

FILED

MD

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

2017 JAN 27 AM 10:42

CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

L.B., an individual proceeding under an  
assumed name, T.B., an individual  
proceeding under an assumed name,

Plaintiffs,

v.

Civil Action No.

17-C- 146  
Judge Tabi

SEVENTH-DAY ADVENTIST CHURCH,  
NORTH AMERICAN DIVISION, INC., a  
Maryland corporation, SOUTHERN  
UNION CONFERENCE ASSOCIATION  
OF SEVENTH-DAY ADVENTISTS,  
INC., a Georgia corporation, KENTUCKY-  
TENNESSEE CONFERENCE  
ASSOCIATION OF SEVENTH DAY  
ADVENTISTS, INC., a Tennessee  
corporation, ADVENT HOME  
LEARNING CENTER, INC. d/b/a  
ADVENT HOME YOUTH SERVICES,  
INC., a Tennessee Corporation, BLONDEL  
SENIOR, COLUMBIA UNION  
CONFERENCE ASSOCIATION OF  
SEVENTH DAY ADVENTISTS, INC., a  
District of Columbia corporation,  
MOUNTAIN VIEW CONFERENCE  
ASSOCIATION OF SEVENTH-DAY  
ADVENTISTS, a West Virginia  
corporation, MIRACLE MEADOWS  
SCHOOL, INC., a West Virginia  
Corporation, SUSAN GAYLE CLARK,  
and TIMOTHY ARRINGTON,

Defendants.

**COMPLAINT**

COME NOW the Plaintiffs, L.B., an adult male, and T.B., an adult male, by their counsel

Guy R. Bucci of the Bucci Law Firm and V. Paul Bucci, II, and Brian D. Kent (applying for

1-9

admission *pro hac vice*) of Laffey, Bucci & Kent, LLP, and bring this action against the Defendants and hereby state as follows for the grounds in the Complaint:

### **NATURE OF THE CASE**

1. This action arises as a result of extreme physical, sexual and emotional abuse and neglect sustained by multiple children, including Plaintiffs, during their stay at Advent Home Learning Center (hereinafter "Advent Home") located in Calhoun, Tennessee and Miracle Meadows School (hereinafter "Miracle Meadows") located in Salem, Harrison County, West Virginia.

2. Defendants, through their ownership, management, operation, control and/or supervision of Advent Home and Miracle Meadows, fostered a dangerous and neglectful environment, imposing policies that resulted in significant and tragic injuries to numerous children, including L.B and T.B.

3. The significant and tragic injuries and abuse suffered by Plaintiffs, L.B. and T.B., as described in detail below, occurred continuously and repeatedly over the course of several years while they were minor children in the custody and care of the Defendants and the claims herein are being filed within the time period prescribed by law.

4. Notably, this case involves conduct by the Defendants in total disregard for the health and safety of children resulting in extreme maltreatment and significant injuries to those children.

### **PARTIES**

5. Plaintiff, L.B., is an adult male who, at all relevant time to this action, was a minor residing at Advent Home in Calhoun, TN and subsequently Miracle Meadows in Salem, WV.

6. Plaintiff, T.B., is an adult male who, at all relevant time to this action, was a minor residing at Advent Home in Calhoun, TN and subsequently Miracle Meadows in Salem, WV.

7. Defendant, Seventh-day Adventist Church North American Division (hereinafter "SDNA"), a nonprofit entity, is located in Silver Spring, Maryland. SDNA owns, operates, manages, supervises and/or controls "more than 1,000 elementary and secondary schools and 13 colleges and universities,"<sup>1</sup> including, at all relevant times, Advent Home and Miracle Meadows. SDNA also "develop[s], implement[s], and publish[es] school evaluation documents, policies, and procedures"<sup>2</sup> for these schools, including, upon information and belief, Advent Home and Miracle Meadows.

8. Defendant, Southern Union Conference Association of Seventh-Day Adventist, Inc. (hereinafter "SUCA"), is a regional conference association of SDNA and a Georgia Corporation located in Norcross, GA. SUCA, at all relevant times, owned, operated, managed, supervised and/or controlled approximately 300 educational facilities across the Southern Union of which more than 17,000 children and students attend annually -- 100 early childhood centers, 187 Elementary Schools, 16 Academies, (including but not limited to Advent Home), 3 universities and colleges and 9 summer camps.

