

IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI

**KRISTI RICE, individually and as the
Personal Representative of the Estate of
LOGAN LEBLANC**

Plaintiffs,

v.

LIBERTY 53 SCHOOL DISTRICT

**Serve: Dr. Jeremy Tucker
Superintendent
8 Victory Lane
Liberty, MO 64068**

And

PRECIOUS KURTH

**Serve at: 1000 NE 104th St.
Liberty, MO 64068**

And

LEE ALLEN

**Serve at: 1000 NE 104th St.
Liberty, MO 64068**

And

JOSHUA BALDWIN

**Serve at: 1000 NE 104th St.
Liberty, MO 64068**

And

JILL BROCK

**Serve at: 1000 NE 104th St.
Liberty, MO 64068**

And

**Case No.
Div.**

NEIL CORRISTON
Serve at: 1000 NE 104th St.
Liberty, MO 64068

And

SUSAN LYNN
Serve at: 1000 NE 104th St.
Liberty, MO 64068

And

MATT BARNARD
Serve at: 1000 NE 104th St.
Liberty, MO 64068

Defendants.

PETITION FOR DAMAGES

Plaintiffs Kristi Rice, individually, and on behalf of her deceased son, Logan LeBlanc, by and through counsel of record, for their causes of action against Liberty 53 School District, Precious Kurth, Lee Allen, Josh Baldwin, Jill Brock, Neil Corriston, Susan Lynn, and Matt Barnard (all Defendants collectively referred to as “Defendants”), hereby states and alleges as follows

NATURE OF THE CASE

1. Liberty has a Suicide Awareness and Prevention policy that states at the outset “Suicide is a leading cause of death among youths in Missouri and is a public health concern impacting all Missouri citizens. The district is committed to maintaining a safe environment to protect the health, safety and welfare of students.”

2. Liberty’s “policy” is nothing more than unenforced words on paper because Logan LeBlanc’s health, safety and welfare suffered when he was within the walls of Liberty North for a year and a half before committing suicide.

3. Despite having policies in place that mandate investigations into bullying and creating teams to support struggling students, Defendants ignored direct reports of bullying and suicidal ideations which, if properly addressed, would have saved Logan's life.

4. Defendants must be held accountable for refusing to adhere to the rules they directed themselves to follow.

PARTIES, JURISDICTION, AND VENUE

5. Plaintiff Kristi Rice ("Rice") is and, at all times relevant hereto, was a resident of Clay County, Missouri and the natural mother of Plaintiff Logan LeBlanc, who is deceased.

6. Logan LeBlanc's ("Logan") date of birth was December 28, 2006.

7. Plaintiff Rice is a member of the class of individuals authorized to pursue a wrongful death claim under § 537.080 R.S.Mo.

8. Defendant Liberty 53 School District (hereinafter "District") is a public school district existing in and organized under the laws and regulations of the State of Missouri. It is charged with the duty of educating and caring for children, including Logan, and with the authority to sue and to be sued in its own name.

9. Upon information and belief, a policy or policies of insurance provide coverage for the District for the acts and omissions alleged herein.

10. At all times relevant hereto, the District acted by and through its agents, servants, and/or employees, actual or ostensible, including but not limited to Defendants Precious Kurth, Lee Allen, Josh Baldwin, Jill Brock, Neil Corriston, Susan Lynn, and Matt Barnard, each of who were acting individually and/or within the course and scope of their employment with the District. Defendant District is liable for their actions and/or inactions described herein under principles of vicarious liability and/or *respondet superior* and under the laws of the State of Missouri.

11. Defendant Precious Kurth (“Kurth” or “Principal”) was the principal for Liberty North High School, and was responsible for the education and safety of all students attending Liberty North High School, including Logan, as well as informing and ensuring that teachers and staff were trained, prepared and equipped to address reports of bullying and concerns of suicide. At all times relevant hereto, the District employed her as Principal, and she acted both individually and within the course and scope of her employment and/or agency. Defendant District is liable for Kurth’s actions and/or inactions described herein under principles of vicarious liability and/or *respondeat superior* and the laws of the State of Missouri.

