

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

JOHN DOES (VC) 1-8, inclusive, :
 :
 Plaintiffs, :
 :
 v. :
 :
 The STATE OF MARYLAND, acting : Civil Case No.:
 through its agencies, MARYLAND :
 DEPARTMENT OF JUVENILE :
 SERVICES, and/or DEPARTMENT OF : Filed:
 HEALTH (formerly the DEPARTMENT :
 OF HEALTH AND MENTAL :
 HYGIENE) :
 :
 Defendant. :

COMPLAINT

“If you were sort of a mad scientist who was sent to Maryland to deliberately make kids into criminals, you could hardly do any better than what's going on in Maryland's juvenile facilities. You'd have to work hard to cripple kids worse than they're being crippled now.”

– Vincent Schiraldi, then-executive director Center of Juvenile and Criminal Justice, 2001;
now newly appointed Maryland Secretary of Juvenile Services.

INTRODUCTION

1. This is the troubling tale of the widespread, documented abuse of juvenile offenders and youth with mental illness and substance abuse problems at a state-run juvenile detention center called Victor Cullen. It is a tale of rampant sexual abuse, perpetrated on Maryland’s forgotten youth, investigated time and again -- only to be paid lip service by the state before the abuse began anew. It is a tale of unrelenting negligent failure by the State of Maryland and its agents and operatives to uphold their duty to children from troubled backgrounds, the vast majority of them

minorities and poor, with histories that required trauma-informed care – not the infliction of additional trauma.

2. Instead of viewing these youths as children in need of help, however, the staff at Victor Cullen thought of them as prey: animals, pieces of meat, less than human. In the showers, guards teamed up to hold the children down so their coworkers could rape them. At night, when children were supposed to be alone in their rooms, guards would come into the one place the children had a modicum of privacy and molest them, fondle them, masturbate them, and force them to engage in oral sex and vaginal intercourse when they were as young as 11 years old. The abuse was excruciating and violent: one child was forcibly anally penetrated while on the way to the medical unit; another was raped with such force that his abuser ripped the arms off a chair.

3. The abusers at Victor Cullen used intimidation and coercion to avoid being reported. While, at first, many victims were bribed to keep quiet with food, privileges, and preferential treatment, victims also saw the culture of abuse that viciously retaliated against anyone who reported. Children who thought about reporting were threatened with everything from additional time incarcerated to violence from both staff members and other children; children who went through with reporting saw those consequences come to life.

4. Plaintiffs file this Complaint to seek justice for the innumerable instances and ongoing pattern of humiliating, degrading, coercive and violent sexual abuse and other illegal treatment inflicted upon them while they were detained, or receiving alleged “treatment,” as minor children at the Victor Cullen juvenile detention center in Sabillasville, Frederick County, Maryland.

5. For nearly 45 years, the State of Maryland and/or the Maryland Department of Juvenile Services, has owned, maintained, operated, supervised, and monitored the Victor Cullen

facility as a detention facility, “academy,” camp and/or treatment center for youths generally aged 11 to 19, who were in trouble with the law or were deemed unmanageable due to mental health and/or substance abuse issues and needed treatment.

6. At some point while they were minors, each of the Plaintiffs was detained or otherwise housed at Victor Cullen for a period of months or, in some cases years, and through that detention the Plaintiffs were under the direct custody, care, control and direction of the State of Maryland through its agencies, currently the Department of Juvenile Services.

7. During the time that each Plaintiff was in the direct custody, care, control and direction of the State of Maryland through the Department of Juvenile Services and its other agencies at the Victor Cullen facility, its employees, agents, and contractors, used their positions of trust and authority to sexually abuse and control Plaintiffs.

8. Plaintiffs were abused in a multitude of ways, enduring repeated threats of violence and withholding of privileges and rights, the use of restraints and strip searches, multiple occasions of sexual touching, penetration and other forced acts by not just one predator but sometimes multiple predators, being treated like meat subject to the whims of depraved individuals who acted as though the victims were sexual playthings rather than young children entrusted into their care and custody.

9. This is an action to seek redress for the horrors and harms perpetrated on Plaintiffs and others who endured similar abuse; to recover damages for the abundant and lasting scars – physical and mental – the Plaintiffs have been left with; to punish the perpetrators and to make sure this sort of abuse is never allowed again under the State of Maryland’s watch.

THE PARTIES PLAINTIFF

10. Plaintiffs are former residents or detainees of the Victor Cullen Center, a juvenile detention facility in Sabillasville, Maryland, operated by the State of Maryland through its agencies, including currently the Department of Juvenile Services. While they were in the direct care, control, and custody of the State of Maryland, they were all sexually abused, harassed, and exploited horrifically by the people who were entrusted with their care but treated them as animals.

11. Their collective abuse spans more than five decades, beginning in the early 1970s and continuing until as recently as 2019. At the time of their abuse, Plaintiffs were children ranging in age from 11 to 17.

12. Today, they are between 20 and 64 years of age.

13. Plaintiffs JOHN DOES (VC) 1-8 are now adult residents and citizens of various states, who resided at the Cullen Center in Frederick County, Maryland at relevant times herein.

14. Plaintiffs bring their claims pursuant to the Child Victims Act of 2023, which recognizes that the soul-crushing and sometimes physically debilitating legacy of childhood physical and/or sexual abuse lasts a lifetime.

15. Plaintiffs JOHN DOES (VC) 1-8 file this Complaint under the pseudonyms of John/Jane Does by agreement with and consent of Attorney General of the State of Maryland. The subject matter of the lawsuit could bring embarrassment and publicity to Plaintiffs and/or their families. Plaintiffs are vulnerable to the mental or physical harms of such disclosure.

16. Plaintiffs are all persons who as minors were housed, detained or incarcerated within juvenile justice facilities at the times of the acts complained of herein. Md. Code, Cts. & Jud. Proc. § 3-8A-27 (2002) protects court records pertaining to children as confidential. Those records cannot be divulged except by order of the court upon good cause shown, or other

inapplicable circumstances. Here, identification of Plaintiffs by name would automatically breach that confidentiality.

17. Plaintiffs cannot be lawfully forced to disclose protected information as a requisite to asserting their claims for childhood sexual abuse.

18. Further, publication of the intimate and private material this case involves risks humiliation and embarrassment to Plaintiffs and their families. The ability to proceed by pseudonym provides some comfort and assurance as they pursue these claims. For many Plaintiffs, forced disclosure of their identities would amplify and exacerbate the injuries they have suffered. If not permitted to proceed under pseudonyms, these Plaintiffs would be forced to choose between suffering further mental and emotional harm and pursuing their legal rights.

19. Additionally, forced disclosure of Plaintiffs' identities would have a chilling effect on other similarly injured persons who are considering coming forward with their claims. Fear of embarrassment and repercussions in their personal and professional lives may cause them to remain silent regarding their experiences.