9. Defendant, Kentucky-Tennessee Conference Association of Seventh-Day Adventists, Inc. (hereinafter "KTCA") is a regional conference association of SDNA and SUCA and a Tennessee corporation. At all relevant times, KTCA, along with SDA and SUCA, owned, operated, managed, supervised and/or controlled approximately 17 schools SUCA, including, but not limited to, Advent Home.

---

<sup>1</sup> <http://www.nadadventist.org/article/1073742477/ministries-services/ministries/education>

<sup>2</sup> *Id.*



10. Defendant, Advent Home Learning Center, Inc. (hereinafter "Advent Home"), is a Tennessee corporation and ministry of Defendants SDNA, SUCA and KTCA operating as a Seventh-day Adventist boarding school located in Calhoun, Tennessee.

11. Defendant, Blondel Senior, was, at all relevant times, the Director of Advent Home located in Calhoun, Tennessee.

12. Defendant, Columbia Union Conference Association of Seventh-Day Adventists, Inc. (hereinafter "CUCA") is a regional conference association of SDNA and a District of Columbia corporation located in Columbia, Maryland. CUCA, at all relevant times, owned, operated, managed, supervised and/or controlled approximately 84 schools, including but not limited to Miracle Meadows -- 64 K-8 schools, 10 K-10 schools, 8 secondary schools, and 2 colleges.

13. Defendant, Mountain View Conference of Seventh-Day Adventists (hereinafter "MVC"), is a regional conference association of SDNA and CUCA and a West Virginia corporation. At all relevant times, MVC, along with SDA and CUCA, owned, operated, managed, supervised and/or controlled approximately 7 schools in CUCA, including, but not limited to, Miracle Meadows.

14. Miracle Meadows School, Inc. (hereinafter "Miracle Meadows"), is a West Virginia Corporation and ministry of Defendants SDNA, CUCA and MVC operating as a Seventh-day Adventist boarding school located in Salem, West Virginia.

15. Defendant, Susan Gayle Clark was, at all relevant times, the Director of Miracle Meadows located in Salem, West Virginia.

16. Defendant, Timothy Arrington was, at all relevant times, a teacher/coach at Miracle Meadows located in Salem, West Virginia.

## JURISDICTION AND VENUE

17. Several of the Defendants in this matter, MVC, Miracle Meadows, Clark and Arrington, are subject to the jurisdiction of this Court pursuant to West Virginia Code §56-1-1 inasmuch as the principal places of business for said defendants and/or their residences are located in the State of West Virginia. The Plaintiffs avail themselves to the Circuit Court of Kanawha County, West Virginia pursuant to the principles set forth in W. Va. Code §56-1-1, West Virginia Code §56-1-1a and Morris v. Crown Equipment Corp., 633 S.E.2d 292 (W. Va. 2006).

18. At the time the cause of action arose in West Virginia, Plaintiffs were residents of West Virginia.

19. At all times relevant herein, Defendants transacted business in West Virginia, generally, and Kanawha County, West Virginia, specifically.

20. At all times relevant herein, Defendants directed business activities to and transacted business in West Virginia, generally, and Kanawha County, West Virginia, specifically.

21. At all times relevant hereto, there was a continual and ongoing relationship between Advent Home and Miracle Meadows in that children, including Plaintiffs, were regularly and routinely transferred from Advent Home to Miracle Meadows. The ongoing business transacted by Defendants SDNA, SUCA, KTCA, Advent Home and Senior in West Virginia led, in part, to the events giving rise to this cause of action which occurred, in part, in West Virginia, thereby subjecting Defendants SDNA, SUCA, KTCA, Advent Home and Senior to the jurisdiction of this Court.

22. Furthermore, upon information and belief, Defendants SDNA, CUCA and MVC own, operate, manage and/or otherwise control churches, congregations and/or schools located in Kanawha County, West Virginia.

