



Secrets of
Pedophilia
in an.
American
Religion

Jehovah's Witnesses in Crisis

BARBARA ANDERSON

Court Documents
Charissa W et al
vs
Jehovah's Witnesses

1 Rudy Nolen, Esq., SBN 59808
Jonathan Saul, Esq., SBN 189271
2 William Brelsford, Esq., SBN 202839
NOLEN SAUL BRELSFORD
3 350 University Ave, Suite 280
Sacramento, California 95825
4 Telephone: (916) 564-9990
Facsimile: (916) 564-9991

5 Attorneys for Plaintiffs
6 CHARISSA W. and NICOLE D.

7
8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF NAPA

10
11 CHARISSA W. and)
NICOLE D.,)
12)
Plaintiffs,)

13 vs.)

14 WATCHTOWER BIBLE AND TRACT)
15 SOCIETY OF NEW YORK, INC., WATCH)
TOWER BIBLE AND SOCIETY OF)
16 PENNSYLVANIA, WATCHTOWER)
ENTERPRISES, L.L.C., WATCHTOWER)
17 FOUNDATION, INC., WATCHTOWER)
ASSOCIATES, LTD., KINGDOM SUPPORT)
18 SERVICES, INC., CHRISTIAN)
CONGREGATION OF JEHOVAH'S)
19 WITNESSES, RELIGIOUS ORDER OF)
JEHOVAH'S WITNESSES, NAPA KINGDOM)
20 HALL now doing business as NAPA)
CONGREGATION OF JEHOVAH'S)
21 WITNESSES - JEHOVAH'S WITNESSES)
OAK KNOLL CONGREGATION and)
22 JEHOVAH'S WITNESSES SILVERADO)
CONGREGATION, and DOES 1 through 20,)
23 inclusive.

24 Defendants.

CASE NO:

Jury Trial Demanded

Complaint for Damages:

1. Sexual Battery and Respondeat Superior
2. Common Law Negligence
3. Negligent Appointment, Retention, and Supervision
4. Gross Negligence - Wilful Misconduct
5. Breach of Fiduciary Duty
6. Negligence Per Se and Common Law Negligence: Failure to Report Suspected Child Abuse
7. Fraud, Fraudulent Concealment, and Conspiracy
8. Ratification
9. Alter Ego and Single Business Enterprise
10. Negligent Usurpation of Investigatory Function
11. Violation of Penal Code § 182
12. Violation of Penal Code § 32

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26 **PLAINTIFFS' ORIGINAL COMPLAINT**

27 COMES NOW CHARISSA W. and NICOLE D., Plaintiffs in the above entitled cause,
28 and files this, their Original Complaint, and allege as follows:

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I.

PARTIES

1. Plaintiff CHARISSA W., born February 8, 1969, is and at all mentioned herein, was a resident of Napa County, California. At all material times, Plaintiff was also a child entrusted to the Watchtower Defendants' care within the State of California. As a child, Plaintiff was sexually abused by an elder appointed by the Watchtower Defendants' organization within the State of California.

2. Plaintiff NICOLE D., born November 9, 1971, is and at all mentioned herein, was a resident of Napa County, California. At all material times, Plaintiff was also a child entrusted to the Watchtower Defendants' care within the State of California. As a child, Plaintiff was sexually abused by an elder appointed by the Watchtower Defendants' organization within the State of California.

3. Defendant WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC., a corporation organized and existing under the laws of the State of New York, has conducted business within the State of California through its agents and alter egos and may be served with process through its California agent for service of process James M. McCabe, 4817 Santa Monica Avenue, San Diego CA 92107.

4. Defendant WATCHTOWER BIBLE AND TRACT SOCIETY OF PENNSYLVANIA, a corporation organized and existing under the laws of the State of Pennsylvania, has conducted business within the State of California through its agents and alter egos and may be served with process at its offices located at 1630 Spring Run Road Extension, Coraopolis, Pennsylvania 15108.

5. Defendant WATCHTOWER ENTERPRISES, INC., a limited liability company organized and existing under the laws of the State of New York, has conducted business within the State of California through its agents and alter egos and may be serve with process at its offices located at 25 Columbia Heights, Brooklyn, New York 11201.

6. Defendant WATCHTOWER FOUNDATION, INC., a corporation organized and existing under the laws of the State of New York, has conducted business within the State of

1 California through its agents and alter egos and may be served with process at its offices located at
2 25 Columbia Heights, Brooklyn, New York 11201.

3 7. Defendant WATCHTOWER ASSOCIATES, LTD., a corporation organized and
4 existing under the laws of the State of New York, has conducted business within the State of
5 California through its agents and alter egos and may be served with process at its offices located at
6 147 Holiday Drive, Westbury, New York 11797.

