



County.

4.

Jurisdiction is proper in this Court.

5.

Venue is proper in this Court.

### **FACTUAL ALLEGATIONS**

6.

Defendant Long is the Bishop, senior pastor and chief executive officer of Defendant New Birth Missionary Baptist Church, Inc.

7.

New Birth has grown to over 25,000 members since Defendant Long first served as pastor in 1987.

8.

Defendant New Birth's website proclaims, "[A]s a man of vision, Bishop Long is revered locally, nationally and internationally as a dynamic man of leadership, integrity and compassion."

9.

In addition to acting as the Bishop, head pastor and chief executive officer of Defendant New Birth, Defendant Long also heads several offshoot ministries.

10.

In March 2003, Defendant Long founded New Birth Baptist Church in Huntersville, North Carolina, a suburb of Charlotte, as the first New Birth church outside the state of Georgia.

11.

Terrell L. Murphy is the senior pastor of the North Carolina New Birth Missionary Baptist Church, which is now located in Charlotte (“New Birth Charlotte”).

12.

Defendant Long is the Bishop who presides over New Birth Charlotte.

13.

New Birth Charlotte has close ties with Defendant New Birth.

14.

Defendant Long frequently speaks and delivers sermons at New Birth Charlotte.

15.

Members of New Birth Charlotte frequently travel to Atlanta to participate in events at Defendant New Birth and lead by Defendant Long.

16.

At all times material hereto, Defendant Long has established a confidential relationship with Plaintiff LeGrande, while acting as Plaintiff LeGrande’s spiritual advisor, Bishop, and leader of the Defendants’ various ministries.

17.

Defendant Long has utilized his spiritual authority as Bishop and leader of Defendants’ ministries to coerce certain young male members and employees of Defendant New Birth and New Birth Charlotte into engaging in sexual acts and relationships for his own personal sexual gratification.

18.

Defendant Long has a pattern and practice of singling out young male church members and using his authority as Bishop over them to ultimately bring them to a point of engaging in a sexual relationship.

19.

Defendant Long uses monetary funds from the accounts of Defendant New Birth and other corporate and non-profit corporate accounts, to entice the young men with cars, clothes, jewelry, and electronics.

20.

Defendant Long's chosen young men are taken on public and private jets to U.S. and international destinations, housed in luxury hotels and given access to numerous celebrities including entertainment stars and politicians.

21.

Typically, when the young males, confused by the sexual contact with Defendant Long, find girlfriends, engage in sexual contact with females, or attempt to pull away from Defendant Long, pursuant their own personal desires, Defendant Long initially attempts to block those relationships and pursuits by increased contact and spiritual talk as to the relationship between the Spiritual Son and himself.

22.

Plaintiff Spencer LeGrande ("Plaintiff LeGrande") is one of the young male church members described above.

23.

Plaintiff LeGrande was born on April 5, 1988.

24.

Plaintiff LeGrande is a resident of Charlotte, North Carolina.

25.

In or about March, 2003, Plaintiff LeGrande and his family attended the very first service ever held by New Birth Charlotte.

26.

Plaintiff LeGrande and his family joined New Birth Charlotte during the very first service ever held by New Birth Charlotte.

27.

Plaintiff LeGrande was 15 (fifteen) years old when he joined New Birth Charlotte.

28.

New Birth Charlotte's first service was held at North Mecklenburg High School in Huntersville, North Carolina.

29.

Defendant Long graduated from North Mecklenburg High School.

30.

Plaintiff LeGrande was an Armor Bearer for Pastor Terrell L. Murphy ("Pastor Murphy") at New Birth Charlotte at the age of 15.

31.

As an Armor Bearer, Plaintiff LeGrande was a direct assistant of Pastor Murphy, assisting with day to day duties as well as assisting Pastor Murphy during New Birth Charlotte church services.

32.

Plaintiff LeGrande first saw Defendant Long preach when Plaintiff LeGrande travelled with his family to Atlanta for the Spirit In Truth summer revival.

33.

On or about May 5, 2005, Plaintiff attended the International Men of War conference at New Birth Charlotte (“Men of War Conference”).

34.

Defendant Long delivered a sermon during the Men of War Conference with the theme of forgiving fathers who had been absent from their son’s lives.

35.

Plaintiff LeGrande’s father had not been an active part of Plaintiff LeGrande’s life since Plaintiff LeGrande was an infant.

36.

Plaintiff LeGrande was personally moved by Defendant Long’s sermon, as his father had not been part of his life.

37.