20. The public interest in the disclosure of Plaintiffs' identities is minimal.

21. As demonstrated by the Attorney General's stipulation, Defendant would not be unduly prejudiced by allowing Plaintiffs to proceed anonymously. Any potential prejudice will be mitigated by the confidential disclosure of Plaintiffs' actual identities.

THE DEFENDANT AND ITS AGENCIES

22. Defendant, the State of Maryland ("the State" or "Defendant"), enforces Maryland's laws through its Executive Branch, consisting of various officers and agencies as authorized by Maryland's Constitution and its laws. Among the laws enforced by the State of

Maryland are those governing the management, supervision and treatment of youth involved in the State's juvenile justice system.

23. From 1969 to 1987, the Juvenile Services Agency within the Department of Health and Mental Hygiene ("DHMH") was responsible for the management, supervision and treatment of youth who were involved in the juvenile justice system. DHMH was renamed the Department of Health in 2017.

24. In 1987, the Juvenile Services Agency ("JSA") was reorganized as an independent agency. JSA assumed responsibility from DHMH for the management, supervision and treatment of youth who were involved in the juvenile justice system from 1987 to 1989.

25. In 1989, the State General Assembly established the Department of Juvenile Justice ("DJS") to assume responsibility for the management, supervision and treatment of youth who were involved in the juvenile justice system from 1989 to present. Between 1995 and 2003 DJS operated under the name "Department of Juvenile Justice." In 2003, the General Assembly reverted DJS back to its original name.

26. Within its broader mandate to manage, supervise, and treat youth who are involved in the juvenile justice system in Maryland, DJS is responsible for operation of Maryland's secure juvenile detention facilities.

27. DJS currently oversees six juvenile detention centers, and four committed placement centers, Victor Cullen Center among them. Two additional centers have been closed.

JURISDICTION AND VENUE

28. During the relevant period, the State of Maryland managed, supervised, and treated youth involved in the State's juvenile justice system through the agencies listed above. Each of

those agencies conducts or conducted business in Frederick County, Maryland during the relevant period.

29. Venue in this Court is proper under Md. Code, Cts. & Jud. Proc. § 6-201, because Defendant “carries on a regular business” in this County.

30. Venue is also proper in this Court under Md. Code, Cts. & Jud. Proc. § 6-202(8) because Plaintiffs bring negligence claims “[w]here the cause of action arose.” The events alleged occurred here.

31. Defendant is subject to the Maryland Tort Claims Act.

32. This action arises from claims of sexual abuse as defined in Md. Code, Cts. and Jud. Proc. § 5-117 and is exempt from the Maryland Tort Claims Act requirement to submit claims to the State Treasurer. Md. Code, State Gov’t § 12-106(a)(2).

33. Plaintiffs’ claims are not time-barred because they arise from incidents of sexual abuse that occurred while the victims were minors. Md. Code, Cts. & Jud. Proc. § 5-117(b).

34. The amount in controversy exceeds the jurisdictional minimum of \$30,000.

THE DUTIES OF THE DEPARTMENT OF JUVENILE SERVICES

35. DJS holds itself out as “a child-serving agency responsible for assessing the individual needs of referred youth and providing intake, detention, probation, commitment, and after-care services.” According to its website, the Vision of the Department is, “Successful Youth, Strong Leaders, Safer Communities.” The Goals of the Department are to “[i]mprove positive outcomes for justice-involved youth, to only use incarceration when necessary for public safety, to keep committed and detained youth safe while delivering services to meet youth needs, to ensure a continuum of care for justice-involved youth that is age- and developmentally-appropriate, to

build, value, and retain a diverse, competent, and professional workforce and to enhance the quality, availability, and use of technology to improve services for staff, youth, and families.”

36. DJS is also the administrative agency of the State charged with setting standards for juvenile detention facilities that are operated both by DJS as well as private agencies. Md. Code Ann., Hum. Servs. § 9-237. The standards reflect adherence to three critically important central purposes of juvenile detention. These being 1.) to protect the public; 2.) to provide a safe, humane, and caring environment for children; and 3.) to provide access to required services for children. *Id.*, at (b)(1)-(3).

37. Among the specific standards, there are provisions that seek to eliminate the unnecessary use of detention, establish population limits for juvenile detention facilities, sets staffing ratios; provide for staff qualifications and training to recognize and report child abuse and neglect; protect a juvenile’s right to privacy; prohibit excessive force against a child and impose auditing and monitoring of programs and facilities. *Id.*, at (c)(1)-(12).

38. DJS is statutorily obligated to establish regulations applicable to its residential facilities that “prohibit [the] abuse of a child,” and to adopt regulations that require each State residential program to provide “a safe, humane, and caring environment.”

39. DJS has additional non-discretionary statutory obligations related to the hiring and training of its employees. DJS must set “minimum . . . qualifications and standards of training and experience for the positions in the Department,”⁹⁰ and on or before the first day of employment with the Department must complete “a federal and State criminal history records check” for each employee.

40. Finally, DJS has non-discretionary statutory obligations to “adopt a code of conduct for staff of the Department; and . . . require each private agency under contract with the Department

to adopt a code of conduct for its staff that is in substantial compliance with the code of conduct for staff of the Department.”

41. DJS promulgated its own regulations, ostensibly to comply with its constitutional and statutory obligations. These regulations provide that acts of abuse are prohibited at DJS facilities, including both physical abuse and sexual abuse. DJS regulations also govern the Department’s hiring and training practices.

42. Despite its obligations, and in violation of state law and its own regulations, DJS knew of the incidents, reports, and culture of abuse at the Cullen Center during its years of operation but failed to meet the minimum conditions required for its facilities by the U.S. and Maryland Constitutions and its own authorizing statutes.

43. The failure to address and remediate the harms identified in the myriad internal and external investigations into the abuse and neglect of children at the Victor Cullen Center and other facilities directly enabled the sexual abuse of the Plaintiffs.

THE STATE’S COMMITMENT TO THE PREVENTION OF THE ABUSE OF JUVENILES IN ITS FACILITIES

44. The 14th Amendment of the U.S. Constitution requires states to provide confined juveniles with reasonably safe conditions of confinement and must protect juveniles from physical assault and the use of excessive force by staff.

45. The Maryland Constitution provides similar protections to individuals in State custody, including juveniles.

46. In addition to the federal and state Constitutions, there can be no question that one of our state’s greatest moral obligations is to the prevention of child abuse and the protection of children from all forms of abuse, but particularly sexual abuse. This is why Maryland mandates that anyone who suspects abuse or neglect has an obligation to report that suspicion and provides

immunity to them for acting in good faith with that obligation. See Md. Code Ann., Family Law § 5-702. In addition, like many states, Maryland specifies that certain professionals and workers must report whenever they have a reason to believe that a child has been subjected to abuse or neglect. *Id.*, at 5-704(a).