7 8. Defendant KINGDOM SUPPORT SERVICES, INC., a corporation organized and
8 existing under the laws of the State of New York, has conducted business within the State of
9 California through its agents and alter egos and may be served with process at its offices located at
10 98 Montague Street, Brooklyn, New York 11201.

11 9. Defendant CHRISTIAN CONGREGATION OF JEHOVAH'S WITNESSES, a
12 corporation organized and existing under the laws of the State of New York, has conducted business
13 within the State of California through its agents and alter egos and may be served with process at its
14 offices located at 100 Watchtower Drive, Patterson, New York 12563-9204

15 10. Defendant RELIGIOUS ORDER OF JEHOVAH'S WITNESSES, a corporation
16 organized and existing under the laws of the State of New York, has conducted business within the
17 State of California through its agents and alter egos and may be served with process at its offices
18 located at 25 Columbia Heights, Brooklyn, New York 11201-2483.

19 11. Defendant NAPA KINGDOM HALL, now doing business as NAPA
20 CONGREGATION OF JEHOVAH'S WITNESSES – JEHOVAH'S WITNESSES OAK KNOLL
21 CONGREGATION and JEHOVAH'S WITNESSES SILVERADO CONGREGATION is a
22 corporation organized and existing under the laws of the State of California. At all material times,
23 it maintained its offices at Kingdom Hall Building, 1976 Wise Drive, Napa, CA, in Napa County,
24 California, and may be served with process through its agent for service of process, Benjamin
25 Hernandez at 343 E. Thompson Avenue, Sonoma, CA 95476.

26 12. Plaintiffs allege on information and belief that at all relevant times, defendants DOES
27 1 through 20 inclusive, are individuals and/or business or corporate entities incorporated in and/or
28 doing business in California.

1 13. The true names and capacities, whether individual, corporate, associate, or otherwise,
2 of defendants DOES 1 through 20, inclusive, are unknown to Plaintiffs who therefore sues such
3 defendants by such fictitious names, and will amend the complaint to show the true names and
4 capacities of each DOE defendant when ascertained. Plaintiffs allege on information and belief that
5 each defendant designated as a DOE is legally responsible in some manner for the events,
6 happenings, and/or tortuous, and unlawful conduct that caused the injuries and damages alleged in
7 this complaint.

8 14. The Defendant entities are collectively referred to herein as the “WATCHTOWER
9 DEFENDANTS” and each is the agent, servant and alter ego of each other and operates as a single
10 business enterprise. Each Defendant was acting within the scope and course of his or its authority
11 as an agent, servant, and/or alter ego of the other and each of them engaged in, joined in and
12 conspired with the other wrongdoers in carrying out the unlawful activities alleged in this complaint.

13 II.

14 **JURISDICTION AND VENUE**

15 15. Each Plaintiff has been damaged in an amount exceeding the minimum jurisdictional
16 requirements of this Court.

17 16. Venue is proper in Napa County, California because most of the acts or omissions
18 that give rise to Plaintiffs’ claims occurred in Napa County, California and Defendant NAPA
19 KINGDOM HALL now doing business as NAPA CONGREGATION OF JEHOVAH’S
20 WITNESSES - JEHOVAH’S WITNESSES OAK KNOLL CONGREGATION and JEHOVAH’S
21 WITNESSES SIVERADO CONGREGATION is a resident of Napa County.

22 III.

23 **FACTS COMMON TO ALL CAUSES OF ACTION**

24 17. In the past, certain Elders, Ministerial Servants, Pioneers, Male Publishers, agents,
25 volunteers and other leaders and representatives of the WATCHTOWER DEFENDANTS’
26 organization, including Edward Villegas, have used their positions of authority within the
27 WATCHTOWER DEFENDANTS’ organization to sexually abuse minors, including Plaintiffs. The
28 WATCHTOWER DEFENDANTS were notified of the abuse of these minors by their elder, Edward

1 Villegas, and others, but failed to take reasonable steps to ensure the safety of Plaintiffs and other
2 minor children entrusted to their care and to prevent future acts of molestation. This suit seeks
3 compensation for Plaintiffs who were victims of this sexual abuse.

4 18. All paragraphs of this Complaint are based on information and belief, except for those
5 allegations, which pertain to the Plaintiffs and their counsel. Plaintiffs' information and belief are
6 based upon, inter alia, the investigation conducted to date by Plaintiffs and their counsel. Each
7 allegation in this Complaint either has, or is likely to have, evidentiary support upon further
8 investigation and discovery.

9 19. The WATCHTOWER DEFENDANTS' organization has a hierarchical structure in
10 which the GOVERNING BODY, which is a small group of men who operate out of various entities
11 within the hierarchical structure, sits at the top of a chain of command that extends over each
12 individual and Defendant entity in the organization including its worldwide operations. These
13 individuals and entities act as agents, servants and alter egos of each other. Authority for actions by
14 the organization or its members derive from the GOVERNING BODY.

