

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)
)
John Doe #1, individually, and now over the)
age of eighteen (18) and James Roe #1 and)
Jane Roe #1, as the parents and natural)
guardians, individually, and as the parents)
and natural guardians of John Doe #1 while)
he was under the age of eighteen (18),)
)
Plaintiff,)
vs.)
)
Morningstar Fellowship Church, Richard)
Joyner, David Yarns, Douglas Lee, Erickson)
Lee, Chase Portello, and unidentified)
defendants James Smith 1-10,)
)
Defendants.)

IN THE COURT OF COMMON PLEAS
SIXTEENTH JUDICIAL CIRCUIT

Civil Action No.: 2024-CP-46-

**SUMMONS
(Jury Trial Demanded)**

TO: DEFENDANTS AND THEIR COUNSEL:

YOU ARE HEREBY SUMMONED and required to Answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint on the subscriber at his office at 1539 Health Care Drive, Rock Hill, South Carolina, 29732, within thirty (30) days from the service hereof, exclusive of the date of such service; and if you fail to Answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

**MCGOWAN, HOOD, FELDER & PHILLIPS,
LLC**

s/S. Randall Hood
S. Randall Hood, SC Bar 65360
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August 7, 2024
Rock Hill, South Carolina

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IN THE COURT OF COMMON PLEAS
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**COMPLAINT
 (Jury Trial Demanded)**

TO: DEFENDANTS AND THEIR COUNSEL:

Plaintiffs John Doe #1, James Roe #1, and Jane Roe #1, complaining of Defendants, respectfully show unto this Court and allege as follows:

SUMMARY OF ACTION

1. Churches in the Unites States of America are supposed to be places of fellowship and safety.
2. Too often, in the last thirty years, the American public has been informed of religious institutions ignoring the safety of children.
3. First the Catholic Church was exposed for their willingness to shuttle priests back and forth between parishes when accused of credible sexual exploitation and abuse of children.
4. The Southern Baptist Convention had a day of reckoning where it was exposed that they had hidden behind years of knowledge of sexual exploitation and abuse of children.
5. There are scads of other instances where religious institutions abused their power structure and hid behind church ideology and allowed corrupt and deviant persons to exploit and abuse children.

6. The first amendment of the United States creates a separation of church and state.
7. Too often, churches in the United States have hidden behind immunity granted to churches and allowed sexual abuse and exploitation to proliferate in order to protect their reputation.
8. If scandals come out, churches lose members, and when they lose members, the money goes away.
9. Money is at the heart of this failure to protect children from known and dangerous predators.
10. Churches are NOT immune from running their institutions in a secular corporate manner for the protection of children.
11. Evil exists and the church should not be allowed to hide behind a wall of silence and protect a predator at the victims expense.
12. It is time to shed light on the corruption and misery propagated on children by seemingly responsible and reputable religious institutions.
13. In the case at hand, a large church in Fort Mill, South Carolina has had multiple instances of sexual exploitation and abuse of children since its origin.
14. Prior instances of sexual abuse and exploitation were swept under the rug and WERE NEVER REPORTED TO LAW ENFORCEMENT.
15. This church, Morningstar Fellowship Church located in Fort Mill, South Carolina, then created a youth program involving overnight events and campouts and allowed a relative of one of the church youth program leaders to host, make room and tent assignments and spend time alone with young minor males with no oversight.
16. The name of this youth program at Morningstar was called “Young Special Forces” (hereinafter, “YSF”)
17. The youth program leader was a man by the name of Erickson Lee, a Defendant named in this lawsuit.
18. At times from 2019-2022, Erickson Lee provided alcohol, vapes, and pornography to

children as young as thirteen (13) years old, including Plaintiff John Doe #1, and eventually sexually exploited and abused multiple minor male children in a youth program at Morningstar, including Plaintiff John Doe #1.

19. Erickson Lee’s conduct was foreseeable and should never have occurred.

20. Richard Joyner, David Yarns, and Douglas Lee were all aware of past instances of sexual abuse at Morningstar Church before Erickson Lee became a youth program leader and had the ability to craft solutions not involving church polity that would have protected children from the provision of alcohol and pornography and the sexual exploitation and abuse of minor boys.

21. Plaintiff John Doe #1 has suffered immeasurable harm and will likely have to undergo psychiatric/psychological care for the remainder of his life due to actions or inactions of the Defendants

22. Defendants acted in dereliction of their duties to Plaintiffs by failing to prevent the foreseeable harm perpetrated by Erickson Lee onto Plaintiff John Doe #1.

PARTIES

Plaintiffs

23. Plaintiff John Doe #1 (hereinafter, “J.D., or Doe #1”) is a person now over the age of Eighteen (18), but while he was a minor in the youth program at Morningstar, he was provided alcohol and vape products, given access to pornography, and was sexually exploited and abused by Erickson Lee,

24. James Roe #1 (hereinafter, “James or James Roe #1”) and Jane Roe #1 (hereinafter, “Jane or Jane Roe #1”) are the parents of John Doe #1 (hereinafter, collective, “Parents”).

25. The Plaintiffs are citizens and residents of York County, South Carolina.

26. Plaintiffs are filing this action anonymously under the pseudonym John Doe #1, James Roe #1, and Jane Roe #1 because the subject matter of this lawsuit could bring embarrassment and publicity to the Plaintiffs.

27. Plaintiff John Doe #1 risks humiliation and embarrassment if he is identified since some of his allegations involve descriptions of criminal sexual activity foisted upon him and allowing him to proceed with a pseudonym brings him comfort.

28. If the ability to proceed with a pseudonym is not allowed, the Plaintiffs will experience further harm because of exercising their legal rights.

29. If Plaintiffs are forced to disclose their identities, that disclosure will amplify the injuries that are at issue in this litigation.

30. The public interest in the disclosure of Plaintiffs identities is minimal and not outweighed by the substantial harm of revealing their identity.

31. There will be no furtherance of justice by requiring the public disclosure of Plaintiffs.

32. Once the Defendants are served and retain counsel, Plaintiffs' identities will be revealed to Defendants in a confidential manner, if not already known.

33. Defendants are not prejudiced by allowing Plaintiffs to proceed anonymously, and any potential prejudice will be mitigated by the confidential disclosure of Plaintiffs' actual identities soon after this lawsuit is filed.

Defendants

34. Defendant, Morningstar Fellowship Church (hereinafter "Morningstar") is an organization created under the laws of the State of Mississippi, having its principal place of business in Fort Mill, South Carolina.

35. Defendant Richard Joyner is the founder of Morningstar, was senior pastor of the church during many of the events described in this action and is a citizen and resident of York County, South Carolina

36. Defendant David Yarns was the vice president of Morningstar Church at the time of all allegations contained in the complaint and is a citizen and resident of a state in the United States.

37. Defendant Douglas Lee was a senior member of Morningstar Church leadership at the time of the allegations of this complaint, is the father of Defendant Erickson Lee, and is a citizen and resident of South Carolina.

38. Defendant Erickson Lee was the former leader of a youth program at Morningstar where he used his position to provide alcohol and pornography to minor children and ultimately sexually exploited and

abused them and is a citizen and resident of York County South Carolina.