### **Background**

23. At all relevant times, Defendant Advent Home was a ministry of Defendants SDNA, SUCA and KTC operating as “a Christian-based, residential learning center for struggling young men ages 12-18, who are struggling with academic, emotional and behavioral issues such as ADHD, ODD, mild autism, Tourettes syndrome, Asperger's disorder and bipolar diagnosis.”<sup>3</sup>

24. “The basis for Advent [Home]’s program is the use of The Maturation Therapy Curriculum, which focuses on three areas of personal progress: Foundations of Growth, Foundations of Self Regard and Foundations of Interpersonal Skills. Advent Home also utilizes a work education program for the boys in which they learn vocational and work skills in gardening, building and equipment maintenance, food preparation and community outreach projects, mission trips and spiritual programs.”<sup>4</sup>

25. Advent Home claimed to be able to reverse ADHD in children.

26. Upon information and belief, Dr. Blondel Senior was the Director of Advent Home at all relevant times.

27. Defendants SDNA, SUCA, KTC, Advent Home and Senior had a duty to maintain close supervision and scrutiny over the operation of Advent Home as well as all their employees/agents at Advent Home.

---

<sup>3</sup> [www.adventhome.org](http://www.adventhome.org)

<sup>4</sup> *Id.*



28. The employees and/or agents of Advent Home had obligations to act *in loco parentis* for the children at Advent Home.

29. Defendants SDNA, SUCA, KTC, Advent Home and Senior held obligations to notify the Tennessee Department of Human Services and report that a child had been or may be abused or neglected.

30. At all times relevant hereto, Defendants SDNA, SUCA, KTS, Advent Home and Blondel had a duty to the children in their care, custody and control at Advent Home to maintain a safe and healthy environment free from physical, sexual and emotional abuse.

31. At all relevant times, Defendant Miracle Meadows was a ministry of Defendants SDNA, CUCA and MVC operating as a Christian boarding school "for boys and girls, 6 to 17 years of age, who are experiencing difficulty relating in a positive way to family, school, church, or community. Specifically, MMS enrolls boys and girls who are experiencing defiance, dishonesty, school failure, trouble with the law, spiritual disinterest, poor social skills, adoption issues and other behavior that is harmful to them and to others."<sup>5</sup>

32. Upon information and belief, Susan Gayle Clark was the Director of Miracle Meadows at all relevant times.

33. Susan Gayle Clark plead guilty to child neglect creating risk of injury, failure to report and obstruction of an officer relating to her failure to report numerous instances of child abuse that she knew was occurring at Miracle Meadows. Defendant Clark was sentenced to six months for child neglect creating risk of injury and 30 days for failure to report as well as five years of probation in which she is not allowed to leave the state or have contact with children under the age of 18 that are not related to her.

---

<sup>5</sup> [www.miraclemeadows.org](http://www.miraclemeadows.org)

34. Defendant Arrington was arrested on charges, in part, relating to the abuse/neglect at issue in this case and, upon information and belief, said charges are still pending.

35. Defendants SDNA, CUCA, MVC, Miracle Meadows and Clark had a duty to maintain close supervision and scrutiny over the operation of Miracle Meadows as well as all their employees/agents at Miracle Meadows.

36. The employees and/or agents of Miracle Meadows had obligations to act *in loco parentis* for the children at Miracle Meadows, including SDNA, CUCA, MVC, Miracle Meadows, Clark and Arrington.

37. Defendants SDNA, CUCA, MVC, Miracle Meadows, Clark and Arrington held obligations to notify the West Virginia Department of Health and Human Services and report that a child had been or may be abused or neglected.

38. At all times relevant hereto, Defendants SDNA, CUCA, MVC, Miracle Meadows, Clark and Arrington had a duty to the children in its custody to maintain a safe and healthy environment free from physical, sexual and emotional abuse.

39. Plaintiff L.B. suffered continuous and repeated injuries and abuse while he resided at Advent Home beginning in 2009 until 2013, from the time he was approximately twelve (12) years-old until the age of sixteen (16), which injuries and abuse then continued to occur after he was transferred to Miracle Meadows, where he resided in 2013-2014, from the time he was approximately sixteen (16) years-old until the age of seventeen (17).

