to prevent any reporting to the secular authorities.
139. In and around November and December 2000, instead of fulfilling their reporting obligations, Defendants convened a series of meetings that had the purpose and design to protect the pedophile from jail or other civil consequences for his crimes.
140. In and around November and December 2000, Defendants met with the mother, and told her that Donna Doe had been molested because she was a bad wife who had failed to satisfy her husband sexually. Defendants intimidated the mother by threatening

discipline for “gossiping” and told her that she needed to refrain from telling other church members that her husband was a pedophile. Defendants directed the mother to permit her husband to return to the house because he is the head of the household, and she was required to be a “godly wife” and forgive him for molesting their daughter.

141. In and around November and December 2000, Defendants furthered the conspiracy by convening a meeting with the mother and Donna Doe. Defendant Vincent Hinders required Donna Doe to describe in detail everything that had occurred, which she did. Donna Doe explained her father had been repeatedly molesting, almost every day for many months, by fondling her vagina with his fingers, penetrating her with his fingers, and making her touch his penis. Donna Doe also recalls her father kissing, licking, sucking and pinching her breasts, forcing her to use her hands to stimulate his penis, and inserting his tongue into her mouth as he kissed her. Defendants Vincent Hinders told Donna Doe that she had “sinned” by not telling her mother sooner, and that since Donna Doe was also a “sinner,” she needed to “forgive” her father.
142. In and around November and December 2000, Defendant Vincent Hinders convened a meeting at his house for the Donna Doe, the mother and the father. Defendant Vincent Hinders forced Donna Doe to take her father’s hand and “forgive” him for repeatedly sexually molesting her.
143. In and around November and December 2000 meeting, Defendants spoke to the father’s employer, who was a church member operating a software firm. Defendants told the employer about the pedophilia. The church member employer searched the father’s computer, and discovered child pornography. This church member aided and abetted



the conspiracy by following Defendants' directives not to report the pornography to the police, but instead merely terminated the father.

144. Defendants' directives led to the pedophile returning to the house on or about Christmas Eve, 2000. Defendant Vincent Hinders had advised the mother to place a lock on the inside of the child's door, and have the child lock herself in each night to protect herself against the father.
145. From 2000 until 2007 when she reached age 18, Donna Doe was forced to live in a state of terror, avoiding being on the same floor as her father, and locking her door against him each night.
146. Defendants David Hinders, Vincent Hinders and the other co-conspirators affirmatively misled the mother into believing that the matter had been reported to the police. They claimed they had counseled the father to turn himself in, and that he was abiding by their directives. In fact, as was known to the Defendants but not known to the mother until later, the father never turned himself into the police.
147. Defendants arranged for the pedophile to attend Christian counseling on sexual deviance. In March 2001, after that counseling concluded, Defendants declared the father "healed" and permitted him to participate in a "church plant" to form a new church in Ashburn Virginia.
148. On one occasion after March 2001, the mother caught the father standing outside the house on a bench in order to watch Donna Doe use the bathroom. The mother rushed into the bathroom, told Donna Doe what was occurring, and brought her out of the bathroom.

149. The mother then informed Pastor Bob Donohue about the incident. Pastor Donohue already knew what had transpired in the past from the conspiring Defendants, and aided and abetted the conspiracy by telling the mother that “you should not have told” Donna Doe about her father’s voyeurism because “that hinders her reconciliation with her father.”
150. From learning of the pedophilia in 2000 to present, Defendants did not take, and have not taken, any steps whatsoever to prevent the known pedophile from having access to children of church members. Instead, Defendants conspired to permit the pedophile to have unfettered access to children as he fulfilled his “ministry” duties in a back hallway where children routinely played.
151. From learning of the pedophilia in 2000 to present, Defendants withheld information about the pedophilia from other church members. Defendants also disseminated the false information that sexual deviants who molest their own children are unlikely to molest non-family members.
152. As Donna Doe was being subjected to the terror of living with her pedophile father, Defendants were also forcing Plaintiff Grace Goe to endure constant physical and sexual abuse from her father, a wealthy man who was and remains a prominent member of the Covenant Life Church.
153. Grace Goe’s father repeatedly beat her on her naked buttocks so harshly that she bled and bruised. Her father would then submerge her into an ice bath to hide the physical manifestations of the beatings.
154. Grace Goe’s father also repeatedly sexually abused her, making her rub his feet, which he then inserted into her vagina. He also molested her on several occasions by rubbing

his hands over her breasts, at times outside her clothes and at times against her bare skin under her clothes.

