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Attorneys for Plaintiffs
Jane Roe 6 and Jane Roe 7

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JANE ROE 6, an individual; and JANE
ROE 7, an individual,

Plaintiffs,

v.

INTERNATIONAL CHURCHES OF
CHRIST, INC., a California nonprofit
corporation; THE INTERNATIONAL
CHRISTIAN CHURCH, INC., a
California nonprofit corporation; HOPE
WORLDWIDE, LTD., a Delaware
nonprofit corporation; THOMAS
("KIP") McKEAN, an individual; THE
ESTATE OF CHARLES "CHUCK"
LUCAS; NORTH RIVER CHURCH
OF CHRIST, a Georgia nonprofit
corporation; AL BAIRD, an individual;

Case No. 2:23-cv-00999-ODW-PLA

**FIRST AMENDED COMPLAINT
FOR:**

- 1. SEXUAL ASSAULT OF A MINOR**
- 2. VIOLATION OF PENAL CODE 647.6(A)(1)**
- 3. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
- 4. NEGLIGENT HIRING, SUPERVISION, AND RETENTION**
- 5. NEGLIGENT SUPERVISION OF A MINOR**
- 6. FAILURE TO REPORT SUSPECTED CHILD ABUSE IN VIOLATION OF PENAL CODE SECTION 11165. ET SEP.**

1 ALBERTO SCHIRMER, an individual;
2 ANNA MARIA SCHIRMER, an
3 individual; and DOES 1 through 10,
4 inclusive,

5 Defendants.

**BASED ON VICARIOUS
LIABILITY**
7. NEGLIGENCE
**8. VIOLATION OF FEDERAL
RACKETEER INFLUENCED
AND CORRUPT
ORGANIZATION (“RICO”)
ACT 18 U.S.C. § 1962(C)**
**9. SEXUAL BATTERY IN
VIOLATION OF CAL. CIV.
CODE § 1708.5**
**10. GENDER VIOLENCE IN
VIOLATION OF CAL. CIV.
CODE § 52.4**

JURY TRIAL DEMANDED

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1 Plaintiffs JANE ROE 6 and JANE ROE 7 (collectively, “Plaintiffs”) hereby
2 submit this First Amended Complaint pursuant to 18 U.S.C. §§ 1961 *et. seq.*, the
3 California Civil Code, and the California Penal Code, under federal question and
4 supplemental jurisdiction against Defendants INTERNATIONAL CHURCHES OF
5 CHRIST, INC., THE INTERNATIONAL CHRISTIAN CHURCH, INC., HOPE
6 WORLDWIDE, LTD., THOMAS “KIP” McKEAN, THE ESTATE OF CHARLES
7 “CHUCK” LUCAS, NORTH RIVER CHURCH OF CHRIST, AL BAIRD,
8 ALBERTO SCHIRMER, ANNA MARIA SCHIRMER and all other named and
9 unnamed defendants (collectively, “Defendants”) and states as follows:

10 **INTRODUCTION**

11 1. This action to recover damages on behalf of adult victims of childhood
12 sexual assault is governed by Code of Civil Procedure section 340.01 (“section
13 340.01”).

14 2. The incidents of childhood sexual assault against Plaintiffs alleged herein
15 were facilitated and actively concealed by Defendants while Plaintiffs were minors.

16 3. This case arises from an ongoing and systemic scheme of abuse that
17 shocks the conscience from its appallingly epic proportions. The ICOC and its affiliate
18 churches have created a money-making enterprise through its psychological
19 manipulation, tight control, and hierarchical “discipleship” structure. That same
20 structure fostered an environment fertile for sexual abuse. Sexual predators gained
21 unfettered access to manipulated women and children. They could abuse them without
22 fear of accountability. Instead of taking action, the ICOC, its leaders, and its affiliates
23 did more than turn a blind eye—together, they actively concealed the abuse in order to
24 protect their mega-church tithing empire. As a result, the ICOC and its leaders, from
25 top to the bottom, aided and abetted the continued sexual abuse of women, minors, and
26 even children as young as 3 years old, some of whom were raped and sexually abused
27 with impunity by trusted church members.

28 ///

JURISDICTION AND VENUE

4. This Court has federal subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 because it arises under the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. §§ 1961 *et. seq.*).

5. Pursuant to Code of Civil Procedure §340.1(q) as amended by Assembly Bill 218, effective January 1, 2020, there is a three (3) year window in which all civil claims of childhood sexual assault are revived if they have not been litigated to finality. This provision provides that, “[n]otwithstanding any other provision of law, any claim for damages described in paragraphs (1) through (3), inclusive, of subdivision (a) that has not been litigated to finality and that would otherwise be barred as of January 1, 2020, because the applicable statute of limitations, claim presentation deadline, or any other time limit had expired, is revived, and these claims may be commenced within three years of January 1, 2020. A plaintiff shall have the later of the three-year time period under this subdivision or the time period under subdivision (a) as amended by the act that added this subdivision.” This claim has not been previously litigated to finality; thus, it is timely under the revised provisions of Code of Civil Procedure §340.1(q).

6. This Court has supplemental jurisdiction over all asserted state law claims pursuant to 28 U.S.C. § 1367 because all state law claims are so related to, and arise from, the same common nucleus of operative facts from which the federal claims arise and, therefore, they form part of the same case or controversy under Article III of the United States Constitution.

7. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(a) because a substantial part of the events and omissions giving rise to the claims occurred in this District. Additionally, the “nerve centers” of the International Churches of Christ, Inc., and The International Christian Church, Inc. are both within the jurisdictional boundaries of the Central District of California.

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THE PARTIES

A. PLAINTIFFS

8. Plaintiff Jane Roe 6 is a 19-year-old female citizen and resident of Georgia. Jane Roe 6 was a minor, citizen of the United States of America, and resident of the State of Georgia at the time that she first became a victim and survivor of Defendants' sexual abuse and trafficking.

9. Plaintiff Jane Roe 7 is a 24-year-old female citizen and resident of Georgia. Jane Roe 7 was a minor, citizen of the United States of America, and resident of the State of Georgia at the time that she first became a victim and survivor of Defendants' sexual abuse and trafficking.

B. DEFENDANTS

10. Defendant International Churches of Christ, Inc. (the "ICOC") is a religious non-profit corporation organized and existing under and by virtue of the laws of the State of California. The ICOC purposefully conducts substantial religious and affiliated programs and activities in the County of Los Angeles, State of California. The ICOC has ecclesiastical, governmental, and administrative authority over the business and conduct of all locations worldwide. This authority includes, but is not limited to, the selection of ministers, the direction of liturgical interpretation, the collection of tithings and additional funds, and the issuance of behavioral and commercial directives for members, ICOC churches and ICOC affiliate churches worldwide.

11. Defendant The International Christian Church, Inc. ("ICC") is a religious non-profit corporation organized and existing under and by virtue of the laws of the State of California. ICC purposefully conducts substantial religious and affiliated programs and activities in the County of Los Angeles, State of California. ICC has ecclesiastical, governmental, and administrative authority over the business and conduct of all locations worldwide. This authority includes, but is not limited to, the selection of ministers, the direction of liturgical interpretation, the collection of tithings

1 and additional funds, and the issuance of behavioral and commercial directives for
2 members worldwide.

3 12. Defendant HOPE worldwide, Ltd. (“HOPE”) was founded in 1994 by the
4 ICOC and is a religious non-profit corporation organized and existing under and by
5 virtue of the laws of the State of Delaware, with a principal place of business registered
6 with the Secretary of State for the State of California located at 9449 Balboa Ave. Ste.
7 311, San Diego, California 92117. HOPE purposefully conducts substantial religious
8 and affiliated programs and activities in the County of Los Angeles, State of California.
9 HOPE operates at the specific direction and control of ICOC.

10 13. Defendant Thomas “Kip” McKean (“Kip” or “McKean”), upon
11 information and belief, is a United States citizen, currently residing in Pacific
12 Palisades, California. At all times relevant to the events that form the basis of this
13 Complaint, Defendant Kip was a member of ICOC’s Los Angeles regional branch, and
14 later, the City of Angels International Church of Christ in Los Angeles, California.
15 Defendant Kip resided in California for extended periods while conducting business in
16 California on behalf of Defendant ICOC and Defendant ICC. Defendant Kip’s
17 supervision, direction, and control over Defendants forms the basis of his personal
18 liability.

19 14. Defendant The Estate of Charles “Chuck” Lucas (“Chuck” or “Lucas”),
20 upon information and belief, was a citizen of the United States of America and was
21 residing, at the time of his death, in Thomasville, Georgia. At all times relevant to the
22 events that form the basis of this Complaint, Defendant Chuck was a member of the
23 ICOC, and later, formed another church called Cornerstone. Defendant Chuck resided
24 in Georgia for extended periods while conducting business in California on behalf of
25 Defendant ICOC. Defendant Chuck’s supervision, direction, and control over the
26 Defendants forms the basis of his personal liability.

27 15. Defendant North River Church of Christ (“North River ICOC”) is a
28 religious non-profit corporation organized and existing under and by virtue of the laws

1 of the State of Georgia. North River ICOC purposefully conducts substantial religious
2 and affiliated programs and activities in the State of Georgia. North River ICOC has
3 ecclesiastical, governmental, and administrative authority over the business and
4 conduct of all locations worldwide. This authority includes, but is not limited to, the
5 selection of ministers, the direction of liturgical interpretation, the collection of tithings
6 and additional funds, and the issuance of behavioral and commercial directives for
7 members worldwide. North River ICOC operates at the specific direction and control
8 of ICOC.

9 16. Defendant Al Baird (“Baird”) upon information and belief, is a United
10 States citizen, currently residing in the Los Angeles metro area in California. At all
11 times relevant to the events that form the basis of this Complaint, Baird is a member
12 and Lead Elder of ICOC’s Los Angeles branch, which directs and controls the activities
13 of all other ICOC branches, including but not limited to North River ICOC. Baird’s
14 supervision, direction, and control over Defendants forms the basis of his personal
15 liability.

16 17. Defendant Alberto Schirmer upon information and belief, is a United
17 States citizen, currently residing in Marietta, Georgia. At all times relevant to the
18 events that form the basis of this Complaint, Alberto Schirmer held a leadership
19 position as a Deacon of the North River ICOC. Alberto Schirmer’s active concealment
20 of Plaintiffs’ abuse, along with his supervision, direction, and control over Defendants
21 forms the basis of his personal liability.

22 18. Defendant Anna Maria Schirmer upon information and belief, is a United
23 States citizen, currently residing in Marietta, Georgia. At all times relevant to the
24 events that form the basis of this Complaint, Anna Maria Schirmer was a Deacon’s
25 wife (i.e., a leadership position) of the North River ICOC. Anna Maria Schirmer’s
26 active concealment of Plaintiffs’ abuse, along with her supervision, direction, and
27 control over Defendants forms the basis of her personal liability.

28 19. Plaintiffs are ignorant of the true names of the defendants sued herein as

Does 1-10, inclusive, and therefore sue these defendants by such fictitious names. Plaintiffs will amend the Complaint to allege their true names when ascertained. Plaintiffs allege that, at all relevant times herein, Does 1-10 were the co-conspirators, subsidiaries, employees, employers, and agents of constituent members of Defendants herein. Plaintiffs allege that each of the fictitiously named defendants is legally responsible for the actions forming the basis of this Complaint and that Plaintiffs' losses and damages are the result of their wrongful conduct.

GENERAL ALLEGATIONS¹

A. Kip McKean and His Core Leadership Team Spawned a Tightly Woven Network of Cult-Like Churches.

20. In 1979, Kip McKean officially broke off from the traditional Church of Christ—the proto-organization that helped spawn the ICOC.

21. Around that time in Boston, McKean founded what would become the ICOC under the moniker of the “Boston Movement.” McKean founded the Boston Movement with 29 other members, who seceded from the Church of Christ based out of Gainesville, Florida. The fledgling “church” quickly grew, rabidly seeking out new members and enjoying considerable expansion and success. After the Boston Movement obtained religious recognition in the 1980s, it became the ICOC and grew into a multinational movement.

22. Over time, the ICOC morphed into an intricate and intentionally confusing “network of over 700 non-denominational churches in about 150 countries.” Throughout its history, the ICOC has gone by other names, including the Boston Movement, the Discipling Movement, the Crossroads Movement, and Multiplying Ministries. Local ICOC churches or assemblies would often append the name of their city, in which they were located, to their name, *e.g.*, the Milwaukee Church of Christ or the Sarajevo Church of Christ.

¹ For the convenience of the reader, these general allegations are common to the pleadings in each of the following related cases before the Court: 22-cv-09467, 22-cv-09472, 23-cv-0064, 23-cv-00765, 23-cv-00999, and 23-cv-01192.