39. Chase Portello assisted Erickson Lee in the youth program at Morningstar, participated in some of the illicit actions involving minor boys at Morningstar and helped facilitate the hiding of Erikson Lee's actions and is a citizen and resident of a State in the United States.

40. Defendants James Smiths 1-10 (hereinafter, "Smiths") are unidentified persons employed or associated with Morningstar who were aware that Erickson Lee was providing alcohol, vapes or pornography to minor children in the YSF program or were aware that Erickson Lee was spending inappropriate alone time with minor children in the YSF program.

41. The unidentified Smiths are referred to herein in a gender-neutral manner and may be male or female and were agents and/or employees at all times in this complaint and will collectively be referred to herein, along with the church, as "Morningstar."

42. When the identifier Morningstar is used in this complaint, it includes any actions or inactions of the unidentified Smiths.

43. Defendants have duties and responsibilities to direct and control the way Morningstar agents and/or employees provide secular services to minors and their parents.

44. Defendants have duties and responsibilities to protect minor children from foreseeable harm.

45. Defendants Morningstar, Joyner, Yarns, and Lee have the right or power to direct and control the way their employees and/or agents train, monitor, and supervise, staff under their employment or agency.

46. Upon information and belief, Defendants Morningstar, Joyner, Yarns, and Lee had or should have had non-ecclesiastical policies, procedures, and guidance on how adult members should interact with minor children at the church, including common sense admonitions on ways to prevent foreseeable exploitation and/or abuse of minor children.

47. Upon information and belief, Defendants Morningstar, Joyner, Yarns, and Lee should have created, communicated, and implemented non-ecclesiastical policies, procedures, and guidance on how adult members should interact with minor children at the church, including common sense admonitions on ways to

prevent foreseeable exploitation and/or abuse of minor children.

48. Consistent with the standards recognized in secular organizations or churches with youth programs, Defendants Morningstar should have policies, procedures, and guidelines related to employee training, supervision, and monitoring, which includes, at a minimum, the duty to ensure minors are protected from preventable predatory behavior.

49. Defendants Morningstar, Joyner, Yarns, and Douglas Lee had a non-delegable duty to provide employees and/or agents with adequate knowledge and training to prevent provision of alcohol and pornography to minors and sexually exploit and abuse minor children within a church sponsored youth program.

50. Some duties of Morningstar, Joyner, Yarns, and Douglass Lee includes identifying inappropriate non-ecclesiastical behavior in adult staff, members or volunteers and immediately reporting said behavior to designated entities, including law enforcement.

51. Before the events underlying this case began in 2019, Defendant Morningstar and its employees and/or agents had actual knowledge that a vulnerable population of children or young adults would be subject to youth program dangers of being exploited or abused if reasonable precautions were not exercised in training, supervision, and monitoring, of staff, members, or volunteers in a youth program.

52. Morningstar and its employees and/or agents had the opportunity to prevent harm against vulnerable children, and yet, Defendant Morningstar and its employees and/or agents ignored signs of provision of alcohol and pornography to minors and signs of sexual exploitation or abuse by Church staff, member, or volunteer.

53. At all times relevant hereto, Joyner, Yarns, Douglass Lee, Erickson Lee, and Chase Portello (with respect to the facts alleged herein) acted within the course and scope of their employment and/or agency with Defendant Morningstar.

54. Defendants knew that minor children exposed to provision of alcohol and pornography, sexual misconduct, emotional abuse, or exploitation were at risk of unfathomable harm and knew that if

children were provided alcohol and pornography, sexually abused, emotionally abused, or exploited, these children would sustain lifelong emotional harm and behavioral difficulties.

55. The negligent, grossly negligent, reckless, willful, or wanton acts, omissions, and liability of Defendants includes that of their agents, principals, employees, and/or servants, both directly and vicariously, pursuant to principals of non-delegable duty, corporate liability, apparent authority, agency, ostensible agency, and/or respondent superior.

JURISDICTION AND VENUE

56. The Plaintiffs reside in York County, South Carolina.

57. At least one Defendant is located in or has its principal place of business in York County, South Carolina.

58. A primary portion of the facts alleged in this matter occurred in York County, South Carolina.

59. Each Defendant interacted with South Carolina in a systemic and pervasive way, such that this Court may exercise personal jurisdiction without offending the notions of justice.

60. Each of the Defendants has a present and lasting contact with the State of South Carolina by virtue of revenue, ownership of land, or other qualifying state jurisdictional criteria

JOINT AND SEVERAL LIABILITY

61. The above-named Defendants are jointly and severally liable for all damages alleged herein since their negligent, grossly negligent, reckless, and wanton acts and omissions, singularly, or in combination, are the contributing proximate causes of Plaintiffs' injuries, damages, and losses.

DAMAGES ALLEGATIONS AS TO DEFENDANTS

62. Defendant Morningstar will likely claim to be a charitable entity which would subject them to charitable immunity caps.

63. The Charitable Immunity Act (“CIA”) references the South Carolina Tort Claims Act as the predicate statutory authority for the number of caps to be imposed by any person or entity against a CIA entity.

64. In relevant part, regarding limitations of liability under the South Carolina Tort Claims Act (“TCA”), S.C. Code Ann. Section 15-78-120, provides as follows:

- (a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:
 - (1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding three hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.
 - (2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed six hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

65. Under S.C. Code Ann. Section 15-78-30: “Occurrence” is defined as “an unfolding sequence of events which proximately flow from a single act of negligence.”

66. Each act of negligence, gross negligence, recklessness, and/or willful and wanton conduct by any person employed by or an agent of Morningstar is an act or occurrence regarding the South Carolina Tort Claims Act/CIA.

67. There are multiple breaches of duties of care and industry standards in this case, and, upon information and belief, each breach (or occurrence) can be stacked to create multiple “caps” for any Defendant under the TCA/CIA (depending on what a jury ultimately decides).

68. All Defendants who are alleged to have committed grossly negligent or reckless acts and/or omissions are named individually.

69. If there is a finding by a jury of gross negligence or recklessness against any individually named Defendant, they are subject to liability outside any “cap” and have unlimited exposure for damages.

70. Plaintiff is further alleging that Defendants, and their agents and/or employees committed grossly negligent and/or reckless acts which breached the duties of care and industry standards for which caps do not exist under the TCA/CIA.

71. Plaintiff has identified multiple breaches of duties by Defendants and their agents and/or employees which are known and there are other breaches not addressed which are unknown at this time.

SEPARATION OF CHURCH AND STATE AND ECCLESIASTICAL PRIVILEGE

72. In accordance with the constitutional freedom of religion and corresponding separation of church and state enshrined in the First Amendment to the United States Constitution, religious organizations must be given “an independence from secular control or manipulation, in short, power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.” Kedroff v. St. Nicholas Cathedral, 344 U.S. 94, 116, 73 S.Ct. 143, 97 L.Ed. 120 (1952).

73. To put that principle into practice, South Carolina Courts have held that civil courts “may not engage in resolving disputes as to religious law, principle, doctrine, discipline, custom, or administration.” Pearson v. Church of God, 325 S.C. 45, 52, 478 S.E.2d 849, 853 (1996).