155. Grace Goe's father engaged in the physical and sexual abuse towards the other children, including the male children, whose penises he repeatedly fondled.
156. Defendants Ricucci and Layman learned of the ongoing abuse no later than in or around 1997, when Grace Goe was 13. At that time, a housekeeper named Mary Burcham reported the ongoing abuse of the Goe children to Defendants Ricucci and Layman, and discovery will show other Defendants. Defendants Ricucci and Layman met with Grace Goe and her older female sibling, who reported the fact of the abuse to the Individual Defendants and sought protection from their abusive father.
157. Rather than report the ongoing abuse to the secular authorities or take any steps to stop the abuse, Defendants informed the father that his children had reported the abuse. This led to further abuse by the father. In exchange for the conspiracy of silence, the abusive father paid to send Defendants Mahaney, Ricucci and Layman and their families on vacation to the Kiawah Islands, South Carolina.
158. On or about September 17, 2008, Plaintiff Grace Goe again reached out the Defendants, seeking assistance in preventing the ongoing abuse of her siblings. Defendants failed to report or take any other steps to stop the ongoing and severe abuse.
159. In May 2010, Plaintiff Grace Goe again sought help from Defendants Layman and Ricucci, as she was concerned that her father was continuing to abuse the children remaining in the house.
160. On May 14, 2010, Defendants conspired to mislead Plaintiff Grace Goe into believing that they would finally assist in ending the abuse. Defendant Grant Layman

affirmatively made misrepresentations in writing to Grace Goe, assuring her that “[a]fter the pastors discussed this situation, the bottom line is, we feel a moral obligation to report.”

161. Yet this was a falsehood. Defendant Layman and his co-conspirators again failed to report the abuse, and instead continue to assist the wealthy father in avoiding any consequences for his ongoing abuse of his children.
162. Defendants consistently failed to respond properly to stop ongoing sexual predation. In or around 2002, a teenager sexually molested Karen Koe in her home when she was eight years old.
163. Karen Koe did not tell her parents about the molestation until some years later, in October 2007. At that point, her parents, now confronting the abuse of a second child in the Koe family, alerted the police.
164. Defendants refused to cooperate with the prosecuting secular authorities, who successfully prosecuted and convicted the teenager on felony charges.
165. Defendant Gallo and the other Defendants took repeated steps to obstruct justice, including but not limited to making misrepresentations. Although unknown to the Koe family until after the assault on their young daughter, Defendants knew that the teenager had had been caught and convicted for a sexual crimes other than the crime against Karen Koe. Yet although these facts were known to Defendants, they never took any steps to prevent the teenager from having access to young children on church premises and at church-sponsored events. Defendants never shared any of the information about the assaults and convictions with any of the families whose children were at risk.

166. From 1984 to 2007, as Defendants were conspiring to cover up sexual and physical abuse of many children entrusted to their care as child-serving organizations, Defendant Tomczak directly engaged in repeated assaults on Carla Coe in Maryland, Virginia and other states. Discovery will show these assaults were well-known to the other Defendants.
167. From 1984 (when Carla Coe was three years old) to 2007 (when she was 26), Defendant Tomczak assaulted Carla Coe with his hands, as well as with various instruments, including but not limited to, plastic and wooden sticks.
168. From 1984 to 2007, Defendant Tomczak forced Carla Coe to strip out of her clothing against her will, and be beaten on her bare buttocks. Defendant Tomczak continued to engage in this forced undressing and beating of Carla Coe until she fled and escaped from the abuse in or around 2007.
169. On several occasions during the years 1986 to 2007, Defendant Tomczak imprisoned Carla Coe and denied her food for extended periods of time.
170. On several occasions during the years 1986 to 2007, Defendant Tomczak also placed his hand over her mouth and nose, causing Plaintiff Carla Coe to come close to losing consciousness.
171. On repeated occasions during the years 1986 to 2007, Defendant Tomczak punched and hit Plaintiff Coe in the face, the arm and the stomach with such force as to cause visible bruising. Defendant Tomczak directed Plaintiff Coe to tell people she had tripped if anyone asked about the bruises.
172. Defendant Tomczak's abuse of Carla Coe was well known to the other Defendants. None did anything at all to stop the abuse. Instead, the other Defendants conspired with