47. Staff members in a juvenile detention center are expressly among those positions that must report such abuse to the head of their institutions, being required to make both an oral report as well as a written report to their appropriate department and law enforcement agencies and officers.

48. Over the last several decades, amid repeated reports of abuse at several detention centers, the State has conducted numerous investigations into DJS operations.

49. In the 2000s, following a series in the Baltimore Sun, a Juvenile Justice Monitoring Unit (“JJMU”) was established within the Office of the Maryland Attorney General. From 2010 to the present day the JJMU has issued quarterly reports on incidents within Maryland’s juvenile detention facilities. These quarterly reports do not specifically categorize incidents of staff physical or sexual abuse. However, the reports have documented a troubling volume of problems such as the excessive use of restraints on children, strip searches, programmatic failures, and incidents of suicide ideation, gestures, attempts or behavior throughout Maryland’s juvenile detention facilities, including the Victor Cullen Center.

THE VICTOR CULLEN CENTER

50. The Victor Cullen Center was built in 1907 as the first state-funded tuberculosis sanatorium in Maryland, called Hilltop State Hospital. Nestled between the mountains of western Maryland, the facility was later renamed in honor of Dr. Victor F. Cullen, a specialist in the treatment of tuberculosis who ran the Center with “great economy.” In 1965 the building was

repurposed into a “reform school” for boys – and its long history as a place of healing and recovery soon came to an end.

51. In 1967, the U.S. Department of Health, Education and Welfare conducted an investigation of the Maryland juvenile detention system, finding it “too large” and marked by “an overuse of institutionalization,” leading to the first of what would be many recommendations for Maryland to establish community-based programs for delinquent youth capable of being treated in the community.

52. In 1973, the NAACP Legal Defense and Educational Fund struck the same themes, warning that Maryland’s secure training schools confined too many children who did not belong in secure detention and recommending that the large training schools like Victor Cullen be “phased out and replaced by a variety of community-based facilities.

53. By 1974, Victor Cullen had a reputation for wayward teenaged boys escaping the facility. In response to complaints from the neighboring community, the state shut Victor Cullen down.

54. In 1991, however, the state, grappling with how to handle its juvenile offender population, hired Youth Services International to reopen Victor Cullen as a boot camp-style facility that somehow was also supposed to provide treatment for mental health issues and addiction.

55. The juvenile detention facilities in Maryland which were operated by YSI and/or its associated or successor entities including Correctional Services Corp. (“CSC”), were known for unyielding brutal punishment.

56. A series in the Baltimore Sun in 1999 described the abusive tactics in detail including reports of juveniles assaulted routinely, even at times while shackled and unable to resist or protect themselves in any way.

57. It took so long for these illegal and damaging practices to come to light because there were so few institutional protections in place – first, to prevent abuse and second, to make sure injuries to children at Victor Cullen and other detention facilities were being properly reported.

58. In 1999, an investigation by the Baltimore Sun found that more than 200 reports of physical abuse had been altered, destroyed or simply not filed at Victor Cullen.

59. In December 1999, then-Gov. Parris Glendening shut down Maryland’s boot camps, proclaiming, “Violence will not be tolerated.” The state secretary of juvenile justice and other top officials lost their jobs. The Governor indicated a new day had arrived in Maryland’s juvenile justice system.

60. But by June of 2000, escapes from Victor Cullen continued. So did reports of staff-on-resident violence.

61. Two teenagers at Victor Cullen rappelled from their third-floor holding cell window using clothing and bed linens. They were apprehended four hours later and returned before Victor Cullen staff ever noticed they were missing – despite the secure facility’s duty to check on residents every fifteen minutes 24 hours a day.

62. In 2001, follow-up stories in the Baltimore Sun revealed that 124 youths from Victor Cullen had been treated at Frederick Memorial Hospital, most for “altercations” with employees of the facility. Their injuries included excessive bleeding from a nose, pain and tingling in an arm and should, “teeth went into lip,” and numerous suicide attempts.

63. Yet another investigation at Victor Cullen verified that staff in the Silver Charm Cottage, which housed boys with substance abuse problems, ran a gladiator-style “Saturday Morning Fight Club,” which pitted teens with addictions against one another to settle disputes – and entertain the staff.

64. One of the staff members responsible had been hired to care for young men with substance abuse issues despite a criminal history of selling drugs himself.

65. Rather than own the problem, Maryland’s new secretary of juvenile services, Bishop Robinson, went on the offensive, claiming that the reports of abuse and impropriety were overblown. He claimed only two young men had been treated at Frederick Memorial Hospital. In fact, only two hospital visits had been paid for by Victor Cullen; the rest were paid by the children’s insurance.

66. Among those calling for the creation of a citizens’ oversight committee were Secretary Schiraldi, then-executive director of a non-profit devoted to juvenile justice issues: “It’s extremely disappointing that the administration is spending its time trying to discredit reports of the violence rather than working to end it, especially when it’s pretty well accepted by everybody involved that those facilities are loaded with problems.”

67. Again, promises were made; change did not follow.

68. A two-year study at two other Maryland juvenile detention centers found evidence of frequent beatings and abuse of many boys by staff members and other youth. The study resulted in a report that found the facilities failed to meet minimum constitutional standards for such basic state-required services as suicide prevention, medical treatment and mental health care.

69. In 2007, the Maryland legislature determined that the state’s juvenile detention facilities including Victor Cullen were too large -- the same thing that the US Department of Health

Education and Welfare had found in the 1960s, and the NAACP found in the 1970s. The legislature imposed new caps on enrollment to create smaller community-based facilities, which in turn were supposed to reduce violence and recidivism.

70. Victor Cullen's population was capped at 48 beds and the center because a regional hardware secure treatment center for male youth.

71. Even as the legislature was attempting to reform the state juvenile justice system yet again, the director of detention for the Department of Juvenile Services had to step down barely seven months into his position after acknowledging he had been associated with abuse of children at a Montana boot camp.

72. In 2009, of the committed youth who left state custody, 60 percent were re-arrested within a year. At Victor Cullen, 85 percent were re-arrested, convicted or "graduated" into the adult correctional system.

73. But once again, Victor Cullen and other juvenile facilities fell from the headlines, and the negligent management of the facility led to more violence, and a quiet epidemic of sexual abuse.

74. Between 2010 and 2020, the Maryland Juvenile Justice Monitoring Unit reported on conditions and incidents at Cullen.

75. Between 2014 and 2020 - the only years for which complete data is public - on average, each youth housed at Cullen was forcibly restrained between four and ten times.

76. In 2016, one JJMU report detailed an incident in which a staff member bribed two boys to attack one another. Other staff saw the situation occur yet failed to intervene.