Following the service, Plaintiff LeGrande approached Defendant Long to tell him how moved he had been during Defendant Long’s sermon.

38.

When Plaintiff LeGrande approached Defendant Long, Defendant Long hugged Plaintiff LeGrande and Plaintiff LeGrande began to cry.

39.

Defendant Long held on to Plaintiff LeGrande and assured him, "I got you," "I will be your dad."

40.

When Plaintiff LeGrande collected himself, Defendant Long asked his assistant to take Plaintiff LeGrande's contact information.

41.

Defendant Long told Plaintiff LeGrande that he would call him.

42.

Following the Men at War Conference, Defendant Long began to call Plaintiff LeGrande on the telephone.

43.

Defendant Long demanded that Plaintiff LeGrande call him often.

44.

Defendant Long would become angry if Plaintiff LeGrande failed to call Plaintiff Long on a frequent basis.

45.

Defendant Long told Plaintiff LeGrande to call him "Dad."

46.

Plaintiff LeGrande would see Defendant Long in person when Defendant Long was present at New Birth Charlotte and when Plaintiff LeGrande's family would travel to Defendant New Birth in Atlanta.

47.

In early 2005, when Plaintiff LeGrande was sixteen (16) years old, Defendant Long asked Plaintiff LeGrande to accompany Defendant Long on a trip to the nation of Kenya in Africa (the "Kenya Trip").

48.

On July 26, 2005, when Plaintiff LeGrande was seventeen (17) years old, Plaintiff LeGrande departed with Defendant Long on an eight day trip to Kenya, with stops in London (the "Kenya Trip").

49.

During the Kenya Trip, Plaintiff LeGrande visited the city of Nairobi with Defendant Long.

50.

On the first night in Nairobi, Defendant Long telephoned Plaintiff LeGrande in Plaintiff LeGrande's hotel room and asked Plaintiff LeGrande to come to Defendant Long's hotel room.

51.

Plaintiff LeGrande told Defendant Long that he was having trouble falling asleep.

52.

Defendant Long provided Plaintiff LeGrande the drug known as Ambien and told him it would help him fall asleep.

53.

Plaintiff LeGrande ingested the Ambian.

54.

Defendant Long ingested an Ambian.



55.

After Plaintiff LeGrande had taken the Ambian, Defendant Long gave Plaintiff LeGrande a prolonged hug.

56.

Following the prolonged hug, Defendant Long kissed Plaintiff LeGrande on the lips, licked Plaintiff LeGrande's lips in a circular fashion, and rubbed Plaintiff LeGrande's chest.

57.

Defendant Long and Plaintiff LeGrande slept in the same bed the first night in Kenya.

58.

Defendant Long and Plaintiff LeGrande slept in the same bed each night thereafter on the Kenya Trip.

59.

Defendant Long would take Plaintiff LeGrande out to dinner each night of the Kenya Trip.

60.

Defendant Long would take Plaintiff on shopping sprees during the Kenya Trip.

61.

Defendant Long engaged in intimate sexual contact with Plaintiff LeGrande each night in Kenya, including kissing and licking on the lips, touching Plaintiff LeGrande's chest, and sleeping in the same bed.

62.

On or about February 28, 2006, Defendant Long took Plaintiff LeGrande on an

approximate five night trip to Johannesburg, South Africa (the “Johannesburg Trip”).

63.

Defendant Long introduced Plaintiff LeGrande to Winny Mandela on the Johannesburg Trip.

64.

Defendant Long took Plaintiff on shopping sprees during the Johannesburg Trip.

65.

Defendant Long took Plaintiff to expensive dinners on the Johannesburg Trip.

66.

During the Johannesburg Trip, Defendant Long and Plaintiff LeGrande slept in the same bed.

67.

During the Johannesburg Trip, Defendant Long engaged in intimate sexual contact with Plaintiff LeGrande.

68.

In or about June, 2006, Plaintiff LeGrande graduated from high school.

69.

On or about July 31, 2006, Defendant Long took Plaintiff LeGrande on a trip to Zimbabwe and Kenya (the “Zimbabwe- Kenya Trip”).

70.

Defendant Long took Plaintiff LeGrande on shopping sprees during the Zimbabwe-Kenya Trip.

71.

Defendant Long took Plaintiff LeGrande to expensive dinners on the Zimbabwe-Kenya Trip.

72.

During the Zimbabwe-Kenya Trip, Defendant Long and Plaintiff LeGrande slept in the same bed.

73.