Defendant Tomczak to cover up his abuse, and to violate the mandatory reporting obligations.

173. In 2000, Plaintiff Thompson advised Defendant Tomczak that she had been sexually molested by Stephen Griney. Neither Defendant Tomczak nor any of the other Defendants investigated the matter at all, or abided by their mandatory reporting duties. Instead, they permitted Griney to continue to teach and to have unfettered access to children, and conspired to cover up the facts.
174. Beginning in early 2011, certain Plaintiffs began to suspect that a conspiracy to permit predation of children and to obstruct justice existed. Although the depth and breadth of the conspiracy was not fully known or visible to Plaintiffs, stories being shared via blogs devoted to exposing SGM wrongdoing began to reveal that Defendants were acting in a uniform and systemic fashion. Whereas each Plaintiff and their parents initially viewed their experiences with Defendants as unique, they learned through the blogging that Defendants were acting in a uniform and systemic fashion to prevent anyone from reporting sexual predation to the police, and simultaneously refraining from implementing any measures that would prevent known sexual predators from having unfettered access to children.
175. Defendants attempted to prevent detection of the ongoing conspiracy. As but one example, on or about July 24, 2011, Defendants Mullery and Vince Hinders made a series of misrepresentations. Defendants falsely claimed that they had encouraged reporting to the police and social services, had advised persons from three different Home Groups about the sexual predation, and had fully cooperated with law enforcement. None of these statements is true.

176. To like effect, on or about February 27, 2009, and August 17, 2011, Defendants adopted new policies and practices intended to further the goals of the ongoing conspiracy to cover up sexual and physical abuse of children and to violate mandatory reporting duties. These new policies and practices were intended to mislead Plaintiffs and others into believing that Defendants were being responsible and preventing sexual predation on their premises and in the school. In fact, the policies as implemented do not protect children but rather require church members to refrain from reporting crimes to secular law enforcement authorities, and instead report such crimes to Defendants and abide by their guidance on reporting.
177. In August 2011, the conspiracy was discovered. On or about August 17, 2011, Defendants admitted during a meeting that they placed protecting the churches from lawsuits over and above the safety of children. This admission revealed that Defendants were not merely making a series of poor judgments in good faith, but rather, acting for financially-motivated reasons, had designed and agreed upon a plan to obstruct justice yet permit predators to continue to have unfettered access to children in church and school settings.
178. Also in August 2011, Plaintiffs learned that Defendants had permitted David Adams, a known pedophile, to attend church-sponsored sleepovers without advising parents about his sexual deviance.
179. Defendants' conspiracy to permit predators to have access to children and to obstruct justice continues to date. Defendants knowingly permit certain predators to continue to have unfettered access to children. As but one recent example, the son of a pastor molested a child in 2012. When the parents sought counsel, they were advised by

Defendants not to report the molestation to the police, and to permit Defendants and their counsel to handle the matter without any secular involvement.

180. Undersigned counsel continues to receive multiple inquiries from victims harmed by Defendants' conspiracy of silence.
181. Certification of a class is permitted here under Rule 2-231 of the Code of Maryland because the prerequisites have been met. Joinder of all members of the class is impracticable for two reasons: there are too many members, and they seek anonymity given the facts. There are questions of law and fact common to the class that predominate over any question affecting only individual members and a class action is superior to other available methods for the fair and efficient adjudication of the controversy. Defendants have conspired to cover up sexual and physical assaults, and to violate their mandatory reporting obligations. Defendants have abused their positions of trust as child-serving organizations and subjected defenseless children to life-changing crimes.
182. Plaintiffs seek to certify this action as a class with two subclasses. The first subclass is defined as those who were sexually or physically abused on Defendants' premises and harmed by Defendants' ongoing conspiracy to cover up sexual and physical abuse of children, and to violate mandatory reporting obligations, as well as by the institutional Defendants' negligence in permitting the conspiracy to flourish in their organizations. Plaintiffs Thompson, Roberts-Thomas, James Roberts, and Karl Koe will serve as the Representative Plaintiffs, as they have the types of claims subject to the class and have the ability to fairly adequately protect the interests of the class.



