IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MULTNOMAH

J.J., an individual; and L.L., as Guardian ad Litem for K.K., a minor child, Plaintiffs, vs. GRESHAM-BARLOW SCHOOL DISTRICT, a political subdivision of the STATE OF OREGON, and JEFF HAYS, an individual, Defendant	Case No.: COMPLAINT FOR CHILD SEXUAL BATTERY/RESPONDEAT SUPERIOR (NOT SUBJECT TO MANDATORY ARBITRATION) PRAYER: $20,000,000 Filing fee: $1,056 JURY TRIAL DEMANDED

Plaintiffs demand a jury trial and allege:

1.

Defendant Gresham-Barlow School District is a political subdivision of the State of Oregon. Jeff Hays is an individual adult resident of Oregon.

2.

J.J. is now an adult individual but was a young child at all times mentioned herein.

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3.

L.L. is the duly-appointed Guardian Ad Litem for plaintiff K.K., a minor child.

4.

J.J. and K.K. attended Deep Creek Elementary School. The sexual abuse herein took place while each was an elementary school student. Plaintiffs are proceeding under pseudonyms pursuant to the accepted practice of allowing victims of sexual assault to commence cases under assumed names so as to protect their identity.

5.

At all times material, Jeff Hays was an employee and agent of defendant Gresham-Barlow School District. Jeff Hays was the principal at Deep Creek Elementary School.

6.

Jeff Hays arranged to spend time alone with elementary school girls in the principal's office with the door closed and the blinds drawn down. Jeff Hays acted as an educator, role model, and friend to elementary school students. Students' teachers would send them to the principal's office for instruction and counseling. By virtue of his status and job duties as an employee and agent of defendant, and based upon the trust and responsibilities given him by the school district, Hays won the respect and obedience of elementary school girls, including but not limited to the plaintiffs, while simultaneously acting in the interests of his employer and employment.

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Hays used his position of authority and trust to ingratiate himself with young school girls, including plaintiffs, and the sexual abuse described herein resulted from acts within Hays' scope of employment by defendants.

7.

Within the time period alleged herein, the president of the Booster Club informed Hays that he should not have young school children alone in his office with the door closed and the blinds drawn down, and she specifically forbade Hays to see her child alone in his office.

8.

Lawful notice of plaintiff J.J.'s claim was properly given to the Gresham Barlow School District within 180 days.

9.

Lawful notice of plaintiff L.L.'s claim was properly given to the Gresham Barlow School District.

FOR A FIRST CLAIM FOR RELIEF FOR CHILD SEXUAL BATTERY/RESPONDEAT SUPERIOR AGAINST ALL DEFENDANTS, plaintiff J.J. alleges:

10.

Plaintiff J.J. realleges and incorporates paragraphs 1, 2, and 4 – 8, above.

11.

During a three-year period from 2005 to 2008, while plaintiff J.J. attended elementary school, Jeff Hays engaged in activities at the school in

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order to sexually groom and control plaintiff J.J. in order to arouse and gratify his own sexual desires and to manipulate plaintiff in the following ways:

a. Touching plaintiff while instructing her on educational matters.

b. Squeezing J.J.'s hand and comforting her and smiling at her while praising her.

c. In informing J.J. that she was in trouble when she missed answers, and that she would have to stay quiet, or else her parents would find out that she was bad.

d. On days when plaintiff wore pants that were "stretchy," he would praise her for doing so.

e. Asking plaintiff questions about educational subjects, and moving his hand further up her leg should she get a question wrong, asking things such as, "Are you sure about that answer?" as he was touching her.

f. Progressively moving his hand up plaintiff J.J.'s legs while making eye contact with her.

12.

The above-described grooming behavior culminated in Hays' penetrating J.J.'s vagina during his private meetings with plaintiff, which numbered around 20 to 25 times over the three years.

13.

Hays' molestation of plaintiff J.J. constituted harmful or offensive contact to plaintiff J.J.'s person. Plaintiff J.J. did not, and legally could not, consent to such sexual contact.

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14.

J.J.'s cause of action did not accrue until a time period within two years of the filing of this action.

15.

As a result of the sexual abuse by Hays, plaintiff J.J. suffered, continues to suffer, and may permanently suffer from emotional trauma, lack of trust in males, difficulty with emotional intimacy, feelings of low self-worth, fear of personal violation, difficulty in controlling matters, vulnerability towards sexual misconduct, suicidal tendencies, obsessive desire to please others, feelings of insufficiency as a human being, rejection of love, and a sense of vulnerability towards figures of authority, all to her noneconomic damages of up to $1 million for each time that she was violated as a very young girl, by her principal, all to her noneconomic damage in an amount to be proven at trial and determined by a jury not to exceed $20 million.

16.

In addition to the tremendous psychological damage described above, plaintiff suffered and continues to suffer from fear, anxiety, worry, and guilt, given that she knows that Jeff Hays remains in a position and trust and authority over elementary school girls in his position as Executive Director of the City View Elementary Charter School located in Hillsboro, Oregon. Jeff Hays continues as Executive Director even as he is under criminal investigation for child abuse. Plaintiff has deep and unresolved anxiety that Jeff Hays is acting as a predator and continuing to abuse young females.

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FOR A SECOND CLAIM FOR RELIEF FOR CHILD SEXUAL BATTERY/RESPONDEAT SUPERIOR AGAINST ALL DEFENDANTS, plaintiff L.L. on behalf of her minor daughter, K.K., alleges:

17.

Plaintiff K.K. realleges and incorporates by reference paragraphs 1, 3, 5, 6, 7, and 9, above.

18.

Plaintiff K.K. attended Deep Creek Elementary School between 2007 and 2009 while she was in second and third grade. Hays, her elementary school principal, sexually abused K.K., starting when she was age 7, and took away K.K.'s innocence, trust, and happiness as a young girl.

19.

Hays arranged alone time with K.K. for the purpose of securing her trust and obedience as her principal, educator, and friend. Hays was successful in fulfilling such roles within the course and scope of his employment and then used the relationship to engage in activities to sexually groom and control plaintiff K.K. in order to arouse and gratify his own sexual desires.

20.

K.K.'s cause of action did not accrue until a time period within two years of the filing of this action.

21.

As a result of the sexual abuse by Hays, plaintiff K.K. suffered, continues to suffer, and may permanently suffer from panic attacks, depression, sleep

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disorder, a flight response, suicidal thoughts, a desire to have never been born, shame, physical manifestations of traumatic stress, anxiety, a terror response, nightmares, vulnerability, helplessness, and inability to deal with sexual abuse by Hays, all to her noneconomic damage in an amount to be proven at trial and determined by a jury consistent with the damage formulation set forward in paragraph 15, above, based upon a jury's determination of the life-altering impact of her sense of self and well-being as compared to her having had a decent, respectful man as her principal during her emotional and psychologically early formative years of childhood development.

22.

In addition to the tremendous psychological damage described above, plaintiff suffered and continues to suffer from fear, anxiety, worry, and guilt, given that she knows that Jeff Hays remains in a position and trust and authority over elementary school girls in his position as Executive Director of the City View Elementary Charter School located in Hillsboro, Oregon. Jeff Hays continues as Executive Director even as he is under criminal investigation for child abuse. Plaintiff has deep and unresolved anxiety that Jeff Hays is acting as a predator and continuing to abuse young females.

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WHEREFORE, each plaintiff prays for damages as alleged above and for their costs and disbursements necessarily incurred herein.

Dated: April ____, 2017.

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