23. An ICOC umbrella organization was formally incorporated in California in December 1994. Its Articles of Incorporation filed with the California Secretary of State stated that upon dissolution, “the remaining assets of this Corporation shall be distributed to . . . the individual congregations that are part of the worldwide fellowship of churches of Christ (which are affiliated with the Corporation), if they qualify as distributes under the provisions of this Section.”

24. Chuck Lucas, one of the original founding ministers with Kip in Florida, was eventually paid off to leave the group because of his deviant behavior. Early on, the ICOC and McKean strategically downplayed Lucas’s pattern of abuse by labeling his conduct as “recurring sins.” Sadly enough, those “recurring sins” were never investigated by ICOC. McKean and other ICOC leaders were acutely aware of Lucas’s disturbing pattern of abuse, but nevertheless, they actively concealed Lucas’s misdeeds to avert discovery by the police or church members. Covering up for Lucas became the blueprint for the ICOC moving forward, integrating coverups and concealment into its organizational DNA.

25. In 2006, McKean spun off a derivative church, dubbed the International Christian Church (or “the ICC”), after he was forced out of the ICOC. The ICC was registered in California as a nonprofit religious corporation in October 2006. As of December 2022, the ICC listed 104 affiliate churches on its website. Its Articles of Incorporation, filed with the California Secretary of State, included references to affiliates. One part stated that upon dissolution of ICC, “the assets of this Corporation shall be distributed to other nonprofit funds, foundations or corporations affiliated with the International Christian Church.”²³

² Between April 2020 and February 2021, eighteen branches of the ICC received Paycheck Protection Program (PPP) loans. These loans totaled \$287,490, and a total of \$290,040 was forgiven, including accrued interest.

³ Churches associated with the ICOC appeared to be incorporated into separate entities, according to a review of public records. For instance, the Los Angeles International Church (LAICC), the largest ICOC church by membership, was incorporated in California in December 1990, according to corporate records with the California Secretary of State. The Los Angeles International Church (LAICC) described its structure on its website, noting that it is “organized into eight

B. The ICOC Meticulously Crafted an Enterprise That Enabled, Encouraged, and Concealed Sexual and Psychological Abuse.

26. Under the direction and control of McKean, the ICOC (and, later, the ICC) has collectively exploited everything good and noble in their trusting and loyal members by callously robbing them of their childhood innocence through psychological coercion and manipulation, pervasive sexual abuse of children as young as three years old, and shameful financial abuse. Each of the foregoing abuses was actively concealed by ICOC and its members to avert discovery by child protective services and the police.

27. The ICOC was born out of a “discipling” movement that arose among the Churches of Christ during the 1970s. The ICOC has maintained this practice into present times. It is a strict practice involving a “discipleship hierarchy” centered around a formal discipleship tree—in other words, a top-down authoritarian hierarchy.

28. McKean co-designed the specific discipling pyramid that would later become the foundational structure of both the ICOC and the ICC as organizations. That pyramid structure served as the mechanism of control and coercion frequently exerted over their members.⁴

29. Pursuant to that strict and documented discipleship pyramid, every member has an elder disciple preside over them, who acts as quasi-mentor-qua-jailor.

30. This carefully crafted “discipleship tree” was nothing short of a sophisticated scheme, deeply rooted in psychological manipulation, accomplished by institutionally normalizing the use of aggressive, abusive, and coercive tactics that

self-supported regions.” “Each regional evangelist has been given the charge of equipping the brothers and sisters in his part of the LA church (region) to effectively evangelize his area with the saving message of Jesus Christ as well as helping one another mature in Christ.” Notably, “each region has a regional financial advisory group that assists the ministry staff and the Board of Directors with the oversight of the finances in their particular region.”

⁴ Flavil R Yeakley Jr. documented the “disciplining” movement in a book titled *The Discipling Dilemma*. The ICOC and ICC have been classified as toxic, destructive cults due to their rigid and pervasive culture of fear, coercion, control, manipulation, judgment, exclusion, and punishment, along with their overt focus on membership growth (to drive income from tithing).

1 brainwash members into fearing the loss of salvation for menial transgressions. It
2 allowed the ICOC and ICC to execute and maintain considerable control over every
3 aspect of every member's life. Members became systematically deindividualized,
4 only to endure communal isolation from the world at large.

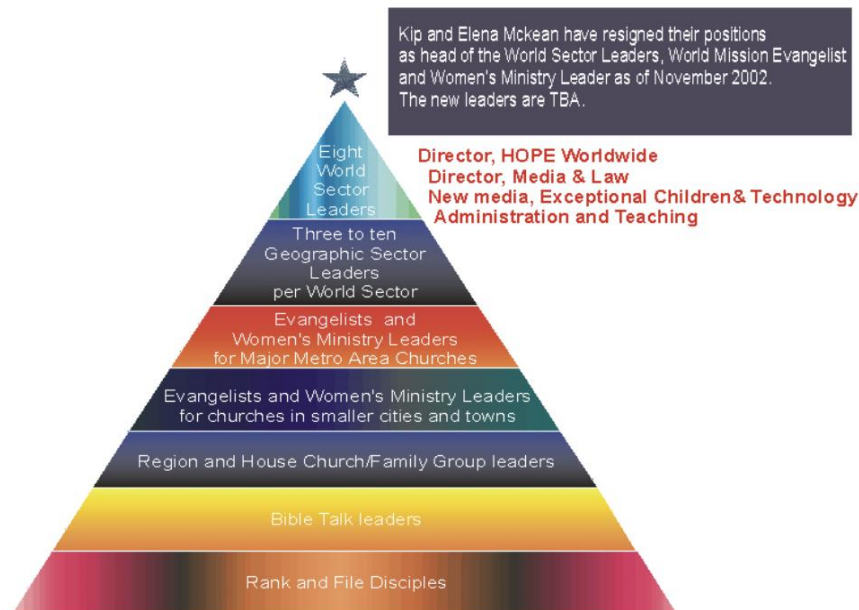
5 31. Only those members named as "disciplers" were allowed to provide any
6 counseling to church members. Abuses were reported only to the "disciplers." ICOC
7 church members and leadership discouraged reporting those abuses to outside
8 authorities by routinely branding abuse victims as "disobedient" and blaming them for
9 the abuse they suffered. Many incidents, which could have reported, therefore never
10 were.

11 32. McKean and the ICOC created a religious practice that required victims
12 to confess their "sins" daily. "Disciplers" would then share the specifics of those
13 "sins" with other groups and leaders to reinforce their control over the victim. This
14 pattern of practice allowed McKean and the ICOC to leverage the abuse as emotional
15 blackmail within the community.

16 33. An illustration of the ICOC's hierarchical model of authority is depicted
17 below:

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The ICC had a complex and highly hierarchical organizational structure, unusually so for a relatively new and small religious group. There are many layers of leadership, similar to a pyramid or the Roman Catholic Church.



The ICC has a pyramid-shaped, hierarchical structure of authority. At the top was Kip McKean, the *World Missions Evangelist*, and his wife Elena Garcia-McKean, who served as *Women's Ministry Leader* for the group as a whole. As of November of 2002, the McKeanes

C. As Designed by McKean, the ICOC Systematically Indoctrinates, Brainwashes, and Manipulates Its Members.

34. Initially, new recruits receive profound amounts of “love bombing” to lure them into a false sense of security, thereby allowing sexual predators to effectively manipulate them and eventually abuse them with the comfort of knowing that these vulnerable and newly brainwashed people would never report the abuse.

35. Every new member undergoes a rigid conversion process tantamount to systemic brainwashing, called the “First Principles.” Once a new member agrees to all indoctrination related teachings, the neophyte must be baptized in water and commit to devote their entire life and schedule to the church.

36. The ICOC trains each new member to understand that “compliance was the path of least resistance.” Members genuinely and wholeheartedly believed that

1 they needed to follow the Bible verbatim, and that the ICOC's leadership were the
2 only "true" modern-day disciples on Earth.

3 37. In addition to the "discipler" structure, the ICOC indoctrinated its
4 members with rigid fundamentalist teachings, demanded unyielding compliance with
5 its instruction, and enforced strict social separation.

6 38. The "discipler" hierarchy facilitated McKean and the ICOC's systemic
7 concealment of abuse, created a culture of fear among its most vulnerable, and
8 allowed predators to abuse women and children with impunity. Their practice of
9 concealment became an institutionalized pattern within the ICOC. For example:

10 a. On information and belief, one ICOC member currently owns a
11 school for autistic children in the San Francisco area. He has been accused of
12 multiple instances of sexual abuse of adults and children/teenagers while he was in
13 Boston. ICOC and McKean were aware of this despicable man's repeated abuse, but
14 McKean orchestrated his relocation from Boston to San Francisco to conceal his
15 predatory practices and avert criminal prosecution.

16 b. On information and belief, non-parties Damon and Vicki James,
17 two ICC "disciplers" working under the specific direction of McKean, instructed a
18 member on July 1, 2018, to refrain from reporting two years of physical and sexual
19 abuse by her husband. Damon James even scolded this survivor and stated, "[w]e
20 don't do that to our brothers as disciples." Vicki James then victim shamed the
21 woman by stating "[w[]hy would you have the heart to press charges?" Damon
22 continued and told the woman, "[w]hat does that gain? That puts you in front of 'the
23 world'."

24 c. Former ICOC member Carter Whitten made the following
25 harrowing statement to an ICOC whistleblower regarding the abuse he endured in
26 connection with his "discipler" experience:

27 "For reasons I still don't fully understand, my
28 'discipler' met with me and two other teen boys at

1 one of the boys' houses. In the basement we sat in
2 a circle, and the goal of my discipler was to break
3 me down and to get me to fully understand the
4 horrors of Hell: Meaning what I had to look
5 forward to if I didn't enter the Kingdom (the ICOC)
6 before I died. So next he took it upon himself to
7 paint a vivid picture for me: My discipler described
8 a scene in hell in which I was nailed to a ceiling by
9 my PENIS and spun around by a demon. Hanging
10 only by my genitals, I was forced to watch the devil
11 RAPE my mother repeatedly for all eternity. I was
12 then asked to take that grotesque vignette and
13 multiply its terror by 10,000 (or some other
14 arbitrarily large number) to catch even a glimpse of
15 how utterly horrifying the future awaiting me was,
16 unless I was to get baptized and be saved. I finally
17 broke down and cried. Which was clearly the goal,
18 as the ICOC famously conducted what they called
19 "breaking sessions."

20
21 In addition to completing their entire conversion
22 series of Bible studies, there were even more
23 hurdles I was told I had to clear in order to become
24 a baptized disciple. One is that I had to call the
25 fathers of all the girls in the teen ministry to whom
26 I was sexually attracted, confess my sins of lust
27 after their daughters, and ask for the fathers'
28 forgiveness. I was mortified. I then asked another

1 teen boy—a good friend of mine, if he had been
2 made to do the same thing before he got baptized.
3 He revealed he had indeed been told to do so, and
4 was terrified by the whole ordeal and shunned by
5 most of those fathers.

6
7 The final step was the sin letter or sin list. All
8 disciples-in-training (those studying the Bible)
9 were expected to write an exhaustive letter to God,
10 documenting every single sin they had ever
11 committed in their entire lives and asking for
12 forgiveness. The letter was usually meant to be read
13 aloud in a group setting. I was only 14.

14
15 I must have been twelve or thirteen when I realized
16 that almost every conversation or sermon in the
17 teen ministry was talking about lust and
18 masturbation and sexual sin on some level. So now
19 looking back as an adult, I am horrified by how
20 perverse and abusive this culture was. Like many
21 evangelical denominations, the ICOC indulged in
22 purity culture and thus placed a heavy emphasis on
23 sexual purity.

24
25 But the ICOC took it to a whole new level, the way
26 that adults dealt with teens in these ministries—
27 children that were not their children—seems
28 criminal to me. At the very least, it was a gross and

1 egregious abuse of the power dynamic between
2 adults and children. And I know enough people
3 across the country in the ICOC to know that this
4 was not an isolated incident, it was literally
5 happening in every 'teen ministry.'

6
7 But even worse than this, I had a friend that was
8 physically assaulted while he was studying the
9 Bible, because he tried to get up and leave. So the
10 teen leader held him down and beat him up.

11
12 We had to meet in one-on-one and group D-times,
13 where we had to confess our sins (especially sexual
14 sins) in a group setting, and the disciplers (teen
15 leaders) would sometimes confess sins as well.
16 During one such meeting, an adult discipler
17 confessed to a group of four or five boys that he had
18 had a wet dream (nocturnal emission) that week,
19 and in many other meetings we were told by
20 disciplers that masturbation equated to "ejaculating
21 on the cross." I never understood why grown men
22 were spending so much time with boys as young as
23 12 and 13 confessing all their sexual sins to them...
24 I heard things I had never heard before, and it all
25 felt very abusive and inappropriate to me, even as
26 a child.