15 20. All of the Defendants are the agents and servants of each other and are vicariously
16 liable for each other's acts. The WATCHTOWER DEFENDANTS are so organized and controlled
17 and their affairs are so conducted that they are alter egos of each other and operate as a single
18 business enterprise.

19 21. Through its hierarchical structure, the WATCHTOWER DEFENDANTS assume
20 responsibility for the development, protection and discipline of its membership, especially the
21 children of members. All male members, whether Elders, Ministerial Servants, Pioneers and/or
22 Publishers, are appointed and empowered by the GOVERNING BODY to carry out this
23 responsibility.

24 22. To further their goals, the WATCHTOWER DEFENDANTS authorize male
25 members to develop relationships of trust with women, children and families and to assume a role
26 of counselor and advocate for any problems that might arise, including claims of child abuse. It is
27 the responsibility of the Elders and those higher up in the chain of command, including the
28 GOVERNING BODY, to decide if abuse has occurred and how it should be handled.

1 23. Despite knowledge of a problem with sexual abuse of minors by leaders in the
2 WATCHTOWER DEFENDANTS' organization, the WATCHTOWER DEFENDANTS acted with
3 willful indifference and/or reckless and/or intentional disregard for the interest and safety of the
4 children entrusted to their care. Rather than implement measures to redress and prevent the sexual
5 molestation of these children, the WATCHTOWER DEFENDANTS engaged in a systematic pattern
6 and practice of suppression of information to cover-up and hide incidents of child molestation from
7 law enforcement and their membership in order to protect those within the WATCHTOWER
8 DEFENDANTS' organization who committed acts of sexual molestation against children. The
9 WATCHTOWER DEFENDANTS have likewise engaged in the routine practice of maintaining
10 secret archival files regarding sexual abuse by Elders, Ministerial Servants, Pioneers, Male
11 Publishers and other leaders in the organization. The existence of these files and the contents thereof
12 were not disclosed to or made available to law enforcement authorities or others in order for law
13 enforcement to investigate the crimes of these leaders in the WATCHTOWER DEFENDANTS'
14 organization. The WATCHTOWER DEFENDANTS furthered this conspiracy of concealment by,
15 among other things, failing to properly report complaints of sexual misconduct to law enforcement
16 authorities, failing to remove molesting leaders or prevent their access to children. Molesting leaders
17 were allowed to remain as leaders in good standing in the organization and were allowed continued
18 frequent and unsupervised access to children in the organization. At all material times, the
19 WATCHTOWER DEFENDANTS prohibited the victim and/or accuser from warning others or
20 speaking about the matter to anyone under penalty of discipline. Victim/accusers were not permitted
21 to report suspected abuse to outside authorities or to other Publishers within the organization, despite
22 secular laws and duties regarding the reporting of sexual Abuse. Violation of this policy would lead
23 to severe sanctions. The WATCHTOWER DEFENDANTS also failed to provide Plaintiffs and their
24 families with any notice or warning regarding the past misconduct of, and abuse by, Edward
25 Villegas. The WATCHTOWER DEFENDANTS represented to Plaintiffs, members and the public
26 that Edward Villegas and other leaders were fit to lead, when in fact they were predator pedophiles.
27 The WATCHTOWER DEFENDANTS knew or had reason to know that Edward Villegas and other
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1 leader molesters would continue to sexually molest children, using their leadership positions to gain
2 access and control over their victims.

3 24. Beginning in at least 1970, if not earlier, the WATCHTOWER DEFENDANTS
4 appointed Edward Villegas to the leadership position of Elder with authority over women and
5 children in the WATCHTOWER DEFENDANTS' organization.

6 25. In approximately 1970, Plaintiff CHARISSA W. and her mother, Betty Hopkins,
7 came under the instruction and care of the WATCHTOWER DEFENDANTS' organization through
8 their agent, Edward Villegas, and his wife, Marsha Villegas. The WATCHTOWER DEFENDANTS
9 used the daycare center run out of the Villegas home to attract new converts. Plaintiff CHARISSA
10 W. was approximately 1 year old at the time. Betty Hopkins became one of those new converts and
11 entrusted her daughter, Plaintiff CHARISSA W. to the WATCHTOWER DEFENDANTS' care.

12 26. In approximately 1971, Plaintiff Nicole D. and her family came under the care of the
13 WATCHTOWER DEFENDANTS' organization and entrusted Nicole D. to the leadership of the
14 WATCHTOWER DEFENDANTS' agent, Edward Villegas. Through his position of leadership with
15 the WATCHTOWER DEFENDANTS, Edward Villegas developed a relationship of trust and
16 confidence with Plaintiff Nicole D. and her family, working with them at WATCHTOWER
17 DEFENDANT events and inviting them into his home.