During the Zimbabwe-Kenya Trip, Defendant Long engaged in intimate sexual contact with Plaintiff LeGrande.

74.

Following the Zimbabwe-Kenya Trip, Defendant Long encouraged Plaintiff LeGrande to attend Beulah Heights University ("Beulah") to prepare to enter the ministry.

75.

Plaintiff LeGrande abandoned his plans to pursue a collegiate basketball career and applied to Beulah.

76.

In or about January, 2007, Plaintiff LeGrande moved to Atlanta to attend Beulah.

77.

Defendant Long told Plaintiff LeGrande that he expected Plaintiff LeGrande to go to school, keep up with his Armor Bearer duties, attend church, and have no girlfriends.

78.

Defendant Long paid all tuition and expenses for Plaintiff LeGrande's attendance at Beulah.

79.

Before Plaintiff LeGrande moved to Atlanta, Plaintiff LeGrande's mother, Deborah LeGrande, wrote Defendant Long a letter and thanked him for looking after her son. (the "Letter").

80.

When Plaintiff LeGrande arrived in Atlanta, Defendant Long placed him in the Hyatt Place hotel in Lithonia, Georgia.

81.

Defendant Long paid for the Hyatt Place hotel.

82.

Defendant Long purchased a Dodge Intrepid for Plaintiff LeGrande.

83.

After approximately one to two months, Defendant Long placed Plaintiff LeGrande in a home located at 1024 Harwell Street, in Atlanta, Georgia (the "Harwell House").

84.

On information and belief, the Harwell House is owned by Anthony Moman.

85.

Anthony Moman is a minister at Defendant New Birth and serves as its Athletic Director.

86.

Plaintiff LeGrande lived alone in the Harwell House.

87.

Plaintiff LeGrande did not pay rent to live in the Harwell House.

88.

Defendant Long would visit Plaintiff LeGrande at the Harwell House.

89.

Defendant LeGrande would engage in intimate sexual contact with Plaintiff LeGrande at the Harwell House.

90.

After living in the Harwell house for approximately two (2) to five (5) months, Defendant Long moved Plaintiff LeGrande to a home used by Defendant New Birth as a community center (the "Community Center").

91.

The Community Center was located on Parsons Road in Atlanta, Georgia.

92.

Plaintiff lived alone on the second floor of the Community Center.

93.

Plaintiff LeGrande did not pay rent at the Community Center.

94.

Defendant Long would visit Plaintiff LeGrande at the Community Center.

95.

Defendant LeGrande would engage in intimate sexual contact with Plaintiff LeGrande at the Community Center.

96.

After approximately two (2) to three (3) months, Defendant Long moved Plaintiff LeGrande into an apartment located at 170 Northside Drive in Atlanta, Georgia ("the Northside Apartment").

97.

Plaintiff LeGrande had a roommate at the Northside apartment.

98.

Plaintiff LeGrande began to pull away from Defendant Long.

99.

Defendant Long required Plaintiff LeGrande to pay rent at the Northside Apartment.

100.

Defendant Long would not visit Plaintiff LeGrande at the Northside Apartment because he had a roommate.

101.

Defendant Long would instead direct Plaintiff LeGrande to meet him at other locations where Defendant Long would engage in intimate sexual contact with Plaintiff LeGrande.

102.

During the time Plaintiff LeGrande lived in the Hyatt hotel, the Harwell House, the Community Center, and the Northside Apartment, Defendant Long would frequently give cash to Plaintiff LeGrande.

103.

During the time Plaintiff LeGrande lived in the Hyatt hotel, the Harwell House, the Community Center, and the Northside Apartment, Defendant Long would frequently take Plaintiff on shopping sprees.

104.

Defendant Long would occasionally ask Plaintiff LeGrande to go with him to a house located on Huntsman Bend in Decatur, Georgia (the "Huntsman Bend House").

105.

Defendant Long would engage in intimate sexual contact with Plaintiff LeGrande at the Huntsman Bend House, including “dry humping,” kissing, and caressing.

106.

On or about October 11, 2008, Defendant Long took Plaintiff LeGrande to his private office at Defendant New Birth Missionary Baptist Church (the “Private Office”).

107.

The Private Office includes a bed, bathroom and living area.

108.

On or about October 11, 2008, Defendant Long engaged in intimate sexual contact with Plaintiff LeGrande in the Private Office, including dry humping, kissing, and caressing.

109.

Defendant Long and Plaintiff LeGrande spent the night in the same bed in the Private Office.

110.

