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**IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH**

M.L., J.L., and V.L.,

Plaintiffs,

vs.

**ROMAN CATHOLIC BISHOP OF
SALT LAKE CITY *dba* CATHOLIC
DIOCESE OF SALT LAKE CITY *and*
dba UTAH CATHOLIC SCHOOLS;
SKAGGS CATHOLIC CENTER, LLC
dba JUAN DIEGO CATHOLIC HIGH
SCHOOL; MARCELLA BURDEN;
and JOHN DOES I-V,**

Defendants.

COMPLAINT

(TIER 3)

Civil No. _____

Judge _____

As parents J.L. and V.L. exchanged hugs and smiles with their daughter M.L. (collectively “**Plaintiffs**”) at Salt Lake International Airport that morning in June 2015, they simply could not have known how all of their lives were about to change. M.L., a

young female student at Juan Diego Catholic High School, was excited to join several of her classmates on a much-anticipated school-sponsored field trip to Europe. However, days later, in an unfamiliar city in a faraway country, she would become the target of a horrific and brazen sexual assault, held captive – defenseless and alone – for several hours in a hotel room without adult supervision or protection. When she was located several hours later, she was subsequently denied essential medical treatment, emotional support, and legal protection. This traumatic ordeal has completely devastated and forever changed the lives of M.L. and her parents. It was entirely avoidable and would have never occurred but for a pattern of jaw-dropping negligence, mismanagement, and acts of reckless and willful indifference on the part of the Roman Catholic Bishop of Salt Lake City *dba* Catholic Diocese of Salt Lake City and *dba* Utah Catholic Schools (the “**Catholic Diocese**”), the Skaggs Catholic Center, LLC *dba* Juan Diego Catholic High School (“**Juan Diego**” or the “**School**”), and Marcella Burden, a faculty member at Juan Diego (“**Burden**”) (collectively “**Defendants**”).

Defendants having refused to step forward in good faith to openly, honestly, and earnestly to address the situation, Plaintiffs therefore complain against the Defendants Catholic Diocese, Juan Diego, and Burden and hereby claim and allege as follows:

PARTIES

1. Plaintiff M.L. is a resident of Salt Lake County, Utah.
2. At the time of the events giving rise to this action, M.L. was a minor female

student attending Juan Diego Catholic High School.

3. Plaintiffs J.L. and V.L. reside in Salt Lake County, Utah, and are and were the natural parents and guardians of M.L., a minor at the time of the events giving rise to this action.

4. Defendant, Roman Catholic Bishop of Salt Lake City *dba* Catholic Diocese of Salt Lake City *and dba* Utah Catholic Schools, is a Corporation Sole, based in Salt Lake City, Utah.

5. Defendant Skaggs Catholic Center, LLC *dba* Juan Diego Catholic High School is a Salt Lake City-based entity that operates a private Catholic high school in Draper, Utah.

6. Defendant Marcella Burden, an individual, was employed at Juan Diego Catholic High School and resided in Salt Lake County, Utah at the time of the events giving rise to this action.

7. JOHN DOES I-V are parties connected or affiliated with Defendants whose identities are presently unknown.

JURISDICTION AND VENUE

8. This Court has jurisdiction over this matter and the parties pursuant to Utah Code Ann. §§ 78A-5-102, and 78B-3-305-78B-3-307.

9. Venue in this Court is proper pursuant to Utah Code Ann. §§ 78B-3-305-78B-3-307.

10. Plaintiff claims damages of \$300,000 or more, classifying this as a “Tier 3” matter under Rule 26 of the Utah Rules of Civil Procedure.

BACKGROUND AND GENERAL ALLEGATIONS

11. In June 2015, M.L., a minor female, was a participant in a school-sponsored, overseas field trip organized by Defendants.

12. M.L. was the only female student from Juan Diego that registered to go on the field trip.

13. Defendants Catholic Diocese and/or Juan Diego placed Burden – a teacher and former principal – in charge of the field trip and designated her as the sole chaperone.

14. Plaintiffs J.L. and V.L. entrusted Defendants with the care, custody, security, and safety of their daughter M.L. while on the field trip.

15. Plaintiffs J.L. and V.L. expected Defendants to stand in their shoes and to take all reasonable steps to watch over and protect M.L. while on the field trip.