18 27. Beginning by at least 1972, the WATCHTOWER DEFENDANTS' agent, Edward
19 Villegas, used his position as an Elder to gain access to children under the care of the
20 WATCHTOWER DEFENDANTS organization and to sexually abuse them.

21 28. In about 1972, the WATCHTOWER DEFENDANTS' agent, Edward Villegas began
22 sexually molesting Plaintiff, CHARISSA W. by, among other things, fondling her genitals, digitally
23 penetrating her vagina and forcing her to have oral sex. She was approximately three (3) or four (4)
24 years old at the time. For the next twelve (12) to thirteen (13) years, the WATCHTOWER
25 DEFENDANTS' agent, Edward Villegas continued to use his leadership position as an Elder to gain
26 access to and sexually abuse Plaintiff, CHARISSA W., who was under the WATCHTOWER
27 DEFENDANTS' care. Plaintiff's position as a minor in the WATCHTOWER DEFENDANTS'
28 organization, as well Edward Villegas' position as a spiritual leader and authority figure in the

1 WATCHTOWER DEFENDANTS' organization allowed him to maintain control and influence over
2 Plaintiff and others. The WATCHTOWER DEFENDANTS enabled Edward Villegas to abuse
3 Plaintiff and others by placing him in positions of authority, and then actively concealing his sexual
4 abuse. The WATCHTOWER DEFENDANTS, each of them, used their positions in the organization
5 to aid and abet Edward Villegas and other leaders in the sexual abuse and exploitation of minors in
6 the organization and in furtherance of the conspiracy to conceal the sexual molestation occurring
7 within the WATCHTOWER DEFENDANTS' organization.

8 29. During this time period, the WATCHTOWER DEFENDANTS' agent, Edward
9 Villegas, was also using his position of authority as an Elder to sexually abuse other children under
10 the WATCHTOWER DEFENDANTS' care.

11 30. In approximately 1978, Edward Villegas used his position as an Elder and leader in
12 the WATCHTOWER DEFENDANTS' organization to gain access to and sexually abuse Plaintiff,
13 NICOLE D., a child under the care of the WATCHTOWER DEFENDANTS' organization. Plaintiff,
14 NICOLE D. was approximately seven (7) years old when the abuse occurred. Using his delegated
15 authority as a leader in the WATCHTOWER DEFENDANTS' organization, Edward Villegas forced
16 Plaintiff, NICOLE D. to have oral sex with him.

17 31. When Plaintiff, NICOLE D. told her parents about the abuse, her father immediately
18 reported it to the Elders of Defendant, NAPA KINGDOM HALL pursuant to instructions by the
19 WATCHTOWER DEFENDANTS. In response, the WATCHTOWER DEFENDANTS privately
20 reprimanded their agent for his conduct, but took no other steps to hold him accountable or to otherwise
21 notify members and the families of the children whom they had placed of under the authority of their
22 agent, Edward Villegas. Therefore, Edward Villegas was able to continue to use his position of
23 authority.

24 32. For over two decades, the WATCHTOWER DEFENDANTS knew or should have
25 known that their appointed agent, Edward Villegas was using his position of authority in the
26 organization to gain access to and sexually molest and physically abuse adolescents under the care
27 of the organization. Nevertheless, the WATCHTOWER DEFENDANTS continued to appoint
28 Edward Villegas to leadership positions in their local congregations, entrusting him with the welfare

1 of numerous adolescents in the WATCHTOWER DEFENDANTS' local congregations. The
2 WATCHTOWER DEFENDANTS' agent then used his position of authority in the organization to
3 sexually molest Plaintiffs and others. The WATCHTOWER DEFENDANTS failed to notify anyone
4 that their agent, Edward Villegas was molesting or had sexually molested adolescents under the
5 WATCHTOWER DEFENDANTS' care. They further failed to take any steps to protect these young
6 victims from his abuse. Instead, they knowingly concealed this information from Plaintiffs and
7 others. The WATCHTOWER DEFENDANTS also aided, abetted and ratified the abuse.

8 33. When the WATCHTOWER DEFENDANTS received reports of their agent's acts
9 of sexual abuse against children entrusted to their care, the WATCHTOWER DEFENDANTS
10 assumed the responsibility for dealing with the problem. They told families of victims that they
11 should leave the matter to the WATCHTOWER DEFENDANTS to handle. However, the
12 WATCHTOWER DEFENDANTS did not report the abuse to law enforcement authorities nor did
13 they warn any other members of the organization that they had appointed a dangerous pedophile to
14 positions of leadership with authority over children. They did not act to help Plaintiffs or their
15 families deal with the trauma of abuse and actively prevented them from obtaining help from trained
16 professionals and other available sources. The WATCHTOWER DEFENDANTS failed to take
17 appropriate steps to hold their agent, Edward Villegas, accountable for his conduct or to assist him
18 in addressing his propensities.