77. In 2017, another JJMU report described a staff member having to be restrained from punching a young resident.

78. In 2018, there were 14 youth-on-youth assaults in the first quarter of the year.

79. A riot by detainees at Victor Cullen resulted in eight young men arrested, new enrollment halted – and a scathing report by the state finding that implicated staff in the riot rather than the young men they were supposed to be supervising.

80. A new director of the facility was installed following the riot, and in January 2019, Victor Cullen Center received recognition from the American Correctional Association and the Commission on Accreditation for Corrections after a three-day review in October. The new director, John Plummer, said much had been improved to enhance security and the overall experience for the teen males in the program. Director Plummer said the main physical change was putting locking systems on the doors, but the program expanded activities “exponentially.”

81. But again, problems persisted.

82. In 2020, a former female employee of Victor Cullen was charged with sex abuse of a minor. The 33-year-old woman was accused of initiating sexual contact with a 17-year-old in the treatment program at the facility on six or seven occasions. When he was released, she contacted him on social media, and picked him up from his home on two occasions and drove him to a location where they engaged in sexual intercourse.

DEFENDANT’S SEXUAL ABUSE OF THE PLAINTIFFS

ABUSE OF JOHN DOE (VC) 1

83. Plaintiff JOHN DOE (VC) 1 was a resident of Cullen when he was 13 years of age. His abuse began in 2001, carried out by an employee of the facility who served as a counselor to the boy. The guard would often enter JOHN DOE (VC) 1’s room during the evenings and touch JOHN DOE (VC) 1’s genitals underneath his underwear and then perform oral sex on him until JOHN DOE (VC) 1 ejaculated. To ensure that JOHN DOE (VC) 1 would not report her actions,

she would bring him cigarettes and steak and cheese sandwiches and allow him to use her phone. JOHN DOE (VC) 1 recalls this happening on at least 20 occasions and recalls it happening to other children living at Cullen.

84. Indeed, on at least three occasions, JOHN DOE (VC) 1 saw other guards sexually assault, and even rape, other young boys, particularly in the showers, where some guards would hold down the young boys while another male anally raped a child.

85. As a direct and proximate result of the counselor's abuse, JOHN DOE (VC) 1 suffers from severe depression and post-traumatic stress disorder, flashbacks, night tremors and has trouble maintaining relationships and controlling his anger. He is currently disabled as a result of losing three fingers in an accident after becoming so irate about the events at Cullen and the impact it has had on his life.

ABUSE OF JOHN DOE (VC) 2

86. Plaintiff JOHN DOE (VC) 2 was 16 years old when his abuse and harassment began by a female officer. JOHN DOE (VC) 2 recalls the officer taking him to the administration building approximately 10 times during 1998 and the officer forcing JOHN DOE (VC) 2 to remove his pants and underwear and sit in a chair. The officer then mounted JOHN DOE (VC) 2 and forced him to penetrate her vagina, even once breaking the arms off of the chair while she engaged in sexual intercourse with the Plaintiff.

87. The officer told him that he repulsed her and threatened the 16-year-old against reporting her abuse to anyone.

ABUSE OF JOHN DOE (VC) 3

88. Plaintiff JOHN DOE (VC) 3 was also 16 years old when his abuse began at the hands of another female counselor. During JOHN DOE (VC) 3's stay at the facility, the officer

would wait until the young boy was alone and then she would approach him, touching and rubbing against him in private areas. Eventually, his abuser became more brazen in her harassment of JOHN DOE (VC) 3, and she began performing oral sex on him and forcing him to penetrate her. This would often happen in the evening and at night and became a regular occurrence. JOHN DOE (VC) 3 estimates this happened on at least 15 occasions.

89. Once, the officer was caught having sex with JOHN DOE (VC) 3 by several other students at Cullen who walked in on the couple. Following that incident, the counselor left the facility and never returned to work. JOHN DOE (VC) 3 was reassigned to the Superintendent, who had no other children assigned to him in any counseling role. As a consequence of the relationship with the counselor, the Superintendent demoted JOHN DOE (VC) 3 to a lower-level housing unit, taking away his right to wear sneakers and effectively lengthening the time remaining to serve in his program. Then, unexpectedly one day and against Cullen rules, JOHN DOE (VC) 3 was suddenly released from the facility and allowed to return to his home. Between the time of being caught and the time of his leaving Cullen, both the residents and other counselors at Cullen would openly talk about the incident where the counselor had been caught having sex with the young man.

ABUSE OF JOHN DOE (VC) 4

90. Plaintiff JOHN DOE (VC) 4 was 15 years old when he was abused and harassed by two different officers while a resident of the facility in 1994.

91. The first officer once escorted JOHN DOE (VC) 4 to the medical unit and on her way, she asked him if he knew how to kiss and if he wanted to kiss. When he said no, she stopped their walk and kissed him anyway, taking her hands and grabbing his penis under his pants in order

to fondle him. On the next occasion, she repeated the acts but this time forced the child to have sexual intercourse with her in a private area.

92. On another occasion, after being injured, a male officer escorted JOHN DOE (VC) 4 to the medical unit and likewise fondled JOHN DOE (VC) 4's penis. On other occasions, the second officer would forcefully penetrate the young boy's anus while in medical transit or in the gym alone.

ABUSE OF JOHN DOE (VC) 5

93. While a resident of Cullen, Plaintiff JOHN DOE (VC) 5 was abused by a counselor on at least three occasions, while the boy was 15 years of age. The counselor would instruct the boy to go into the staff restroom and then she would follow him, pull down his pants and perform oral sex on him and then engage in vaginal intercourse with the boy. To ensure the boy would not report her, the counselor would bring him food from outside the facility and also bring him condoms to use when they had sex.

ABUSE OF JOHN DOE (VC) 6

94. Plaintiff JOHN DOE (VC) 6 was similarly preyed upon by a female counselor on at least 5 occasions while he was 15 to 16 years old. The abuse normally happened in her office, although on one occasion, JOHN DOE (VC) 6 recalls that the counselor walked him around the side of the building where no one could see the two. There, she proceeded to perform oral sex on the boy. It was also not uncommon for the counselor to have three other boys with her at the time, who were instructed to maintain an outlook while she had sex with the plaintiff. Occasionally, she would do the same with the other young men.

95. At times when she was not pursuing sex from him, she would fondle the JOHN DOE (VC) 6's penis wherever she could - on the bus, in her office or in the back hallway of Cullen.

96. As a direct and proximate result of the sexual abuse of JOHN DOE (VC) 6, he has been diagnosed with anxiety and depression and is on medications to treat his symptoms.

