

JEFF FINE
Clerk of the Superior Court
By Mave Patterson- Deputy
Date 03/18/2020 Time 11:40:41

Description	Amount
CASE# CJ2020-003649	
CIVIL NEW COMPLAINT	333.00
TOTAL AMOUNT	333.00
Receipt# 27707308	

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 8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
 9 **IN AND FOR THE COUNTY OF MARICOPA**

10 I. DOE, a minor, by and through J. DOE,
 her parent and legal guardian,

Case No.:
CV 2020-003649

11 Plaintiffs,

COMPLAINT

12 vs.

(Tort - Non-Motor Vehicle)

13 THE CITY OF PEORIA, a government
 14 entity; and THE PEORIA UNIFIED
 SCHOOL DISTRICT, a government entity;
 15 RICKY ORDWAY and JANE DOE
 ORDWAY, husband and wife; JANE DOES
 16 I-V; JOHN DOES I-V; ABC
 CORPORATIONS I-X; XYZ
 17 PARTNERSHIPS I-X,

(Rule 26.2 Discovery Tier III)

18 Defendants.

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 20 Plaintiffs, by and through counsel undersigned, for their Complaint against
 21 Defendants, and each of them, allege as follows:

22 1. Plaintiff I. Doe is the natural daughter of J. Doe and was at all times
 23 relevant hereto, a resident of Maricopa County, Arizona. Plaintiff I. Doe is now
 24 thirteen years old. Defendants are aware of Plaintiffs' true names which are being
 25 withheld because of a desire for privacy. Upon motion pursuant to Rule 17, Arizona
 26 Rules of Civil Procedure, by an appropriate party, further disclosure of the true names
 27 of Plaintiffs will be made as required by law.
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1 2. The claims set forth herein arise out of a sexual assault against Plaintiff I.
2 Doe by an employee/agent of Defendants City of Peoria and the Peoria Unified School
3 District.

4 3. Defendants City of Peoria (hereinafter "City") and Peoria Unified School
5 District (hereinafter "School District") are political bodies of the State of Arizona.

6 4. The acts and omissions set forth herein occurred in the State of Arizona.

7 5. The amount in controversy exceeds the jurisdictional limits of this Court.

8 6. That Defendants John Does I-X, Jane Does I-X, ABC Corporations I-X
9 and XYZ Partnerships I-X, are fictitious names, representing the Defendants, whether
10 singular or plural; masculine or feminine; corporate or individual; married or
11 unmarried; whose true names and relationships to this case are unknown to Plaintiff at
12 this time, and will be substituted later by amendment.

13 7. At all times material hereto Ricky Ordway was an employee and/or agent
14 of Defendants City and School District and at all time material hereto was acting within
15 the course and scope of his employment/agency with Defendants City and School
16 District. Ricky Ordway was a computer science teacher for Defendant School District
17 and worked at Sun Valley Elementary School where Plaintiff I. Doe was as student.

18 8. While employed by Defendants and while on Defendants' property,
19 Ricky Ordway exhibited sexual predator behavior that was obvious to other employees
20 and supervisors.

21 9. Employees/agents of Defendants observed Ricky Ordway "flirt" with
22 students between the ages of 9 and 10, buy them expensive gifts, have them sit on his
23 lap, and exhibit other behavior that no rational educator could deem as anything other
24 than highly, grossly, inappropriate behavior.

25 10. Despite being aware of Ricky Ordway's predatory behavior by
26 Defendants employees and agents, as described in the previous paragraph, Defendants
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1 took no action and this constitutes actual knowledge by Defendants of Ricky Ordway's
2 predatory behavior and resulting sexual assaults of Plaintiff I. Doe.

3 11. While employed by Defendants and while on Defendants' property,
4 Ricky Ordway repeatedly sexually assaulted Plaintiff I. Doe.

5 12. Upon information and belief, Plaintiff I. Doe., an eleven year old girl is
6 one of approximately fifteen to twenty young girls that were molested and sexually
7 assaulted by Peoria Unified School District teacher Ricky Ordway during the 2018-2019
8 school year. The last known time of assault on Plaintiff I. Doe. was May 6, 2019.

9 13. Ordway had a seat right next to his desk at the front of the class at his
10 desk. The desk was high enough that he could reach over without being seen by the
11 class and touch the girls' thighs or private areas. Or he would cup their breasts, in front
12 of the whole class but due to the way the room was set up, none of the kids were able to
13 see.

14 14. Ordway has been indicted on multiple counts of sexual molestation,
15 sexual assault, and attempted molestation. All his victims were classmates of Plaintiff
16 I. Doe, all the same age.

17 15. Despite being aware of Ricky Ordway's sexual predator behavior,
18 Defendants failed to take any action to supervise, investigate and stop Ricky Ordway's
19 sexual predator behavior.

20 16. Complaints regarding the predatory behavior of Ricky Ordway were
21 ignored by Defendants.

22 17. The repeated observations of Ricky Ordway's predatory behavior by
23 Defendants employees and agents, as described in the previous paragraphs constitute
24 actual knowledge by Defendants of Ricky Ordway's predatory behavior and resulting
25 sexual assaults of Plaintiff I. Doe.
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1 18. While employed by Defendants and/or while on Defendants' property,
2 Ricky Ordway sexually assaulted Plaintiff I. Doe.

3 19. Defendants City and School District failed to properly train and supervise
4 its employees with respect to identifying and reporting sexual predatory behavior.

5 20. Defendants City and School District had customs, practices and/or
6 policies that failed to adequately guard students and children from sexual abuse and
7 amounted to deliberate indifference.

8 21. Defendants City's and School District's deliberate indifference was a
9 moving force behind Ricky Ordway's sexual assaults of Plaintiff I. Doe.

10 22. The sexual assaults on Plaintiff I. Doe by Ricky Ordway would not have
11 occurred had Defendants City and School District established customs, practices and/or
12 policies that adequately guarded students and children from sexual abuse.

13 23. Ricky Ordway's repeated sexual assault of Plaintiff I. Doe was a highly
14 predictable consequence of Defendants City and School District failure to properly train
15 and supervise its employees with respect to identifying and reporting sexual predatory
16 behavior.

17 24. Ricky Ordway's repeated sexual assault of Plaintiff was a highly
18 predictable consequence of Defendants City's and School District's customs, practices
19 and/or policies that failed to adequately guard students and children from sexual abuse
20 and amounted to deliberate indifference.

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23 **COUNT ONE**

24 **(Negligence of Defendants City and School District)**

25 25. Plaintiff re-alleges and incorporate herein by reference all preceding
26 paragraphs.


1 Consistent with the factors and characteristics identified in the lawsuit above, this
2 matter is an automobile tort, and pursuant to Rule 26.2(b) of the Arizona Rules of Civil
3 Procedure, the damages sought in this case qualify it as a Tier 3 case.

4 **JURY DEMAND**

5 Plaintiff requests a trial by jury.

6
7 **DATED** this 17 day of March, 2020.

8 **PHILLIPS LAW GROUP, PC**

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10 By: 
11 Timothy G. Tonkin, Esq.
12 Nasser Abujbarah, Esq.
13 *Attorneys for Plaintiff I. Doe*
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