19 34. Edward Villegas used the authority of his position in the WATCHTOWER
20 DEFENDANTS' organization to gain access to and sexually abuse Plaintiffs and others. The
21 WATCHTOWER DEFENDANTS directly and vicariously caused foreseeable harm to Plaintiffs by,
22 among other things:

- 23 a. aiding, abetting and ratifying the abuse of children by their appointed agents;
- 24 b. blaming, humiliating, sanctioning and/or disciplining victims/accusers of sexual
25 abuse instead of the perpetrator;
- 26 c. negligently failing to report such sexual abuse, including the abuse by Edward
27 Villegas to law enforcement and governmental child welfare agencies and requiring
28 that members not make such reports;

- 1 d. negligently failing to warn Plaintiffs, their families, and others of the risk of abuse
2 by Edward Villegas after they knew or should have known of his propensities to use
3 his positions of leadership to engage in acts of sexual abuse against children
4 entrusted to the WATCHTOWER DEFENDANTS' care;
- 5 e. negligently failing to train its Elders, Overseers, Ministerial Servants and other
6 appointed leaders to identify, investigate, prevent and respond to or report child
7 abuse;
- 8 f. negligently failing to adopt adequate policies and procedures for the protection of
9 children and other members and/or to implement and comply with such procedures
10 that did exist;
- 11 g. failing to properly investigate matters brought to the WATCHTOWER
12 DEFENDANTS' attention involving child sexual abuse and/or suspicions of child
13 sexual abuse;
- 14 h. negligently failing to provide child abuse victims and their families with any
15 assistance in coping with the trauma of abuse and preventing Plaintiffs and their
16 families from reporting the abuse to outside authorities and obtaining outside
17 help to deal with the trauma of abuse;
- 18 j. concealing from Plaintiffs and their families that the WATCHTOWER
19 DEFENDANTS had information that their agent, Edward Villegas was using his
20 position of authority to abuse young children entrusted to their care by the
21 WATCHTOWER DEFENDANTS;
- 22 k. negligently failing to undertake a sexual offender evaluation, provide sexual offender
23 treatment and/or obtain psychiatric evaluation and treatment of Edward Villegas after
24 they knew or should have known of his propensities to use his position of leadership
25 to engage in acts of sexual abuse;
- 26 l. negligently retaining and failing to properly supervise Edward Villegas as a leader
27 in the organization or to monitor his activities after they knew or should have known
28 of his propensities to use his position of leadership to engage in acts of sexual abuse.

1 **FIRST CAUSE OF ACTION**
2 **SEXUAL BATTERY AND RESPONDEAT SUPERIOR**

3 35. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 34
4 of this Complaint as if fully set forth herein.

5 36. Plaintiffs allege that for a number of years, beginning in 1972, as an agent and alter
6 ego of the WATCHTOWER DEFENDANTS, Edward Villegas used his position of authority to gain
7 access to Plaintiffs and to engage in un-permitted, harmful, and offensive sexual contact upon the
8 bodies of Plaintiffs and each of them, as described herein, without each Plaintiff's consent,
9 committing sexual abuse upon the persons of Plaintiffs in the State of California in violation of Code
10 of Civil Procedure 340.1.

11 37. Plaintiffs further allege each of the WATCHTOWER DEFENDANTS was in the
12 chain of command and acted pursuant to the authority granted to them as agents and alter ego of the
13 GOVERNING BODY and each other, utilized such leadership and authority to carry out and/or aid,
14 abet and ratify the sexual abuse of Plaintiffs. In such capacity, the WATCHTOWER
15 DEFENDANTS are liable for the sexual abuse of Plaintiffs under the legal theory of *respondeat*
16 *superior*.

17 38. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
18 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
19 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
20 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from
21 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
22 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
23 and psychological treatment, therapy, and counseling.

24 **SECOND CAUSE OF ACTION**
25 **COMMON-LAW NEGLIGENCE**

26 39. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 38
27 of this Complaint as if fully set forth herein.

28 40. Plaintiffs allege that, at all times herein mentioned, WATCHTOWER

1 DEFENDANTS assumed a duty to protect Plaintiffs from sexual predators within the
2 WATCHTOWER DEFENDANTS' organization. The WATCHTOWER DEFENDANTS further
3 knew or should have known that Plaintiffs were at risk of foreseeable harm by their agent, Edward
4 Villegas, but failed to act to protect them from said harm. The WATCHTOWER DEFENDANTS
5 breached their duty to Plaintiffs, thereby causing great harm to Plaintiffs.