16. Aside from Burden, the Catholic Diocese and the School did not assign or send any other chaperones to accompany the overseas field trip

17. Burden’s own son also accompanied the field trip and shared a room with Burden.

18. During the final leg of the field trip the group stayed at the ParkHotel Rudesheim in the city of Rudesheim am Rhein in Germany.

19. Burden, her son, and all of the male students from Juan Diego were

accommodated together in the main part of the hotel, but M.L. was separated from the group and given a room out in a separate annex section elsewhere on the hotel property (the “**Annex**”).

20. The male students had roommates with them at night – providing an additional measure of personal protection and security – M.L., however, was left alone in a room by herself in the Annex.

21. Burden never went over to M.L.’s room in the Annex to assess whether – from a risk and personal safety standpoint – it was reasonable to allow a single teenage girl to be there alone at night without chaperone supervision nearby and without a roommate.

22. Burden did not perform any curfew checks, safety checks, bed-checks, or otherwise undertake any supervision or oversight of M.L. over at the Annex.

23. Burden did not personally take a room over at the Annex to be near M.L. or move M.L. to another room closer to her and the rest of the Juan Diego group in the main hotel building so she could keep a closer watch over the lone female student in the group.

24. Indeed, Burden later conceded to J.L. and V.L. that she did not even know where M.L.’s room was located or what her room number was even though Burden was supposed to be chaperoning M.L.

25. J.L. and V.L. entrusted the care and custody of their minor daughter to Defendants for the field trip and expected them to carefully and conscientiously watch

over and protect her just as they would if they had been there. They never consented to Defendants neglecting those important obligations or delegating them to third-parties.

26. In sum, M.L. was left alone, at night, in a hotel room, in an unfamiliar city, in a foreign country, separated from her classmates and the sole chaperone, and without any meaningful supervision or protection from Defendants.

27. On the last night of the trip, after dinner and the conclusion of the day's activities, M.L. retired to her room at the Annex, packed her suitcase, and went to bed.

28. At some point during the night she was awakened from her sleep to discover that a male intruder had entered and was lurking in her room.

29. Initially somewhat bewildered and cloudy from being awakened, M.L. lay still for a moment thinking that she might be dreaming. Quickly, however, she realized that it was, in fact, happening and that she was in peril.

30. Alone, frightened, and defenseless, M.L. closed her eyes and pretended to be asleep hoping that the intruder was simply looking to steal her money or property and would not harm her.

31. However, the intruder climbed onto her bed, forcibly removed her sleepwear, and proceeded to sexually assault her.

32. M.L. attempted to resist the sudden attack both physically and verbally, but was unable to fend off the attacker.

33. The assailant quickly subdued and then brutally raped M.L.

34. After battering and raping M.L., the attacker remained in M.L.'s room and held the traumatized girl captive for several hours, effectively taunting her by his presence and blocking her from being able to escape or to seek help without risking further harm or injury.

35. At no time during the course of the several hours-long ordeal did Burden ever check on M.L.

36. With each passing hour, the tormented girl's thoughts raced: How did the intruder get in? Had he already been hiding in her room when she returned that evening? Would he grope or rape her again? Or worse, would he try to kill or silence her?

37. To date, M.L. still does not know how the intruder gained access to her room (main door, adjoining room door, window, etc.).

38. When the attacker eventually left the room, M.L. was finally able to access her mobile phone and send a text message to a friend back in the United States indicating that she was in danger. She did not attempt to flee the room at that point, uncertain if the assailant was lurking nearby lying in wait for her.

39. The friend contacted J.L. and V.L., who in turn tried to reach Burden in Germany.

40. When J.L. and V.L. eventually connected with Burden, she agreed to go check on M.L., but confessed that she did not even know which room M.L. was staying in.

41. By the time Burden eventually located and came to M.L.'s room over at the Annex in the morning, the assailant had left.

42. In the aftermath of being attacked and held captive overnight, M.L. was traumatized and in profound shock.

43. Still, she informed Burden that she had been sexually assaulted.

44. Despite knowing or having reason to know at the time that M.L. was, or may have been, the victim of a sexual assault, Burden failed to procure necessary medical treatment for M.L., failed to contact local law enforcement to make a report, failed to notify hotel security, and failed to take other reasonable and prudent measures to address M.L.'s acute medical, safety, and legal needs and interests.

45. Burden failed to promptly provide notification to or seek input from M.L.'s parents or to consult with senior School administration officials about her on-site response to the situation.