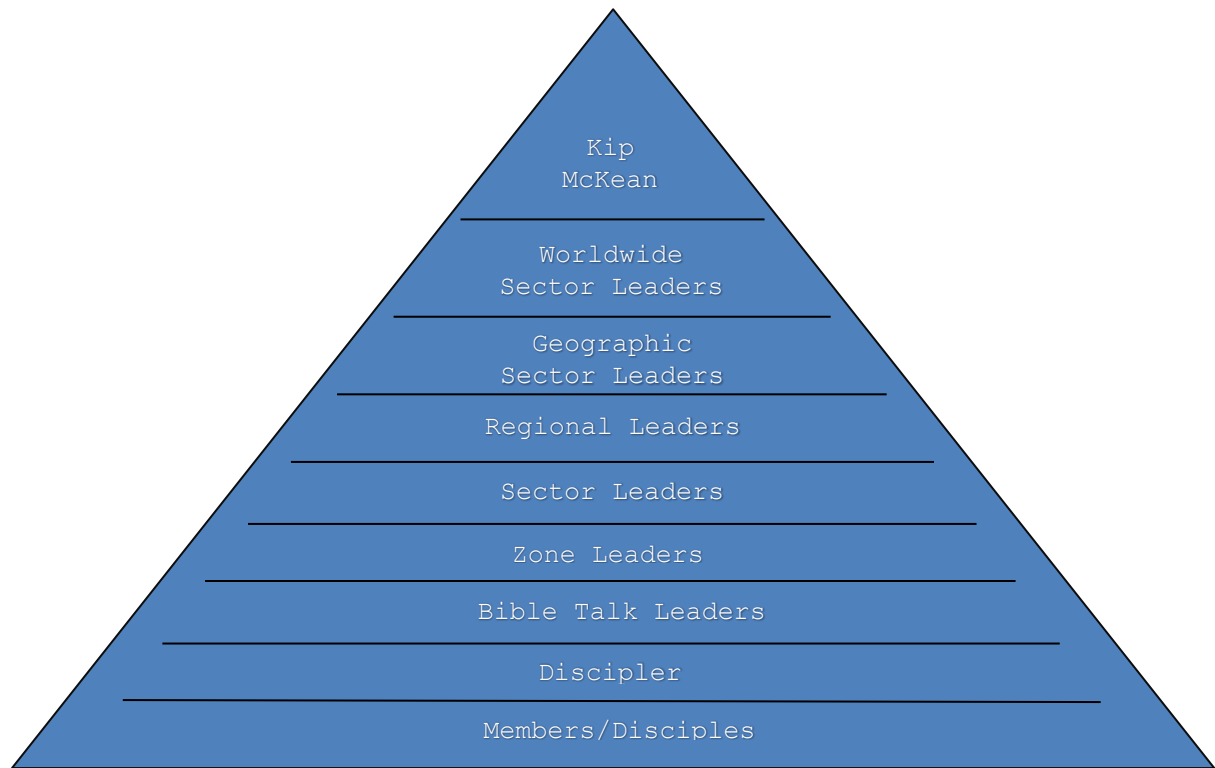
27
28 Why were grown adults grilling other people's

1 teenagers for specific sexual details . . . When most
2 of these teens had never even had a sexual
3 experience in their life. The abuse of power here
4 and power dynamics were so damaging to most of
5 these teens in the teen ministry, that the PTSD and
6 anxiety and therapy that most of these children
7 have needed their whole lives is astounding.”

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D. McKean Structured the ICOC to Maintain Secrecy.

39. McKean's carefully crafted church hierarchy lent itself to maintaining secrecy and preventing outside intervention. The following diagram is a rough depiction of the church's organizational structure:



40. Among other goals, McKean purposefully structured the ICOC's hierarchy to ensure that abuse within the church remained a secret to all outsiders, including the authorities. Indeed, someone within the church was always monitoring lower ranking members and giving them explicit instructions on how to conduct themselves.

41. McKean and the ICOC's leadership taught, and continue to teach, the doctrine that only fellow church members are "true disciples" of Jesus who will be rewarded with a place in heaven in the afterlife. Conversely, non-members will not go to heaven because they are not "true disciples." That doctrine engendered an insider-outsider mindset, which allowed scores of sexual predators within the churches to abuse children without fear of criminal prosecution.

1 42. The ICOC also created a highly exclusive environment for its members
2 wherein they were/are prohibited from marrying anyone outside the church. The
3 ICOC must approve all marriages, which ultimately gives it an incredible degree of
4 control—and power—over each of its members.

5 43. Questioning higher ranking members or the church in any manner
6 invited damning ostracization. Sometimes, the ICOC would labels those individuals
7 as “disfellowshipped” or “marked” for being divisive. “Disfellowshipped” meant
8 excommunication. Being disfellowshipped or marked would lead to ostracization
9 and scorn from the ICOC’s communities. From the point of view of ICOC doctrine,
10 being labeled as “disfellowshipped” or “marked” equated to being condemned to hell
11 on earth and in the afterlife, too. Indeed, that communal ostracization and isolation
12 from the outside world inflicted highly debilitating emotional and mental harm to
13 many of their members and, in some cases, drove them to suicide.

14 44. But when it came time to judge known or suspected abusers, the ICOC
15 demanded that its parishioners forgive any slight, no matter how severe, and “move
16 on” without reporting such abuses. Judging the conduct of another, no matter how
17 villainous, was beyond the right of any individual, according to McKean and others,
18 because “no one is free from sin,” unless they are male members of the ICOC.

19 45. Because of the ICOC’s strict rules, the expanse of its control over its
20 members’ lives, and the severe consequences it could impose on members who
21 questioned its teachings (let alone transgressed its instructions), the ICOC created the
22 ideal conditions for child molesters, pedophiles, and other sexual abusers to fester
23 and thrive. Furthermore, McKean and other abusers expressly leveraged the ICOC’s
24 hierarchical system of authority to insulate predatory church leaders from exposure.
25 Many of those predators continue to prey upon children without fear of repercussion.

26 46. It is commonly understood that McKean was acutely aware of the
27 physical, psychological, and sexual abuses that church leaders (like Chuck Lucas and
28 others) wrought upon both children and adult parishioners of the church. Academic

1 writings, journals, recovered correspondence, newspaper articles, eyewitness
 2 accounts, and publications like the book Toxic Christianity—written by former ICOC
 3 leading members under the collective pseudonym “Mr. X”⁵—corroborate that fact.
 4 These are but a fraction of the litany of sources of information depicting the practices
 5 and abuses that the ICOC institutionalized to the point of normalcy within the church.

6 47. To ensure that the ICOC’s exploitative conduct remain unchecked,
 7 McKean, the ICOC, and its leadership have utilized their vast resources to silence any
 8 internal dissidents, including through vexatious litigation. The ICOC has created a
 9 “David and Goliath” scenario, swiftly suppressing the few members who have spoken
 10 up over the last four decades. The ICOC would use its vast resources to silence any
 11 internal dissidents, through coercive, deceptive, and threatening tactics to not only
 12 force members to give 10 to 40% of their income every month, but also to turn over
 13 student loans, IRS tax returns, children’s college funds, heirlooms, stocks, furniture,
 14 wedding rings, cars, prized possessions, and literally anything that the ICOC could get
 15 their hands on. The ICOC grew its resources from nonstop fundraisers, forcing
 16 members to put their “special contribution” amounts of thousands of dollars on credit
 17 cards, or borrowing it from outside family members.

18 48. When many abused victims escaped the ICOC, they were so financially
 19 destitute (and emotionally devastated) that they lacked both the financial resources
 20 and emotional resilience to take on the ICOC through legal recourse. The ICOC used
 21 this to their advantage, as it would help silence any word of sexual abuse. In short,
 22 McKean and the ICOC intentionally created a system of exploitation that extracts all
 23 the financial value it can from its members, which it could deploy to further shield
 24 their illicit conduct from discovery by outsiders.

25 49. The ICOC and its leaders have cajoled, manipulated, and even coerced
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27 ⁵ It is widely believed that Rick Bauer, a former ICOC member and whistleblower, co-published with another church
 28 leader under the pseudonym “Mr. X” and can be accessed in its entirety here:
<http://www.reveal.org/library/theology/Toxic.pdf>

1 parents and other church members to remain silent about the abuses that their
2 children suffered, such as through payoffs and non-disclosure agreements. The
3 ICOC's affiliate organizations (*e.g.*, its non-profit arm, HOPE Worldwide) also
4 helped insulated abusers from accountability by lending legitimacy to the ICOC's
5 system of exploitation and abuse.

6 **E. McKean Grew the ICOC's Ranks to Feed Its Financial Operation.**

7 50. McKean and other ICOC leaders were obsessed with growing church
8 membership because more members meant more revenue from income tithing and
9 other coerced, uncompensated labor from adults and minors.

10 51. Accordingly, they imposed recruiting quotas on members to help grow
11 their ranks. The ICOC requires all its members to recruit a certain number of new
12 members on regular intervals, as well as to bring visitors to all church events.
13 Tolerating, concealing, and hiding sexual abusers (while at the same time inviting
14 more abusers into the ICOC's ranks) simply became a cost of doing business.

15 52. To incentivize bringing new members into the fold, the ICOC cultivated
16 an atmosphere that isolated its members from other social networks, while concealing
17 the systemic abuse of women and children within the church. Members spent every
18 day together; they were not allowed much, if any, contact with family members or
19 friends who were not church members. Of course, the only exception to that strict rule
20 was contact with outsiders for the sole purpose of their recruitment.

21 53. Members were required to give at least 10-30% of their income to the
22 churches *before* they were allowed to be baptized and become an official member.

23 54. Thereafter, any member's position, health, and wellbeing in an ICOC
24 church community depended heavily upon success in expanding the congregational
25 rosters. Those social incentives created a self-perpetuating business model to attract
26 new recruits/members, and in doing so, generate hundreds of millions of dollars in
27 revenue for the church through new tithing.

28 55. Also, the ICOC forced its members to participate in special contributions

1 for missions approximately twice a year equaling approximately 40 times their normal
2 tithe amount. The ICOC was relentless in its pursuit for funding and church
3 leadership would resort to interrogating members about their income, going so far as
4 to demand copies of the members' paystubs. By way of example, if a member gave
5 \$4,000 per month, the total mission contributions for that year would equal an
6 additional (40x) and the total required sum would be \$160,000 in addition to the
7 normal yearly tithe amount of \$48,000. This particular member would be required to
8 give the church a whopping total of \$208,000 for the year.

9 56. Children were also asked to contribute, including their labor for events
10 like car washes or baby-sitting.

11 57. On information and belief, the ICOC has collected upwards of \$10 to
12 \$15 billion in tax free contributions over the past four decades.

13 58. If the tithing budget was not satisfied, the ICOC forced its leaders or
14 "disciplers" to contribute the financial shortfall themselves. Examples of the ICOC's
15 pattern of coercive tactics to enforce non-consensual tithing include, but are not
16 limited to, the following:

17 a. The ICOC put members, who failed to tithe, on a "weak and
18 struggling list," a list which was known to all ICOC leaders. If the "weak and
19 struggling" member did not eventually repent and repay the tithe, the ICOC
20 "disfellowshipped" him or her.

21 b. The ICOC would ask its members to locate members who failed to
22 tithe and peer pressure them into tithing, for example, by sitting on their porch and
23 waiting until they arrived home to collect the money.

24 c. In 2005, two former ICOC members filed a suit in Tennessee
25 claiming the church uses cultlike tactics, manipulation, peer pressure and guilt to
26 force members into tithing and making other financial contributions. They alleged
27 that for personal gain, "the Nashville Church, the [ICOC], Hope Worldwide, and
28 Central and South America World Sector jointly participated in a scheme to defraud

1 church members, who are not allowed to inspect the church’s financial records.”

2 d. A former member (who only wishes to go by Tina C.) witnessed
3 Non-Disclosure Agreements being forced upon parishioners, claiming that they could
4 never talk about the true finances of the Defendants despite evidence that ICOC
5 opened offshore accounts containing massive quantities of cash.⁶

6 59. The pressure to comply with the church’s rigid demands became a source
7 of anxiety and depression for many members—so much so that several ex-members
8 committed suicide.

9 60. In furtherance of efforts to protect the church and its primary source of
10 revenue (*i.e.*, its members) at all costs, McKean and the ICOC used psychological
11 manipulation to conceal the incidents of abuse. ICOC members routinely read
12 scripture to discourage “dragging brothers into court.” For example, McKean told
13 members of the ICOC, including the mother of Jane Roe 8, that:

14 “We cannot report these abuses, because it would hurt our
15 church, which is God’s Modern-Day Movement.”