40. Plaintiff T.B. suffered continuous and repeated injuries and abuse while he resided at Advent Home beginning in 2010 until 2012, from the time he was approximately eleven (11) years-old until the age of thirteen (13), which injuries and abuse then continued to



occur after he was transferred to Miracle Meadows, where he resided in 2012-2014, from the time he was approximately thirteen (13) years-old until the age of fifteen (15).

41. During the four years L.B. was at Advent Home, numerous children, including L.B. and T.B., suffered significant and continuous physical, sexual and/or emotional abuse and/or neglect.

42. Numerous children at Advent Home, including L.B. and T.B., were subjected to malnourishment, isolationism, corporal punishment, starvation and physical abuse.

43. Defendants SDNA, SUCA, KTC, Advent Home and Senior employed aggressive and abusive policies at Advent Home that failed to consider the health and safety of the children residing there.

44. Defendants SDNA, SUCA, KTC, Advent Home and Senior exposed Plaintiff L.B. to significant physical, sexual and emotional abuse and neglect while he was at Advent Home.

45. Numerous children at Advent Home, including, but not limited to Plaintiffs L.B. and T.B., were forced to perform manual labor on a regular basis.

46. Numerous children at Advent Home, including, but not limited to Plaintiff L.B., were denied necessary medical care while attending Advent Home.

47. Numerous children at Advent Home, including, but not limited to L.B., were sexually assaulted and abused by numerous other students at Advent Home, as well as by Advent Home staff. The sexual abuse suffered by L.B. at the hands of Advent Home staff included, but is not limited to, being anally raped, being forced to perform oral sex on staff members, as well as touching of the genitals while restrained and unable to fight back.

48. Numerous staff at Advent Home, including Dr. Blondel Senior, were informed of and/or had knowledge that children at Advent Home, including but not limited to Plaintiffs L.B.

and T.B., were being regularly and continuously sexually, physically and emotionally abused and neglected but chose to do absolutely nothing to prevent said abuse or neglect nor report it pursuant to their obligations to do so.

49. As a result of the abuse at Advent Home, L.B. and T.B. suffer from significant physical and emotional harm that will continue for the rest of their lives.

50. Aside from the malnourishment, isolationism, corporal punishment, starvation, physical, sexual and emotional abuse and neglect, Defendants SDNA, SUCA, KTC, Advent Home and Senior also committed educational neglect.

51. Defendants SDNA, SUCA, KTC, Advent Home and Senior failed to adequately and/or sufficiently staff its facilities in order to manage the safety and well-being of the children who were living at Advent Home.

52. Defendants SDNA, SUCA, KTC, Advent Home and Senior, individually and/or by and through their employees and/or agents, took affirmative steps to maintain the abuse and neglectful atmosphere at Advent Home by choosing not to report the continuous abuse and neglect that was occurring to children there.

53. At all times relevant, Defendants SDNA, SUCA, KTC, Advent Home and Senior breached their duty to exercise appropriate and safe dominion, control, oversight and proper management of Advent Home, thereby violating the law and causing significant injury and damages to Plaintiffs L.B. and T.B.

54. Defendants, SDNA, SUCA, KTC, Advent Home and Senior's combined conduct, through financial support, program design, lack of supervision and a culture of silence and secrecy endangered the health, safety and welfare of children participating in the ministry of Advent Home.

55. Both L.B. and T.B. were subsequently transferred from Advent Home to Miracle Meadows.

56. During L.B. and T.B.'s time at Miracle Meadows, numerous children, including L.B. and T.B., suffered significant and continuous physical, sexual and/or emotional abuse and/or neglect.

57. Numerous children at Miracle Meadows, including L.B. and T.B. were subjected to malnourishment, isolationism, corporal punishment, starvation and physical abuse, including abuse committed by Defendant Arrington.

58. Numerous children at Miracle Meadows would be "quarantined" – where children would be locked inside a 10x4 room alone for extended periods of time with nothing more than a bucket to urinate and defecate in.

59. When in "quarantine," children would get nothing more to eat than bread and fruit for one meal and rice and beans for the other. Children would also be required to memorize bible verses or write out a whole bible chapter and if they got any part of it wrong, they would have to stay for a longer time period in "quarantine."