46. Perhaps overwhelmed or just eager to return to Salt Lake City rather than undertaking an appropriate response to the inconvenient and inopportune tragedy at hand, Burden spent a short time surveying the scene and then instructed M.L. to gather her belongings and prepare to board the bus to the airport with the rest of the group.

47. Confused by Burden's dismissive and glib response, the stunned and wounded girl plucked the courage to again address the matter privately with Burden upon arriving at the airport – emphasizing that she had indeed been sexually assaulted and held

captive at the hotel.

48. M.L. fully expected that as a chaperone and the designated representative of the School and the Catholic Diocese, Burden's response would be robust, decisive, and reasonable, including making a report to local law enforcement, procuring medical attention for M.L., and otherwise acting to preserve M.L.'s personal wellbeing and interests.

49. M.L. was horrified to realize that Burden, in fact, intended to do nothing more prior to returning to the United States and that Burden's reaction suggested that she either did not believe that M.L. had been the victim of a non-consensual sexual assault (i.e. rape) by an intruder or that she was simply indifferent and did not want to be inconvenienced with responding to it at the end of the trip.

50. Incredibly, Burden then told M.L., "Unfortunately, this kind of thing happens all the time" and instructed M.L. to board the flight home.

51. Prior to departure, M.L. was in contact with her parents J.L. and V.L. via text message but was understandably apprehensive about sharing graphic details of her assault and captivity electronically.

52. J.L. and V.L. were also exchanging text messages with Burden who repeatedly assured them that the situation was "completely under control" and that everything was "just fine."

53. Back in Salt Lake City, the anxious parents waited hour after agonizing hour for M.L.'s flight from Germany to arrive, troubled that the few stark communications from their daughter belied the casual and dismissive reassurances they had received from Burden.

54. When the Juan Diego group arrived, J.L. and V.L. reunited with their daughter then stepped aside to briefly speak with Burden who remarked that M.L. was "a little upset" but that "nothing serious" had happened. She hurried off, declining to engage with the parents further.

55. Shortly after leaving the airport and arriving at home, the distraught M.L. divulged that she had been raped and held captive at the hotel prior to the flight home earlier that day.

56. The parents immediately alerted local police and rushed M.L. to Primary Children's Medical Center in Salt Lake City where she was processed and treated on an emergency basis for sexual assault.

57. Hospital trauma care personnel conducted a rape evaluation of the teenage girl and reported to her parents that there was physical evidence, injuries, and other indicia consistent with a violent sexual assault and forcible vaginal penetration.

58. The following day, J.L. and V.L. contacted Dr. Galey Colosimo, the principal of Juan Diego ("**Colosimo**"), to discuss the alarming incident.

59. J.L. and V.L. met personally with Colosimo on Sunday, June 14, 2015 and again on Tuesday, June 16, 2015 to discuss the matter.

60. Over the ensuing days, a much starker picture of the extent of Defendants' negligence in the planning, preparation, organization, execution, and chaperoning of the field trip started to emerge.

61. Among other things, it was discovered that Burden had repeatedly provided and/or consumed alcohol with several of the (underage) Juan Diego students entrusted to Defendants' care and custody while on the field trip.

62. Not only did the students consume alcohol with Burden, but Burden neglected her chaperone duties outside of the structured daytime programs. With no free-time oversight, several underage students purchased and consumed more alcohol as they wandered – unsupervised – throughout the hotel property and environs.

63. In the weeks and months after the field trip, M.L. struggled to cope with and overcome the emotional trauma and distress of her harrowing experience and make sense of it all – her mind often returning to that night and to not knowing if she would ever return to her family and how she would be accepted.

64. And while they struggled to provide emotional support to their daughter – no longer the same cheerful, ambitious, and innocent young girl they had entrusted to Defendants – the devastating effects of M.L.'s ordeal and her difficult road to recovery began to exact a deep emotional toll on J.L. and V.L.

65. After a long and painful summer enduring intrusive and embarrassing medical treatments, psychological therapy and counseling, and feeling increasingly detached and isolated, M.L. returned to Juan Diego to resume her education in August 2015.

66. But for M.L. life had changed – everything just felt different than before. Despite her efforts to focus on her academics, M.L. continued to suffer from, among other things, near-constant emotional distress, pain, and suffering, anxiety, and feelings of shame, fear, hopelessness, frustration, betrayal, and anger.