16 “Do you want the fall of God’s modern-day movement on
17 your head????!!”

18 “The cause of protecting God’s Kingdom on earth is more
19 important than the sin or the pain of a few individuals.”

20 “We need to forgive our brothers who sin and realize that
21 they are a new creation in Christ, and give them a chance
22 to make things right. If we report them, it will destroy their
23 lives and hurt the church.”

24 61. In addition, the ICOC engaged in strategic victim blaming and victim

25
26 ⁶ Top leaders of the ICOC put “different ICOC assets and properties in their names” in order shelter and hide those
27 assets “so that the church didn’t specifically own them.” For example, The Bay Area Christian Church listed its address
28 at the location of the HOPE Technology School for Autistic Children, which was owned by Bay Area Christian Church
executive minister Russ Ewell. As of 2022, the property had a total assessed value of \$7.7 million, all of which was
exempt from taxes under an “other” exemption. The Bay Area Christian Church also received a PPP loan of \$764,600
in April 2020.

1 shaming. For example, ICOC leaders blame victims for bringing on their suffering
2 because their clothing was too provocative, they were supposedly disobedient, or that
3 they did not listen to the ICOC's advice.

4 62. Through this combination of tithing, labor contributions, and
5 concealment of crimes through fear, coercion, and manipulation, McKean and the
6 ICOC managed to operate a highly profitable pyramid scheme.

7 63. A web of paper corporations and alter ego 501(c)(3) entities supported
8 that pyramid scheme, culminating in hundreds of millions of dollars in illicit gains.
9 The full extent of the ICOC (and the ICC's) profiteering is unknown, especially in
10 view of the tithing and labor contributions that the ICOC and the ICC routinely coerce
11 from their members.

12 64. Plaintiffs are aware that the ICOC and the ICC have also benefitted from
13 millions in governmental support through SBA loans, authorized under the
14 Coronavirus Aid, Relief, and Economic Security Act (CARES Act).⁷ Through their
15 abuse of the corporate form and systematic exploitation of their members, the ICOC
16 and the ICC have created literal cash cows built upon layers of lies and deceit.

17 65. McKean actively solicited church members to turn over their COVID-19
18 relief money to the church. The following are excerpts of emails from McKean to
19 various church elders and leaders:

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28 ⁷ During the COVID-19 pandemic, branches of ICOC received 77 Paycheck Protection Program (PPP) loans, totaling over \$9.4 million. Over \$9.2 million of those loans were forgiven, including accrued interest. See <https://projects.propublica.org/coronavirus/bailouts/> for more information.

Here are my charges for the USA Churches:

1. Call your members to give their stimulus checks ASAP. Americans are known to spend everything in their accounts. The great Chicago Church has called these \$1,200 checks "Manna from Heaven!"

Presently, all around the world, if a member misses 2 or 3 weeks – usually recognized by missing 2 or 3 weeks of weekly contribution – this is a red flag that they may have become unfaithful. (There of course are always exceptions.) It is a fact that almost every USA Disciple has the ability to give online. So discipling in the COVID-19 Era must include how to give one's weekly contribution online.

Therefore, in the COVID-19 Era to show more forbearance and grace, if a person on your membership has not given for 4 straight weeks – remember this is the USA Churches not third world like India, the Philippines, Africa and some nations of Central and South America – then we must have the conviction that they have become unfaithful to God. At this point, after consulting your World Sector Leader then a decision needs to be made concerning the removal of their name from your membership. However, before that is done, the Evangelist or Women's Ministry Leader must contact them to see if there are extenuating circumstances. Take each situation on a case by case basis.

66. HOPE, a sham charity organization, is one example of a tax-exempt corporation under the ICOC's and the ICC's corporate umbrellas. HOPE has generated over \$100 million in revenue over the last six years. It continues to generate a substantial share of its tax-free revenue from its members using substantially similar methods of the ICOC and the ICC, which are characterized by the tax-deductible contributions from third-party corporations and high-net-worth individuals.

F. McKean and His Churches Used Children's Ministries to Extend the Abuse Enterprise.

67. The ICOC's children's ministry, named the "Kids Kingdom," further insinuated the ICOC into the lives of its members and their children.

68. The ICOC built a culture of child grooming. Children were taught from a very young age to "obey" their ICOC elders or face corporal punishment. The ICOC indoctrinated the children under its control to therefore obey adults and authority

1 figures unquestioningly.

2 69. Those policies, practices, and norms allowed the ICOC and its Kids
3 Kingdom, in particular, to become fertile grounds for sexual predators. Countless
4 instances of abuse happened within the Kids Kingdom ministries themselves, during
5 its hosted mission trips (*e.g.*, HOPE Worldwide trips), and other related religious and
6 social events.

7 70. HOPE took teenagers on mission trips around the world to spread God's
8 Word. Many of these children thought they were participating in an evangelical trip.
9 Ultimately, many, including some of the Plaintiffs, were sexually abused by vile adult
10 men. Children and/or their parents reported the sexual abuse, including rape, to elders
11 and doctors (*i.e.*, mandated reporters) within the church, but the church never bothered
12 notifying the police of the illegal activity. There were no instances of any ICOC
13 medical doctors reporting the abuse to anyone, let alone anyone outside the church.

14 **G. McKean and His Churches Encouraged Physical Abuse of Children Under**
15 **the Guise of Discipline.**

16 71. In addition to sexual abuse, children in the care of ICOC (and ICC) staff
17 were routinely physically abused under the pretext of "discipline." The ICOC also
18 instructed the parents to routinely physically abuse their children under the pretext of
19 discipline.

20 72. Church leadership often recited the following commonly known passage
21 from Proverbs 13:24 as justification for child abuse: "Those who spare the rod of
22 discipline hate their children. Those who love their children care enough to discipline
23 them."

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73. For example, the ICOC instructed its members to spank children, including infants, with a wooden paddle or spoon. Pictured is an example of a custom-made ICOC paddle with a heart shaped hole in it. A true and correct image of the heart shaped paddle is depicted below:



74. Members were instructed, with visuals, on how to use corporal punishment without leaving bruises, welts, or red marks, so the offending members could not be reported to child protective services. One former member recalls frequently seeing young children at church with welts or bruises on their thighs. On one occasion, this member witnessed a child with a “heart shaped welt” on his/her body.

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H. Defectors are Beginning to Corroborate the Abuses Publicly, and Experts are Taking Note.

75. McKean and his team of capable, well-educated henchmen convinced nearly everyone within his churches to remain silent for the last 43 years. That silence has come to an end.

76. Some ICOC members were fortunate enough to escape the church's tight grasp and successfully flee the toxic and harmful environment that McKean created.

77. According to some of the most respected cult experts around the world (such as Dr. Steve Hassan, PhD), the ICOC and ICC are some of the most dangerous cults in existence. The danger arises primarily because the church insidiously masquerades as the approachable 'church next-door' with deeply rooted Biblical foundations. On its face, this public image of the church seems innocent. But the church's internal machinations are characterized by unmitigated systemic and chronic physical and sexual abuse of children and women within the church.

78. Defectors have since revealed the abuse they suffered or witnessed at the ICOC. For example:

a. Former member (and non-party) Lisa Johnson was a top leader in New York City and a friend of McKean. In a podcast called *Eavesdropping*,⁸ she made the following comments regarding the ICOC based on her personal experience: "Women [in the ICOC] are getting ground up, and I mean tons of people, it's not an isolated case here and there . . . And I think about these women now, after all these years . . . So I'm gonna bring up something here. . . . There has been sexual abuse, there has been emotional abuse, and there has been some physical abuse of women . . . and part of that is the issue of patriarchy. We developed a system and a way that was not safe for women . . . There are women that have been very damaged and ground up

⁸ The podcast may be accessed from YouTube from <https://m.youtube.com/watch?v=mqhs4GJ1D-s&pp=ygUsU3RldmVulGxlc2xpZSBqb2huc29uIExpc2EgbXkgTGlzYSBhbmQgU2hhcmk%3D>. The statements begin at the 44:40-minute mark and last for about four minutes.

one of the problems—and one of the reasons why I call it “original sin”—I don’t think that that sin is any different than if it had been a man and a woman, by the way, that’s not married. But the fact that we hid it. You laughed at the word ‘transparent.’ That’s what we needed. . . We needed to be hearing about that. People should be taught that that’s how things started in our group. And some of that has continued for three generations. . . . Some of that trauma was carried on, was passed on to other men as those men went out to start their churches. . .”

I. The ICOC and the ICC Refused to Report Numerous Pedophiles Who Were Later Arrested.

79. At least ten pedophiles have been arrested in connection with abuses linked to the ICOC or ICC. Described below, these individuals committed numerous crimes before the police intervened. On information and belief, they represent only miniscule fraction of the true number of predators who have operated with impunity within the ICOC since 1979.

1. David Saracino

80. In January 2012, Defendant David Iburg, *a/k/a* David Saracino (“Saracino”), was sentenced to 40 years of hard labor in the State of Louisiana, the maximum sentence, for the **forcible rape of a 4-year-old girl in 2004**.¹⁰ The prosecutor, Cynthia Guillory, told the judge that he was among the worst of the worst. Saracino purposefully sought out women with financial problems so he could gain access to their small children, who became his victims. He had charges and convictions in Texas, Utah, and Louisiana, where he received the 40-year sentence.¹¹

¹⁰ *State v. Iburg*, 12-2720 (La. 5/17/13), 118 So.3d 372.

¹¹ For more information, see Theresa Schmidt, *Prosecutor to child rapist: You’re the worst of the worst*, KPLC News (Jan. 6, 2012), last accessed June 13, 2023 from <https://www.kplctv.com/story/16464797/man-gets-40-years-for-raping-a/?outputType=amp>.

1 81. Saracino attended the East Region of the Los Angeles ICOC, where
2 several members (single mothers) of the ICOC reported to the leaders in the East
3 Region in or about 1998 that Saracino had continuously molested their daughters.
4 Ultimately, several police reports were filed by the parents, while the ICOC remained
5 silent. Just as the ICOC did nothing to address these reports, Saracino escaped to the
6 San Diego ICOC and freely resided in the Escondido area, temporarily, until fleeing
7 again.

8 82. For a time, Saracino disappeared. He was free to go on a nationwide crime
9 spree, abusing and raping little girls along the way. Saracino was finally caught, but
10 only after an episode of America's Most Wanted produced credible leads that resulted
11 in his capture.

12 83. Like so many others, the mothers of the victims were told not to share
13 with anyone else what Saracino had done, as it would "hurt the church."

14 84. Had the ICOC assisted in his arrest or alerted their congregations,
15 Saracino could not have continued abusing children with reckless abandon. On
16 information and belief, the ICOC intentionally, willfully, maliciously, and recklessly
17 knew of his proclivities without warning parents, concealed his whereabouts, and
18 enabled his escape from authorities.

19 **2. Waldo Milla-Guerra**

20 85. In or about February 2018, a volunteer soccer coach named Waldo Milla-
21 Guerra of Middlesex County, New Jersey, was arrested on charges of possession and
22 distribution of child pornography. Milla-Guerra volunteered at the South Brunswick
23 Soccer Club and formerly taught at Kid's Kingdom at Central Jersey Church of Christ
24 in North Brunswick.

25 **3. Benjamin Samuel Speights**

26 86. In 2005, Benjamin Samuel Speights, a member of the south region Los
27 Angeles ICOC, was convicted for lewd and lascivious acts against a child under the
28 age of 15.

1 87. Speights' unlawful conduct included forceable participation of a 14-year-
2 old girl to create pornographic videos that he sold.

3 88. In December 2020, Speights was convicted in Arizona in connection with
4 a Class 2 felony of sexual exploitation of a minor as part of a negotiated plea deal
5 related to child pornography charges. Speights was a leader in the "Kid's Kingdom"
6 ministry in the El Segundo South Region of the Los Angeles ICOC church. Several
7 children at this ministry reported his physical abuse, but neither the ICOC nor its ever
8 reported the abuse that those children endured or attempted to prevent future abuses.

9 **4. Nicholas Griffin Lombardi**

10 89. Nicholas Griffin Lombardi is another example of a known pedophile
11 abusing children within the ICOC's churches. He was a long-standing member of the
12 ICOC, as were his parents.

13 90. On or about November 27, 2022, Lombardi posted on his personal
14 Facebook page "I kind of have a fantasy of fucking a child ha[.]"

15 91. Lombardi was convicted for lewd and lascivious acts against a child under
16 the age 15. In addition, there are numerous accusations of abuse against Lombardi.
17 And yet, the ICOC refused to report his abusive conduct to the authorities.