6 41. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
7 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
8 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
9 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from
10 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
11 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
12 and psychological treatment, therapy, and counseling.

13 **THIRD CAUSE OF ACTION**
14 **NEGLIGENT APPOINTMENT, RETENTION AND SUPERVISION**

15 42. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 41
16 of this Complaint as if fully set forth herein.

17 43. Plaintiffs allege that at all times herein mentioned, the WATCHTOWER
18 DEFENDANTS knew or should have known of their agents, Edward Villegas', propensities to use
19 his position as a leader in the local congregation to engage in and/or aid and abet acts of sexual
20 abuse. The WATCHTOWER DEFENDANTS failed to adequately investigate, evaluate, and
21 otherwise research the background of their agent, Edward Villegas, prior to their hiring appointing
22 him to leadership positions and entrusting children to his care.

23 44. Plaintiffs further allege that after Edward Villegas was retained by WATCHTOWER
24 DEFENDANTS acting on behalf of and under the supervision of the WATCHTOWER
25 DEFENDANTS, WATCHTOWER DEFENDANTS failed to adequately investigate, evaluate and
26 otherwise monitor the conduct of their agent, Edward Villegas, during his interactions with children
27 entrusted by WATCHTOWER DEFENDANTS to his care, thereby also failing to adequately
28 supervise and discipline the conduct Edward Villegas.

1 45. Plaintiff's further allege that WATCHTOWER DEFENDANTS failed to provide
2 adequate warning to Plaintiffs and their families of their agent's dangerous propensities and unfitness
3 to lead.

4 46. Plaintiffs further allege the WATCHTOWER DEFENDANTS negligently
5 investigated, appointed, retained and supervised Edward Villegas in the organization at a time when
6 they knew or should have known of his propensities to use his appointed position to engage in acts
7 of sexual abuse against Plaintiffs and other young children under the WATCHTOWER
8 DEFENDANTS' care.

9 47. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
10 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
11 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
12 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from
13 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
14 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
15 and psychological treatment, therapy, and counseling.

16 **FOURTH CAUSE OF ACTION**
17 **GROSS NEGLIGENCE/WILFUL MISCONDUCT**

18 48. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 47
19 of this Complaint as if fully set forth herein.

20 49. Plaintiffs allege the behavior of the WATCHTOWER DEFENDANTS as described
21 hereinabove demonstrates a conscious indifference to the safety and welfare of Plaintiffs, in that
22 WATCHTOWER DEFENDANTS knew or should have known of the dangerous propensities of
23 their agents, Edward Villegas, yet failed to act to protect the health, safety and welfare of children
24 in the custody and care of WATCHTOWER DEFENDANTS, thereby allowing Plaintiffs to be
25 sexually abused, which could have been prevented but for WATCHTOWER DEFENDANTS' wilful
26 misconduct and gross negligence in failing to implement safeguards to protect Plaintiffs, in violation
27 of WATCHTOWER DEFENDANTS' duty to protect the children entrusted to Edward Villegas'
28 care and custody.

1 50. Plaintiffs further allege that WATCHTOWER DEFENDANTS' actions, constituting
2 wilful misconduct and gross negligence described hereinabove, caused significant mental, emotional,
3 and physical injuries as a result of the acts of sexual abuse described hereinabove.

4 51. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
5 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
6 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
7 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from
8 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
9 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
10 and psychological treatment, therapy, and counseling.

11 **FIFTH CAUSE OF ACTION**
12 **BREACH OF FIDUCIARY DUTY**

13 52. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 51
14 of this Complaint as if fully set forth herein.

15 53. Plaintiffs allege that by holding Edward Villegas out as a qualified Elder and leader
16 in the WATCHTOWER DEFENDANTS' organization, and by undertaking the religious instruction
17 and spiritual and emotional counseling of Plaintiffs, the WATCHTOWER DEFENDANTS, created
18 a fiduciary relationship with Plaintiffs. The WATCHTOWER DEFENDANTS placed themselves
19 in a position of trust and confidence with Plaintiffs, and that such relationship imposed on the
20 WATCHTOWER DEFENDANTS a duty to act in Plaintiffs' best interests and to protect Plaintiffs'
21 best interests.

22 54. Plaintiffs further allege that because of this special relationship, the WATCHTOWER
23 DEFENDANTS, Plaintiffs and their families placed their trust and confidence in the
24 WATCHTOWER DEFENDANTS that they would not allow harm to Plaintiffs or fail to warn
25 Plaintiffs of potential harm. Further, Plaintiffs and their families placed their trust and confidence
26 in the WATCHTOWER DEFENDANTS that they would protect Plaintiffs from harm.