74. However, South Carolina courts have also recognized that civil courts may hear cases touching upon religious organizations where the dispute may be resolved entirely by neutral principles of law. See id. at 51–53, 478 S.E.2d at 852–53.

75. Under the neutral principles of law approach, courts may apply “property, corporate, and other forms of law to church disputes.” All Saints Parish Waccamaw v. Protestant Episcopal Church in Diocese of S.C., 385 S.C. 428, 444, 685 S.E.2d 163, 172 (2009).

76. In other words, so long as a court can hear a case without deciding issues of religious law, principle, doctrine, discipline, custom, or administration, the court must entertain jurisdiction. Id.

77. Certain ecclesiastical actions have a privilege or immunity from civil liability and other actions do not.

78. The actions by employees or agents of a church can be both ecclesiastical and secular in nature.

79. Preaching a sermon to minor children is ecclesiastical in nature and subject to 1st Amendment privilege.

80. Whether someone molested a child during the preaching of a sermon involves neutral principles of law subject to civil court jurisdiction.

81. An ecclesiastical polity is the operational and governance structure of a church, church-school or of a Christian denomination.

82. Church organizations often refer to problems or troubles as ecclesiastical in nature when the problem or trouble is secular in nature or involves neutral principle of law questions.

83. There is a difference between ecclesiastical issues or questions (relating to church or church-school doctrine and religious indoctrination) and those involving neutral principles of law questions subject to civil court jurisdiction (secular or non-ecclesiastical).

84. For example, hiring of a youth program mentor and evaluation of his/her fitness may be ecclesiastical in nature but his/her training, monitoring or supervision in the prevention or

exploitation (provision of alcohol or abuse to minor) and/or abuse of minors may be secular in nature and involve neutral principles of law.

85. The actions and behavior of the church entity or organization and their agents and/or employees must be examined to determine if issues or circumstances can be decided by the application of neutral principles of law.

PROVISION OF ALCOHOL AND/OR PORNOGRAPHY TO A MINOR, SEXUAL EXPLOITATION OR ABUSE OF A MINOR, FAILURE TO TRAIN/MONITOR/SUPERVISE LEADERS OF YOUTH GROUPS AND FAILURE TO CREATE POLICIES AND PROCEDURES TO PROTECT CHILDREN AT RISK OF PREDATORIAL CONDUCT INVOLVE NEUTRAL PRINCIPLE OF LAW ANALYSIS AND JURISDICTION VESTS IN CIVIL COURT.

86. Though church organizations (including church youth programs) are founded on ecclesiastical principles, they must utilize non-ecclesiastical principles (secular) in training, monitoring, and supervision, of employees or leaders of youth programs and the creation of policies and procedures to prevent harm to children.

87. These neutral principle of law actions which are secular in nature are necessary because reasonable training, monitoring, and supervision requires a church organization (as well as any secular organization) to protect minor children from harm.

88. The provision of alcohol and pornography to minor children (exploitation) and actual sexual misconduct and abuse by an employee and/or agent of Morningstar is not ecclesiastical in nature.

89. The neutral principle of law actions of Morningstar, their agents and/or employees had to be performed in a reasonable manner to protect minor children from harm.

90. The creation, communication and implementation of safety policies and procedures by Morningstar and responses to signs of provision of alcohol and pornography to minors in a

youth program and signs of exploitation or possible abuse of minor children in its youth program involves neutral principles of law and are secular in nature.

91. In this case, Defendants Morningstar, Joyner, Yarns, Doug Lee, and Chase Portello were all complicit from a neutral principle of law perspective in regard to Erickson Lee's exploitation and abuse of John Doe #1.

92. The investigation by Morningstar, Joyner, Yarns, and Doug Lee into previous instances of exploitation or sexual abuse at the church or through one of its programs involves neutral principles of law and is secular in nature.

93. The actions of Morningstar, Joyner, Yarns, and Lee regarding previous instances of exploitation or sexual abuse at the church or through one of its programs involves neutral principles of law and is secular in nature.

94. The Morningstar investigation regarding allegations of exploitation and abuse of John Doe #1 by Erickson Lee involves neutral principles of law and is secular in nature.

95. It should be apparent that abridgement of any personal boundaries between students, witnessed by any Morningstar staff, member or volunteer or having knowledge of such violation of boundaries by a Morningstar employee, member, volunteer or mentor and the failure to notify appropriate authorities or the parents of such minor involves neutral principles of law and is secular in nature.

96. Defendants have a non-delegable non-ecclesiastic duty to provide youth program adults with adequate knowledge, training, monitoring and supervision to prevent exploitation and sexual abuse of a minor child at Morningstar.

97. The provision of knowledge, training, monitoring and supervision of youth program leaders and other volunteers at Morningstar to prevent exploitation and/or abuse of minor

children in a church created youth program involves neutral principles of law and is secular in nature.

98. The imbalance of power between youth program leaders and minor children involves neutral principles of law.

99. This imbalance of power is recognized by secular corporate organizations.

100. As a result of this imbalance of power dynamic, the church and corporate organizations share a duty and responsibility to protect potential victims of exploitation, harassment or sexual abuse.

101. When this imbalance of power is manipulated and misused, it can lead to non-ecclesiastic boundary crossing by adult youth leaders on minor children which results in exploitation (providing alcohol, vapes and pornography to minors) or sexual abuse (which occurred in this case).

102. It is never permissible or acceptable for a church affiliated youth leader to exploit or abuse a minor child.

103. For decades, the church has hidden behind the cloak of ecclesiastical privilege.

104. This privilege is an abused form of leniency and immunity propagated by the church to shirk their responsibility for the misconduct of their pastors, employees, teachers/coaches, volunteers, and fellow students onto a minor child.

105. Before the underlying events in this case took place, employees and/or agents of Defendants knew, or reasonably should have known, its vulnerable population of minor students would likely be subject to exploitation or abuse if reasonable neutral principle of law policies and procedures were not created, communicated, or implemented and proper steps taken in the training, monitoring and, supervision, of employees and/or agents.

106. Morningstar facilitated an improper non-ecclesiastic environment of exploitation and abuse in their church sponsored youth program which resulted in injuries and harm to Plaintiffs.

107. Whether defendants conduct was actionable or not regarding the exploitation or abuse of the minor children in its youth program from a training, monitoring, or supervision aspect or from the creation, communication or implementation of proper policies and procedures standpoint involves neutral principle of law subject to South Carolina Civil Court Jurisdiction.

**NEUTRAL PRINCIPLE OF LAW STANDARDS IN THE INDUSTRY FOR
PROTECTION OF MINORS BY CHURCH ORGANIZATIONS**

108. An industry standard refers to a set of criteria, guidelines, or characteristics established by consensus among industry members, which defines the acceptable level of quality, safety, performance, or compatibility for products, services, or processes within that industry.

109. These standards are often developed and published by leading standard-setting organizations, industry groups, or regulatory bodies to ensure consistency, interoperability, and quality across the industry.

110. They can cover a wide range of topics, including product specifications, manufacturing processes, testing methodologies, and service delivery practices.