67. Surprisingly, notwithstanding Burden’s abject negligence and gross mismanagement of the field trip generally, and the incident in particular, Defendants continued to employ Burden at Juan Diego.

68. In their meetings with Colosimo, J.L. and V.L. repeatedly inquired as to why Defendants Catholic Diocese and Juan Diego were shielding Burden and why she had not been terminated, to which Colosimo responded that Burden “had a contract” and could not be terminated.

69. Colosimo asked the parents if they wanted him to terminate Burden. A curious move that they perceived as Colosimo trying to shift the onus in a sensitive and problematic personnel issue off to them rather than taking responsible and decisive action on his own accord.

70. During these interactions, in addition to indicating that they believed Burden should be terminated, J.L. and V.L. demanded that if the School was intent on continuing to shield Burden thereby implicitly ratifying her acts and omissions, that at a minimum she be kept away from M.L.

71. Nevertheless, Defendants subsequently assigned Burden as a temporary instructor in one of M.L.'s classes causing M.L. severe distress that lead to an emotional and psychological setback.

72. Indeed, M.L. was further tormented by having to continually see and interact with Burden on the Juan Diego campus and at school functions – a near constant reminder that Defendants Catholic Diocese and Juan Diego continued to manifest their full support, faith, and trust in Burden and their apparent distrust and disdain for M.L.

73. Additionally, Defendants' inadequate and negligent response to the incident caused Plaintiffs to believe that Defendants were jeopardizing M.L.'s personal privacy by improperly disclosing or failing to tamp down the dissemination of misleading and embarrassing and intimate facts about the sexual assault to other Juan Diego faculty members, staff, students, and other third-parties, causing emotional distress, and tarnishing the reputation of M.L. and treating her as a nuisance while Burden continued to enjoy their support.

FIRST CLAIM FOR RELIEF
(NEGLIGENCE)
(ALL DEFENDANTS)

74. Plaintiffs re-allege and incorporate by reference all of the allegations set forth in paragraphs 1-73 above.

75. Defendants had a duty to ensure that the School's coeducational, multi-day, overseas field trip had a sufficient number of objectively responsible, properly-trained, attentive, qualified, and competent chaperones to provide for the supervision and protection of M.L. and the other Juan Diego students on the field trip.

76. Defendants had a custodial duty of protection obligating them to act reasonably and responsibly and to ensure the safety and wellbeing of M.L. while in their sole care and custody.

77. Defendants had, and continue to have, a duty to ensure that their employees and agents are qualified, properly trained, and adequately supervised in the performance of their duties.

78. Defendants are responsible for the acts and omissions of the employees and agents they select to act for and on their behalf.

79. Defendants both collectively, individually, and/or by and through their employees or agents (under to the doctrine of vicarious liability), were negligent and breached their duties to Plaintiff M.L. in at least the following respects:

- a. Failing to adequately plan and prepare for the field trip;

- b. Failing to ensure that an objectively responsible, properly-trained, attentive, qualified, and competent chaperone was assigned to accompany the field trip;
- c. Failing to provide a sufficient number of chaperones, especially in light of the fact that both male and female students were on the trip;
- d. Failing to reasonably supervise, manage, chaperone, and oversee the students that were on the field trip, including Plaintiff;
- e. Allowing M.L. to be left alone and unsupervised in a hotel room in an unfamiliar city in a foreign country without adequate chaperone support;
- f. Failing to take reasonable steps to ensure the safety and security of M.L.;
- g. Failing to observe and enforce their own established policies and procedures in connection with the field trip, including, among others, Field Trips (Policy 4500), Professional Expectations for Principals & Teachers (Policy 2600), and completion of and compliance with training on the Diocesan Child Abuse and Safe Environment Program (Policy 5200);
- h. Negligently delegating, assigning, or surrendering certain duties to third-parties not affiliated with the Catholic Diocese or Juan Diego without the consent of M.L.'s parents;
- i. Failing to appropriately respond to and preserve M.L.'s personal and legal interests once they knew or had reason to know that she was the victim of a

- sexual assault and involuntary captivity while in their care and custody;
- j. Failing to render or to procure necessary medical assistance;
 - k. Failing to adequately protect M.L.'s privacy and dignity;
 - l. Failing to notify, contact, summon, and/or cooperate with the law enforcement agencies with jurisdiction over the location where M.L. had been forcibly raped and held captive while in Defendants' care and custody;
 - m. Failing to provide complete, accurate, and truthful information to M.L. and to her parents to their detriment in dealing with the aftermath of the rape and false imprisonment.