18 **5. William (Bill) Thomas McLaughlin**

19 92. In approximately August 2011, one ICOC abuser, William (Bill) Thomas
20 McLaughlin, was sentenced to 6 years to life, followed by 10 years to life of parole for
21 various counts of felony sexual assault on a child by a person in a position of trust.¹²
22 He abused approximately ten to fifteen individuals, all of whom were expelled or in
23 some fashion pushed out of the Denver ICOC as punishment for failing to comply with
24 the leaders' commands.

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28 ¹² For more information, see Rhonda Moore, "Denver man sentenced in Douglas County for sex assault on child" *Castle Rock News-Press* (Aug. 16, 2011), last accessed June 13, 2023 from <https://castlerocknewspress.net/stories/denver-man-sentenced-in-douglas-county-for-sex-assault-on-child,117951>.

1 **6. Tomotaka Andrews Wilton**

2 93. Tomotaka (“Tom”) Andrews Wilton of the Portland, Oregon ICC location
3 raped a child for years.¹³

4 94. Church leaders, including McKean, were acutely aware of the abuse but
5 did nothing to warn anyone regarding this despicable predator’s presence.

6 95. In 2009, he was convicted in Idaho of two counts of third-degree rape of
7 a child and is now a registered sex offender. On information and belief, Wilton remains
8 a member of the Portland ICC.

9 **7. Karim Torres**

10 96. Karim Torres was convicted of indecency with a child by contact.

11 97. On information and belief, he is currently a registered sex offender.

12 98. On information and belief, he serves as a Bible talk leader at several
13 Texas ICOC locations. He and his wife are known to frequently visit other ICOC
14 churches as speakers at family retreats.

15 **8. Warren Inman**

16 99. Warren Inman was convicted of at least three counts of indecency with a
17 child in or about February 2021 in Denton County, Texas, Case No. F-2012-0728-D.
18 He was a member of the Dallas ICOC and lives in Denton County.

19 100. He was a worship leader and allowed college students to live in his home,
20 as he regularly had college worship group meetings at his home. Inman has been in
21 and out of prison and was finally arrested for child molestation. On information and
22 belief, the ICOC neglected to report him to the police.

23 **9. Joseph Ursini**

24 101. Joseph Ursini has multiple arrests and has been in and out of the ICOC
25 fellowship over the years. On information and belief, none of the Texas ICOC
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27 ¹³ For more information, see the Idaho State Police offender profile, last accessed June 13, 2023 from:
28 http://www.isp.idaho.gov/sor_id/SOR?id=35071&sz=1360; <https://www.homefacts.com/offender-detail/IDSX35071/Tomotaka-Andrews-Wilton.html>.

1 churches, including the Dallas location, have ever reported Ursini's criminal conduct
2 to the relevant authorities.

3 **10. Luis Miguel Quiroz**

4 102. Luis Miguel Quiroz was the subject of several individuals' reports to
5 ICOC regarding extreme sexual abuse of several minors. However, the church did
6 nothing.

7 He was finally arrested approximately ten years after the reports were made to the
8 church. Luis is the brother of Dr. Carlos Quiroz, an ICOC pediatrician.

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SPECIFIC ALLEGATIONS

A. The Sordid History of Chuck Lucas

103. When Chuck Lucas became involved with the ICOC, he was a licensed psychologist at the time.

104. It is commonly understood that McKean, was acutely aware of, the physical, psychological, and sexual abuses Lucas and other church members wrought upon children and adult parishioners. ICOC and McKean strategically downplayed Chuck's pattern of abuse by labeling his conduct as "recurring sins." Sadly enough, these "recurring sins" were never investigated by ICOC.¹⁴

105. After Lucas was paid off to leave the ICOC due to his deviant behavior, he led CrossRoads Church of Christ in Gainesville, Florida.

106. Lucas died in August 2018. However, Plaintiffs and scores of members witnessed his ongoing abuse of children and adults within the congregation through the end of his despicable life. Sam Laing, one of Lucas's continued faithful supporters and a prominent lead evangelist with ICOC, was aware of Lucas's deeply disturbing abuses and its chronology. Sam Laing recently made a statement about Chuck in a 2018 article published in "Disciples Today," which is an ICOC owned platform/news source: "“Chuck Lucas was a man of deep conviction. He was a disciple of great courage and perseverance. He was criticized, persecuted and attacked for what he stood for, but he never quit. Yes, he had his weaknesses and failures along the way, but he, by grace, repented and overcame them, and was restored.”¹⁵

B. Plaintiffs Were Tortured and Abused At Ages 5 and 9

107. On or about September 21, 2008, Plaintiffs' mother was approached by a deacon's wife, Sheila Grubb, also a leader in the ICOC, at a party she was hosting for

¹⁴ Ryan Britt, *History Repeats Itself: The Rise and Fall of Kip McKean & Chuck Lucas*. Last accessed on December 29, 2022 from: <http://www.reveal.org/library/history/britt2.html>.

¹⁵ Sam Laing, *Chuck Lucas: A Servant of God* (2018). Last accessed on December 29, 2022 from: <https://www.dtodayarchive2.org/chuck-lucas-gods-servant-and-how-he-used-him>

1 moms of special needs children. Sheila said: “one of the boys from across the street is
2 messing with your baby girl. I saw him this morning at church; he led her behind a
3 door leading into the auditorium.”

4 108. Plaintiffs’ mother immediately spoke with her youngest daughter, who
5 was 5 years old and in kindergarten at the time. Jane Roe 6 burst into tears and said,
6 Ian Schirmer “won’t stop”. Ian told her, “don’t tell anyone” and “this is how I show
7 you I love you”. On information and belief, Ian was approximately 10 years old when
8 he sexually abused Plaintiffs in various locations, including but not limited to church-
9 owned facilities.

10 109. Immediately, Plaintiffs’ mother understood why Jane Roe 6 had been
11 falling behind in school the prior month. Jane Roe 6’s teacher and Plaintiffs’ mother
12 had recently met to discuss concerns regarding Jane Roe 6’s lack of progress at school.

13 110. Plaintiffs’ mother asked Jane Roe 7, who was 9 years old at the time, if
14 she had been abused and she confirmed that she had also been abused by Ian Schirmer
15 in the same manner as her sister.

16 111. Ian sexually abused Plaintiffs by aggressively groping them and touching
17 their bodies in a sexual manner. Ian told both girls they were not allowed to say no to
18 his touching and groping.

19 112. Ian Schirmer’s parents are Alberto and Anna Maria Schirmer and the
20 Schirmer family attended the North River Church of Christ (“North River ICOC”)¹⁶,
21 an ICOC church in Marietta, Georgia. Alberto Schirmer was in a leadership position
22 as a Deacon at North River ICOC in or about the time Plaintiffs’ abuse occurred.

23 113. On or about September 22, 2008, Plaintiffs’ mother spoke with Alberto
24 and Anna Maria Schirmer regarding Plaintiffs’ abuse. When Plaintiff’s mother
25 disclosed the abuse she discovered the day before, Anna Maria looked at Alberto and
26 said, “I guess this means the other stuff at school is true then.”

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¹⁶ <https://nrcoc.org>

1 114. Plaintiffs' mother bluntly asked Alberto and Anna Maria, "has he done
2 this before? You could have told me so that we could have installed further safety
3 measures." They both reacted calmly and in an unalarmed, yet calculated manner. After
4 this meeting with the Schirmers, Plaintiffs' mother immediately went home and began
5 searching for help for her daughters. She called a counselor at North River ICOC,
6 Steven Brand, who on information and belief was/is a licensed therapist, and someone
7 that the ICOC recommended and used to counsel its members in a professional
8 capacity. When Steven Brand gave advice, church members were expected and
9 directed to take that advice. Upon hearing which of the Schirmer children (they had
10 twin boys) abused Plaintiffs, Steven said, "they have got to get a hold on that boy."
11 This telling, but simple statement conveyed a disheartening fact to Plaintiffs' mother:
12 church leadership was already aware of Ian's pattern of abusing other children. Steven
13 told Plaintiffs' mother they should "talk again tomorrow" about the situation. Steven
14 Brand, a counselor and mandatory reporter, never reported the abuse to anyone.

15 115. Plaintiffs' mother also went to Plaintiffs' school, Eastside Elementary
16 School, spoke with a school counselor and specifically requested assistance in keeping
17 Ian away from both girls. The school counselor listened and said, "I don't need the
18 boy's name I think I know who it is." Plaintiffs' school had approximately 1,200
19 students at the time in grades ranging from Kindergarten to 5th grade, however, among
20 such a large student body, this counselor knew the perpetrator's name without
21 Plaintiffs' mother disclosing his name. The counselor helped Plaintiffs' mother create
22 an action plan and the counselor also reported the abuse to the Department of Family
23 and Children Services ("DFACS"). She recommended SafePath Children's Advocacy
24 Center ("SafePath") in Marietta, Georgia, as a safe space to obtain help for Plaintiffs
25 in connection with the abuse they endured

26 116. On or about September 23, 2008, Plaintiffs' mother received a call on her
27 lunch break from Steven Brand and he said, "I've known Anna Maria for years going
28 back to Boston where we were in the same family ministry group, so I don't think I

1 can help you with your girls.” Plaintiffs’ mother was completely stunned that a
2 mandatory reporter such as Steven Brand would refuse to report child abuse because
3 of his personal relationship with the abuser’s mother.

4 117. Later that evening on September 23, 2008, Lin Beaty Ottenweller, a
5 women’s ministry leader in the ICOC and registered nurse, visited Plaintiffs’ home and
6 stated she wanted to help Plaintiffs’ mother with Plaintiffs. Plaintiffs’ mother asked for
7 Lin’s help in convincing Anna Maria to drive the twins to school so Plaintiffs would
8 not be forced to confront their abuser 5 days each week during the bus ride to school.
9 Plaintiffs’ mother made this request of Lin because when she previously asked Anna
10 Maria to personally drive the twins to school, Anna Maria refused and stated that her
11 “boys really enjoy riding the bus.” Lin Beaty Ottenweller was at all relevant times a
12 registered nurse and clergy member, and as a result, a mandatory reporter. Lin failed
13 to report the abuse to DFACS.

14 118. On September 24, 2008, Plaintiffs’ mother received a call from Detective
15 Adamchek from the Cobb County Crimes Against Children Unit and they scheduled a
16 time for him to interview Plaintiffs at SafePath.

17 119. On September 30, 2008, Anna Maria Schirmer came to Plaintiffs’ home
18 and spoke with Plaintiffs’ mother. Anna Maria asked, “when you talk to your girls how
19 do you question them?” Anna Maria’s question clearly insinuated that Plaintiffs’
20 mother had installed false narratives in Plaintiffs’ minds regarding the abuse. Plaintiffs’
21 mother responded, “you think I would want my girls to think they are victims of sexual
22 assault if it didn’t happen to them?” Plaintiffs’ mother then asked Anna Maria to
23 “please leave [her] home now and don’t ever step foot on [her] property again!”

24 120. On October 1, 2008, Plaintiffs and their mother went to SafePath to be
25 interviewed by Detective Adamchek. He interviewed Plaintiffs and their mother
26 separately for approximately an hour each. Detective Adamchek requested Sheila
27 Grubb’s phone number so he could obtain a witness statement from her.

28 121. On October 5, 2008, Lin Beaty Ottenweller visited Plaintiffs’ home

1 because, she said she was concerned Plaintiffs' mother was receiving advice outside
2 of North River ICOC and, therefore, not receiving "Godly advice." Plaintiffs' mother
3 informed Lin that the family was receiving help from experts in the field, including
4 Detective Adamchek.

5 122. On October 8, 2008, Plaintiffs' mother received a call from an angry
6 Sheila Grubb who was upset because she received a voicemail from Detective
7 Adamchek and she did not want to be involved in the situation.

8 123. In November 2008, a meeting between the elders and Plaintiffs' mother
9 was held at Plaintiffs' next-door neighbor's home. The next-door neighbor was also a
10 member of North River ICOC and the following individuals were present at the
11 meeting: Plaintiffs' mother, Kevin and Echo Garrett, Ken Furlong (elder), Ross
12 McKenzie (elder) Thom Bogle and Bob Keen (elder and attorney). Thom Bogle was
13 the only individual Plaintiffs' mother did not know personally; he and his wife had
14 recently moved to Georgia from the New York City ICOC. Plaintiffs' mother later
15 learned that Thom Bogle was a new elder at North River ICOC and Thom had received
16 an endorsement from Tom and Kellie Brown, who were leading the North River ICOC
17 at the time. Plaintiffs' mother shared with the group what Plaintiffs had endured and
18 Echo Garrett responded by sharing how ICOC leadership showed no concern regarding
19 Plaintiffs' inhumane abuse.