27 55. The above conduct, either independently or in conjunction with each other, constitutes
28 a breach of the fiduciary duty owed to Plaintiffs by WATCHTOWER DEFENDANTS.

1 56. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
2 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
3 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
4 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from
5 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
6 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
7 and psychological treatment, therapy, and counseling.

8 **SIXTH CAUSE OF ACTION**
9 **NEGLIGENCE PER SE and COMMON-LAW NEGLIGENCE:**
10 **FAILURE TO REPORT SUSPECTED CHILD ABUSE**

11 57. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 56
12 of this Complaint as if fully set forth herein.

13 58. Plaintiffs allege that the WATCHTOWER DEFENDANTS had a duty, under the
14 California Child Abuse and Neglect Reporting Act, California Penal Code § 11164, *et. seq.*, (and
15 predecessor provisions) and the common-laws, to report the abuse or suspected abuse of children.

16 59. Plaintiffs further allege that the WATCHTOWER DEFENDANTS failed to report
17 to law enforcement the abusive and illegal acts of their agent, Edward Villegas, both prior to and
18 after the abuse inflicted on Plaintiffs. By failing to report the actions of Edward Villegas, the
19 WATCHTOWER DEFENDANTS violated California Child Abuse and Neglect Reporting Act,
20 which is intended to safeguard and enhance the welfare of abused children. Plaintiffs were members
21 of the class of persons that the California Child Abuse and Neglect Reporting Act was designed to
22 protect and each was injured as a result of The WATCHTOWER DEFENDANTS' violation of the
23 statute. Such violation constitutes negligence *per se*.

24 60. Plaintiffs further allege that the WATCHTOWER DEFENDANTS' failure to report
25 constitutes common-law negligence. The WATCHTOWER DEFENDANTS asserted their authority
26 over both Plaintiffs and their abuser and agent, Edward Villegas, creating a special relationship of
27 trust and confidence and power over Plaintiffs. In the context of this special relationship and the
28 unequal relationship among the parties, the WATCHTOWER DEFENDANTS assumed a duty to
handle all reports of child abuse and in doing so caused Plaintiffs and their families from reporting

1 the abuse to, or seeking help from, sources and authorities outside the WATCHTOWER
2 DEFENDANTS' organization. The WATCHTOWER DEFENDANTS acted with conscious
3 disregard for the safety and welfare of Plaintiffs and violated that duty to Plaintiffs' detriment.

4 61. As a legal result of the WATCHTOWER DEFENDANTS' failure to report the illegal
5 conduct of their agent, Edward Villegas, law enforcement, Plaintiff was deprived of the benefits
6 provided by the State of California and other trained professionals that would have decreased further
7 harm to the Plaintiffs and prevented further abuse. Plaintiffs have suffered, and will continue to
8 suffer great pain of mind, body, shock, emotional distress, physical manifestations of emotional
9 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life.
10 Further, Plaintiffs were prevented and will continue to be prevented from performing daily activities
11 and obtaining the full enjoyment of life. Each Plaintiff has sustained loss of earnings and earning
12 capacity. Each Plaintiff has incurred and will incur expenses for medical and psychological
13 treatment, therapy, and counseling.

14 **SEVENTH CAUSE OF ACTION**
15 **FRAUD, FRAUDULENT CONCEALMENT AND CONSPIRACY**

16 62. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 61
17 of this Complaint as if fully set forth herein.

18 63. Plaintiffs allege that after receiving reports that their agent, Edward Villegas was
19 using his position of authority in the organization to abuse adolescents, the WATCHTOWER
20 DEFENDANTS, willfully and intentionally kept information from Plaintiffs, other victims similarly
21 situated and the community-at-large. The WATCHTOWER DEFENDANTS intentionally
22 misrepresented to Plaintiffs and their families that Edward Villegas was a leader in good standing
23 with authority to instruct Plaintiff and other children in spiritual, ethical and moral matters and that
24 these agents were to be obeyed. The WATCHTOWER DEFENDANTS further intentionally
25 misrepresented that they would act in the best interests of Plaintiffs and other children entrusted to
26 their care. The WATCHTOWER DEFENDANTS failed to disclose that they knew of Edward
27 Villegas' propensity to use his leadership positions to sexually abuse Plaintiffs and others and that
28 they were doing nothing to protect the children under their care. Plaintiffs did not know of the falsity

1 of the WATCHTOWER DEFENDANTS' representations, were entitled to rely upon them and did
2 in fact rely upon them causing each of them serious injury and harm.