111. Industry standards play a crucial role in facilitating trade, enhancing product reliability, ensuring consumer safety, and fostering innovation by providing a clear framework within which companies can develop and offer their products or services.

112. The industry standard for church organizations includes neutral principle of law standards and requirements established to ensure that church leadership and church staff (such as youth program leaders) are adequately trained, supervised and/or monitored to prevent exploitation or abuse to minor children affiliated with the church.

113. The industry standard for church organizations includes neutral principles of law standards and requirements established to ensure that church leadership and church staff create, communicate, and implement policies and procedures to prevent the exploitation or abuse to minor children affiliated with the church.

114. These neutral principle of law industry standards are critical for the safety of minor children.

115. This neutral principle of law duty of training, monitoring or supervision extends to all youth program activities, including church related activities, field trips, athletic endeavors, and any youth program -related functions.

116. Youth program leaders are supposed to treat all minor children equally.

117. When a youth program leader starts to separate and spend disparate time or attention to one minor child or group of children, it is foreshadowing of potential exploitation, harassment, or abuse.

118. Church leaders are required by law to report any suspicions of child abuse, neglect, or endangerment.

119. Upon information and belief, there were multiple instances where it was apparent that Erickson Lee was providing alcohol, vapes or pornography to minor children and this was actually known by different members of Church Leadership, Including Erickson Lee's own father, Douglas Lee.

120. If a church organization, or their employees and/or agents breaches neutral principle of law industry standards concerning the safety of children, it can result in devastating harm to a minor child

121. Defendants had duties and responsibilities to Plaintiffs to abide by neutral principle of law industry standards in church organizations to protect minor children and they failed.

122. The negligence, gross negligence, and/or recklessness in multiple breaches of neutral principle of law industry standards by all Defendants resulted in damages and injuries to the Plaintiffs.

KNOWLEDGE OF CHURCH ORGANIZATION AND ITS LEADERS OF PROR INSTANCES OF EXPLOTATIONA ND ABUSE/ASSAULT OF MINORS

123. Morningstar, Rick Joyner David Yarns, and Doug Lee made up part of the leadership of Morningstar.

124. Rick Joyner was the senior pastor and CEO of Morningstar at most of the times mentioned in this complaint.

125. David Yarns was Morningstar second in charge for most of the times mentioned in this complaint

126. Douglas Lee was head of security for the church for most of the times mentioned in this complaint and was involved in the day-to-day running of the YSF program by his son Erickson Lee.

127. Joyner, Yarns, and Lee were the persons charged with protecting the minors of Morningstar form exploitation and abuse by employees or youth leaders at Morningstar.

128. Sometime in the 2000s, two women in Morningstar University were sexually assaulted by an employee of Morningstar.

129. This put Morningstar, Joyner, Yarns, and Lee on notice of the potential danger to vulnerable persons by predatorial people.

130. Predators hide in plain sight.

131. The provision of safety and enacting safety measures provides for the prevention of predatorial conduct or actions by employees or members of the church.

132. In order to prevent harm to vulnerable persons at the church, including children, the church had to be pro-active in its mission to prevent harm within their control.

133. There was a second sexual assault involving Morningstar sometime after the church was created.

134. Upon information and belief, a child was going on a field trip with a program at Morningstar.

135. Upon information belief, the mother of the minor was leery of a particular Morningstar University volunteer and specifically asked that her child not be exposed to that person.

136. Morningstar and its church did not protect the minor and he was abused and assaulted by the specific person warned about by the mother.

137. Both of these incidents of sexual abuse and assault were covered up by the church.

138. In both instances, the victims were encouraged not to report these instances to law enforcement.

139. Upon information and belief, Joyner, Yarns, and Doug Lee knew of these assaults, and helped orchestrate the victims not reporting the criminal incidents to law enforcement.

140. The actions by Morningstar, Joyner, Yarns and Doug Lee in the investigation and actions of them after each assault incident involved neutral principles of law.

141. At a minimum, the admonition not to contact law enforcement when someone has been sexually assault is reckless, and at its worst, it is a criminal offense punishable by incarceration.

142. These two separate incidents are two that are whispered about by members of the church.

143. There is no telling how many others have occurred and were shut down by Morningstar and its leadership.

144. These two incidents are notice to Morningstar and all leaders that a vulnerable population exists at the church.

145. These two incidents place the leaders the church, including Joyner, Yarns, and Doug Lee, on notice that there are predators that exist within the church hierarchy and employment

146. These two incidents are actual notice of the need to ensure proper training, monitoring and supervision of youth leaders or others.

147. These two incidents are actual notice that Morningstar needs to have proper policies, procedures, and other written admonitions to protect vulnerable members of the church, including minor children.

PRIOR TO ANY SEXUAL ASSAULT OR ABUSE BY ERICKSON LEE, HE HAD PROVIDED ALCOHOL AND PRONOGRAPHY TO THESE CHILDREN CAUSING HARM

148. There are multiple allegations of negligent, grossly negligent, and reckless conduct by Defendants.

149. Some of these negligent, grossly negligent, and reckless acts occurred at different times.

150. In this matter, John Doe #1 was provided alcohol before any other types of improper conduct was perpetrated against him by Erickson Lee.

151. This providing of alcohol continued for a period of time before he was then exposed to pornography.

152. The provision of alcohol occurred first.

153. This is actionable as a tort.

154. The provision of pornography occurred after the provision of alcohol

155. It was second in sequence.

156. This improper actions by Erickson occurred at all times during the course and scope of his mentorship with the YSF program sponsored and facilitated by Morningstar and other Defendants.

157. The provision or alcohol and pornography were both detrimental to the Plaintiff John Doe #1 and have caused him harm for the rest of his life.

FACTUAL ALLEGATIONS SUPPORTING THE CAUSES OF ACTION

158. During all times that John Doe #1 was a minor child in the youth program at Morningstar, Erickson Lee was the leader of the program.

159. During his time in the Morningstar youth program, Doe #1 was aware that multiple members of the church and YSF leadership knew of Erickson Lee's propensity for showing favoritism to 4-5 specific boys and Douglas Lee was aware of Erickson Lee providing alcohol to at least one of these 4-5 segregated boys by Erickson Lee.

160. This behavior was normalized at the church and no church affiliated adult member ever intervened to prevent Erickson Lee's inappropriate interactions with minor children.

161. There are multiple allegations of wrongful conduct by each Defendant in this case.

162. John Doe #1 moved with his parents James Roe#1 and Jane Roe #1 (hereinafter, "Parents") to Fort Mill, South Carolina in July 2018.

163. In July 2018, Rick Joyner was senior Pastor of Morningstar church, David Yarns was his second in charge and Doug Lee was head of security.

164. Doe #1 and his parents did not know Erickson Lee at this time.

165. After the parents and Doe #1 moved to Fort Mill and were interacting at Morningstar, they began to hear about a new youth program that was being put together called "Young Special Forces" (hereinafter, "YSF")

166. It was presented to parents and families as an opportunity for their sons to grow physically, mentally, spiritually,

167. The children in this program were supposed to go on trips and learn life skills.

168. It was at this time, that the parents and Doe #1 were told that Doug Lee's son Erickson Lee would run the YSF program.