ABUSE OF JOHN DOE (VC) 7

97. Plaintiff JOHN DOE (VC) 7 was only 12 years old when his abuser began his torment. He had been confined at Cullen because he was attempting to escape an abusive situation. Instead of saving him from his prior abuser, DJS placed him at Cullen, where he was met with even more systematic abuse. There, his predator, an officer and unit supervisor would approach the young boy while he was in his dorm room. The officer told the boy that he would beat JOHN DOE (VC) 7 physically or have another group of boys do his bidding if the child did not do as he was told. The officer then proceeded to masturbate the boy and to demand that the boy perform oral sex on the officer. Each time that the boy initially refused, the officer threatened him with having other juveniles attack him.

98. As a direct and proximate result of his abuse, JOHN DOE (VC) 7 suffers from substance abuse, severe anxiety, depression and PTSD, with flashbacks, suicidal ideation, and attempted to hang himself while later incarcerated.

ABUSE OF JOHN DOE (VC) 8

99. Plaintiff JOHN DOE (VC) 8 was 15 when another guard began to fondle him. This would sometimes happen in the “dayroom,” which is where the residents could watch television. On several occasions, JOHN DOE (VC) 8 was the last child to leave the room and the guard [Smitty] would ask him to help organize the chairs. As the boy proceeded to do that, the guard would begin to fondle the boy’s penis under his clothes. The guard threatened the boy with a “write up” which would prevent JOHN DOE (VC) 8 from returning to his home.

RESPONDEAT SUPERIOR

100. As principal and/or employer of perpetrators and other offending parties described herein, Defendant is liable for their wrongful acts and omissions under the doctrine of *respondeat superior* and other vicarious liability principles found in the Second Restatement of Agency. Defendant maintained at all times a non-delegable duty to youth in the care and custody of facilities it was charged with managing, overseeing, and operating.

IMMUNITIES

101. While Maryland has partially waived immunity under the Maryland Tort Claims Act as amended by the Child Victims Act, and Md. Ann. Code, State. Gov't., § 12-104(a), to the extent claims herein trigger any governmental immunities, damages are sought only under and up to the amount of insurance coverage available.

102. Each event complained of by each Plaintiff herein caused a distinct injury, and is pled as a separate incident or occurrence.

COUNT I: NEGLIGENCE

103. The preceding paragraphs are incorporated by reference as if set forth in their entirety herein.

104. At relevant times, Defendant was required to appropriately manage, supervise, and treat youth involved in the juvenile justice system in Maryland. It was responsible for all aspects of care, protection and services for youth in their custody, including but not limited to housing, provisions, education, nurture, care and personal safety and protection.

105. Given this level of control over residents' lives, Defendant stood in loco parentis and owed Plaintiffs a heightened duty of care akin to special care or a fiduciary level of care.

106. These duties and obligations are statutorily mandated and are non-delegable. Even though Defendant has, through the years, contracted with third party providers (such as YSI and

Rebound) as agents for some of these services, the ultimate responsibility for oversight, management and operations at all levels of the Victor Cullen Center remains with DJS, as assigned by the Legislature.

107. These duties and obligations require Defendant to meet applicable standards of care for facilities such as the Cullen Center under its operation and control.

108. These duties and obligations extended to all youth residents, and specifically to Plaintiffs.

109. Defendant breached each of these and other duties in one or more of the following ways:

- a. Failing to properly manage and staff facilities;
- b. Failing to supervise youth to ensure they were protected from sexual abuse, both by staff and by fellow youth, while at each facility;
- c. Failing to provide an environment that was free from sexual abuse;
- d. Failing to investigate and respond to youth complaints of sexual abuse;
- e. Failing to provide medical treatment, therapy and/or counseling for youth who were sexually abused in a facility;
- f. Failing to rectify and eliminate sexual abuse, including but not limited to terminating perpetrators and those who knew and contributed to tolerance of the abuse;
- g. Such other failures as may become apparent through further investigation and discovery.

110. Defendant directly breached these duties required by statute and/or applicable standards of care.

111. To the extent that DJS selected and contracted with third-party providers, Defendant was negligent in selecting and contracting with said entities, whom it failed to properly vet to ensure suitability for the critical services to be provided.

112. The exact services third parties were contracted to provide, if they did so at Cullen, are currently unknown to Plaintiffs, who lack access to those contracts, but upon information and belief, such services would have included direct supervision, personal protection and care of youth at Defendant's facilities including but not limited to the Victor Cullen Center.

113. These third-party providers breached the national standards of care applicable to their services to youth, more specifically by hiring, failing to supervise, and continuously retaining unfit staff who perpetrated upon youth as set forth with specificity above.

114. The acts and omissions of any third-party providers, as well as individual perpetrators are imputable to DJS as principal/employer and holder of these non-delegable duties.

115. The acts and omissions of any third-party providers selected and paid by Defendant are imputable to Defendant as principal/employer and holder of these non-delegable duties.

116. As a direct and proximate result of these breaches, or any one or more of them, Plaintiffs were each harmed and suffered losses as follows:

- a. Physical injuries and/or disfigurement, past and continuing into the future;
- b. Severe emotional distress, past and continuing into the future;
- c. Expenses relating to medical care and treatment, past and continuing into the future;
- d. Lost wages and lost opportunities, past and continuing into the future;
- e. Other economic losses, past and continuing into the future;
- f. Loss of enjoyment of life, past and continuing into the future;
- g. Litigation costs and expenses;

- h. Prejudgment and post judgment interests at the legally proscribed rates;
- i. Plaintiffs seek an award of attorney's fees as permissible by Md. R. Civ. Pro. Cir. Ct. 2-702 and 2-703(b) and other applicable authorities; and
- j. Such other relief as the Court may deem appropriate or as may be uncovered through further investigation and discovery.

COUNT II: NEGLIGENT HIRING, SUPERVISION, AND RETENTION

117. The preceding paragraphs are incorporated by reference as if set forth in their entirety herein.

118. Defendant had statutory, mandated, non-delegable duties in regard to hiring staff at all levels within its management and operation of juvenile justice facilities, including the Victor Cullen Center. Md. Code, Hum. Servs. § 9-201 et seq.

119. Defendant directly hired individuals at executive levels to oversee, manage and operate juvenile justice facilities including the Victor Cullen Center.

120. In addition, Defendant selected and hired both direct employees and third-party agents and providers (such as YSI and/or possibly others) to oversee, manage, and operate the Victor Cullen Center.

121. Defendant paid those employees, agents and/or providers to undertake these tasks, directly or indirectly, such that Defendant stood in the place of a principal and employer as to each of them.

122. Defendant had a non-delegable duty to ensure that only qualified and competent staff were hired at all levels to serve and protect the residents at the Victor Cullen Center and other facilities under its control.

