

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

KRISTINA CARSON, individually and as
parent and natural guardian of D.M., a minor;
and DION MATTHEWS, individually,
c/o Spangenberg, Shibley & Liber
1001 Lakeside Avenue, Suite 1700
Cleveland, Ohio 44114,

Plaintiffs,

vs.

SUNRIDGE SOLUTIONS, LLC
c/o Albert F. Calfo II, Statutory Agent
1544 N. Main Street
Niles, OH 44446,

and

MICHAEL PEACH,
c/o Trumbull County Jail
150 High St., NW
Warren, Ohio 44481,

Defendants.

CASE NO. *2018 CV 2086*

JUDGE **W WYATT MCKAY**

COMPLAINT

[Jury Demand Endorsed Herein]

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TRUMBULL COUNTY
CLERK OF COURTS
KAREN MARIE ALLEN
CLERK OF COURTS
TRUMBULL COUNTY

Plaintiffs, Kristina Carson, individually and as parent and natural guardian of D.M., a minor, and Dion Matthews, individually, by and through the undersigned counsel, file this Complaint against the above-captioned Defendants, and in support thereof state:

INTRODUCTION

1. This case is about a company that knowingly hired a two-time convicted child molester as its office manager and then encouraged its employees to bring their children to the office to spend time with the convicted child molester.
2. The convicted child molester's name is Michael Peach.



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3. Gloria Campbell is, and at all times relevant was, the Vice President of Defendant Sunridge Solutions, LLC (hereinafter "Sunridge Solutions").

4. Gloria Campbell is also Michael Peach's aunt.

5. Sunridge Solutions knew Michael Peach was a two-time convicted child molester when it hired Michael Peach to work at Sunridge Solutions approximately six years ago.

6. Despite Sunridge Solutions knowing that Michael Peach was a convicted child molester, Sunridge Solutions made its office a "kid friendly" place and constantly encouraged its employees to bring their children to the office and to office parties sponsored by the company.

7. Michael Peach's office was known at Sunridge Solutions as "the man cave" – where the children of the employees, especially the young boys, would be invited to come hang out while their parents worked.

8. As a manager and supervisor at Sunridge Solutions, Michael Peach was able to gain the trust of his employees and their children – including Kristina Carson and her nine-year-old son, D.M.

9. Sunridge Solutions was reckless and exhibited a conscious disregard for the rights and safety of others, including D.M. and Kristina Carson, and its conduct led directly to D.M. being molested by Michael Peach.

10. At the sentencing hearing of Michael Peach on June 8, 2017, Judge Ronald J. Rice stated:

You used your standing as the supervisor at work to find a mother and get access to her innocent child. You then schemed to groom him for your perverse needs. You are a textbook pedophile predator in every way.

Your behavior in this matter, along with the either reckless or negligent acts of your employer, Sun Ridge [sic] Solutions, could be the poster child of why we have laws in our society requiring people to be registered sex offenders.¹

PARTIES, JURISDICTION, AND VENUE

11. D.M. is minor who is, and at all relevant times was, a citizen and resident of Trumbull County, Ohio.

12. Kristina Carson is a natural person who is, and at all relevant times was, a citizen and resident of Trumbull County, Ohio. Kristina Carson is the natural mother of D.M., a minor.

13. Dion Matthews is a natural person who is, and at all relevant times was, a citizen and resident of Trumbull County, Ohio. Dion Matthews is the natural father of D.M., a minor.

14. Defendant Sunridge Solutions is, and at all relevant times was, an Ohio limited liability company, with its principal place of business located at 1544 N. Main Street, Suite B, Niles, Trumbull County, Ohio 44446.

15. Sunridge Solutions provides medical billing services to companies all over Ohio.

16. Defendant Michael Peach is a resident of Trumbull County, Ohio and is currently incarcerated.

¹ Transcript of Sentencing Hearing, June 8, 2017, Page 19, Lines 15-23; *State of Ohio v. Michael Peach*, Case No. 2016-CR-873.

17. At all relevant times, Michael Peach was an employee of Defendant Sunridge Solutions and was acting within the course and scope of his employment with Sunridge Solutions.

18. At all relevant times, Michael Peach was an agent and/or apparent agent of Defendant Sunridge Solutions and was acting within the course and scope of his agency for Sunridge Solutions.