169. The parents and Doe #1 were told that Erickson Lee was a marine, was going to be a law enforcement officer and had a passion to raise up the next generation of young men.

170. The fact that Joyner, Yarns, Doug Lee, and other leaders of the church were extolling Erickson Lee's virtues and advising Parents with children in the YSF program to trust him, they did.

171. The parents and John Doe #1's trust of Erickson Lee would be a horrible mistake.

172. The parents and Doe #1 were also told that Doug Lee would be part of the YSF program.

173. That part was either not true at all or quickly became moot since Erickson Lee took complete control of the program and ran it at his will.

174. Doe #1 went on his first YSF trip in November 2018.

175. He was twelve (12) years old at this time.

176. This was the first time that Doe #1 met Erickson Lee

177. In summer of 2019, there were fundraisers and other volunteer service opportunities for Doe #1.

178. He was now thirteen (13).

179. In August 2019, Doe attended a YSF event called "overcoming fear weekend".

180. The parents were told that "overcoming fear weekend" involved the following:

“Location: Friday, August 23rd 7pm-10:30pm at MSU cabin. Saturday, 24th, 8am-7pm at the Morningstar Cafe. YSF provides mental, physical, and spiritual challenges in a safe environment to mold and raise leaders for the next generation. YSF weekend Information: YSF will have a night of spiritual fitness on the 23rd at 7pm along with dinner at the MSU cabin. At 8 am on the 24th, students will meet YSF leaders at Morningstar and drive overusing vans to the white-water center to go rafting and zip lining. Leaders and students will head their way back to Morningstar to do an event recap and release the youth at 7pm.”

This was accompanied by an email from Erickson Lee which stated:

Good evening,

I’m Erickson Lee one of the head instructors with YSF. Thank you for showing interest in our program and the next adventure we have lined up! Below I will attach the link to the application for the Overcoming Fear Weekend. Any questions please let me know.

Erickson”

181. The Parents and Doe #1 had now known Erickson Lee for close to a year.
182. Erickson Lee had invited the parents to his home and spent time with their son, John Doe #1.
183. Erickson Lee took Doe #1 to the movies with another child and played video games with him during this year long acquaintance period.
184. During this time, Erickson took Doe #1 and another minor to an apartment in his parents’ house and provided them with alcohol.
185. He was also providing Doe #1 with vapes.
186. Doe #1 was thirteen (13) years old at the time.
187. After a number times of providing alcohol and vapes to Doe #1, he also showed pornography to Doe #1 and another minor.
188. In December 2019, Doe #1 was invited to a YSF Hike in Gaston County, North Carolina.

189. This was an overnight trip to Crowders Mountain in Gaston County, North Carolina with a select number of YSF minor members.

190. In less than a year, Erickson Lee had taken complete control of this YSF program with little to no training, monitoring or supervision by other church leaders and was turning it into his own private fiefdom for his own perverse enjoyment.

191. There was another adult male on the 2019 Crowders Mountain trip, Ryan Shuster, who also brought alcohol with him on this trip.

192. The fact that Erickson Lee could bring whoever he wanted on these overnight trips and have alcohol for use by him, his friends and minor children is evidence there was no monitoring or supervision of Erickson Lee by any member of church leadership.

193. The fact that Erickson Lee could bring whoever he wanted on these overnight trips and have alcohol for use by him, his friends and minor children is evidence there were no policies or procedures in place to prevent these types of actions or to protect minor children from harm.

194. Upon information and belief, Erickson Lee provided alcohol and vapes to a number of minors on this trip.

195. Ryan Shuster ignored Erickson Lee's inappropriate behavior and did not report it to anyone.

196. Erickson Lee was also teaching these young minor boys to sneak around behind their parent's backs and engage in illicit activity with him as the adult ringleader.

197. After this trip, one of the boys told his father about the provision of alcohol and vapes by Erickson Lee to minor aged members of the YSF program.

198. Upon information and belief, this father then took his son out of the program.

199. It is not known who was told of Erickson Lee's behavior at this time and what action were taken by church leadership.

200. In January 2020, Erickson Lee sent information to the parents about the YSF program:

Good evening Everyone!

The first YSF class is right around the corner. Sunday January 5th. No better way to start the year than with a YSF PT TEST!

The first day of class will begin at 14:00. Please make sure that all students are in the MSU room on Main Street by 13:45 dressed in PT gear. As the Marines always say 15 minutes early is 5 minutes late. Make sure each student has the right gear for the day with them, (Notebook, YSF handbook, water bottle, pens change of clothing for after PT, ECT). The first PT for YSF will be our basic PT assessment test. That will consist of a 1.5-mile run, 2 minutes timed pushups, and 2-minute timed sit ups. Begin preparing for this PT test NOW.

We will be giving out a lot of information and gear at the first class. With that being said the first class might go a little past the 1600 end time. We will not have time to talk or answer any questions during class so if there are any questions please seek one of the YSF instructors before the beginning of class at 1400 on January 5th.

There are a lot of opportunities during the Vision Conference for Students Volunteer program hours. Check with your department head to see where you can work or reach out to Zach about getting involved.

We will be taking YSF hoodie Pre orders that day also! \$35 dollars for pre orders. CASH ONLY. Have an amazing Christmas and if there are any questions please let Zach, Bob or myself know!

Erickson Lee

"Where there is no guidance the people fall, but in abundance of counselors there is victory." – Proverbs 11:14

201. There were some subsequent YSF meetings including the parents.

202. This was done, upon information and belief, to solidify the trust by the predator Erickson Lee so that he could continue his illicit activity with minor boys.

203. In September 2020, Erickson Lee took some of the minor boys to Onslow County North Carolina to Camp Lejeune.

204. Erickson Lee made this trip for “2nd year” students only.
205. The YSF entourage stayed at beach cabins on this trip to Lejeune.
206. There were 2 floors in each these beach cabins.
207. Erickson Lee and another minor were sleeping in the bedroom on the main floor and the other boys were in the loft upstairs.
208. Erickson Lee and the minor staying in his room came up to the upstairs loft late at night and were drunk and looking at porn on their phones and were showing the other boys the porn on their phone.
209. Erickson Lee and the other minor went back downstairs and a little later, Doe #1 and another minor went downstairs because they heard a noise, and Erickson Lee was in the kitchen.
210. Doe #1 and the minor who went downstairs with him sat on the couch.
211. Erickson Lee was obviously drunk and was being touchy and perverted towards the boys.
212. The boys grew concerned about the minor in Erickson Lee’s room and asked where he was at and Erickson Lee said he was sleeping.
213. The bedroom door was open and they went in and saw that the minor child was completely naked and passed out on the bed.
214. Erickson Lee then gave Doe #1 and another minor hard liquor and drank with them.
215. Later on in this trip, Erickson Lee then forced the boys to get naked in front of him and then take a shower together.
216. He was being very forceful and the minor aged boys didn’t feel like they had a choice or could stand up to Erickson Lee.