3 64. Plaintiffs further allege that by holding out Edward Villegas as an Elder and leader,
4 qualified to provide religious instruction and counsel, and by undertaking the religious instruction
5 and spiritual and emotional counseling and training of plaintiff, and by accepting, through their
6 agents Edward Villegas and other Elders, the control and responsibility of the Plaintiffs as a minor,
7 the WATCHTOWER DEFENDANTS and each of them entered into a fiduciary relationship with
8 the minor plaintiff.

9 65. Plaintiffs further allege that as fiduciaries to Plaintiffs, the WATCHTOWER
10 DEFENDANTS, and each of them, had a duty to obtain and disclose information relating to sexual
11 misconduct by their agent Edward Villegas. The WATCHTOWER DEFENDANTS failed to
12 disclose and later conspired to conceal such information from Plaintiffs.

13 66. The WATCHTOWER DEFENDANTS, in concert with each other and with the intent
14 to conceal and defraud, conspired whereby they would misrepresent, conceal or fail to disclose
15 information relating to the sexual misconduct of their agent, Edward Villegas. By concealing such
16 information, the WATCHTOWER DEFENDANTS and each of them committed at least one act in
17 furtherance of the conspiracy.

18 67. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
19 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
20 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
21 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from
22 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
23 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
24 and psychological treatment, therapy, and counseling.

25 **EIGHTH CAUSE OF ACTION**
26 **RATIFICATION**

27 68. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 67
28 of this Complaint as if fully set forth herein.

1 and psychological treatment, therapy, and counseling.

2 **TENTH CAUSE OF ACTION**
3 **NEGLIGENT USURPATION OF INVESTIGATORY FUNCTION**

4 74. Plaintiffs incorporates herein by this reference and re-allege paragraphs 1 through 73
5 of this Complaint as if fully set forth herein.

6 75. Plaintiffs alleges that California Penal Code Section 11164 *et. seq.*, (and predecessor
7 provisions) requires officials to perform specific responsibilities to carry out the policy of the statute
8 described in the Act (and its predecessors). The WATCHTOWER DEFENDANTS assumed these
9 duties and responsibilities, but negligently failed to perform them.

10 76. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
11 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
12 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
13 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from
14 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
15 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
16 and psychological treatment, therapy, and counseling.

17 **ELEVENTH CAUSE OF ACTION**
18 **VIOLATION OF CALIFORNIA PENAL CODE SECTION 182**

19 77. Plaintiffs incorporate herein this reference and re-allege paragraphs 1 through 76 of
20 this Complaint as if fully set forth herein.

21 78. Plaintiffs allege the WATCHTOWER DEFENDANTS' acts described herein violate
22 California Penal Code Section 182 in that the WATCHTOWER DEFENDANTS conspired with one
23 or more other person to commit acts injurious to the public health, to public morals, or to pervert or
24 obstruct justice, or the due administration of the laws.

25 79. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
26 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
27 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
28 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from

1 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
2 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
3 and psychological treatment, therapy, and counseling.

4 **TWELFTH CAUSE OF ACTION**
5 **VIOLATION OF CALIFORNIA PENAL CODE SECTION 32**

6 80. Plaintiffs incorporate herein by this reference and re-allege paragraphs 1 through 79
7 of this Complaint as if fully set forth herein.

8 81. Plaintiffs allege that the WATCHTOWER DEFENDANTS' acts described herein
9 violate California Penal Code Section 32 in that the WATCHTOWER DEFENDANTS harbored,
10 concealed and/or aided their agent, Edward Villegas, after their agent, Edward Villegas, had
11 committed a felony, with the intent that their agent, Edward Villegas, might avoid or escape arrest,
12 trial, conviction and/or punishment, and the WATCHTOWER DEFENDANTS having knowledge
13 that their agent, Edward Villegas had committed a felony.

14 82. As a legal result of Defendants' conduct as described hereinabove, Plaintiffs have
15 suffered, and will continue to suffer great pain of mind, body, shock, emotional distress, physical
16 manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and
17 loss of enjoyment of life. Further, Plaintiffs were prevented and will continue to be prevented from
18 performing daily activities and obtaining the full enjoyment of life. Each Plaintiff has sustained loss
19 of earnings and earning capacity. Each Plaintiff has incurred and will incur expenses for medical
20 and psychological treatment, therapy, and counseling.

21 **PRAYER**

22 WHEREFORE, Plaintiffs demand judgment against the WATCHTOWER DEFENDANTS
23 individually, jointly and severally as follows:

- 24 1. For general damages according to proof;
- 25 2. For past and future medical expenses according to proof;
- 26 3. For past and future loss of earnings according to proof;
- 27 4. For prejudgment interest;
- 28 5. For costs of suit incurred herein; and

6. For such other and further relief as the Court deems just and proper.

Dated: _____

NOLEN SAUL BRELSFORD

Rudy Nolen, Esq.,
Attorneys for Plaintiffs.

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