123. Defendant breached this duty and others by hiring, either directly or through third-party providers, not only unqualified and incompetent executives, providers and staff, but in some

cases dangerous individuals with known criminal backgrounds and/or readily ascertainable histories of abusing youth in other facilities.

124. Defendant had actual or constructive knowledge of these providers' and individuals' incompetence and/or dangerous propensities.

125. Defendant would have known of these providers' and individuals' proclivities if they had undertaken an appropriate background search in connection with hiring them or vetting them prior to granting them access to youth in their care, including Plaintiffs.

126. Defendant had a further non-delegable duty to monitor and supervise staff at all levels within its operation of the Victor Cullen Center and other facilities under its control to ensure that services and protections were afforded to youth in its care, including Plaintiffs.

127. Defendant breached this duty by failing to monitor and supervise their direct staff and the performance of third-party providers and their staff to ensure that sexual abuse was not occurring.

128. Defendant and/or its selected third-party providers breached this duty by failing to investigate complaints both by youth residents and by independent evaluators that staff and youth at the Victor Cullen Center and other facilities under their control were perpetrating sexual abuse upon residents, including Plaintiffs.

129. Defendant and its selected third-party providers each had a duty to retain only safe and qualified staff to serve youth in their care, and to terminate any staff who sexually abused a youth.

130. Defendant and/or its selected third-party providers breached this duty by continuously retaining both its direct staff members and third-party providers' staff members

whom they knew or should have known had dangerous propensities and/or had sexually abused youth.

131. Each of these breaches violated Defendant's statutorily mandated duties and applicable standards of care, as well as standards of care applicable to third-party providers.

132. Defendant had the power to terminate its direct employees and, at minimum, power to terminate its contract with any third-party provider who failed to protect youth from sexual abuse.

133. Defendant failed to exercise this power and was negligent in both the supervision and retention of its direct employees and those of the third-party providers with whom it contracted.

134. Defendant failed to promptly terminate the contracts with third-party providers despite actual or constructive knowledge of the sexual abuse the providers' staff were perpetrating upon youth, including Plaintiffs.

135. Had Defendant acted appropriately and not failed in any one or more of the above duties of hiring, supervising, and/or retaining proper staff, the harm to Plaintiffs would have been prevented and they would not have been injured.

136. Had Defendant's selected third-party providers acted appropriately and not failed in any one or more of the above duties of hiring, supervising and/or retaining proper staff, the harm to Plaintiffs would have been prevented and they would not have been injured.

137. The acts and omissions employees, staff, and/or agents, employees as well as those of its selected third- party providers is imputable to Defendant.

138. As a direct and proximate result of these breaches, or any one or more of them, Plaintiffs were each harmed and suffered losses as follows:

- a. Physical injuries and/or disfigurement, past and continuing into the future;
- b. Severe emotional distress, past and continuing into the future;
- c. Expenses relating to medical care and treatment, past and continuing into the future;
- d. Lost wages and lost opportunities, past and continuing into the future;
- e. Other economic losses, past and continuing into the future;
- f. Loss of enjoyment of life, past and continuing into the future;
- g. Litigation costs and expenses;
- h. Prejudgment and post judgment interests at the legally proscribed rates;
- i. Plaintiffs seek an award of attorney's fees as permissible by Md. R. Civ. Pro. Cir. Ct. 2-702 and 2-703(b) and other applicable authorities; and
- j. Such other relief as the Court may deem appropriate or as may be uncovered through further investigation and discovery.

COUNT III: NEGLIGENT FAILURE TO TRAIN AND EDUCATE

139. The preceding paragraphs are incorporated by reference as if set forth in their entirety herein.

140. Defendant, as custodian in *loco parentis* of Plaintiffs, owed a special duty of care and/or was in a fiduciary relationship with Plaintiffs, who were vulnerable, otherwise unaccompanied minors in its residential facilities.

141. Defendant also had a special duty of care to ensure Plaintiffs' safety and well-being due to Defendant's non-delegable and non-discretionary duties as the state agency charged with overseeing Maryland's juvenile detention centers.

142. Among those duties, Defendant had a duty to take reasonable measures to protect the Plaintiffs and other children from sexual abuse.

143. Defendant also had a duty to properly train and educate its staff/employees/agents at all levels to protect Plaintiffs and to prevent them from being sexually abused.

144. While Defendant was permitted to hire third- party providers to carry out its work, Defendant retained at all times a duty to ensure that the staff of third- party providers were properly trained in regard to protecting children from sexual abuse.

145. Because these duties originate by statute and at the direction of the Maryland Legislature, Defendant cannot fully abdicate the ultimate responsibility to protect minors in its care, even when it hires third -party providers.

146. Defendant or others acting on its behalf or under its direction or control (both direct and third-party providers), breached these duties to Plaintiffs by, among other things:

- a. Failing to protect Plaintiffs from sexual abuse while in its facilities;
- b. Failing to properly train or educate its staff, employees, and/or agents (direct and third parties) on behaviors constituting sexual abuse by staff and/or among residents;
- c. Failing to properly train or educate its staff, employees, and/or agents (direct and third parties) on how to uncover and recognize sexual abuse;
- d. Failing to properly train or educate its staff, employees, and/or agents (direct and third parties) on how to monitor the facilities to prevent sexual abuse;
- e. Failing to properly train or educate its staff, employees, and/or agents (direct and third parties) on how to establish and maintain proper channels whereby residents could report abuse;
- f. Failing to properly train or educate its staff, employees, and/or agents (direct and third parties) on how to investigate allegations of sexual abuse;

- g. Failing to properly train or educate its staff, employees, or agents (direct and third parties) on how to respond to, document, and report allegations of sexual abuse; and
- h. In such other ways as may become apparent through further investigation and discovery.

147. Defendant knew or should have known, and it was foreseeable in these circumstances, that it had created an opportunity for vulnerable children (including Plaintiffs) to be sexually abused.

148. As a direct and proximate result of these breaches, or any one or more of them, Plaintiffs were each harmed and suffered losses as follows:

- a. Physical injuries and/or disfigurement, past and continuing into the future;
- b. Severe emotional distress, including pain and suffering, past and continuing into the future;
- c. Expenses relating to medical care and treatment, past and continuing into the future;
- d. Lost wages and lost opportunities, past and continuing into the future;
- e. Other economic losses, past and continuing into the future;
- f. Loss of enjoyment of life, past and continuing into the future;
- g. Litigation costs and expenses;
- h. Prejudgment and post judgment interests at the legally proscribed rates;
- i. Plaintiffs seek an award of attorney's fees as permissible by Md. Rule 2-702 and 2-703(b) and other applicable authorities; and
- j. Such other relief as the Court may deem appropriate or as may be uncovered through further investigation and discovery.