60. One time, L.B. was quarantined for approximately a month and a half straight. T.B. was quarantined for approximately a month as well.

61. Numerous children, including L.B., were also handcuffed and duct taped while in "quarantine." T.B. was handcuffed to a bed for two days with no clothes on.

62. L.B. was once handcuffed to a younger child who defecated himself. L.B. was forced to sit handcuffed to the child, his clothes and body covered in the feces of the other child.

63. L.B. and T.B. were also sexually abused while at Miracle Meadows by Miracle Meadows staff, including Defendant Arrington.



64. Like Advent Home, Defendants SDNA, CUCA, MVC, Miracle Meadows, Clark and Arrington employed aggressive and abusive policies at Miracle Meadows that failed to consider the health and safety of the children residing there.

65. Defendants SDNA, CUCA, MVC, Miracle Meadows, Clark and Arrington exposed Plaintiffs L.B. and T.B. to significant physical, sexual and emotional abuse and neglect while they were at Miracle Meadows.

66. Numerous children at Miracle Meadows, including, but not limited to Plaintiffs L.B. and T.B., were forced to perform manual labor on a regular basis.

67. Numerous children at Miracle Meadows, including, but not limited to L.B. and T.B., were sexually assaulted and abused by Miracle Meadows staff, including, Defendant Arrington.

68. Numerous staff at Miracle Meadows, including, but not limited to Defendants Clark and Arrington, were informed of and/or had knowledge that children at Miracle Meadows, including but not limited to Plaintiffs L.B. and T.B., were being regularly and continuously sexually, physically and emotionally abused and neglected but chose to do absolutely nothing to prevent said abuse or neglect nor report it pursuant to their obligations to do so.

69. As a result of the abuse at Miracle Meadows, L.B. and T.B. suffer from significant physical and emotional harm that will continue for the rest of their lives.

70. Aside from the malnourishment, isolationism, corporal punishment, starvation, physical, sexual and emotional abuse and neglect, Defendants, through Miracle Meadows, also committed educational neglect.

71. Defendants SDNA, CUCA, MVC, Miracle Meadows and Clark failed to adequately and/or sufficiently staff its facilities in order to manage the safety and well-being of the children who were living at Miracle Meadows.

72. Defendants SDNA, CUCA, MVC, Miracle Meadows, Clark and Arrington, individually and/or by and through their employees and/or agents, took affirmative steps to maintain the abuse and neglectful atmosphere at Miracle Meadows by choosing not to report the continuous abuse and neglect that was occurring to children there.

73. At all times relevant, Defendants SDNA, CUCA, MVC, Miracle Meadows and Clark breached their duty to exercise appropriate and safe dominion, control, oversight and proper management of Miracle Meadows, thereby violating the law and causing significant injury and damages to Plaintiffs L.B. and T.B.

74. Defendants, SDNA, CUCA, MVC, Miracle Meadows and Clark's combined conduct, through financial support, program design, lack of supervision and a culture of silence and secrecy endangered the health, safety and welfare of children participating in the ministry of Miracle Meadows.

75. Defendants combined conduct, through financial support, program designs, lack of supervision and a culture of silence and secrecy endangered the health, safety and welfare of children participating in the ministries of Advent Home and Miracle Meadows.

### **I. FIRST CAUSE OF ACTION** **(Negligence)**

76. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1-75 inclusive.

77. Defendants owed a legal duty to Plaintiffs of reasonable care and were negligent, reckless, and careless in repeatedly breaching this duty.

78. Defendants negligently and carelessly failed to adopt and implement adequate policies and procedures to protect Plaintiffs from abuse.

79. Defendants failed to follow or institute basic policies concerning the care of children in preaching their ministries.

80. Defendants did not take reasonable steps to prevent to prohibit child abuse or neglect at Advent Home and/or Miracle Meadows.

81. Despite being entrusted to care for Plaintiffs, Defendants failed to inform parents or authorities of child abuse incidents.

82. Defendants also failed to report incidents of child abuse or neglect to appropriate human services authorities, including the Tennessee Department of Human Services and/or the West Virginia Department of Health and Human Resources.