In or about the Spring of 2009 Plaintiff LeGrande began to become disillusioned and confused by Defendant Long’s actions and began pulling away from Defendant Long.

111.

In or about the Spring of 2009, Plaintiff LeGrande stopped attending Beulah.

112.

In the Spring of 2009, Plaintiff LeGrande left the Northside Apartment.

113.

From the Spring of 2009 up through October 2009, Defendant Long continued to contact

Plaintiff LeGrande.

114.

From the Spring of 2009 through October 2009, Defendant Long occasionally had intimate sexual relations with Plaintiff LeGrande.

115.

In October of 2009, Plaintiff LeGrande left Atlanta, and moved back to Charlotte, North Carolina.

116.

At all times relevant and pertinent to the claims alleged herein, Defendant Long was in a confidential relationship with Plaintiff LeGrande defined by O.C.G.A. § 24-9-22.

117.

At all times relevant and pertinent to the claims alleged herein, Defendant Long was Plaintiff's spiritual advisor as defined by O.C.G.A. § 24-9-22.

118.

At all times relevant and pertinent to the claims alleged herein, Defendant Long was in a confidential relationship with Plaintiff LeGrande and was thereby situated to exercise a controlling influence over the will, conduct, and interest of Plaintiff, as defined by O.C.G.A. § 23-2-58.

119.

At all times relevant and pertinent to the claims alleged herein, Defendant Long was involved in advising and counseling Plaintiff LeGrande in areas of Plaintiff's personal life.



120.

Defendant Long, through manipulation, coercion, deception and fraud resulting from the abuse of his confidential relationships with Plaintiff LeGrande, convinced Plaintiff LeGrande that engaging in a sexual relationship was a healthy component of his spiritual life.

121.

Various individuals working for Defendant Long and Defendant New Birth Baptist Church, including but not limited to Andrew Moman and April McLaughlin, knew of Defendant Long's sexually inappropriate conduct and did nothing to warn or protect Plaintiff LeGrande.

122.

Defendant New Birth, had a duty to warn and protect Plaintiff LeGrande.

123.

Various individuals working for Defendant Long and Defendant New Birth Baptist Church, including but not limited to Andrew Moman and April McLaughlin, knew of Defendant Long's conduct and did nothing to warn or protect Plaintiff LeGrande.

124.

At all times material hereto, Defendant Long, Moman, and McLaughlin acted within the course and scope of their employment for Defendant New Birth.

125.

The course of conduct by Defendant Long described herein was known to individuals working for Defendant New Birth Baptist Church, including but not limited to Moman and McLaughlin.

**COUNT I**  
**BREACH OF FIDUCIARY DUTY**

126.

Defendant Long, as Plaintiff LeGrande's pastor, counselor, and bishop, was in a position to exercise a controlling influence over the will, conduct, and interest of Plaintiff LeGrande.

127.

Defendant Long had a fiduciary duty not to engage in any sexual relations with Plaintiff LeGrande.

128.

Defendant Long had a fiduciary duty not to request Plaintiff LeGrande to engage in any sexual relations with Defendant Long.

129.

Defendant Long had a fiduciary duty as the spiritual advisor of Plaintiff LeGrande not to coerce Plaintiff LeGrande to engage in sexual conduct and relationships with Defendant Long.

130.

Defendant Long had a fiduciary duty as the pastor to Plaintiff LeGrande not to mislead or advise Plaintiff LeGrande that the sexual conduct with Defendant Long was justified by the Holy Scripture and ordained by God.

131.

Defendant Long breached his fiduciary duty to Plaintiff LeGrande and abused his confidential clerical and pastoral relationship, by requesting and requiring Plaintiff LeGrande to participate in sexual acts with Defendant Long in such a manner as to be adverse to the interests of Plaintiff LeGrande.

132.

As a direct and proximate result of Defendant Long's breach of fiduciary duties, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering and adverse physical consequences.

133.

As a direct and proximate result of Defendant Long's breach of fiduciary duties, Plaintiff LeGrande has suffered physical pain and suffering.

134.

As a direct and proximate result of Defendant Long's breach of fiduciary duties, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT II**  
**NEGLIGENCE PER SE**

135.

Defendant Long had a legal duty as the spiritual advisor of Plaintiff LeGrande not to engage in sexual conduct with Plaintiff LeGrande pursuant to O.C.G.A. § 23-2-58.

136.

Defendant's breach of said duty constitutes Negligence Per Se.

137.

As a direct and proximate result of Defendant Long's Negligence Per Se, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

138.