COUNT IV: GROSS NEGLIGENCE

149. The preceding paragraphs are incorporated by reference as if set forth in their entirety herein.

150. Defendant maintained at all times a manifest duty to hire safe and qualified individuals, to supervise them properly, and to terminate any employee or staff who posed a danger to or sexually abused a youth. This was equally true in regard to direct hires and anyone employed by third party providers.

151. In turn, all third-party providers had a duty to hire and retain only qualified staff to serve youth in Defendant's facilities.

152. Defendant and its selected third-party providers, separately and jointly, intentionally failed to act on literally decades of complaints and allegations both from youth residents and independent evaluators which informed them that numerous staff had, and were continuing to, perpetrate sexual abuse upon the youth in their care.

153. These failures were in reckless disregard of the grave consequences to youth, including Plaintiffs, which damaged them in body, mind, and their abilities to thrive and enjoy normal lives, as set forth with particularity above.

154. As such, Defendant and its selected third-party providers, or one or more of them, were grossly negligent in failing to perform their statutorily mandated, nondelegable and assumed duties to protect Plaintiffs and other youth from sexual abuse.

155. As a result of this gross negligence, the sexual abuse at the Victor Cullen Center was tolerated, and proliferated among more and more staff as years went on.

156. As a direct and proximate result of these breaches, or any one or more of them, Plaintiffs were each harmed and suffered losses as follows:

- a. Physical injuries and/or disfigurement, past and continuing into the future;
- b. Extreme emotional distress, past and continuing into the future;
- c. Expenses relating to medical care and treatment, past and continuing into the future;
- d. Lost wages and lost opportunities, past and continuing into the future;
- e. Other economic losses, past and continuing into the future;
- f. Loss of enjoyment of life, past and continuing into the future;
- g. Litigation costs and expenses;
- h. Punitive damages;
- i. Prejudgment and post judgment interests at the legally proscribed rates;
- j. Plaintiffs seek an award of attorney's fees as permissible by Md. R. Civ. Pro. Cir. Ct. 2-702 and 2-703(b) and other applicable authorities; and
- k. Such other relief as the Court may deem appropriate or as may be uncovered through further investigation and discovery.

COUNT V: PREMISES LIABILITY

157. Plaintiffs incorporate and reallege all paragraphs of this Complaint into this Count.

158. Plaintiffs were tenants or invitees of Defendant while within its residential custody and on its premises.

159. Defendant owed Plaintiffs a duty to use reasonable care under all circumstances in the maintenance and operation of the premises, and to take reasonable precautions to protect Plaintiffs against foreseeable dangers arising out of the arrangements or use of the premises.

160. Defendant knew or should have known of the risk that its staff, employees, and/or agents (either its direct hires, or those of its selected third-party providers) might sexually abuse

tenants/invitees such as Plaintiffs, and therefore had a duty to take reasonable measures to eliminate the conditions contributing to sexual abuse.

161. Defendant had a specific and non-delegable duty to provide reasonable security measures to eliminate conditions contributing to foreseeable harm such as sexual abuse.

162. Defendant had prior knowledge of sexual abuse occurring on the premises of its various facilities, as evidenced by past events cited above. This created a duty to eliminate the risk that sexual abuse would recur.

163. In the alternative, Defendant had a duty to prevent sexual abuse by specific persons whom it knew or should have known had sexual predatory tendencies; those being its staff, employees, and/or agents (direct and those of its selected third-party providers) and/or residents who perpetrated sexual abuse upon Plaintiffs.

164. In the alternative, Defendant had a duty to prevent sexual abuse of residents based on its knowledge of like events occurring within its various facilities (and others staffed by its selected third- party providers) prior to the actual sexual abuse of Plaintiffs, all of which made imminent harm foreseeable.

165. Defendant breached its duties and created a foreseeable risk of harm by, among other things:

- a. Failing to properly protect Plaintiffs, then minors, from sexual abuse and harassment;
- b. Improperly protecting Plaintiffs, then minors, from sexual abuse and harassment;
- c. Failing to investigate, correct, and/or otherwise address the openly pervasive environment of sexual abuse and harassment of its residents;

- d. Ignoring and/or otherwise failing to properly address complaints about numerous instances of sexual assaults occurring in Cullen;
- e. Failing to promptly report Plaintiffs' sexual assaults to the authorities;
- f. Failing to take any action to prevent retaliation against Plaintiffs after their assaults were reported to Cullen;
- g. Failing to conduct an exit interview with Plaintiffs when they left Cullen;
- h. Failing to supervise, monitor, and/or train staff to handle reports of sexual assault appropriately and adequately;
- i. Retaliating against Plaintiffs for reporting that they were sexually assaulted by subjecting them to arbitrary, capricious, and unwarranted "discipline" for pretextual reasons that masked the discriminatory nature of the facilities' treatment of them; and
- j. In such other ways as may become apparent through further investigation and discovery.

166. Defendant knew or should have known that its acts and omissions created an opportunity and unreasonable risk for Plaintiffs to be sexually abused.

167. Defendant's conduct was wanton, malicious, or oppressive, or Defendant disregarded or exhibited reckless indifference to the foreseeable risks of harm and acted with ill will, hatred, hostility, a bad motive, or the intent to abuse its power.

168. As a direct and proximate result of these breaches, or any one or more of them, Plaintiffs were each harmed and suffered losses as follows:

- a. Physical injuries and/or disfigurement, past and continuing into the future;
- b. Severe emotional distress; past and continuing into the future;

- c. Expenses relating to medical care and treatment, past and continuing into the future;
- d. Lost wages and lost opportunities, past and continuing into the future;
- e. Other economic losses, past and continuing into the future;
- f. Loss of enjoyment of life, past and continuing into the future;
- g. Litigation costs and expenses;
- h. Prejudgment and post judgment interests at the legally proscribed rates;
- i. Plaintiffs seek an award of attorney's fees as permissible by Md. R. Civ. Pro. Cir. Ct. 2-702 and 2-703(b) and other applicable authorities; and
- j. Such other relief as the Court may deem appropriate or as may be uncovered through further investigation and discovery.

**COUNT VI: ARTICLE 24 MARYLAND DECLARATION OF RIGHTS –
SUBSTANTIVE DUE PROCESS**

169. The proceeding paragraphs are incorporated as though fully set forth herein.

170. Plaintiffs have a substantive due process right to bodily autonomy under Article 24 of the Maryland Declaration of Rights.

171. The Maryland Constitution and principles of *respondeat superior* require the Defendant to avoid Constitutional violations by its employees, staff and agents through adequate training and supervision and by disciplining employees, staff and agents for unlawful conduct.

172. The perpetrators of repeated acts of sexual abuse against Plaintiffs acted under color of the laws of the State of Maryland in their role as employees, staff, or agents responsible for the management and operation of the Cullen Center.

173. All the perpetrators' actions occurred within the course of their duty and within the scope of their employment at the Cullen Center.