12. Defendant Lee Allen (“Allen” or “Assistant Principal”) was an Assistant Principal for Liberty North High School, and was responsible for the education and safety of all students attending Liberty North High School, including Logan, as well as informing and ensuring that teachers and staff were trained, prepared and equipped to address reports of bullying and concerns of suicide. At all times relevant hereto, the District employed him as Assistant Principal, and he acted both individually and within the course and scope of his employment and/or agency. Defendant District is liable for Allen’s actions and/or inactions described herein under principles of vicarious liability and/or *respondeat superior* and the laws of the State of Missouri

13. Defendant Joshua Baldwin (“Baldwin”) was an Assistant Principal for Liberty North High School, and was responsible for the education and safety of all students attending Liberty North High School, including Logan, as well as informing and ensuring that teachers and staff were trained, prepared and equipped to address reports of bullying and concerns of suicide. At all times relevant hereto, the District employed him as Assistant Principal, and he acted both individually and within the course and scope of his employment and/or agency. Defendant District is liable for Baldwin’s actions and/or inactions described herein under principles of vicarious liability and/or *respondeat superior* and the laws of the State of Missouri

14. Defendant Jill Brock (“Brock”) was a counselor at Liberty North High School, and was responsible for reporting instances of bullying, intervening against bullying, and reporting behavior that might indicate a potential for self-harm. At all times relevant hereto, the District employed her as a counselor, and she acted both individually and within the course and scope of her employment and/or agency. Defendant District is liable for Brock’s actions and/or inactions described herein under principles of vicarious liability and/or *respondeat superior* and the laws of the State of Missouri

15. Defendant Neil Corrison (“Corrison”) was a counselor at Liberty North High School, and was responsible for reporting instances of bullying, intervening against bullying, and reporting behavior that might indicate a potential for self-harm. At all times relevant hereto, the District employed him as a counselor, and he acted both individually and within the course and scope of his employment and/or agency. Defendant District is liable for Corrison’s actions and/or inactions described herein under principles of vicarious liability and/or *respondeat superior* and the laws of the State of Missouri.

16. Defendant Susan Lynn (“Lynn”) was Logan’ Spanish teacher at Liberty North High School, and was responsible for reporting instances of bullying, intervening against bullying, reporting behavior that might indicate a potential for self-harm, and following the suicide and prevention procedures outlined in Policy JHDF of the Liberty Board of Education Policies. At all times relevant hereto, the District employed her as a teacher, and she acted both individually and within the course and scope of her employment and/or agency. Defendant District is liable for Defendant Lynn’s actions and/or inactions described herein under principles of vicarious liability and/or *respondeat superior* and the laws of the State of Missouri

17. Defendant Matt Barnard (“Barnard”) was Logan’s math teacher at Liberty North High School and was responsible for reporting instances of bullying, intervening against bullying,

reporting behavior that might indicate a potential for self-harm, and following the suicide and prevention procedures outlined in Policy JHDF of the Liberty Board of Education Policies. At all times relevant hereto, the District employed him as a teacher, and he acted both individually and within the course and scope of his employment and/or agency. Defendant District is liable for Defendant Barnard's actions and/or inactions described herein under principles of vicarious liability and/or *respondeat superior* and the laws of the State of Missouri

JURISDICTION AND VENUE

18. This Court has personal jurisdiction over all the parties hereto and subject matter jurisdiction over the action herein alleged because the unlawful practices alleged in this petition were committed in Liberty, Missouri, which lies in Clay County, Missouri.

19. Venue is proper before this Court pursuant to § 508.010 and § 213.111 of the Statutes of Missouri because this is the county where Logan was first injured by the wrongful acts alleged in this Petition.

GENERAL ALLEGATIONS

District's Policies and Procedures

20. The Liberty Public Schools Board of Education recognized the traumatic impact of bullying and the dangers associated with uncorrected acts of bullying including the possibility of suicide and, as a result, the District drafted and enacted specific Policies related to addressing and correcting bullying and recognizing the signs of suicide and specific actions to take, in hopes of preventing it.

21. Policy JFCF is directed at policies and procedures related to bullying. See **Exhibit A.**

22. Policy JFCF designates the principal of Liberty North High School as the individual to receive and investigate reports of bullying.

23. Policy JFCF demands the principal designate at least two teachers or administrators in the building who are authorized to receive and investigate reports of bullying in the principal's absence or at the principal's discretion.

24. Pursuant to JFCF, within two school days of receiving a report of bullying, the principal or designees must initiate an investigation on the incident.

25. The investigation shall be completed within ten school days of the date the report was received (unless good cause exists to extend the investigation).

26. After the investigation, the principal is entitled to decide whether bullying or harassment occurred, and, if so, whether additional discipline is warranted.

