

FILED

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

REGINA M. LEWIS,  
2361 East 59th Street,  
Cleveland, Ohio 44104,

And

LATONYA LEWIS,  
3464 East 104th Street,  
Cleveland, Ohio 44104,

And

DIANN P. RAY,  
3456 East 143rd Street,  
Cleveland, Ohio 44120,

*Plaintiffs,*

v.

JONATHAN LOCUST SR.  
1941 Beverly Hills Drive, Cleveland, Ohio  
44117, Individually and as Pastor of  
RLWAC

And

RIVER OF LIVING WATERS  
APOSTOLIC CHURCH,  
3294 Denison Avenue, Cleveland Ohio  
44109,

*Defendants.*

CASE NO. \_\_\_\_\_

EILEEN A GALLAGHER  
CV 09 705067

Complaint

JUDGE \_\_\_\_\_

**COMPLAINT**  
**(Jury Demand Endorsed Hereon)**

\$ 100.00 DEPOSITED  
1283  
SEP 25 2009  
SECURE COSTS  
GERALD E. FUERST, Clerk of Courts  
PER [Signature] DEPUTY

NOW COMES Plaintiffs, Regina M. Lewis, Latonya Lewis and Diann P. Ray (hereinafter Plaintiffs unless individually designated), for their Complaint against Defendants, Jonathan Locust Sr. and River of Living Water Apostolic Church (hereinafter "RLWAC or Defendants unless individually designated) hereby states:

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100 CENTER STREET  
SUITE 170  
CHARDON, OHIO 44024  
TEL: (440) 285-3325  
FAX: (440) 285-3417

**PARTIES, JURISDICTION AND VENUE**

**THE PARTIES**

1. Plaintiff Regina May Lewis, of 2361 East 59th Street, Cleveland, Ohio 44104, is a resident of the County of Cuyahoga, State of Ohio.

2. Plaintiff Latonya Lewis, of 3464 East 104th Street, Cleveland Ohio 44104, is a resident of the County of Cuyahoga, State of Ohio.

3. Plaintiff Diann P. Ray, of 3456 East 143rd Street, Cleveland, Ohio 44120, is a resident of the County of Cuyahoga, State of Ohio.

4. The Defendant, Jonathan Locust, Sr., who, upon information and belief, resides at 1941 Beverly Hills Drive, Cleveland, Ohio 44117 is a resident of the County of Cuyahoga, State of Ohio and is, upon information and belief, the Founder, Pastor and Chairman of the Board of the RLWAC, an Ohio Not For Profit Corporation, having its principle place of business in the County of Cuyahoga, State of Ohio, at 3294 Denison Avenue, Cleveland, OH 44109. This court has jurisdiction over this Defendant pursuant to Ohio Civ. R. 4.2 (A).

5. The Defendant, RLWAC upon information and belief, is an Ohio Not For Profit Corporation, having its principle place of business in the County of Cuyahoga, State of Ohio at 3294 Denison Avenue, Cleveland, OH 44109. This court has jurisdiction over this Defendant pursuant to Ohio Civ. R. 4.2 (F).

**VENUE**

6. This Court is the appropriate venue for this action, pursuant to Ohio Civ. R. 3 (B) (1), (2), (3), (5), (6) in that this dispute arose from activity taking place in the County of Cuyahoga, State of Ohio and concerns Defendants, RLWAC,

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whose principle place of business is located in the County of Cuyahoga, State of Ohio at 3294 Denison Avenue, Cleveland, OH 44109 and Bishop Jonathan Locust, Sr., who, upon information and belief, has his primary residence and domicile in the County of Cuyahoga, State of Ohio at 1941 Beverly Hills Drive, Cleveland, Ohio 44117.

### FACTS

7. Defendant Locust acted in a manner that transformed the RLWAC, an Ohio Non-Profit Corporation, into a thinly disguised alter ego wholly indivisible from his will and acting solely at his pleasure and behest.

8. Defendant Locust utilized his dictatorial power over the RLWAC to perpetrate and perpetuate fraud, sexual, emotional and spiritual abuse upon the plaintiffs.

9. Defendant Locust abused his power and position to fraudulently solicit large contributions.

10. Defendants misrepresented to the Plaintiffs the nature of the RLWAC's beliefs, practices and goals to induce Plaintiffs to make large contributions.

11. Defendant Locust utilized and manipulated his special relationship to the Plaintiffs, as their Pastor, Spiritual Counselor and the Founder/De Facto dictatorial head of the RLWAC, to sexually, emotionally and spiritually abuse the Plaintiffs from July 2006 to October 2008.