20 124. During the meeting, the elders had little to nothing to say about Plaintiffs'
21 abuse. However, Ross McKenzie said, "someday soon your girls and the boys (Ian)
22 across the street can play together again!" This calloused statement horrified Plaintiffs'
23 mother and she quickly told the group that Plaintiffs would never play with the
24 Schirmer boys ever again. None of the leaders at this meeting in November 2008 ever
25 reported Plaintiffs' abuse.

26 125. On November 13, 2008, Detective Adamchek called Plaintiffs' mother
27 and asked to take photos of the family home. He arrived with 2 other detectives in an
28 all-black vehicle. Plaintiffs' mother told Detective Adamchek about the feedback she

1 received from North River ICOC staff and leaders and he curtly said, “your family
2 should have no contact with anyone in that family, they are truly dangerous to you.”
3 Plaintiffs’ mother was floored that an “outsider” had such strong views about the
4 Schirmer family, yet not a single member or leader within the North River ICOC shared
5 this opinion. Indeed, it felt like everyone at North River ICOC fiercely protected the
6 Schirmer family instead of Plaintiffs. Detective Adamchek told Plaintiffs’ mother that
7 he caught Alberto Schirmer in a lie and Anna Maria was “covering” for Alberto.
8 Detective Adamchek told Plaintiffs’ mother that the police department should have
9 received multiple reports from North River ICOC, however, they had not received a
10 single report regarding Plaintiffs’ abuse.

11 126. In December 2008, Plaintiffs’ mother spoke with the mother of a little boy
12 who was also abused by Ian Schirmer at Eastside Elementary School in approximately
13 2007. This mother said her experience dealing with the Schirmer family was horrific
14 and she felt the family was hiding something. She was frustrated that she had no
15 success convincing anyone at Eastside Elementary School to restrict Ian’s activities to
16 protect the other children from his abuse. After discussing her concerns with the school
17 counselor, the school counselor told Plaintiffs’ mother, “good luck trying to get
18 accommodations concerning that boy, cause his mom [Anna Maria] is at the school on
19 a weekly basis making sure her son has his freedom!”

20 127. In January 2009, roughly three months after Plaintiffs’ mother first
21 learned of Plaintiffs’ abuse, Kellie Brown called Plaintiffs’ mother to schedule a
22 meeting with the new North River ICOC Elder, Thom Bogle, at his home. Plaintiffs’
23 mother refused because she stopped attending the church and did not consider Thom
24 Bogle her Elder. Kellie stated that the Elders wanted to apologize to her because they
25 realized they mishandled the situation concerning Plaintiffs’ abuse. She begged
26 Plaintiffs’ mother to meet and suggested that the meeting could help the family heal.
27 Reluctantly, Plaintiffs’ mother agreed to meet with the Elders and Kellie agreed to
28 attend the meeting to support Plaintiffs and their mother.

1 128. The January 2009 meeting at Thom Bogle's house also included Lin
2 Beaty Ottenweller, Kellie Brown, and Thom's wife, Gail Bogle. Lin commenced the
3 meeting by telling Plaintiffs' mother she was concerned that she was not helping
4 Plaintiffs "heal and forgive". Lin alleged that Plaintiffs' mother was trusting people in
5 the "world" rather than the ICOC spiritual leaders who loved and cared for the family.
6 Taken aback by the group's assault on her parenting abilities, Plaintiffs' mother
7 responded, "are you seriously going to sit there and tell me I'm not a good mom to my
8 girls because I'm seeking help from experts in the field of pediatric sexual abuse, and
9 I have the backing of the Crimes Against Children unit of the Cobb police!"

10 129. Thom Bogle then presented a document to the group, stating, "I have a
11 letter from a child psychologist in Athens saying that the abuser, Ian Schirmer, is not a
12 threat to other children." Plaintiffs' mother immediately responded, "are you talking
13 about the therapists named the Shapiros? They are ICOC members, and are
14 developmental psychology therapists, and not trained in child predator situations! The
15 Shapiros have been seeing Ian once a month for many years, so this abuse happened
16 on their watch! They are not qualified to make that assessment!"

17 130. Thom Bogle then replied verbatim to Plaintiffs' mother: "what happened
18 to your girls isn't that big of a deal, as most girls have been molested by the time they
19 reach 18."

20 131. Thom told Plaintiffs' mother, "we don't need you at North River, or your
21 friends, as we have 60,000 square feet of building space, and people are moving in
22 every week." Plaintiffs' mother took her cue from Thom and immediately left his
23 home.

24 132. In September 2009, Plaintiffs and their mother attempted to attend Ian
25 Schirmer's court hearing regarding the abuse. The prosecutor told Plaintiffs' mother,
26 "this boy comes from a wealthy family and they have good representation." Plaintiffs'
27 mother responded and said, "she knew the family was not wealthy because she made
28 more money than Alberto Schirmer." On information and belief, Thom Bogel, a

1 wealthy individual, funded Ian Schirmer's defense costs.

2 133. In September 2010, word began spreading in the community that other
3 abuse survivors came forward to expose abuse by Thom Bogle that the church actively
4 concealed. After these other survivors publicly disclosed their abuse, Plaintiffs' mother
5 discovered that Thom Bogle had an extensive history of abusing young men in
6 ministries he oversaw. When survivors reported Thom's abuse to church leaders, they
7 were immediately victim shamed and church leaders minimized their experiences by
8 calling the abuse "David/Jonathan" "affairs." These church leaders never reported the
9 abuse to the authorities.

10 134. Jeff Hickman, a staff evangelist at North River ICOC, was assigned to
11 help Plaintiffs' mother as a "friend" after she left the ICOC to keep an eye on her.
12 After learning about Thom's history of abusing young men, Plaintiffs' mother
13 demanded to Jeff Hickman that Bogle be removed as an elder and as a board member
14 of the church's children camp called The Swamp. Plaintiffs' mother, desperate to save
15 other innocent people from Thom's abuse, contacted the Survivors Network of those
16 Abused by Priests ("SNAP") to obtain help in exposing North River ICOC's deeply
17 rooted and repeated coverup of abuse within the church. At the time, Plaintiffs' mother
18 was told that exposing the church would require the cooperation of multiple victims,
19 so unfortunately, SNAP was unable to help her at that time.

20 135. In or about December 2010, Al Baird, Lead Elder for the Los Angeles
21 ICOC, also commonly known as the ICOC "fixer," flew to Georgia for a meeting with
22 the wife of one of Thom's abuse victims, to represent the ICOC Elders Group. On
23 information and belief, Al Baird was in a meeting in Boston with Thom regarding this
24 same victim Thom abused in the 1990's. This victim tried on multiple occasions to
25 obtain help from the ICOC leadership, however, nothing happened and **Thom was**
26 **allowed to continue his abuse unabated with the ICOC turning a blind eye.**

27 136. On January 17, 2011, Plaintiffs' mother received a text from Jeff Hickman
28 telling her that Bogle was removed as an Elder at North River ICOC. North River

1 ICOC announced to the church that Thom was removed because “someone from
2 Bogle’s past had come forward and is unforgiving.” Therefore, **North River ICOC**
3 **concealed the assaults and never informed the congregation that Thom’s sexual**
4 **abuse victim came forward or that Thom abused multiple individuals while he**
5 **was a campus minister.**

6 137. As a result of the abuse, Jane Roe 6 experienced severe trauma throughout
7 her childhood. For example, Jane Roe 6’s school performance went from stellar to
8 requiring that she repeat the first grade. Her trauma culminated in her teen years and is
9 ongoing to this day.

10 138. Plaintiffs have continuously seen psychotherapists from the time of
11 incident to the present and both have struggled with flashbacks, severe depression and
12 other related conditions.

13 139. As a direct and proximate result of Plaintiffs’ abuse, they suffered and
14 continue to suffer a litany of injuries. Among other injuries, Plaintiffs have experienced
15 and will continue to experience damages, including but not limited to, severe pain and
16 suffering, emotional distress, humiliation, mental anguish, loss of enjoyment of life,
17 loss of educational opportunity, loss of wages, loss of income, and loss of future wages.

18 **FIRST CLAIM FOR RELIEF**

19 **SEXUAL ASSAULT OF A MINOR**

20 *(Against All Defendants and Does 1-10)*

21 140. Plaintiffs re-allege and incorporate by reference herein each and every
22 allegation contained herein above as though fully set forth and brought in this cause of
23 action.

24 141. Defendants intentionally, willfully, and maliciously sexually assaulted
25 and/or sexually abused and molested Plaintiff during the time that Plaintiff was a
26 minor.

27 142. In committing the unlawful acts of sexual assault against Plaintiff,
28 Defendants intended to put Plaintiff in imminent apprehension of harmful or offensive

1 contact.

2 143. Defendants put Plaintiffs in imminent apprehension of such harmful
3 offensive contact as Plaintiffs actually believed Defendants had the ability to make
4 harmful or offensive contact with plaintiff's person.

5 144. Plaintiffs did not consent to Defendants' intended harmful or offensive
6 contact with plaintiff, Defendants' intention to put Plaintiffs in fear of imminent
7 apprehension of such contact, plaintiff was a minor during the time herein alleged and,
8 therefore, lacked the ability to consent to sexual contact with any person, including
9 Defendants.

10 145. As a direct and legal result of this conduct. Plaintiffs suffered harm
11 including, but not limited to, physical, mental, and emotional injuries of childhood
12 sexual abuse and molestation; was caused to incur medical and other expenses for care,
13 treatment, and counseling, and Plaintiffs will continue to incur all such damages in the
14 future, and other damages, in an amount not yet ascertained, but which exceed the
15 minimum jurisdictional limits of this Court.

16 146. Defendants conduct described herein was oppressive, malicious, and
17 despicable in that it was intentional and done in conscious disregard for the rights and
18 safety rights of Plaintiffs, and with the substantial certainty that it would cause
19 Plaintiffs, to suffer humiliation, mental anguish, and emotional and physical distress.

20 147. Defendants' conduct as alleged constitutes malice and oppression under
21 California Civil Code section 3294. Plaintiffs are therefore entitled to the recovery of
22 punitive damages in an amount to be determined by the Court.

23 **SECOND CAUSE OF ACTION**

24 **VIOLATION OF PENAL CODE 647.6(a)(1)**

25 *(Against All Defendants and Does 1-10)*

26 148. Plaintiffs re-allege and incorporate by reference herein each and every
27 allegation contained herein above as though fully set forth and brought in this cause of
28 action.

150. As alleged herein, Defendants engaged in sexual penetration with
Plaintiffs while Plaintiffs were under eighteen years of age, in violation of California
Penal Code § 647.6(a)(1).

12 152. Defendants above-noted actions in annoying and molesting the minor
13 Plaintiffs was the proximate and legal causes of physical, psychological, emotional,
14 and economic damages Plaintiffs have suffered and continues to suffer to this day. It
15 also has resulted in Plaintiffs incurring, and will require Plaintiffs to incur into the
16 future, expenses for medical and psychological treatment, therapy, and counseling.

THIRD CAUSE OF ACTION

(Against All Defendants and Does 1-10)

1 action.

2 155. The conduct of all Defendants as set forth in this Complaint was extreme
3 and outrageous, and committed with the intention of causing, or reckless disregard of
4 the probability of causing, emotional distress.

5 156. A reasonable person would not expect or tolerate the sexual assault
6 committed by Defendants.

7 157. A reasonable person would not expect, accept or tolerate Defendants'
8 unlawful sexual assault and/or sexual abuse, and molestation of Plaintiffs.

9 158. Defendants' conduct exceeded all bounds of that usually tolerated in a
10 civilized community.

11 159. Defendants intended to cause Plaintiffs injury when they sexually
12 assaulted Plaintiffs, manipulated and brainwashed Plaintiffs into silence and actively
13 concealed Plaintiffs' abuse.

14 160. Plaintiffs have suffered severe and/or extreme distress as a result.

15 161. As a direct and legal result of Defendants' conduct, Plaintiffs suffered
16 harm including, but not limited to, physical, mental, and emotional injuries of
17 childhood sexual abuse and molestation; was caused to incur medical and other
18 expenses for care, treatment, and counseling, and Plaintiffs will continue to incur all
19 such damages in the future, and other damages, in an amount not yet ascertained, but
20 which exceed the minimum jurisdictional limits of this Court.

21 162. Defendants' conduct described herein was oppressive, malicious and
22 despicable in that it was intentional and done in conscious disregard for the rights and
23 safety rights of Plaintiffs, and with the substantial certainty that it would cause
24 Plaintiffs, to suffer humiliation, mental anguish and emotional and physical distress.

25 163. Defendants' conduct as alleged constitutes malice and oppression under
26 California Civil Code section 3294. Plaintiffs are, therefore, entitled to the recovery of
27 punitive damages, in an amount to be determined by the Court.

28 ///

FOURTH CAUSE OF ACTION

NEGLIGENT HIRING, SUPERVISION, AND RETENTION

(Against All Defendants and Does 1-10)

164. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained herein above as though fully set forth and brought in this cause of action.