27. Upon making his determination, the principal must generate a written report of the investigation and findings and send a copy of the completed report to the district's antibullying coordinator as well as document the report in the files of the victim and the alleged perpetrator(s).

28. Policy JFCF further explains that school employees are expected to intervene to prevent bullying, appropriately discipline the perpetrator, assist the victim and report the incident to the building principal or designee for further investigation and action. Additionally, any school employee who witnesses or has firsthand knowledge of bullying of a student must report the incident to the building principal or designee no later than two school days after the incident. District employees who violate Policy JFCF will be disciplined up to, or including, termination.

29. JFCF also mandates proactive assistance. For example, school counselors, social workers, mental health professionals, school psychologists or other appropriate district staff are required to educate students who are victims of bullying about how to overcome the negative effects of bullying. This includes, but is not limited to, cultivating the student's self-worth and self-

esteem, teaching the student to defend him- or herself assertively and effectively without violence, helping the student develop social skills, and encouraging the student to develop an internal locus of control.

30. JFCF requires the District to provide education and information about bullying and the specific policy to students every year. The policy lists methods for achieving this objective, including assemblies; homeroom presentations; class meetings; team or club meetings; special presentations by counselors, social workers or mental health professionals; and open-house events.

31. In addition to the content of Policy JFCF, the District is to inform students of the procedure for reporting bullying, the harmful effects of bullying, any initiatives the school or district has created to address bullying, and the consequences for those who participate in bullying or engage in reprisal or retaliation against those who report bullying.

32. Policy JHDF consists of policies and procedures specifically related to suicide awareness and prevention. See **Exhibit B**.

33. Policy JHDF provides definitions for a “Student at Risk of Suicide” and what a “Suicide Crisis” is.

34. Under Policy JHDF, a student at risk of suicide is a student who is demonstrating individual, relationship, community or societal factors that are associated with suicide and that in combination indicate an individual might be contemplating suicide.

35. Under Policy JHDF, a suicide crisis is a situation in which a person is attempting suicide or is seriously contemplating or planning suicide (which includes but is not limited to a timeframe and method for attempting suicide or obtaining or attempting to obtain the means to attempt suicide).

36. Policy JHDF also requires the establishment of a Crisis Response Team (“CRT”), a team of district employees trained in suicide awareness and prevention.

37. Policy JHDF requires different responses for a student who may be at risk of suicide than a student who may be having a suicide crisis by requiring different responses for the above two categories depending on whether or not the employee is a CRT member.

38. If any district employee has a reasonable belief that a student may be at risk of suicide, even if the employee does not believe a suicide crisis is present, then that employee must take two steps: first, they must find another employee and make every effort to locate the student immediately and one of the employees must stay with the student; second, one of the employees is to notify a CRT member or the building administrator or designee (If the employee cannot reach the building administrator, designee or any of the CRT members, the employee will contact the student's parent/guardian. If the parent/guardian is also unavailable, or at the parent's/guardian's request, the employee will contact emergency services).

39. When a CRT member or the building administrator or designee receives notification that a student may be at risk of suicide, the CRT member, administrator or designee must follow three steps.

- a. First, if the student cannot be located or leaves after being located, contact the parent/guardian to explain the district's concern.
- b. Second, if the student has been located, use an evidence-based/informed tool to determine whether the student is at risk of suicide and the appropriate response. Regardless of the determination, the building administrator or designee will contact the student's parent/guardian to discuss the concern.
- c. Third, if it is determined that the student may be at risk of suicide, appropriate members of the CRT will meet with the student and the student's

parents/guardians to discuss support and safety systems, available resources, coping skills and collaborative ways to support the student.

40. The CRT members and building administrator are to receive training and coaching in suicide prevention.

41. Any determinations made by using the tool should have been made by multiple team members.

Logan's Experience at Liberty North

42. Logan's problems began early during his Freshman year (2021-2022).

43. Logan was large and, despite playing football his Freshman year, he was an easy target for kids to make fun of.

44. Kids joked about his weight constantly.

45. They also ridiculed him for other things like his haircut or his political opinions.

46. The bullying quickly impacted Logan.

47. In September 2021, just a few weeks into his Freshman year, Logan wrote a note to his Spanish teacher explaining "Im not happy, I cant do this anymore, this whole place makes me sad and I just want to go home I dont like it in this school anymore I cant do this, I want to go home."