12. In one particularly egregious act, the Defendants induced Plaintiff Regina M. Lewis to take out a \$12,000 second mortgage on her home to give to the church with the promise of elevating to a paid position of power and prominence

within RLWAC only to later sexually abuse, humiliate and constructively force her to leave RLWAC.

13. Defendant Locust then represented to the Plaintiffs, in spite of his prior representation that their financial contributions had secured their preferred position and status within RLWAC, that their financial, material and spiritual well being now depended on their unconditional willingness to turn their will over to him as God's proxy.

14. Defendant Locust then told the Plaintiffs that their willingness and worthiness would be judged by their unquestioned compliance with his every request, including accepting sexual molestation and abuse at Defendant Locust's own hand in complete secrecy and silence.

15. When Plaintiffs protested, Defendant Locust decreed that God would punish them for resisting his will and would remove from them the few material things they possessed.

16. Furthermore, Defendants represented to Plaintiffs that even greater trials, tribulations and tragedies would be cast upon their children and other loved ones if they surrender themselves wholly to Defendant Locust's every whim and desire.

#### **COUNT 1: FRAUD**

17. Plaintiffs incorporate the paragraphs 1-16 as if fully re-written herein

18. Defendant Locust, and RLWAC jointly and/or severally did knowingly and intentionally conceal and/or misrepresent material facts to the prejudice and detriment of the Plaintiffs.

19. Defendants had/have a duty to disclose all material information to Plaintiffs.

20. Despite having such a duty, Defendants knowingly made false and/or misleading representations to Plaintiffs.

21. Defendants knowingly concealed material facts from Plaintiffs.

22. Defendants knowingly misled Plaintiffs into relying on Defendant Locust's representations and conduct.

23. Defendants, who held themselves out to be experts in religious/spiritual matters, represented to the Plaintiffs that God would severely punish them, their families and their friends if they did not unquestionably obey the Defendants' commands.

24. Defendants acted with such utter disregard and recklessness that knowledge of fraud may be inferred.

25. Further, Defendants committed fraud by representing to the Plaintiffs that the money they donated to RLWAC would be used exclusively for RLWAC purposes, but instead used the money for their personal expenses and other improper purposes.

26. Plaintiffs justifiably relied on the Defendants' representation and conduct. As a result of the Defendants' misrepresentations and conduct, and Plaintiffs' reliance thereon, Plaintiffs suffered and continue to suffer damages.

**COUNT 2: NEGLIGENT/INTENTIONAL INFLICTION OF EMOTIONAL  
DISTRESS**

27. Plaintiffs incorporate the preceding paragraphs 1-26 as if fully re-

written herein.

28. Defendants owe Plaintiffs a special duty of care by virtue of the clergy-parishioner relationship, Defendants breached said duty of care, and that breach proximately caused, and continues to cause serious emotional distress to Plaintiffs.

29. Defendants acted with callous disregard for Plaintiffs' emotional well being by knowingly, intentionally, maliciously and/or negligently engaging in a pattern of behavior designed to break down Plaintiffs' freewill and destroy their spirit, self confidence and self esteem.

30. Defendants' intentional, reckless outrageous and/or negligent conduct caused the Plaintiffs to leave their life long church causing alienation from friends and depriving them of the emotional support of the congregation.

31. Defendants' conduct caused Plaintiff's to question their relationship with God, their religion, and in what their parents raised them to believe about spirituality and morality.

32. Plaintiffs have suffered from anxiety, depression, severe self-doubt, social isolation, alienation and a substantial decrease in their self-esteem and self-confidence.

33. Defendants acted either negligently, recklessly or intentionally and knew or should have known that his actions would result in serious emotional distress to Plaintiffs.

34. Defendants' conduct exceeded all possible bounds of decency;

35. Defendants' actions proximately caused Plaintiffs to suffer psychological injuries and extreme emotional distress, and loss of earnings, and

other damages that will be proven at the trial in this matter;

**COUNT 3: NEGLIGENT MISREPRESENTATION**

36. Plaintiffs incorporate paragraphs 1-35 as if fully re-written herein; .

37. A fiduciary relationship existed between Defendant Locust and Plaintiffs at the time that the Defendants conducted business, provided professional services, employment, and/or supplied false information to Plaintiffs.

38. Defendants are/or were operating in the course of their business, profession or employment and supplied false information to Plaintiffs for the guidance of the Plaintiffs and others in business transactions related to RLWAC business.