174. Plaintiffs have a substantive due process right to bodily autonomy.

175. The perpetrators repeatedly acted deliberately and with intent to violate Plaintiffs' rights under Article 24.

176. Defendant is vicariously liable for the perpetrators' violations of Plaintiffs' rights under Article 24.

177. Defendant therefore deprived Plaintiffs of their right to bodily autonomy under Article 24 when the perpetrators repeatedly sexually abused Plaintiffs.

178. As a direct and proximate cause of Defendant's unconstitutional conduct, Plaintiffs were deprived of their substantive due process right to bodily autonomy.

179. As a direct and proximate result of Defendants' unconstitutional conduct, or any one or more of them, Plaintiffs were each harmed and suffered losses as follows:

- a. Physical injuries and disfigurement, past and continuing into the future;
- b. Severe emotional distress, past and continuing into the future;
- c. Expenses relating to medical care and treatment, past and continuing into the future;
- d. Lost wages and lost opportunities, past and continuing into the future;
- e. Other economic losses, past and continuing into the future;
- f. Loss of enjoyment of life, past and continuing into the future;
- g. Litigation costs and expenses;
- h. Prejudgment and post judgment interests at the legally proscribed rates;
- i. Plaintiffs seek an award of attorney's fees as permissible by Md. R. Civ. Pro. Cir. Ct. 2-702 and 2-703(b) and other applicable authorities; and
- j. Such other relief as the Court may deem appropriate or as may be uncovered through further investigation and discovery.

**COUNT VII: ARTICLE 24 MARYLAND DECLARATION OF RIGHTS – PATTERN
AND PRACTICE (LONGTIN CLAIM)**

180. The proceeding paragraphs are incorporated as though fully set forth herein.

181. It is the custom and practice of the Defendant to permit its employees, staff, and/or agents to violate children's substantive due process rights to bodily integrity by physically and sexually abusing them.

182. Defendant failed to properly train and supervise Cullen Center employees, staff, and/or agents to prevent those repeated Constitutional violations.

183. Defendant's failure to properly train and supervise its Cullen Center employees, staff, and/or agents demonstrated gross disregard for Plaintiffs' Constitutional rights.

184. Defendant's failure to train and supervise Cullen Center employees, staff, and/or agents is patently obvious from the repeated sexual abuse that Plaintiffs and other children at Cullen Center have experienced for decades.

185. As a result of the failure to train and supervise, and the permitted pattern of practice at Cullen Center, Defendant's employees, staff, and/or agents were allowed to sexually assault children.

186. Defendant's Cullen Center employees, staff, and/or agents failed to report these incidents of reckless and intentional unlawful conduct, and Defendant lacked effective procedures to control or monitor its Cullen Center employees, staff, and/or agents who had a pattern or history of unlawful behavior.

187. Defendant caused its Cullen Center employees, staff, and/or agents to believe that unlawful sexual abuse would not be aggressively, honestly, and properly investigated.

188. Defendant should have foreseen that such a policy would promote illegal and unconstitutional behavior.

189. This custom and practice directly and proximately caused Plaintiffs' Constitutional injury.

190. As a direct and proximate result of Defendants' unconstitutional conduct, or any one or more of them, Plaintiffs were each harmed and suffered losses as follows:

- a. Physical injuries and disfigurement, past and continuing into the future;
- b. Severe emotional distress, past and continuing into the future;
- c. Expenses relating to medical care and treatment, past and continuing into the future;
- d. Lost wages and lost opportunities, past and continuing into the future;
- e. Other economic losses, past and continuing into the future;
- f. Loss of enjoyment of life, past and continuing into the future;
- g. Litigation costs and expenses;
- h. Prejudgment and post judgment interests at the legally proscribed rates;
- i. Plaintiffs seek an award of attorney's fees as permissible by Md. R. Civ. Pro. Cir. Ct. 2-702 and 2-703(b) and other applicable authorities; and
- j. Such other relief as the Court may deem appropriate or as may be uncovered through further investigation and discovery.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray unto the Court:

1. Enter judgment against Defendant in favor of the Plaintiffs for a sum in excess of \$30,000, jointly and severally;
2. For a trial by jury on all issues so triable;
3. That the costs, including expert witness fees, of this action be taxed against Defendant;

4. Pre-judgment interest and post-judgment interest;
5. For reasonable attorneys' fees as allowed by law; and
6. For such other and further relief as the Court deems just and proper.

This the 1st day of October, 2023.

Respectfully submitted,

BAILEY GLASSER LLP



Cary L. Joshi (SBN 1806070002)
Brian A. Glasser*
1055 Thomas Jefferson Street NW
Suite 540
Washington, DC 20007
Phone: (202) 463-2101
Fax: (202) 463-2103
cjoshi@baileyglasser.com
bglasser@baileyglasser.com

Sharon F. Iskra*
209 Capitol Street
Charleston, WV 25301
Phone: (304) 645-6555
Fax: (304) 342-1110
siskra@baileyglasser.com

David Selby*
3000 Riverchase Galleria
Suite 905
Birmingham, AL 35244
Phone: (205) 988-9253
Fax: (205) 733-4896
dselby@baileyglasser.com

D. Todd Mathews*

210 W. Division St.
Suite 2
Maryville, IL 62062
Phone: (618) 418-5180
Fax: (314) 863-5483
tmathews@baileyglasser.com

RHINE LAW FIRM, P.C.

Joel R. Rhine*
Martin A. Ramey*
Ruth A. Sheehan*
Elise H. Wilson*
1612 Military Cutoff Road, Suite 300
Wilmington, NC 28405
Phone: (910) 772-9960
Fax: (910) 772-9062
jrr@rhinelawfirm.com
mjr@rhinelawfirm.com
ras@rhinelawfirm.com
ehw@rhinelawfirm.com

WALSH LAW PLLC

Alexandra M. Walsh (SBN 0409300007)
Samuel A. Martin*
14 Ridge Square NW
Third Floor
Washington, DC 20016
Phone: (202) 780-3014
Fax: (202) 780-3678
awalsh@alexwalshlaw.com
smartin@alexwalshlaw.com

Kimberly J. Channick*
13428 Maxella Avenue
Suite 203
Marina Del Rey, CA 90292
Phone: (202) 780-3014
Fax: (202) 780-3678
kchannick@alexwalshlaw.com

DICELLO LEVITT LLP

Mark A. DiCello*
Justin S. Abbarno*
Nicholas Horattas*

8160 Norton Parkway, Third Floor
Mentor, OH 44060

Phone: (440) 953-8888 Fax:
(440) 953-9138

madicello@dicellolevitt.com

jabbarno@dicellolevitt.com

nhorattas@dicellolevitt.com

**Pro hac vice forthcoming*

Attorneys for Plaintiffs