As a direct and proximate result of Defendant Long's Negligence Per Se, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT III**  
**NEGLIGENCE**

139.

Defendant Long owed a duty to Plaintiff LeGrande to exercise ordinary care under the circumstances created by his pastoral relationship with Plaintiff LeGrande .

140.

Defendant breached this duty of care.

141.

As a direct and proximate result of Defendant Long's negligence, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

142.

As a direct and proximate result of Defendant Long's negligence, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT IV**  
**FRAUD**

143.

Defendant Long knowingly and intentionally made false representations of material fact to Plaintiff LeGrande by, among other things:

- (a) Representing that Defendant New Birth was a benevolent enterprise engaged, in part, in fostering the spiritual growth of young men;
- (b) By representing that sexual contact with Defendant Long was a healthy component of Plaintiff LeGrande's worship and affiliation with the Church;

(c) By representing that sexual relations with Defendant Long were justified by the Holy Scripture and ordained by God.

144.

As a follower of Bishop Long, Plaintiff LeGrande justifiably relied on Defendant Long's false representations and was thereby coerced into participating in sexual acts and sexual relationships with Defendant Long.

145.

As a direct and proximate result of Defendant Long's fraudulent representations, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

146.

As a direct and proximate result of Defendant Long's fraudulent representations, Plaintiff LeGrande has suffered physical pain and suffering.

147.

As a direct and proximate result of Defendant Long's fraudulent representations, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT V**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

**(Defendant Long)**

148.

Defendant Long intentionally exercised undue influence and abused his position of power as Plaintiff LeGrande's spiritual counselor, advisor and pastor to induce and coerce Plaintiff LeGrande into engaging in sexual relations and prolonged sexual relationships with Defendant Long.

149.

Defendant Long physically impacted Plaintiff LeGrande by inducing and coercing him into engaging in sexual acts with Defendant Long.

150.

The sexual abuse, coercion and inducement perpetrated by Defendant Long against Plaintiff LeGrande was extreme and outrageous.

151.

As a direct and proximate result of Defendant Long's conduct, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

152.

As a direct and proximate result of Defendant Long's conduct, Plaintiff LeGrande has suffered physical pain and suffering.

153.

As a direct and proximate result of Defendant Long's conduct, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT VI**  
**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

**(All Defendants)**

154.

Defendants were negligent as described above and below in exercising undue influence or allowing Defendant Long to exercise undue influence to coerce Plaintiff LeGrande into engaging in sexual relations and prolonged sexual relationships with Defendant Long.

155.

Defendants' conduct was extreme and outrageous and directly caused Plaintiff LeGrande to suffer severe psychological and emotional distress.

156.

Plaintiff LeGrande suffered and continues to suffer damages as a result of Defendants' conduct.

157.

As a direct and proximate result of Defendants' actions, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

158.

As a direct and proximate result of Defendants' actions, Plaintiff LeGrande has suffered physical pain and suffering.

159.

As a direct and proximate result of Defendants' actions, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT VII**  
**NEGLIGENT FAILURE TO WARN**

**(Defendant New Birth Missionary Baptist Church)**

160.

Defendant New Birth, by and through its agents, servants, and employees, knew or should have known of Defendant Long's dangerous and exploitative propensities as a sexual predator and unfit agent.

161.

Despite knowledge of Defendant Long's dangerous and exploitative propensities as a sexual predator and unfit agent, Defendant New Birth failed to warn those, including Plaintiff LeGrande and his family, who came in contact with Defendant Long.

162.

Defendant New Birth's failure to warn Plaintiff LeGrande and his family of Defendant Long's propensities allowed Defendant Long to assume an unfettered position of trust and authority as Plaintiff LeGrande's spiritual counselor and pastor.

163.

Defendants New Birth's failure to warn Plaintiff LeGrande of Defendant Long's propensities allowed Defendant to coerce and induce Plaintiff into engaging in sexual relationships with him.

164.

As a direct and proximate result of Defendant's failure to warn, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

165.

As a direct and proximate result of Defendant's failure to warn, Plaintiff LeGrande has suffered physical pain and suffering.

166.

As a direct and proximate result of Defendant's failure to warn, Plaintiff LeGrande has been subjected to public scorn and ridicule.



**COUNT VIII**  
**NEGLIGENT FAILURE TO INTERVENE**

**(Defendant New Birth Missionary Baptist Church)**

167.

Agents and employees of Defendant New Birth knew or should have known that Defendant Long acted negligently and/or coercively as the spiritual advisor to young male church members such as the Plaintiff LeGrande and negligently failed to intervene to prevent said conduct.