183. The second subclass is defined as those who would not have been harmed but for Defendants' ongoing conspiracy to cover up sexual and physical abuse of children, and to violate mandatory reporting obligations, as well as by the institutional Defendants' negligence in permitting the conspiracy to flourish in their organizations. Plaintiffs Renee Palmer Gamby and Jane Doe will serve as the Representative Plaintiffs of this subclass, as they have the types of claims subject to the class and have the ability to fairly adequately protect the interests of the class.
184. Plaintiffs were all damaged by Defendants' conspiracy and negligence. Each Plaintiff suffered lasting psychological damages.
185. Each Plaintiff suffered quantifiable economic harm arising from the traumas in the form of lifelong diminished earnings capacity, increased health care costs and other expenses.
186. Defendants' repeated misconduct and/or negligence breaches duties owed to Representative Plaintiffs and the Plaintiff Class, and harmed and continues to harm the Representative Plaintiffs and the Plaintiff Class in wholly foreseeable ways.
187. Defendants' negligence caused Representative Plaintiffs and the Plaintiff Class Members severe emotional distress as well as financial distress arising from the need for treatment and inability to function to an optimum capacity. Defendants' negligence caused harm to Representative Plaintiffs and to the Plaintiff Class.

#### **COUNT I – CONSPIRACY**

188. All of the foregoing allegations are hereby incorporated by reference in their entirety.
189. The Individual Defendants formed a conspiracy that remains in existence to cover up the sexual and physical abuse of children and to violate – repeatedly -- the mandatory reporting laws that are designed to protect the safety of children.

190. The Individual Defendants engaged in a litany of overt acts alleged above that evidence an agreement and/or understanding to not report acts of abuse, to refrain from contacting civil authorities, to conceal the sexual abuse, and to interfere with police investigations.
191. The Institutional Defendants negligently permitted and permit this conspiracy to flourish throughout their operations.
192. The Defendants owed a duty of care arising from the operation of schools and churches.
193. Plaintiffs and the Plaintiff Class were owed a duty to be safe on Defendants' property and to be free of abuse.
194. Defendants knew, or should have known, that dangerous conditions existed on their premises. They knew, or should have known, that sexual predators were allowed on their property and were placed in unsupervised rooms with minors.
195. Defendants' knowledge was gained in sufficient time to allow Defendants to remove the sexual predators from their premises and/or to warn the Plaintiffs and the Plaintiff class. Instead, Defendants tipped off the predators, thus obstructing justice.
196. Defendants' conspiracy continues to date.

#### **COUNT II – NEGLIGENCE**

197. All the foregoing allegations are hereby incorporated by reference in their entirety.
198. Defendants, individually and through their actual and or apparent agents, servants and/or employees, owed Representative Plaintiffs and the Plaintiff Class a duty to exercise reasonable care to protect them from predators and report abuse to law enforcement when it was found to have occurred under the auspices of the Church or by Church officials.