39. As a result of Defendants conduct, Plaintiffs suffered compensable damages that will be proven at the trial in this matter;

**COUNT 4: RESPONDEAT SUPERIOR/NEGLIGENT HIRING AND/OR  
RETENTION,**

40. Plaintiffs incorporate paragraphs 1-39 as if fully re-written herein

41. Defendant RLWAC is vicariously liable for the torts of its employees under the doctrine of respondeat superior.

42. Defendant Locust was/is an employee of RLWAC and evidence will be presented in court that demonstrates conclusively that fraud and abuse perpetrated upon the Plaintiffs by the Defendant were, in fact, acts done by an employee in the course and scope of employment.

43. Defendant RLWAC knew and/or should have known that they benefited, without renunciation, from Defendant Locust's misconduct and fraud.

44. Defendant Locust's abuse of the power and influence that he had over the Plaintiffs, conferred upon and entrusted to him by Defendant RLWAC, that was/is the actual and proximate cause of the Plaintiffs' damages.

45. The Defendant RLWAC was negligent in its hiring and/or retention of Defendant Locust by placing him in a position of extraordinary responsibility.

46. The position of Pastor/Bishop in a church is, by its very nature and definition, one that requires an employee of the up most integrity and a character that is beyond reproach. It is reasonably foreseeable that such an employee, who bears the blessing of the Church and is held out to the public as the embodiment of its spirit and ideals, is in a position uniquely situated to prey on vulnerable congregants.

47. Defendant RLWAC had a duty to protect their congregants and volunteers from a dangerous minister/pastor.

48. Defendant RLWAC did not implement reasonable, sufficient safeguards in their employment practices to prevent improper hires and/or implement appropriate practices and procedures to neutralize a dangerous employee, that the Church knew, or should have known, had a propensity to engage in similar criminal, tortious, or dangerous conduct.

49. Defendant RLWAC failed in its duty to prevent foreseeable injury to Plaintiffs by exercising reasonable care to avoid employing an incompetent employee was/is the actual and proximate cause of the Plaintiffs' damages.

**COUNT 5: UNJUST ENRICHMENT**

50. Plaintiffs incorporate paragraphs 1-49 as if fully rewritten herein;

51. Plaintiffs conferred substantial monetary benefits upon Defendants, and significant of amounts of labor were performed by Plaintiffs for the benefit of Defendants.

52. Defendants possessed knowledge of the benefits.

53. Defendants unjustly retained those benefits without performing the consideration promised to the Plaintiff's; namely providing a safe place to worship, and to pursue spiritual, social, economic and emotional interest of the congregation, in general, and the Plaintiffs, in particular.

54. As a result of Plaintiff's labors, Defendants were unjustly enriched at the expense of Plaintiffs in an exact amount that will be proven at the trial in this matter.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray for Judgment against all Defendants, jointly and severally, in the following fashion:

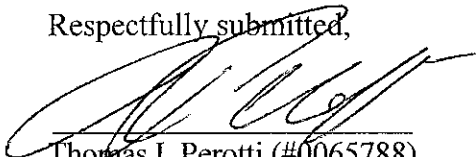
A. **COUNT ONE:** For Damages in an amount to exceed Twenty-Five Thousand Dollars (\$25,000.00), punitive damages, attorneys fees, prejudgment interest, any other relief that this court deems appropriate;

B. **COUNT TWO:** For Damages in an amount to exceed Twenty-Five Thousand Dollars (\$25,000.00), punitive damages, attorneys fees, prejudgment interest, any other relief that this court deems appropriate;

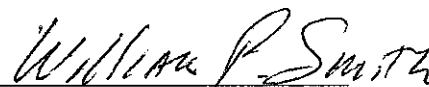
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- C. **COUNT THREE**: For Damages in an amount to exceed Twenty-Five Thousand Dollars (\$25,000.00), punitive damages, attorneys fees, prejudgment interest, any other relief that this court deems appropriate;
- D. **COUNT FOUR**: For Damages in an amount to exceed Twenty-Five Thousand Dollars (\$25,000.00), punitive damages, attorneys fees, prejudgment interest, any other relief that this court deems appropriate;
- E. **COUNT FIVE**: The Plaintiff should be granted the full measure of equitable relief, and/or any other relief that this court deems warranted and appropriate.

Respectfully submitted,



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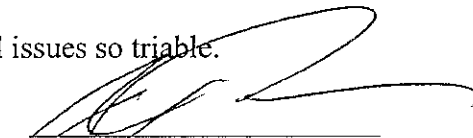


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**ATTORNEYS FOR PLAINTIFFS**

**JURY DEMAND**

Plaintiff demands a jury on all issues so triable.



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