217. In October 2020, Doe #1 got suspended from the YSF program because he had been caught with alcohol.

218. The parents had to sit through meetings with Erickson Lee, Doug Lee, Bob Jordan, and Zach Rowe while they came down hard on Doe #1 and reminded him of the Morningstar code of conduct he had signed.

219. The person lecturing the parents and Doe #1 about a code of conduct, Erickson Lee, was the person who got Doe #1 started drinking in the first place.

220. There was no training, supervision or monitoring of Erickson Lee by church leadership that would have prevented harm to Doe #1 and other minor children.

221. There were no policies, or procedures about preventing harm to children used by the church during Erickson Lee's time in charge of the YSF program.

222. Erickson Lee continued his illicit actions while the leader of YSF:

- a. In Gaston County in November 2020 when he provided alcohol, vapes and pornography to multiple children and sexually assaulted Doe #1 when he was 14.
- b. In York County on December 31, 2020-January 1, 2021, on Morningstar property, when he provided alcohol, vapes and pornography to multiple children and sexually assaulted Doe #1 when he was 14.
- c. In York County in January 2021, when he provided alcohol, vapes and pornography to multiple children and sexually assaulted Doe #1 when he was 14.

223. In February 2021, Doe #1 got in trouble again and was caught drinking and sneaking out and was again punished and had to sit through meetings with Erickson Lee and other YSF leaders where he was reprimanded.

224. In April 2021, Doe had his arms in casts from a Mountain Biking accident and he was allowed to go on a YSF trip but couldn't do the activities.

225. The parents were told that Doe #1 would still be with the group and be looked out for in his condition.

226. Unbeknownst to the parents, Erickson Lee took Doe #1 off alone and was giving him alcohol and trying to isolate him from the group

227. Erickson Lee took Doe #1 off by himself and kept Doe #1 with him alone, overnight.

228. The parents were not made aware of this sleeping arrangement.

229. Erickson Lee sexually assaulted Doe #1 while under the influence of alcohol.

230. There were multiple occasions over the next year where Erickson Lee provided alcohol to minor boys and then sexually assaulted and abused them (including Doe #1).

231. At least one of these occasions was on Morningstar property on December 29-30, 2021 during a YSF overnight event.

232. In September 2022, Doe and his parents were at the home of Doug lee.

233. Doe #1 was going to stay at Doug Lee's home overnight.

234. Doug Lee saw his son Erickson Lee giving Doe #1, a minor, alcohol at this time.

235. Doug Lee's only response to his son Erickson Lee was "Be Careful"

236. Doug Lee did not report this behavior to anyone.

237. Doe #1 was sexually assaulted by Erickson Lee that night after his father Douglas Lee was aware that he was spending the night with a minor and providing the same minor with alcohol.

238. If Doug Lee had done anything with his knowledge provision of alcohol, Erickson Lee's episodes of depravity with minors could have ended.

239. Instead, Doug Lee did nothing.

240. After this time, the parents became aware that Erickson Lee was trying to drive a wedge between them and their son.

241. There were not aware of the provision of alcohol, porn, or sexual abuse at this time.

242. Still, the parents stopped any contact between Erickson Lee and their son.

243. In January 2023, a parent of one of the assaulted minors contacted David Yarns about inappropriate text messages he had found on his minor son's phone from Erickson Lee.

244. The texts were sexual in nature.

245. David Yarns then got other members of Morningstar involved.

246. Erickson Lee was quietly asked to step down.

247. Upon information and belief, leaders in the church did not tell the other YSF staff of Erickson's criminal actions and they did not tell the other parents who had children in the program about Erickson Lee's illicit actions.

248. Morningstar, Joyner, Yarns, and Doug Lee allowed a predator to run a church youth organization for years and then when caught, they tried to cover it up.

249. Once Erickson Lee was terminated from his position, he tried to manipulate certain boys to control the dialogue on his crimes.

250. He enlisted Chase Portello as an implement in maintaining his control of certain minor children

251. This was done for one reason – so that Erickson Lee could control the story of what actually occurred.

252. Chase Portello was a fellow marine and aspiring law enforcement officer and conspired with Erickson Lee to control the criminal action perpetrated by Erickson Lee on multiple minors.

253. Chase Portello's assistance in trying to cover up these crimes occurred while he was still involved with YSF at Morningstar.

254. Morningstar did not have policies procedures, training, monitoring or supervision in place of Chase Portello to ensure he was acting appropriately in his role as an employee or agent of Morningstar in the YSF program.

255. When the parents of Doe #1 were told about Erickson Lee's actions by their son in late April/May 2023, the parents contacted the head of safety at Morningstar, Nate DeGrandpre.

256. Nate DeGrandpre then set a meeting with the Dads of the abused minors to get more information.

257. The police were not called right away but were eventually contacted by the Church.

258. The head of security of the church had questioned the boys before calling the police.

259. During this time Erickson Lee must have been watching the boys because he left notes on two (2) of the boys vehicles.

260. One of the notes said, "I am watching you" and had a picture of one of the boys and was threatening.

261. The other note also implied that another boy was being watched.

262. One of the boys got a text message from Chase Portello's number saying "windshield" which is where the note was left.

263. It appears that Chase Portello was engaged in an intimidation campaign along with Erickson Lee while still affiliated with the YSF program at Morningstar.

264. Erickson Lee was arrested for his crimes.

265. He is awaiting trial.

266. The causes of actions in this complaint include multiple allegations of negligence, wrongful provision of alcohol, wrongful provision of pornography, conspiracy, violation of the restatement of torts, reckless or intentional infliction of emotional distress and a necessities claim.

267. Plaintiffs suffered injury by all of the actions and inactions of Defendants.

FOR A FIRST CAUSE OF ACTION
(Negligence, Gross Negligence and Recklessness)

268. Plaintiffs reincorporate and reallege all above paragraphs verbatim.

269. All Defendants had multiple neutral principle of law duties to Plaintiff John Doe #1 to prevent him from suffering harm through a Morningstar Youth Program.

270. Defendant Erickson Lee provided alcohol to John Doe #1, provided pornography to John Doe #1, emotionally manipulated, emotionally abused, inappropriately touched, used harsh language, sexually abused and assaulted John Doe #1 and performed his duties as a Youth Program leader in a negligent, grossly negligent, and reckless manner.

271. As alleged above, Defendants Morningstar, Joyner, Yarns, Doug Lee, Erickson Lee, and Chase Portello had a neutral principle of law duty to protect Plaintiff John Doe #1 from foreseeable harm.

272. As alleged above, Defendants Morningstar, Joyner, Yarns, Doug Lee, and Chase Portello were aware of, or should have been aware of Erickson Lee's spending a lot of alone time with specific minors in the course and scope of YSF programs on trips away from Morningstar and on Morningstar's property.

273. At all relevant times, prior to Erickson Lee's interaction with Plaintiff John Doe #1, Defendants Morningstar, Joyner, Yarns, and Doug Lee knew of sexual misconduct incidents involving the church or one of its affiliated programs.

274. These incidents put Defendants Morningstar, Joyner, Yarns, and Doug Lee on notice that they had a duty to implement neutral principle of law policies and procedures to protect minors at youth programs at the Church.