165. At all times relevant, a special relationship existed between Defendants and Defendants, because Defendants were the agents of Defendants, each of whom had the ability to control of Defendants' conduct, yet failed to exert it. In doing so, Defendants created a widespread culture of acceptance of the abuse of children, as Defendants and Defendants collectively brainwashed and manipulated Plaintiffs to remain silent about the abuse and these Defendants also actively concealed the abuse to avert discovery by the authorities.

166. At all times herein. Defendants, and each of them, negligently supervised, managed, and controlled Defendants in their membership and participation in Defendants' Church, and negligently failed to warn Plaintiffs, Plaintiffs' parents, and other members of the Church, of the propensity and risk that Defendants would sexually assault, sexually abuse, and/or molest minor children, a propensity and history of which Defendants, and each of them, acting through their employees, agents, and volunteers, had actual notice.

During the same time period, Defendants, and each of them, were negligent in failing to exercise reasonable care to protect Plaintiffs, and other minors, who were members of, or participants in, activities at Defendants' Church, from the risk of sexual assault, sexual abuse and molestation by perpetrators, including Defendants.

167. Defendants were further negligent in failing to notify law enforcement and other appropriate authority that Plaintiffs were and/or continued to be a victim of child abuse/assault by Defendants when they learned of this fact. Defendants' failure to report the known and/or reasonably suspected child abuse of Plaintiffs, but instead

1 Defendants perpetuated and facilitated Defendants' continued sexual abuse and/or
2 sexual assault, and molestation of Plaintiffs.

3 168. If Defendants satisfied their duty to take reasonable steps to protect
4 Plaintiffs all minor children, from known and/or foreseeable harm, including sexual
5 assault, including reporting the sexual assault and/or sexual abuse, and molestation to
6 law enforcement, then some or all of the Plaintiff's injuries would have been avoided.

7 169. Prior to, during, and after the sexual assault of Plaintiffs, Defendants,
8 through their administrators, employees, agents, and/or volunteers, had knowledge,
9 and/or were otherwise on notice, that Defendants had and/or was engaged in, and/or
10 presented the risk of, sexual assault of Plaintiffs, and other minors.

11 170. Plaintiffs are informed, believes, and thereupon alleges that prior to, and
12 during Defendants' sexual assault and/or sexual abuse, and molestation of Plaintiffs,
13 Defendants knew or should have known, reasonably suspected, and/or were otherwise
14 on notice, of Defendants' unlawful conduct, as set forth in this Complaint, but failed
15 and/or refused to take any affirmative action, including but not limited to notifying law
16 enforcement. Instead, Defendants directed Plaintiffs and Plaintiffs' parents to continue
17 to have contact with Defendants thereby ratifying and facilitating Defendants'
18 continued sexual assault and/or sexual abuse and molestation of Plaintiffs.

19 171. Defendants breached their duties by failing to use reasonable care to
20 protect Plaintiffs from their pastor, deacon, employee, and/or agent, to wit, Defendants.

21 172. If Defendants fulfilled their duty and responsibility, then Plaintiffs would
22 not have been subject to all or most of the misconduct perpetrated against her and the
23 resulting harm.

24 173. As a direct and legal result of Defendants' conduct. Plaintiffs suffered
25 harm including, but not limited to, physical, mental, and emotional injuries of
26 childhood sexual abuse and molestation; was caused to incur medical and other
27 expenses for care, treatment, and counseling, and Plaintiffs will continue to incur all
28 such damages in the future, and other damages, in an amount not yet ascertained, but

1 which exceed the minimum jurisdictional limits of this Court.

2 174. Plaintiffs are informed, believes, and thereupon alleges that Defendants'
3 failure to respond, investigate, terminate Defendants' employment, report, or take any
4 other action following Plaintiffs, other minor children, and Plaintiffs parents' report of
5 sexual assault and/or abuse by Defendants was part of Defendants' concerted effort to
6 cover up and/or hide evidence related to childhood sexual assault of minor children,
7 including Plaintiffs.

8 175. Plaintiffs' damages as a result of Defendants' repeated sexual assault,
9 abuse, and molestation of Plaintiffs was a direct result of Defendants' concealment and
10 cover-up. As such. Plaintiffs are entitled to treble damages against Defendants pursuant
11 to Code of Civil Procedure section 340.1(b)(2).

12 **FIFTH CAUSE OF ACTION**

13 **NEGLIGENT SUPERVISION OF A MINOR**

14 *(Against All Defendants and Does 1-10)*

15 176. Plaintiffs re-allege and incorporate by reference herein each and every
16 allegation contained herein above as though fully set forth and brought in this cause of
17 action.

18 177. Defendants and McKean and Lucas (McKean and Lucas are collectively,
19 the "Church Leader Defendants"), and each of them, were responsible for the care,
20 custody, control, supervision, and protection of the minor children entrusted to them,
21 including Plaintiffs. Defendants and Church Leader Defendants had a duty to
22 adequately and properly supervise, monitor, and protect Plaintiffs from known and
23 knowable dangers, such as those posed by Defendants.

24 178. Defendants and Church Leader Defendants, and each of them, breached
25 their duty to properly and adequately supervise, monitor, and protect Plaintiffs, in part
26 because officers, administrators, agents, and other supervisory employees knew or
27 should have known of Defendants' improper behavior, including that minor children,
28 including Plaintiffs, were frequently alone with Defendants without any justification,

1 that Defendants would frequently touch and sexually abuse minor children, including
2 Plaintiffs, at Church Leader Defendants and Defendants' Churches without any
3 justifiable reason for doing so, including when the minor children were by themselves,
4 and Defendants sexually abused, assaulted, and/or molested minor children, including
5 but not limited to Plaintiffs.

6 179. Defendants and Church Leader Defendants, acting through their
7 administrative and supervisory employees, knew or should have known that Plaintiffs
8 were unattended and unsupervised with Defendants on numerous occasions, without
9 any justification.

10 It should have been obvious to any officer, agent, administrator, employee, or staff
11 member that there was no reason that neither Plaintiffs, nor any other child, should
12 have been alone with Defendants. The employees and agents of Defendants and Church
13 Leader Defendants instead turned a blind eye to the fact that Defendants were spending
14 time with minor children, including Plaintiffs, unattended and unsupervised without
15 any investigation into the matter.

16 180. After engaging in grooming activity of Plaintiffs while spending time
17 alone with Plaintiffs, Defendants started sexually assaulting, sexually abusing, and
18 molesting Plaintiffs and other minor children on Defendants' premises and during
19 Defendants and Church Leader Defendants' church related services. The acts of sexual
20 assaults and abuse occurred while Plaintiffs were left unattended and unsupervised
21 with Plaintiffs.

22 181. If Defendants and Church Leader Defendants, and each of them,
23 adequately and properly supervised, monitored, and protected Plaintiffs, Plaintiffs
24 would not have been harmed, or would not have been harmed to the extent that
25 Plaintiffs were.

26 182. Defendants and Church Leader Defendants, and each of them, also
27 recklessly and negligently failed to implement and/or enforce policies and procedures
28 that were aimed at preventing or detecting sexual assault and assault of their minor

1 members.

2 183. If Defendants and Church Leader Defendants, and each of them,
3 adequately performed their duties and responsibilities, then Plaintiffs would not have
4 been subject to the sexual assault, assault and harassment perpetrated by the
5 Defendants.

6 184. Plaintiffs have been severely damaged emotionally and physically, and
7 otherwise, in amounts to be proven at the time of trial, but which exceed the
8 jurisdictional limits of the Superior Court as a direct and legal result of the acts and
9 omissions of Defendants and Church Leader Defendants, and each of them.

10 **SIXTH CAUSE OF ACTION**

11 **FAILURE TO REPORT SUSPECTED CHILD ABUSE IN VIOLATION** 12 **OF PENAL CODE SECTION 11165. ET SEP. BASED ON VICARIOUS** 13 **LIABILITY**

14 *(Against All Defendants and Does 1-10)*

15 185. Plaintiffs re-allege and incorporate by reference herein each and every
16 allegation contained herein above as though fully set forth and brought in this cause of
17 action.

18 186. Defendants and Church Leader Defendants, through their administrators
19 and employees knew or reasonably suspected that Defendants had, and or was, engaged
20 in the sexual assault of children while the children were under the care, custody, and
21 supervision of Defendants, and each of them, and thus had a duty to report Defendants
22 to the appropriate authorities under the California Child Abuse and Neglect Reporting
23 Law. (Penal Code §§ 11164-11174.3, "CANRA".)

24
25 187. At all times relevant herein and material hereto, Defendants were
26 employees of Defendants and Church Leader Defendants. Defendants and Church
27 Leader Defendants were responsible for hiring, training, supervising, and retaining
28 Defendants as part of their church and youth bible studies program. Defendants and

1 Church Leader Defendants' staff, employees, and administrators were required to
2 report any suspected child or sexual abuse as part of their duties and responsibilities as
3 employees and/or agents of Defendants and Church Leader Defendants.

4 188. Defendants' and Church Leader Defendants' administrators, board
5 members, and employees are mandated reporters under Penal Code section 11165.7.

6 189. Penal Code section 11166(a) states that a mandated reporter shall make a
7 report to an agency whenever he/she, in his/her professional capacity or within the
8 scope of his/her employment, has knowledge of or observes a child whom the
9 mandated reporter knows, or reasonably suspects has been a victim of child abuse or
10 neglect. "Reasonable suspicion" does not require certainty that child abuse or neglect
11 has occurred but looks to if it is objectively reasonable for a person to entertain a
12 suspicion to suspect child abuse or neglect. (Penal Code § 11166(a)(1).)

13 190. As set forth in this Complaint, Defendants and Church Leader
14 Defendants, through their administrators, board members, and employees knew and/or
15 reasonably suspected that children had been sexually assaulted by Defendants, prior to
16 Defendants' sexual assault of Plaintiffs, giving rise to a duty to report such conduct
17 under CANRA.

18 191. Defendants and Church Leader Defendants, through their administrators,
19 board members, and employees knew that in the absence of the exercise of reasonable
20 diligence, that an undue risk to minors, including the Plaintiffs, existed because
21 Defendants' administrators, board members, and/or employees did not comply with
22 California's mandatory reporting requirements.

23 192. Defendants, through their administrators, board members, and employees,
24 including but not limited to and Church Leader Defendants, failed to report the known
25 and/or reasonably suspected child molestations and assaults, created the risk and
26 danger contemplated by CANRA, and as a result, unreasonably and wrongfully exposed
27 Plaintiffs and other minors to sexual molestation and abuse,

28 193. If Defendants, through their administrators, board members, and

1 employees, including but not limited to the Church Leader Defendants, complied with
 2 CANRA's mandatory reporting requirements, then Plaintiffs would not have been
 3 harmed at all or to the extent that she was.

4 194. As a direct result of Defendants and Church Leader Defendants' failure
 5 to comply with CANRA's mandatory reporting requirements, through their
 6 administrators, board members, and employees. Defendants and Church Leader
 7 Defendants wrongfully denied the Plaintiffs the intervention of child protection
 8 services and constituted a per se breach of Defendants, through their administrators,
 9 board members, and employees, duties to Plaintiffs.

10 195. As a direct and legal result of Defendants and Church Leader Defendants'
 11 conduct, Plaintiffs suffered severe and permanent injuries including, but not limited to,
 12 physical and mental pain and suffering, severe emotional distress, physical injuries,
 13 past and future costs of medical care and treatment, and other damages, in an amount
 14 not yet ascertained, but which exceed the minimum jurisdictional limits of this Court.

15 **SEVENTH CAUSE OF ACTION**

16 **NEGLIGENCE**

17 *(Against All Defendants and Does 1-10)*

18 196. Plaintiffs re-allege and incorporate by reference herein each and every
 19 allegation contained herein above as though fully set forth and brought in this cause of
 20 action.

21 197. Defendants owed a duty of care to the minor Plaintiffs or had a duty to
 22 control the conduct of Defendants by way of the special relationship existing between
 23 those individuals and Plaintiffs.

24
 25 198. Defendants knew or should have known, reasonably suspected, and/or
 26 were otherwise on notice, of the misconduct and sexually predatory behavior of the
 27 Defendants directed towards minor children, including Plaintiffs.

28 199. Despite having knowledge of the misconduct of Defendants, all

1 Defendants herein failed to take any preventative action to control, curb, and/or prevent
 2 that conduct, failed to warn Plaintiffs or Plaintiffs' parents of that wrongful conduct,
 3 and/or failed to notify law enforcement, despite having a legal duty to do so.

4 200. As a direct and legal result of Defendants' negligence, Plaintiffs were
 5 sexually assaulted, sexually abused, sexually harassed, and assaulted by the
 6 Defendants.