19. Defendant Sunridge Solutions is independently liable for its own negligent and reckless conduct that caused harm to Plaintiffs as well as being vicariously liable for the conduct of its employee Defendant Michael Peach that caused harm to Plaintiffs.

20. To the extent Michael Peach was acting outside his scope of employment and/or agency for Sunridge Solutions, Sunridge Solutions ratified his unlawful behavior by, *inter alia*, helping cover up his unlawful behavior and retaining him as an employee.

21. Subject matter jurisdiction is proper in this Court pursuant to Ohio Revised Code § 2305.01.

22. Venue is proper in Trumbull County, Ohio pursuant to Civ.R. 3(B)(2) because Defendant Sunridge Solutions, LLC has its principal place of business in Trumbull County.

GENERAL ALLEGATIONS

23. Defendant Michael Peach is an adult male who, at all relevant times herein, was employed by Defendant Sunridge Solutions.

24. At all relevant times, Defendant Sunridge Solutions was responsible for hiring, retaining, and supervising the company's employees, including Michael Peach.

25. Sunridge Solutions hired Michael Peach as its Office Manager in or around 2012.

26. Sunridge Solutions knew Michael Peach was a two-time convicted child molester before it hired him.

27. Kristina Carson was hired by Sunridge Solutions in 2015.

28. Michael Peach was Kristina Carson's supervisor.

29. While Kristina Carson was employed by Sunridge Solutions, she was encouraged by Sunridge Solutions to bring her son, D.M., to work with her.

30. Other employees at Sunridge Solutions were also encouraged by Sunridge Solutions to bring their children to the office and to work-related events.

31. Gloria Campbell, acting within the course and scope of her employment as Vice President of Sunridge Solutions, actively encouraged Kristina Carson to bring D.M. to work with her.

32. Gloria Campbell, acting within the course and scope of her employment as Vice President of Sunridge Solutions, actively encouraged other employees to bring their children to work.

33. Michael Peach used his position as Kristina Carson's supervisor to get close to her and her young children.

34. Sunridge Solutions knew or should have known Michael Peach was using his position as Kristina Carson's supervisor to get close to Kristina Carson and her young children. Nevertheless, Sunridge Solutions continued to encourage Kristina Carson to bring her children to the office.

35. Michael Peach struck up a relationship with D.M. and slowly earned the trust of D.M. and Kristina Carson. Sunridge Solutions encouraged and fostered these relationships.

36. In early November, Michael Peach molested D.M. and told D.M. not to tell anybody.

37. On or about November 23, 2016, Sunridge Solutions held a Thanksgiving office party and again encouraged the employees to bring their children to the party.

38. Kristina Carson brought D.M. to the office party.

39. Michael Peach lured D.M. away from the office party and molested him and then brought D.M. back to the office party. Upon information and belief, Michael Peach was "on the clock" and being paid by Sunridge Solutions during these events.

40. D.M. subsequently disclosed the two incidents of molestation to Kristina Carson. Kristina Carson called the police and reported the incidents.

41. Kristina Carson also called Gloria Campbell and reported the molestation committed by the employee of Sunridge Solutions.

42. Gloria Campbell adamantly denied the accusations against Michael Peach, despite knowing that Michael Peach was a two-time convicted child molester.

43. Sunridge Solutions did not fire Michael Peach. Rather it helped him deny the allegations and continued to allow him to work as a supervisor at Sunridge Solutions.

44. Gloria Campbell, acting within the course and scope of her employment as the Vice-President of Sunridge Solutions, informed Michael Peach that Kristina Carson had reported him to the police for molesting D.M.

45. Kristina Carson refused to go to work at Sunridge Solutions while Michael Peach continued to work there.

46. At around 8 a.m. on December 19, 2016, Kristina Carson started her car so it could heat up. She looked out her kitchen window to see if the snow had melted, and found herself staring at a man wearing a mask. It was Michael Peach.

47. Kristina Carson managed to get off a frantic call to D.M.'s father, Plaintiff Dion Matthews, who lived down the street. Seconds later, Michael Peach dove through the window head first and attacked Kristina Carson and her minor sons, D.M. and C.C.

48. D.M.'s father, Plaintiff Dion Matthews, showed up within minutes and began fighting with Michael Peach, allowing Kristina Carson and her sons to escape.