275. Defendant Chase Portello and other unnamed members of YSF knew of Erickson Lee's propensity to provide alcohol and vapes to minor program participants and actually participated in the drinking themselves and also know of Erickson Lee spending time alone with minor boys overnight.

276. This knowledge by Chase Portello and others created a duty to report Erickson Lee's illicit conduct to law enforcement or leadership of the Church.

277. Instead, Chase Portello chose to enable Erickson Lee to provide alcohol to minors, provide pornography to minors and to sexually abuse and assault minor boys.

278. Defendants Morningstar, Joyner, Yarns, and Doug Lee had a duty to create and promote a neutral principle of law culture of safety to prioritize the well-being of children and young adults to protect them from negligent, grossly negligent, reckless, predatory, and abusive youth program leaders.

279. Defendants Morningstar, Joyner, Yarns, Doug Lee and Chase Portello and other unnamed leaders in the YSF program had a duty to train, monitor and supervise Youth program leaders, including Erickson Lee, and report inappropriate conduct to law enforcement authorities or members of church leadership.

280. The duties to John Doe #1 by all Defendants included a duty to prohibit or prevent one-on-one interaction with youth leaders and participants with no other adults present.

281. Defendants Morningstar, Joyner, Yarns, and Doug Lee knew that Erickson Lee would be around vulnerable children.

282. As a result of the actions and inactions of all Defendants, Plaintiff John Doe #1 was subjected to negligent, grossly negligent, and reckless conduct by Erickson Lee, pervasive and inappropriate actions by Erickson Lee, exploitative behavior by Erickson Lee and sexual misconduct by Erickson Lee.

283. Defendants breached their duties to Plaintiff John Doe #1 in multiple ways

284. Defendants Joyner, Yarns, Doug Lee, Erickson Lee, and Chase Portello's failures as indicated herein amount to the total absence of care.

285. Defendants breached several neutral principle of law duties owed to Plaintiffs in a negligent, grossly negligent, and reckless manner in committing one or more of the following acts of omission or commission, any, or all of which were breaches of the duties owed to Plaintiffs:

- a. As an unfolding sequence of events proximately flowing from failing to ensure Plaintiff John Doe #1 was not exposed to injurious behavior by Defendant Erickson Lee as a first occurrence;
- b. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarns, and Doug Lee's failure to train Erickson Lee in a proper manner.
- c. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarns, and Doug Lee's failure to train other members of the Youth program at Morningstar on ways to protect children in the program.
- d. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarns, and Doug Lee's failure to supervise Erickson Lee in a proper manner.
- e. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarns, and Doug Lee's failure to monitor Erickson Lee in a proper manner.
- f. As a separate and independent unfolding sequence of events flowing from failing to protect Plaintiff from Defendant Erickson Lee;
- g. As a separate and independent unfolding sequence of events flowing from failing to ensure Plaintiff was safe while in the YSF Morningstar youth program;
- h. As a separate and independent unfolding sequence of events flowing from Defendants Morningstar, Joyner, Yarns, or Doug Lee's failure to create, implement and communicate policies and procedures engineered to protect children in the YSF Morningstar program.

- i. As a separate and independent unfolding sequence of events flowing from failing to properly investigate previous incident of sexual abuse and take proper steps to protect children who were under the stewardship of Morningstar or its employees or youth leaders.
- j. As a separate and independent unfolding sequence of events flowing from failing to train all volunteers at Morningstar in a manner that would promote personal safety for minors, including reporting of provision of alcohol or pornography or sexually grooming, exploiting, or abusing of minor parishioners;
- k. As a separate and independent unfolding sequence of events flowing from failing to investigate Defendant Erickson Lee's actions when it first became known that he was having inappropriate contact or exhibiting inappropriate behavior towards a minor child in the youth program at Morningstar.
- l. As a separate and independent unfolding sequence of events flowing from failing to follow industry standards in neutral principles of law.
- m. In such other particulars as will be discovered through discovery undertaken pursuant to the S.C. Rules of Civil Procedure.

286. A As a direct and proximate result of the negligent, grossly negligent, and reckless, actions and inactions of Defendants, the Plaintiff John Doe #1 has suffered and will continue to suffer damages and Plaintiffs are entitled to judgment against Defendant Morningstar for all actual damages and against Joyner, Yarns, Doug Lee, Erickson Lee and Chase Portello for actual and compensatory damage, punitive damages, and such other relief in law or equity as may be determined by a jury.

FOR A SECOND CAUSE OF ACTION
AS TO ALL DEFENDANTS
(Civil Conspiracy)

287. Plaintiffs reallege and reincorporate all above paragraphs verbatim.

288. Prior to the provision of alcohol to John Doe #1, the provision of pornography to John Doe #1 and sexual abuse and assault of John Doe #1 by Erickson Lee, upon information and belief, Defendants Morningstar, Joyner, Yarns, and Doug Lee knew or should have known that the

YSF program did not have proper policies and procedures in place to protect minor children participants.

289. Defendants Morningstar, Joyner, Yarns, and Doug Lee knew or reasonably should have known that allowing a young male adult to spend alone time sleeping with minor boys and providing alcohol and pornography to minor boys would cause harm to a vulnerable population.

290. Despite the knowledge that Morningstar had of known incidents of sexual abuse with a vulnerable population and also a minor, they knowingly failed to create, communicate, and implement safety policies and procedures to program youth program participants.

291. The Defendants knew or should have known of Erickson Lee's inappropriate behaviors with minor children, including texting them by himself, spending time with them by himself, providing alcohol to minor children and other improper actions that foreshadowed potential abuse and assault of minor children.

292. Doug Lee, Erickson Lee, and Chase Portello knew of Erickson Lee's inappropriate actions with minor children in the YSF program.

293. Upon information and belief, Defendants undertook an effort to hide or otherwise prevented Erickson Lee to be found out because he was a revered son of a church leader and Defendants not only feared the fallout from such a discovery but also profited from Defendant Erickson Lee and thus had a financial incentive to protect Defendant Erickson Lee from discovery.

294. Defendants actively conspired to hide the allegations of inappropriate behavior by Erickson Lee with minor YSF participants from others.

295. The access to minor children by Erickson Lee facilitated by the conspiratorial actions of all defendants, resulted in harm to Plaintiff John Doe #1.

296. The predicate acts of all Defendants necessary to constitute a conspiracy includes:
1. Defendants complicity with one another to prohibit others from finding out about Erickson

Lee's inappropriate actions with minor YSF participants; 2. Defendants failure to report Defendant Erickson Lee's inappropriate conduct to law enforcement, 3. Defendants failure to report the conduct of Erickson Lee to anyone in authority at the church other than themselves, and 4. Defendants working in tandem to protect Erickson Lee from known complaints to members of the church leadership.

297. As a direct and proximate result of the civil conspiracy between all Defendants, the Plaintiff John Doe #1 has suffered and will continue to suffer damages and Plaintiff John Doe #1 is entitled to judgment against Defendant Morningstar for actual and compensatory damages, and is entitled to judgment against Joyner, Yarns, Doug Lee, Erickson Lee and Chase Portello for actual and punitive damages and such other damages in law or equity as may be determined at a trial of this matter.