48. Although not immediately, a picture of the note was forwarded to Logan's mother at the end of the school day.

49. Upon receiving the note, Logan's mother recognized a concern and quickly sought medical care for to address his sadness and concerns.

50. The medical provider diagnosed Logan with depression and the diagnosis was relayed to the District so it was aware of his condition.

51. Despite voicing his sadness and concern, the District did not invoke any suicide prevention policies for Logan.

52. The District did, however, allow Logan to leave class and go speak with his counselor, Jill Brock, when necessary.

53. After the note was written, Logan's mother and grandfather did more than just get him medical care, they also tried to fight for Logan.

54. Logan's grandfather saw how sad Logan was when he went to school and asked Logan about his concerns.

55. Logan explained to his grandfather school was hard because he was being made fun of and intimidated, mostly by a specific group of kids.

56. Ultimately, Logan's grandfather would learn these kids had a nickname – the “Mercenaries.”

57. During Logan's freshman year, his grandfather made a concerted effort to walk into school after he dropped Logan off and speak directly with the administration in hopes of stopping the threats and bullying.

58. Logan's grandfather spoke with Assistant Principal Lee on numerous occasions.

59. Logan's grandfather advised Lee of what was going on with Logan, how he was suffering each day, and demanded to know when anything would be done.

60. The only response he ever received from Lee was simple acknowledgement followed by “what do you want me to do?”

61. Undeterred by the intentional ignoring, Logan's grandfather became such a nuisance that Assistant Principal Lee would make efforts to avoid him, but that would only mean Logan's grandfather would sit in the office and wait until Lee would become available.

62. Throughout these conversations, Lee would be told again and again that kids were being hard on Logan and, the Mercenaries, were doing him harm.

63. Despite numerous complaints, in violation of the District's policy JFCF requiring a report be written and investigation be conducted, Lee never wrote a single report that Logan's family ever saw and Logan's family was never advised of any investigation conducted into the repeated bullying.

64. While Logan's grandfather continued to complain, Logan's condition became worse.

65. On November 15, 2021, Logan reached out to another teacher for help. This time it was to his math teacher, Mr. Barnard. Logan wrote to him "I know I didn't stay after school and that was my fault I'm sorry, I have a lot on my mind and my mental health is at its very lowest I have been focusing on my happiness because honestly Mr. Barnard you are the first and probably only person I'm gonna say this to as of now but there are times that suicide has came across my mind, I'm in a terrible spot mentally and I really need a break but until then I promise I will work as hard as I can."

66. Although this note was forwarded to Logan's mother, no measures were put in place pursuant to the District's suicide prevention policy JHDF to monitor and protect Logan from continued suicidal ideation. Additionally, nothing was done to address the repeated bullying Logan was suffering and his grandfather was reporting.

67. As his freshman year continued, Logan was receiving care in the form of a therapist and medicine outside of school and the school allowed Logan to see his counselor in school when necessary with the hopes that the school would monitor and help Logan.

68. Yey Logan continued to suffer bullying while in school and all reports from his grandfather went ignored.

69. The bullying led to physical altercations where students knew there were no cameras – the bathroom.

70. On multiple occasions Logan was be lured into the bathroom and beaten by members of the Mercenaries.

71. Instead of listening to Logan and his family, the District chose to punish Logan for being involved in these events.

72. Despite explaining he was the victim, Logan was suspended twice his freshman year for what the District called “fighting” but Logan saw as self-preservation.

73. Despite the complaints, no bullying reports were drafted and no safety plan to protect Logan was ever created or enacted. Instead, the District chose to blame Logan for being the victim of the Mercenaries’ unprovoked attacks.

74. Meanwhile, Logan would eat his lunch hidden in a corner somewhere in the building.

75. All of this took a heavy toll on Logan in the form of not only seeking medical care, but his grades plummeted as well.

76. Prior to high school Logan had very good grades, yet upon entering and struggling through his first year of high school, he started getting D’s and failing classes.

77. Eventually, Logan made it to Summer break between his Freshman and Sophomore year.

78. During Summer, Logan appeared relaxed and in better spirits.

79. Logan decided not to play football his Sophomore year and, instead, focus on the hope of playing baseball for the school in the Spring.

80. Despite no help from the District, Logan, his mother and grandfather, were all hopeful that the new school year would have better results and less bullying of Logan.

81. Unfortunately, the hope was quickly extinguished when early in the school year it was reported to Logan's mother that he was in a fight at school.