49. Kristina Carson took her sons across the street to a neighbor's house and called the police.

50. Michael Peach fled the scene, and a high speed police chase ensued.

51. During the chase Michael Peach crashed into a tree, but took off running on foot through the woods.

52. After an hour, the police found Michael Peach in a ditch, covered in blood, with multiple self-inflicted stab wounds to his neck and chest.

53. Michael Peach survived the attempted suicide and was ultimately convicted of numerous felonies. He will be in jail for the rest of his life.

**FIRST CAUSE OF ACTION – NEGLIGENT HIRING, RETENTION, AND
SUPERVISION**

**(Brought by Plaintiff Kristina Carson, as Parent and Natural Guardian of D.M., a
Minor, Against Defendant Sunridge Solutions Only)**

54. Plaintiffs incorporate paragraphs 1-53 as if fully rewritten herein.

55. Defendant Sunridge Solutions owed a duty of care to its employees and future employees and their children, including Kristina Carson and D.M., in hiring Michael Peach, a convicted child molester.

56. Defendant Sunridge Solutions owed a duty of care to its employees and their children, including Kristina Carson and D.M., in warning them that Michael Peach was a convicted child molester.

57. Defendant Sunridge Solutions owed a duty of care to its employees and their children, including Kristina Carson and D.M., in retaining and supervising Michael Peach, a convicted child molester, including but not limited to, ensuring that Michael Peach was not allowed to be around children, or play with children, or build a trusting relationship with parents and their children, or lure one of the children away from an office party.

58. Defendant Sunridge Solutions breached said duties in the hiring, retention, and supervising of Michael Peach.

59. As a direct and proximate result of said breaches by Defendant Sunridge Solutions, D.M., a minor, suffered permanent injuries, non-economic damages, and economic damages, including medical expenses in the past and future, and loss of ability to earn wages in the future.

WHEREFORE, Plaintiffs demand judgment against Defendant Sunridge Solutions in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00) for compensatory damages, including medical expenses in the past and future and loss of ability to earn wages in the future, and non-economic damages, as well as punitive

damages, attorneys' fees, costs, interest, and any other relief the Court deems just and equitable.

SECOND CAUSE OF ACTION – LOSS OF CONSORTIUM
(Brought by Plaintiffs Kristina Carson, Individually, and Dion Matthews, Individually, Against Sunridge Solutions Only)

60. Plaintiffs incorporate all preceding paragraphs as if fully rewritten herein.

61. At all times relevant, Plaintiff Kristina Carson was the natural mother and guardian of D.M., a minor.

62. At all times relevant, Plaintiff Dion Matthews was the natural father and guardian of D.M., a minor.

63. As a direct and proximate result of Defendant Sunridge Solutions' negligent and/or reckless conduct as described herein, Kristina Carson and Dion Matthews have suffered mental anguish in the past and future and a loss of D.M.'s consortium in the past and in the future, including but not limited to the loss of support, services, society, companionship, and care.

WHEREFORE, Plaintiffs demand judgment against Defendant Sunridge Solutions in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00) for compensatory damages, including non-economic damages and economic damages for the loss of services and support, and any other relief the Court deems just and equitable.

THIRD CAUSE OF ACTION – CIVIL BATTERY
(Brought by All Plaintiffs Against Michael Peach Only)

64. Plaintiffs incorporate paragraphs 1-53 as if fully rewritten herein.

65. Defendant Michael Peach physically attacked, assaulted, and injured Kristina Carson, Dion Matthews, and D.M., a minor, on December 19, 2016.

66. As a direct and proximate result of the attack by Michael Peach on December 19, 2016, Kristina Carson, Dion Matthews, and D.M., a minor, suffered permanent and severe damages.

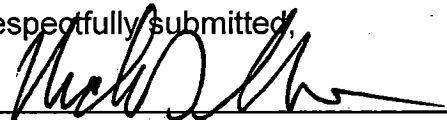
WHEREFORE, Plaintiffs demand judgment against Defendant Michael Peach in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00) for compensatory damages, including medical expenses in the past and future, loss of wages in the past, loss of ability to earn wages in the future, and non-economic damages, as well as punitive damages, attorneys' fees, costs, interest, and any other relief the Court deems just and equitable.

JURY DEMAND

Pursuant to Rule 38(B) of the Ohio Rules of Civil Procedure, a trial by jury is demanded on all the issues presented herein.

Dated: November 19, 2018

Respectfully submitted,



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