FOR A THIRD CAUSE OF ACTION
AS TO DEFENDANTS MORNINGSTAR, JOYNER, YARNS, AND DOUG LEE
(Violation of Restatement of Torts 323)

298. Plaintiffs reallege and reincorporate all above paragraphs verbatim:

299. Defendant Morningstar, Joyner, Yarns, and Doug Lee undertook, for consideration, the provision of providing a church program for minors, including John Doe #1 pursuant to the Restatement (Second) Torts §§ 323.

300. The Restatement's negligent undertaking provisions impose a duty of care only when a defendant renders services that it "should recognize as necessary for the protection" of another. Restatement (Second) Torts §§ 323.

301. Defendants should have recognized as necessary the protection of Plaintiff John Doe #1 while he participated in the YSF program through Morningstar.

302. Plaintiff John Doe #1 paid for his participation in the YSF youth Program at Morningstar and was susceptible to increased risk and/or danger if a Morningstar agent or

employee committed acts that agents or employees of Morningstar knew had occurred in the past and were dangerous to minor children.

303. Defendants' exercise of control over Plaintiff's participation the YSF program is the type of control which creates a general duty to protect by Morningstar, Joyner, Yarns, Doug Lee, and Erickson Lee.

304. Plaintiff suffered severe and permanent harm as described above because of Defendants failure to exercise neutral principles of law reasonable care in providing safe facilities and safe youth program leaders at Morningstar.

305. Defendants' failure to exercise such care increased the risk of harm to Plaintiff John Doe #1.

306. As a direct and proximate result of the violation of statement of torts 323 between all Defendants, the Plaintiff John Doe #1 has suffered and will continue to suffer damages and Plaintiff John Doe #1 is entitled to judgment against Defendant Morningstar for actual and compensatory damages, and is entitled to judgments against Joyner, Yarns, Doug Lee, Erickson Lee and Chase Portello for actual and punitive damages and such other damages in law or equity as may be determined at a trial of this matter.

FOR A FOURTH CAUSE OF ACTION
AS TO DEFENDANT ERICKSON LEE
(Assault and Battery)

307. Plaintiffs reincorporate and reallege the above paragraphs herein verbatim.

308. Erickson Lee threatened and intended to harm Plaintiff John Doe #1 (assault).

309. Erickson Lee inappropriately touched and violated Plaintiff John Doe #1 (battery).

310. As a direct and proximate result of Defendant Erickson Lee's actions outlined above, Plaintiff John Doe #1 suffered damages.

311. Plaintiff John Doe #1 will likely have to undergo medical treatment, including intense psychiatric/counseling and therapy for the remainder of his life.

312. As a direct and proximate result of the assault and battery perpetrated on the Plaintiff John Doe #1 by Defendant Erickson Lee, the Plaintiff John Doe #1 has suffered and will continue to suffer damages and is entitled to judgment against Defendant Erickson Lee for actual and compensatory damages, punitive damages, and such other relief in law and equity as may be determined by a jury at the trial of this action.

FOR A FIFTH CAUSE OF ACTION
AS TO ALL DEFENDANTS

(Outrage/Intentional or Reckless Infliction of Emotional Distress)

313. Plaintiffs reallege and reincorporate all above paragraphs herein verbatim.

314. Defendants recklessly or intentionally inflicted severe emotional distress on Plaintiff John Doe #1 by virtue of their actions and it was certain or substantially certain that such distress could result from Defendants' conduct.

315. Defendants recklessly or intentionally inflicted severe emotional distress on Plaintiffs James Roe #1 and Jane Roe #1 by virtue of Morningstar and others promising to protect their child and hiding the allegations of misconduct by Erickson Lee when discovered.

316. Defendants Erickson Lee and Chase Portello inflicted severe emotional distress on Plaintiff John Doe #1 by attempting to intimidate all persons victimized by the conduct of Erickson Lee.

317. Defendants' conduct was extreme and outrageous as to exceed all possible bounds of decency and is intolerable in a civilized community.

318. Defendants' actions caused Plaintiffs emotional distress.

319. The emotional distress suffered by Plaintiffs was so severe that no reasonable person could be expected to endure it and this distress manifested itself in physical symptoms.

320. The emotional distress caused by actions and inactions of all Defendants, includes, but is not limited to, medical problems, emotional issues, mental anguish, and behaviors that are capable of objective diagnosis.

321. As a direct and proximate result of the intentional and/or reckless infliction of emotional distress on Plaintiffs, they have suffered damages.

322. As a direct and proximate result of the reckless or intentional infliction of emotional distress by all Defendants, the Plaintiffs have suffered and will continue to suffer damages and Plaintiffs are entitled to judgment against Defendant Morningstar for actual and compensatory damages, and are entitled to judgment against Joyner, Yarns, Doug Lee, Erickson Lee and Chase Portello for actual and punitive damages and such other damages in law or equity as may be determined at a trial of this matter.

FOR A SIXTH CAUSE OF ACTION
AS TO ALL DEFENDANTS
(Necessaries Claim)

323. Plaintiff James Roe #1 and Jane Roe #1 reallege and reincorporate all above paragraphs verbatim.

324. As a direct and proximate result of the acts and/or omissions described herein, James Roe #1 and Jane Roe #1 are responsible for the following expenses related to their minor child until he turned the age of eighteen (18):

- a. Substantial medical expenses that are certain to occur for a significant amount of time, if not for the rest of John Doe #1's life;
- b. Substantial life-care expenses that are reasonably certain to occur for a significant amount of time, if not for the rest of John Doe #1's life;
- c. Care related to John Doe #1's disability that are likely to occur before he reaches the age of majority;
- d. The provision of extraordinary medical care to John Doe #1;

- e. The general expense of obtaining resources for John Doe #1 before the age of eighteen, including, but not limited to, special assistance and other medical treatment and/or therapies which may alleviate some of John Doe #1's suffering which took place due to Defendants' conduct as alleged herein.
- f. The time and expense associated with James Roe #1 and Jane Roe #1's care of John Doe #1 from time missed from work, transportation costs and other assorted expenses.

325. Plaintiffs John Roe #1 and Jane Roe #1 (as the parents of John Doe #1) are responsible for the medical bills, medical care, and overall care for their minor child until the age of eighteen (18).

326. If John Doe #1 is under a disability, he may be required to undergo care for an undetermined length of time after she reaches eighteen years of age.

327. Plaintiffs will also suffer other economic damages, including, but not limited to, the provision of extraordinary medical care, life care expenses, transportation costs, counseling services, and special programs for their child John Doe #1 because of Defendants' actions and/or inactions.

328. Plaintiffs James Roe #1 and Jane Roe #1 should be awarded all damages flowing from any necessary claim or any other economic damages they may suffer because of Defendants' actions and/or inactions.

WHEREFORE, Plaintiffs respectfully pray for judgment against all Defendants for all actual damages and against all Defendants Joyner, Yarns, Doug Lee, Erickson Lee, and Chase Portello for all punitive damages alleged herein, and for such other and further relief as this Honorable Court deems just and proper.

Signature Page to Follow

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LLC**

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