168.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

169.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has suffered physical pain and suffering.

170.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT IX**  
**NEGLIGENT FAILURE TO PROTECT**

**(Defendants New Birth Missionary Baptist Church)**

171.

Defendant New Birth undertook the spiritual care and protection for Plaintiff LeGrande within its church and ministries.

172.

Defendant New Birth failed to protect the Plaintiff LeGrande from Defendant Long's known propensity to coerce young male church members to engage in sexual acts with him.

173.

As a direct and proximate result of Defendant's failure to protect Plaintiff LeGrande, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

174.

As a direct and proximate result of Defendant's failure to protect Plaintiff LeGrande, Plaintiff LeGrande has suffered physical pain and suffering.

175.

As a direct and proximate result of Defendant's failure to protect Plaintiff LeGrande, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT X**  
**NEGLIGENT RETENTION**

**(Defendants New Birth Missionary Baptist Church)**

176.

Defendant New Birth knew, or should have known, that Defendant Long had a propensity to sexually contact and exploit young male members of the New Birth congregation.

177.

Defendant Long, at all times pertinent and relevant to this Count of the Complaint, was acting under color of employment as an employee and officer of Defendant New Birth.

178.

Defendant New Birth was negligent in retaining Defendant Long as an employee and officer of New Birth, as said Defendant knew or should have known that Defendant Long was incompetent or otherwise unable to perform his job duties in an ordinary, reasonable, and lawful manner.

179.

Defendant New Birth was negligent in retaining Defendant Long as an employee and officer of New Birth, as said Defendant knew or should have known that Defendant Long was engaged in sexually inappropriate conduct with New Birth parishioners, including but not limited to the Plaintiff LeGrande.

180.

Defendant New Birth was negligent in retaining Defendant Long as an employee and officer of New Birth, since said Defendant knew or should have known that Defendant Long had a propensity to engage in sexually inappropriate conduct with congregants, employees and pupils he counseled.

181.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

182.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has suffered physical pain and suffering.

183.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**COUNT XI**  
**NEGLIGENT FAILURE TO SUPERVISE**

**(Defendant New Birth Missionary Baptist Church)**

184.

Defendant New Birth negligently failed to supervise Defendant Long as an employee and officer of New Birth, as said Defendant knew or should have known that Defendant Long was incompetent or otherwise unable to perform his job duties in an ordinary, reasonable, and lawful manner.

185.

Defendant New Birth negligently failed to supervise Defendant Long as an employee and officer of New Birth, as said Defendant knew or should have known that Defendant Long was engaged in sexually inappropriate conduct with New Birth parishioners such as Plaintiff LeGrande.

186.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

187.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has suffered physical pain and suffering.

188.

As a direct and proximate result of Defendant's negligence, Plaintiff LeGrande has been subjected to public scorn and ridicule.

**PUNITIVE DAMAGES**

189.

The purpose of punitive damages is to punish and deter the Defendants from engaging in harmful conduct to others both now and in the future.

190.

The Defendants acted with willful misconduct, malice, fraud, oppression, wantonness and an entire want of care raising the presumption of conscience indifference to the consequences. Defendants by and through their conduct, have acted willfully, with malice, intending and achieving fraud such that Plaintiff is entitled to an award of punitive damages in accordance with the enlightened conscience of an impartial jury.

191.


The conduct of the Defendants amounts to a specific intent to cause harm as that term is defined by O.C.G.A. § 51-12-5.1 et seq.

WHEREFORE, Plaintiff LeGrande prays for the following relief:

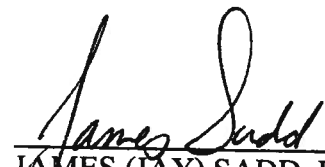
- (a) That process and summons issue against Defendants;
- (b) For trial by jury of twelve (12);
- (c) That judgment for compensatory and special damages be entered against Defendants in an amount to be decided by a fair and impartial jury;
- (d) That Plaintiff be awarded all attorney's fees;
- (e) That Plaintiff be awarded all costs of Court;

- (f) That Plaintiff be awarded punitive damages in an amount to be determined by the enlightened conscience of a fair and impartial jury; and
- (g) That Plaintiff recover such other relief as may be just and proper under the facts and circumstances of this case.


Respectfully submitted this 24<sup>th</sup> day of September, 2010.

 *By KUH*  
\_\_\_\_\_  
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\_\_\_\_\_  
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