82. This fight was not Logan being beaten again by members of the Mercenaries. Instead, Logan was forced to defend himself against a trespasser in the school.

83. A neighbor of Logan's and a child that was not a Liberty North student, but instead, upon information and belief, a Liberty Academy student, walked into Liberty North on multiple occasions at the beginning of Logan's Sophomore year to harass him.

84. Logan raised a concern to his teachers but, for some reason, the boy was allowed to continue entering the building.

85. Finally, on a school day in September, the boy forced Logan to fight him in the school courtyard.

86. After the fight, Logan's mother was contacted by Assistant Principal Baldwin and informed Logan would be suspended from school for two weeks for fighting.

87. Baldwin also advised there was nothing to be done to the other child because he was not a student at the school.

88. So Logan was punished and suspended from school for two weeks after being attacked by a trespasser on the premises of the District school.

89. In hindsight, the ramifications of this event were significant.

90. Punishing Logan for being unable to protect himself on school grounds from not only the school's students, but uninvited troublemakers, may have extinguished Logan's hope for protection and the ability to be a normal student.

91. After this event, Logan continued to be bullied.

92. Logan continued to see a therapist outside of school and he was also granted the right to see his in-school counselor, Neil Corrison.

93. As the Fall semester turned to Winter, Logan returned from his suspension, but the bullying did not stop.

94. Logan's grandfather continued to voice concerns to the school and, in fact, specifically asked Assistant Principal Baldwin when he was going to do something about the Mercenaries.

95. Despite all of this, Logan's attitude appeared stagnant. He was going through the motions of school but focused on trying out for the baseball team.

96. In late February baseball tryouts took place.

97. While Logan did well in tryouts and it appeared the pitching coach was interested in picking Logan for the team, on Friday, March 3, 2023, Logan was cut.

98. The next Monday evening, March 6, 2023, Logan attempted to take his own life by hanging himself in his grandparent's basement.

99. He was found within minutes by his grandparents.

100. Logan's grandfather attempted to resuscitate Logan while the medics came.

101. A few hours after Logan attempted suicide, an anonymous report was made to Courage2Report.

102. The reporter explained they were concerned for Logan attempting to hang himself "after being bullied at school."

103. The specific concern was "Bullying – Repeated Harassment."

104. Unfortunately, all attempts to save Logan failed and on March 11, 2023, Logan was pronounced brain dead and all life savings measures ceased.

105. Despite claiming it cares about student's mental health and will educate all employees and students on signs of mental distress and suicidal ideations, the District did its best to sweep this under the rug.

106. Despite a clear report about Logan’s attempted suicide because of bullying, the school did not disclose to the students that Logan committed suicide.

107. The District typically has a balloon release for students that pass away, no such release was done for Logan.

108. Similarly, the school made no efforts to protect other students from similar harm.

109. Upon information and belief, the Mercenaries continue to wreak havoc in the school on other kids that do not have as many friends.

110. In fact, some of the Mercenaries had the audacity to go to Logan’s funeral.

111. By not addressing the Mercenaries and the repeated bullying taking place, the District has emboldened the Mercenaries to continue their reign of fear through the school.

112. Even after Logan’s death, the District learned nothing because yet another student at Liberty North that continued to be picked on by the Mercenaries attempted suicide in May.

113. While the District claims to take mental health seriously, it ignores its specifically written rules.

114. The District failed to investigate and draft written reports of the continued bullying that was reported by Logan’s family.

115. The District also failed to follow the specific plans for students with mental health needs.

COUNT I: NEGLIGENT SUPERVISION RESULTING IN WRONGFUL DEATH

116. Plaintiff incorporates all of the prior allegations as if fully set forth herein.

117. As a student at Defendant District, Logan was under the care, custody and control of Defendants.

118. At all times in which Logan was a student at Liberty North within Defendant District, Defendants had a ministerial duty to possess and use the utmost degree of care ordinarily used by reasonable and/or careful educators and school districts to properly supervise Logan and to protect him from foreseeable and unreasonable risks of harm posed by other students under Defendants' care, custody and control.

119. At all times relevant herein, Defendants were responsible for the care of children, including Logan, in the state of Missouri and thus Defendants had a ministerial duty to comply with mandatory rules, regulations, city ordinances, state statutes and policies, including but not limited to those promulgated by the Missouri Department of Education, the Liberty School District, the Missouri Division of Social Services, and Missouri Public Schools.