80. As a direct and proximate cause of Defendants' negligence, M.L. has sustained significant physical and emotional injuries entitling her to compensatory damages.

81. Additionally, certain acts and omissions of the Defendants were the result of gross negligence, highlighted by an egregious and utter indifference toward, and a disregard for, the rights and interests of M.L., thereby entitling M.L. to punitive damages under this cause of action.

SECOND CLAIM FOR RELIEF
(NEGLIGENT HIRING, TRAINING, SUPERVISION, AND RETENTION)
(DEFENDANTS CATHOLIC DIOCESE AND JUAN DIEGO)

82. Plaintiffs re-allege and incorporate by reference all of the allegations set forth in paragraphs 1-81 above.

83. At the time Defendants Juan Diego and/or the Catholic Diocese hired Burden and at the time they placed her in a position of special trust and responsibility over the Juan Diego students on the field trip, Defendants knew or should have known that Burden lacked sound judgment and otherwise posed a foreseeable risk of neglect or harm to the students.

84. Defendants Juan Diego and/or the Catholic Diocese knew or should have known that Burden had a well-documented employment history of demonstrating exceptionally poor professional judgment, and among other things, had previously been suspended as an elementary school principal, and was ultimately forced to resign, after numerous reports surfaced about her alcohol consumption on the job, during school hours, in the presence and proximity of elementary-age school children.

85. Notwithstanding this and other warning signs, Defendants Juan Diego and/or the Catholic Diocese selected Burden to lead a multi-day, overseas field trip, without any other staff or chaperones present, and without adequate supervision or safeguards imposed by Defendants Juan Diego and the Catholic Diocese.

86. On the trip, among other things, Burden provided and consumed alcohol with the students entrusted to the care and custody of Defendants Juan Diego and the Catholic Diocese.

87. This and other conduct by Defendants before, during, and after the field trip, demonstrated an utter and reckless disregard for the safety of the students in

Defendants' care and custody and otherwise substantially contributed to an unsafe and insecure environment resulting in the rape and false imprisonment of M.L.

88. Defendants Juan Diego and the Catholic Diocese's negligent hiring, training, supervision, and retention of Burden proximately resulted in the injuries sustained by M.L., thus entitling her to compensatory damages.

89. Even after the field trip and after learning all that had happened, Defendants Juan Diego and/or the Catholic Diocese continued to employ Burden at the School, thereby ratifying and sanctioning her conduct.

90. Additionally, the acts and omissions of Defendants in this regard were the result of gross negligence and demonstrated a knowing and reckless indifference toward, and a disregard of, the rights of M.L., and therefore entitle her to punitive damages under this cause of action.

THIRD CLAIM FOR RELIEF
(BREACH OF FIDUCIARY DUTY)
(DEFENDANTS CATHOLIC DIOCESE AND JUAN DIEGO)

91. Plaintiffs re-allege and incorporate by reference all of the allegations set forth in paragraphs 1-90 above.

92. A special fiduciary relationship exists between the Plaintiff M.L. and these Defendants in light of the fact that Defendants occupy a position of special status vis-à-vis M.L. both by way of their affiliation with the Roman Catholic Church – a ecclesiastical entity of which M.L. is an adherent – but also acting as a private parochial

educational institution of which M.L. was a minor student.

93. A similar fiduciary relationship exists between Defendants and Plaintiffs J.L. and V.L.

94. Defendants breached their fiduciary duty to M.L., among other things by failing to take minimally reasonable steps to watch over and protect M.L. and provide for her essential safety and security while they stood *in loco parentis* with M.L. in their exclusive care and custody in a situation in which they knew she would be particularly dependent on them (i.e. away from home, at a school activity, in a foreign country, etc.).

95. As a result of Defendants' myriad breaches of the duties inherent in this special relationship, M.L. was left – alone and vulnerable – to be brutally raped, violated, and imprisoned while in their charge.

96. Further, Defendants breached their fiduciary duties by failing to get M.L. timely and appropriate medical attention and failing to timely report the incident to law enforcement when they knew or had reason to know of its occurrence.

97. Defendants breached their fiduciary duties by failing to fully and openly cooperate and communicate with J.L. and V.L. in the wake of the mishandled incident and to take reasonable remedial and mitigating steps to address the situation.