7 201. If Defendants fulfilled their duty and responsibility, then Plaintiffs would
 8 not have been subject to all or most of the misconduct perpetrated against Plaintiffs
 9 and the resulting harm.

10 202. As a direct and legal result of Defendants' conduct, Plaintiffs suffered
 11 severe and permanent injuries including, but not limited to, physical and mental pain
 12 and suffering, severe emotional distress, physical injuries, past and-future costs of
 13 medical care and treatment, and other damages, in an amount not yet ascertained, but
 14 which exceed the minimum jurisdictional limits of this Court.

15 **EIGHTH CLAIM FOR RELIEF**

16 **Violation of Federal Racketeer Influenced and Corrupt Organization ("RICO")**

17 **Act 18 U.S.C. § 1962(c)**

18 *(Against All Defendants and Does 1-10)*

19 203. Plaintiffs re-allege and incorporate by reference herein each and every
 20 allegation contained herein above as though fully set forth and brought in this cause of
 21 action.

22 204. Plaintiffs bring this claim for relief under the private cause of action
 23 provided by 18 U.S.C. § 1984(c), which prohibits violations of the Federal RICO Act
 24 insofar as such violation injures any person in his business or property.

25
 26 205. Defendants are "persons" within the meaning of 18 U.S.C. § 1961(3) who
 27 conducted the affairs of the enterprise through a pattern of racketeering activity in
 28 violation of 18 U.S.C. § 1962(c).

1 206. The Abuse Enterprise, distinct from Defendants, is an association-in-fact
2 within the meaning of 18 U.S.C. § 1961(4), organized within individual ministries,
3 funneling into regions governed by individual bishops, and headquartered in Los
4 Angeles, California. Members of the Abuse Enterprise maintain a common purpose
5 of extracting money from its members and perpetrating sexual abuse upon minor
6 children under the auspices of liturgical praxis and writings taught by its church
7 ministers worldwide. The Abuse Enterprise began as early as 1979 and continues with
8 a growing global membership of more than 120,000 today.

9 207. Defendants have conducted and participated in the affairs of the Abuse
10 Enterprise through a pattern of racketeering activity within the meaning of 18
11 U.S.C. §§ 1961(1) and 1961(5).

12 208. Defendants' pattern of racketeering activity includes, but is not limited to,
13 many repeated occurrences of the following predicate acts: sexual exploitation of
14 minors and the transmission of visual depictions of minors engaged in sexually explicit
15 conduct in violation of 18 U.S.C. §§ 2251, 2252, and 2260.

16 209. Each Defendant, in their individual capacity, knew or should have known
17 about the majority of the predicate acts carried out by Defendants within the Abuse
18 Enterprise.

19 210. Upon information and belief, some combination of Defendants have
20 engaged in an uninterrupted course of unlawful conduct consisting of all of the herein
21 described predicate acts.

22 211. Defendants' pattern of racketeering activity includes, but is not limited to,
23 many repeated occurrences of the following predicate acts: (i) violating the prohibition
24 against human trafficking under 18 U.S.C. § 1590; (ii) laundering of monetary
25 instruments outside of the United States with the intent to promote the carrying on of
26 unlawful activity in violation of 18 U.S.C. § 1956(a)(2); and (iii) sexual exploitation of
27 minors and the transmission of visual depictions of minors engaged in sexually explicit
28 conduct in violation of 18 U.S.C. §§ 2251, 2252, and 2260 Upon information and

1 belief, several hundred children have been sexually exploited as a result of this pattern
2 of racketeering behavior.

3 212. Upon information and belief, hundreds of individuals within Defendants'
4 inner circles have been extorted through fear of financial and physical injury into
5 making large financial payments to Defendants and into providing sexual services to
6 Defendants as a result of this pattern of racketeering behavior.

7 213. Upon information and belief, many millions of dollars have been
8 trafficked out of the United States for the purposes of carrying on unlawful activity as
9 a result of this pattern of racketeering behavior.

10 214. Upon information and belief, Defendants' pattern of racketeering
11 behavior has been related and continuous since its inception. Upon information and
12 belief, there is not only a threat of continued criminal activity, but continued criminal
13 activity is occurring within the Abuse Enterprise at the hands of nearly all Defendants
14 as of the writing of this Complaint.

15 215. Defendants and the Abuse Enterprise regularly move goods, money, and
16 people across state lines, and are therefore engaged in interstate commerce.

17 216. As a direct and proximate result of these patterns of racketeering
18 behaviors, Plaintiffs have sustained damages, including lost wages, loss of economic
19 opportunity, loss of educational opportunity, loss of future income, loss of specific
20 extorted payments, physical injury, severe emotional distress, and additional economic
21 losses.

22 217. Plaintiffs are therefore entitled to recover treble the damages she sustained
23 in an amount to be proven at trial, the cost of the suit, plus a reasonable attorney's fee,
24 pursuant to 18 U.S.C. § 1964(c).

25 ///

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28 ///

NINTH CLAIM FOR RELIEF

Sexual Battery in Violation of Cal. Civ. Code § 1708.5

(Against All Defendants and Does 1-10)

218. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained herein above as though fully set forth and brought in this cause of action.

219. Plaintiffs bring this claim for relief under Cal. Civ. Code Section 1708.5, which prohibits sexual battery.

220. Plaintiffs bring this claim pursuant to California Assembly Bill 218, amending Sections 340.1 and 1002 of the Code of Civil Procedure and Section 905 of the Government Code, relating to childhood sexual assault, reviving until December 31, 2023 the statute of limitations for all previously extinguished claims for damages suffered as a result of childhood sexual assault for victims within 22 years of the age of majority.

221. As alleged herein, Plaintiffs the victim of sexual battery as a minor perpetrated by Defendants. Defendants subjected Plaintiffs to this sexual battery at the hands of while Plaintiffs were minors.

222. Cal. Civ. Code § 1708.5 prohibits any act with the intent to cause a harmful or offensive contact with an intimate part of another, and a sexually offensive contact with the person results, or any act that causes an imminent apprehension of such harmful or offensive contact and the offensive contact results.

223. Defendants knowingly conspired and/or aided and abetted to force Plaintiffs into sexual battery with Defendants, and such sexual battery did, on multiple occasions, occur.

224. Plaintiffs were minors minor when Defendants sexually battered them.

225. Each Defendant knowingly conspired and/or aided and abetted to create conditions of coercion and control that caused Plaintiffs to be repeatedly subjected to private, egregiously offensive sexual contact with Defendants, all in furtherance of

1 sexually battering Plaintiffs and in furtherance of the Abuse Enterprise.

2 226. The sexual battery of Plaintiffs by the Abuse Defendants was the result of
3 Defendants' collective cover up, as statutorily defined by California Code of Civil
4 Procedure § 340.1(b).

5 227. As a direct and proximate cause of Defendants' actions, Plaintiffs have
6 suffered severe emotional and mental distress and anxiety, humiliation,
7 embarrassment, and additional damages.

8 228. The aforementioned conduct was willful, wanton, and malicious. At all
9 relevant times, Defendants acted with conscious disregard of Plaintiffs' rights and
10 safety as a minor in their care. Defendants also acted with the knowledge of or with
11 reckless disregard for the fact that their conduct was certain to cause injury and/or
12 humiliation to Plaintiffs.

13 229. Plaintiffs are therefore entitled to recover treble the amount of damages
14 they sustained, pursuant to California Code of Civil Procedure § 340.1(b)(1) in an
15 amount to be proven at trial, attorneys' fees, and other relief that the Court may deem
16 proper.

17 **TENTH CLAIM FOR RELIEF**

18 **Gender Violence in Violation of Cal. Civ. Code § 52.4**

19 *(Against Defendants and Does 1-10)*

20 230. Plaintiffs re-allege and incorporate by reference herein each and every
21 allegation contained herein above as though fully set forth and brought in this cause of
22 action.

23 231. Plaintiffs bring this claim for relief under Cal. Civ. Code Section 52.4,
24 which prohibits acts of gender violence.

25 232. Plaintiffs bring this claim pursuant to California Assembly Bill 218,
26 amending Sections 340.1 and 1002 of the California Code of Civil Procedure and
27 Section 905 of the Government Code, relating to childhood sexual assault, reviving
28 until December 31, 2023 the statute of limitations for all previously extinguished

1 claims for damages suffered as a result of childhood sexual assault for victims within
2 22 years of the age of majority.

3 233. As alleged herein, Plaintiffs were the victims of multiple instances of
4 sexual battery as a minor perpetrated by Defendants and facilitated by all Defendants
5 herein. Defendants subjected Plaintiffs to these multiple incidents of sexual battery at
6 the hands of Defendants while Plaintiffs were minors.

7 234. Cal. Civ. Code § 52.4 prohibits commission of acts of gender violence,
8 defined to include a physical intrusion or physical invasion of a sexual nature under
9 coercive conditions, whether or not those acts have resulted in criminal complaints,
10 charges, prosecution, or conviction.

11 235. As alleged herein, Plaintiffs were repeatedly the victim of acts of gender
12 violence by Defendants while they were minors.

13 236. Each Defendant herein knowingly conspired and/or aided and abetted to
14 create conditions of coercion and control that caused Plaintiffs to be repeatedly
15 subjected to private, egregiously offensive sexual contact with Defendants, all in
16 furtherance of committing acts of gender violence against Plaintiffs.

17 237. The repeated sexual battery of Plaintiffs by Defendants was the result of
18 Defendants' collective cover up, as statutorily defined by California Code of Civil
19 Procedure § 340.1(b).

20 238. As a direct and proximate cause of Defendants' actions, Plaintiffs have
21 suffered severe emotional and mental distress and anxiety, humiliation,
22 embarrassment, and additional damages.

23 239. The aforementioned conduct was willful, wanton, and malicious. At all
24 relevant times, Defendants acted with conscious disregard of Plaintiffs' rights and
25 safety as a minor in their care. Defendants also acted with the knowledge of or with
26 reckless disregard for the fact that their conduct was certain to cause injury and/or
27 humiliation to Plaintiffs.

28 240. Plaintiffs are therefore entitled to recover treble the amount of damages

1 they sustained, pursuant to California Code of Civil Procedure § 340.1(b)(1) in an
2 amount to be proven at trial, attorneys' fees and other relief that the Court may deem
3 proper.

4 **PRAYER FOR RELIEF**

5 WHEREFORE Plaintiffs respectfully pray for relief as follows:

- 6 (a) Compensatory and special damages in an amount to be proven at
7 trial;
8 (b) Statutory penalties and liquidated damages according to proof at
9 time of trial;
10 (c) Punitive and exemplary damages in an amount according to
11 proof at the time of trial;
12 (d) Treble damages;
13 (e) Pre- and post- judgment interest;
14 (f) Reasonable attorney's fees and costs; and
15 (g) Such other and further relief as the Court deems just and proper.
16

17 Plaintiffs respectfully demand a trial by jury on all claims so triable.
18

19 **SAMINI BARIC KATZ LLP**

20 Date: June 16, 2023

By: /s/ Bobby Samini

21 Bobby Samini, Esq.
22 Michael Katz, Esq.
23 Steve Baric, Esq.
24 Nicole C. Prado, Esq.
25 John S. Oney, IV, Esq.
26 *Attorneys for Plaintiffs*
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

I am employed in Orange County. My business address is 650 Town Center Drive, Suite 1500, Costa Mesa, CA 92626, where this mailing occurred. I am over the age of 18 years and am not a party to this cause. I am readily familiar with the practices of SAMINI BARIC KATZ LLP for collection and processing of correspondence for mailing with the United States Postal Service.

Such correspondence is deposited with the United States Postal Service the same day in the ordinary course of business.

On June 16, 2023, I served the foregoing documents on the interested parties in this action entitled as follows:

FIRST AMENDED COMPLAINT

SEE ATTACHED SERVICE LIST

☐ (BY MAIL) I placed such envelope for collection and mailing on this date following ordinary business practices.

☐ (BY PERSONAL SERVICE) I caused to be hand delivered such envelope to the addressee so indicated.

☒ (BY THE COURT'S ECF SYSTEM): I caused each such document(s) to be transmitted electronically by posting such document electronically to the ECF website of the United States District Court for the Central District of California, on all ECF-registered parties in the action.

☐ (BY EMAIL) I caused the above-referenced document(s) to be sent in electronic PDF format as an attachment to an email addressed to the person(s) on whom such documents(s) is/are to be served at the email address(es) shown above as last given by that person(s) or as obtained from an internet website(s) relating to such person(s), and I did not receive an email response upon sending such email indicating that such email was not delivered.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the services was made.

Executed on June 16, 2023, at Costa Mesa, California.

/s/ Griselda Alfaro

Griselda Alfaro

SERVICE LIST

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