199. Defendants are liable for the sexual and other violence that happened in their ranks because they acted in reckless and grossly negligent fashion with complete disregard for the safety of children entrusted into their care in educational and religious settings.
200. Defendants were on notice that sexual predation and physical abuse of children was occurring in church settings and as a result of authority bestowed by the Defendants on pastors, youth ministry leaders, home group leaders and others. Yet Defendants failed to report any abuse, and instead lied and intervened to try to protect the predators from being incarcerated.
201. Defendants negligently breached duties owed to Representative Plaintiffs and the Plaintiff Class by repeatedly allowing known sexual predators unsupervised access to children at church-sponsored events or on church premises, by failing to report the abuse themselves, by directing parents not to report the abuse and by concealing the abuse from church members and authorities.
202. Defendants knew, or should have known, that making children available to sexual predators breached a duty of care owed to minors.
203. Defendants knew, or should have known, that failure to report sexual and physical abuse and instead engage in its concealment, breached a duty of care owed to minors. Defendants knew, or should have known, that state laws required the reporting of suspected sexual and physical abuse of a minor to the secular authorities.
204. As a direct and proximate result of this breach of duty, Representative Plaintiffs and the two Plaintiff Subclasses suffered and continue to suffer physical and emotional distress, shock, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity;

and have incurred and will continue to incur expenses for medical and psychological treatment, therapy and counseling.

### **COUNT III – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

205. All the foregoing allegations are hereby incorporated by reference in their entirety.
206. Representative Plaintiffs and the Plaintiff Subclasses have suffered from extreme stress and severe emotional distress due to Defendants' extreme and outrageous actions.
207. Defendants' conduct was intentional and reckless and Defendants knew or should have known that injury and emotional distress would likely result from their conduct.
208. Defendants knew, or should have known, that failure to report abuse and engage in its concealment, breached a duty of care. Defendants knew, or should have known, that state laws required the reporting of suspected abuse of a minor to the authorities.
209. Defendants' acts and omissions that made Representative Plaintiffs and the Plaintiff Class available to sexual predators, prevented parents from reporting, and interfered with police investigations were so extreme and outrageous that it violated human dignity.
210. As a direct and proximate result of this breach of duty, Plaintiffs and the Plaintiff Class suffered and continue to suffer physical and emotional distress, shock, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and have incurred and will continue to incur expenses for medical and psychological treatment, therapy and counseling.

### **COUNT IV - NEGLIGENCE HIRING AND SUPERVISION**

211. All the foregoing allegations are hereby incorporated by reference in their entirety.
212. The Institutional Defendants (SGM, CLC, Fairfax Church and School) negligently retained sexual deviants to serve in capacities with authority over children. Defendants negligently failed to supervise those to whom Defendants entrusted the care of minors. Defendants routinely refused to report suspected child abuse to secular authorities, encouraged parents to refrain from seeking outside help or counsel, allowed child abusers access to minors and fostered a culture of concealment of sexual deviance.
213. Defendants' actions and omissions caused injury to Plaintiffs and to the Plaintiff Class, who have suffered and continue to suffer physical and emotional distress, shock, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and have incurred and will continue to incur expenses for medical and psychological treatment, therapy and counseling.
214. Defendants' negligence in hiring, supervising and/or retaining employees is a direct and proximate cause of injuries to Plaintiffs and Plaintiff Class.

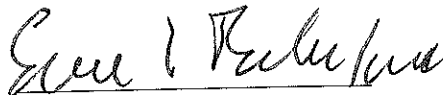
#### **COUNT V - MISREPRESENTATION**

215. All the foregoing allegations are hereby incorporated by reference in their entirety.
216. Defendants owed a duty of care to Plaintiffs and the Plaintiff Class. Defendants misrepresented that they would provide a safe atmosphere for Plaintiffs and the Plaintiff Class. Defendants intended and had knowledge that their statements would be relied upon by parents. Defendants knew, however, that reliance on those statements would cause injury, since Defendants allowed sexual predators access to minors.

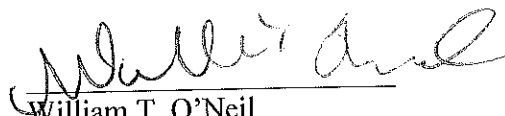
217. Defendants misrepresented that they would act as advocates for the victims and their families. Defendants intended and had knowledge that their statements would be relied upon by parents. Defendants knew, however, that reliance on those statements would cause injury, since Defendants acted as advocates for the perpetrators, not the victims.
218. As a direct and proximate result of Defendants' misrepresentations, Plaintiffs and the Plaintiff Class were harmed and injured.

**JURY DEMAND**

Plaintiffs hereby request a trial by jury on all issues.



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