98. As an actual and proximate cause of Defendants' acts or omissions, M.L. suffered physical and emotional injuries and damages.

99. Additionally, certain acts and omissions of the Defendants herein complained of were so extreme, egregious, and outrageous in regards to M.L., that M.L. is entitled to punitive damages under this cause of action.

THIRD CLAIM FOR RELIEF
(NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS)
(ALL DEFENDANTS)

100. Plaintiffs re-allege and incorporate by reference all of the allegations set forth in paragraphs 1-99 above.

101. Through the acts, omissions, and patterns of conduct alleged above and incorporated herein, Defendants have unintentionally and negligently caused severe physical or emotional distress and suffering to Plaintiff M.L.

102. Defendants should have realized from the circumstances known to them that their acts, omissions, and pattern of conduct relative to Plaintiffs, both during and after the field trip, specifically their response to the attack on M.L. and the failure to respond in a reasonable, timely, and appropriate manner at all times subsequent, under the circumstances that existed, involved an unreasonable risk of causing such distress.

103. Defendants should have realized and appreciated that such distress might result in physical or emotional illness or similar harm to M.L.

104. And in fact the distress and suffering so inflicted by Defendants manifest in M.L. through severe mental and/or physical symptoms including, among other things, depression, melancholy, stress, sleeplessness, fear, inability to concentrate, fatigue, loss

of appetite, crying, and the overall diminishment and loss of the enjoyment of life.

105. In addition to compensatory damages, certain acts and omissions of the Defendants herein complained of were so extreme, egregious, and outrageous in regards to Plaintiffs, that they are further entitled to punitive damages under this cause of action.

FOURTH CLAIM FOR RELIEF
(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)
(ALL DEFENDANTS)

106. Plaintiffs re-allege and incorporate by reference all of the allegations set forth in paragraphs 1-105 above.

107. In the alternative, Plaintiffs allege that Defendants knowingly, intentionally, or acting with reckless disregard, engaged in conduct toward M.L. the nature of which was so outrageous and intolerable such that it offends the generally accepted standards of decency, propriety, and morality.

108. Defendants engaged in such conduct either for the purpose of inflicting emotional distress or acting through willful disregard where any reasonable person would have known that emotional distress and harm would result.

109. M.L. was, in fact, subjected to and suffered severe emotional distress as a direct result of the Defendants' conduct.

110. In addition to compensatory damages, certain acts and omissions of the Defendants herein complained of were so extreme, egregious, and outrageous in regards to Plaintiffs, that they are further entitled to punitive damages under this cause of action.

FIFTH CLAIM FOR RELIEF
LOSS OF CONSORTIUM
(ALL DEFENDANTS)

(per Benda v. Roman Catholic Bishop of Salt Lake City, 384 P.3d 207 (Utah 2016))

111. Plaintiffs re-allege and incorporate by reference all of the allegations set forth in paragraphs 1-110 above.

112. M.L. suffered significant and continuing physical and emotional harm and injuries that have substantially impacted and altered her life a result of the acts and omissions of Defendants before, during and after being sexually assaulted while in the care and custody of Defendants.

113. As a result of Defendants' conduct and the effects of the sexual assault and mistreatment of their daughter while in Defendants' care, J.L. and V.L. were caused to suffer, and will continue to suffer in the future, loss of consortium, society, affection, companionship, and fellowship, all to the detriment of their parent-child relationship.

114. The aforesaid injuries and damages were proximately caused by the wrongful and negligent acts and omissions of Defendants.

115. In addition to compensatory damages, certain acts and omissions of the Defendants herein complained of were so extreme, egregious, and outrageous, that J.L. and V.L. are further entitled to punitive damages under this cause of action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment and relief against Defendants, jointly and severally, as follows:

1. On each Claim for Relief:
 - a) Damages to compensate Plaintiffs for Defendants' negligent or intentional conduct in an amount to be proven at trial;
 - b) Punitive damages in an amount to punish Defendants and to deter Defendants and others from such wrongful conduct in the future;
 - c) Prejudgment and post-judgment interest;
 - d) Attorney fees;
 - e) Plaintiffs' costs and expenses.
2. All other relief, at law or in equity, to which Plaintiffs may be entitled.

DATED this 8th day of March 2017.

PRINCE, YEATES & GELDZAHLER

By: /s/ Jonathon T. Tichy
Jonathon T. Tichy
Florence M. Vincent
Attorneys for Plaintiff