120. Defendants and their employees, agents and/ or servants breached their ministerial duty to Logan and violated rules, regulations, city ordinances, Missouri state statutes, and policies governing Defendants.

121. At the time of the repeated bullying and leading up to Logan's suicide, Defendants knew Logan was being bullied and harassed and that he was even considering suicide.

122. Defendants breached their ministerial duty to properly supervise their students, including Logan and to intervene effectively to stop the bullying that ultimately led to Logan's suicide by:

- a. Negligently and carelessly refusing to follow its own specific policy JFCF which mandated investigations and specifically timed written reports related to the bullying complaints surrounding Logan;

- b. Negligently and carelessly refusing to follow its own specific policy JHDF which mandated an approach to address suicidal students including setting up a team to address the concerns and put a plan in place to protect Logan;
 - c. Negligently and carelessly failing to monitor the Liberty North premises for trespassers that could cause harm to their students;
 - d. Negligently and carelessly failing to timely recognize the severity of the bullying harassment out in the open against Logan;
 - e. Negligently and carelessly failing to ensure that Logan was provided a safe learning environment free of abuse and harassment;
 - f. Negligently and carelessly failing to monitor the students including the group of students known as the Mercenaries to prevent abuse, harassment and/or assault and battery;
 - g. Negligently and carelessly failing to implement measures to prevent bullying, harassment, assault, battery and misconduct even though such measures and the need for same have been widely known among educational researchers and educators for decades and successfully implemented in other schools across the United States and the world;
 - h. Negligently and carelessly committing other acts and omissions as yet unknown to Plaintiff, but which Plaintiff expect will come to light during the discovery process.
123. As a direct and proximate result of Defendants' negligence, Logan was exposed to foreseeable and preventable known risks of severe injury and was injured physically and emotionally.

124. Plaintiff has incurred necessary and reasonable medical expenses, suffered physical pain, mental anguish, emotional distress, and experienced other economic hardships, all as a direct and proximate result of Defendants' negligence and carelessness.

125. By reason of the foregoing, Plaintiff has been damaged and is entitled to fair and reasonable compensation.

126. Defendants' conduct which caused this damage showed complete indifference to and/or conscious disregard for the rights, health and safety of Plaintiff and other people similarly situated.

WHEREFORE, Plaintiff prays for Judgment against Defendants for full damages, both as to actual losses and aggravating circumstances/exemplary damages, in amounts that are fair and reasonable in an amount to be determined and any further relief this court deems just and proper

COUNT II: BREACH OF FIDUCIARY DUTY

127. Plaintiff incorporates all of her prior allegations as if fully set forth herein.

128. At all relevant times, Plaintiff was subject to the compulsory school attendance laws of the State of Missouri Sections 167.031 to 167.061, R.S.Mo. with regard to his enrollment and attendance at Liberty North.

129. The wrongful acts and omissions of Defendants as alleged herein constitute breaches of their fiduciary duties to Plaintiff while he was attending school at Liberty North pursuant to the requirements of Missouri Law, under the doctrine of *in loco parentis* and the rules, regulations and policies of Defendant District adopted pursuant to law because Logan was in a defenseless and dependent condition.

130. Defendants held positions of power vis-à-vis the young Plaintiff due to their age, position and authority and as such, Logan was owed a fiduciary duty of care, protection and safety.

131. Defendants owed Logan duties to act in his best interest and protect him that arise under the doctrine of *in loco parentis*, the fiduciary relationship, and the confidential relationship.

132. The harassment, assault and battery, abuse and/or misconduct of Plaintiff occurred as a direct and proximate result of the breach of fiduciary duty committed by Defendants.

133. As a direct and proximate result of the above described breach of fiduciary duty, Plaintiff suffered personal injury, devastating emotional injury, distress, pain and anguish accompanied by and in conjunction with suffering actual physical injury.

134. The above reckless acts, omissions and direct violations of written District policies in place for the protection of students and of the public.

WHEREFORE, Plaintiff prays for Judgment against Defendants for damages in an amount to be determined at trial to compensate both as to actual losses and aggravating circumstances/exemplary damages, in amounts that are fair and reasonable, costs associated with this matter, and any further relief this court deems just and proper

DEMAND FOR JURY TRIAL ON ALL ISSUES

Plaintiff in the above entitled cause demands a trial by jury for all claims triable by jury.

Respectfully submitted,

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