83. The Defendants negligence and carelessness is both a direct cause and a proximate cause of the injuries sustained by the Plaintiffs.

84. Defendants engaged in such conduct in a negligent, reckless, outrageous, willful, wanton and malicious manner, thereby entitling the Plaintiffs to an award of compensatory damages as well as punitive damages.

## **II. SECOND CAUSE OF ACTION** **(Negligent Hiring/Supervision)**

85. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1-84 inclusive.



86. Defendants failed to ensure that directors, teachers, spiritual leaders, mentors, staff, employees and other individuals having access to children at Advent Home and/or Miracle Meadows had or received adequate training, experience and supervision.

87. Defendants did not exercise reasonable care in hiring and/or supervising employees and others having access to children at Advent Home and/or Miracle Meadows, specifically, Plaintiffs, by virtue of their employment and/or affiliation with Advent Home and/or Miracle Meadows.

88. Defendants failed to conduct meaningful background checks and/or investigations when hiring its employees, agents and/or staff.

89. The breach of duty and negligence by the Defendants proximately caused damage to Plaintiffs, including past and future medical expenses, physical and mental pain, anguish and suffering.

90. Defendants engaged in such conduct in a negligent, reckless, outrageous, willful, wanton and malicious manner, thereby entitling the Plaintiffs to an award of compensatory damages as well as punitive damages.

### **III. THIRD CAUSE OF ACTION** **(Negligent Infliction of Emotional Distress)**

91. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1-90 inclusive.

92. The negligent acts and omissions of Defendants caused serious emotional injury to the Plaintiffs.

93. Defendants knew or should have known that there was a high probability that their conduct would cause severe emotional distress and suffering to the Plaintiffs.

94. The Defendants' conduct in fact caused Plaintiffs severe emotional distress.

95. Defendants engaged in such conduct in a negligent, reckless, outrageous, willful, wanton and malicious manner, thereby entitling the Plaintiffs to an award of compensatory damages as well as punitive damages.

#### **IV. FOURTH CAUSE OF ACTION** **(Civil Conspiracy)**

96. Plaintiffs re-allege and incorporate by reference the allegations contained in paragraphs 1-95 inclusive.

97. Defendants combined their efforts to engage in a conspiracy of silence to protect the reputation of the Defendants while endangering the health, safety and welfare of children at Advent Home and/or Miracle Meadows, including, but not limited to, Plaintiffs.

98. Together, Defendants failed to inform parents or governmental authorities in furtherance of the conspiracy.

99. Defendants conspiracy of silence directly and proximately caused injury to the Plaintiffs including permanent mental impact and physical and sexual abuse.

100. Defendants engaged in such conspiratorial conduct in a negligent, reckless, outrageous, willful, wanton and malicious manner, thereby entitling the Plaintiffs to an award of compensatory damages as well as punitive damages.

WHEREFORE, for the reasons set forth above, Plaintiffs hereby demand judgment in an amount in excess of the jurisdictional limits of the Court against the Defendants, jointly and severally, and as pled within the above Complaint as follows:

1. Compensatory damages in an amount to be determined by a jury;
2. For punitive damages according to proof;
3. Consequential and other derivative damages in an amount to be determined by a jury;

4. Inconvenience, annoyance and other general damages as permitted by law in an amount to be determined by a jury;
5. For an award of attorneys' fees and costs of suit as incurred herein;
6. Interest on the judgment at the legal rate from the date of judgment;
7. Pre-judgment interest on the Plaintiffs' damages as allowed by law; and
8. For such other and further relief as the Court deems just and proper.

**PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL ISSUES TRIABLE**

L.B. and T.B.

BY COUNSEL



Guy R. Bucci (WV State Bar No. 521)  
BUCCI LAW FIRM  
112 Capitol Street, Suite 200  
Charleston, WV 25301  
Phone: 304-344-0020  
Fax: 304-344-0029

V. Paul Bucci, II (WV State Bar No. 7889)  
Brian D. Kent (applying for admission *pro hac vice*)  
LAFHEY, BUCCI & KENT, LLP  
1435 Walnut Street, Suite 700  
Philadelphia, PA 19102  
Phone: 215-399-9255  
Fax: 215-241-8700