



**IN THE CIRCUIT COURT OF
PICKENS COUNTY, ALABAMA**

E.M.)	
)	
Plaintiff,)	
)	
vs.)	CV - 2018 - _____
)	
PICKENS PRIVATE SCHOOL FOUNDATION)	
d/b/a/ PICKENS ACADEMY;)	
PICKENS ACADEMY BOARD OF TRUSTEES;)	
and BRACH WHITE, an individual;)	
)	
Defendants.)	

COMPLAINT

Comes now, Plaintiff, E.M., by and through his attorneys, and hereby states his cause of action against Defendants:

STATEMENT OF THE PARTIES

1. Plaintiff E.M. (herein identified as “Plaintiff” or “E.M.”), at all times mentioned herein, is an individual, over the age of majority, and a resident and citizen of Pickens County, Alabama. Due to the nature of the allegations contained within this complaint E.M. requests to proceed anonymously and is filing a motion to proceed anonymously contemporaneously with this complaint.

2. Defendant Pickens Private School Foundation d/b/a Pickens Academy (herein identified as “Pickens Academy”) is a private educational institution conducting business in Pickens County, AL as a §501(c)(3) non-profit corporation.

3. Defendant Pickens Academy Board of Trustees (herein identified as “the Board”) is the governing body of Pickens Academy at all times during the allegations of this complaint.

4. Defendant Brach White is an individual over the age of majority residing in Pickens

County, Alabama acting as the Headmaster/Principal of Pickens Academy at all times during the allegations of this complaint.

5. Fictitious Defendants A through B, whether singular or plural, are the persons, firms, proprietorships, partnerships, corporations, and/or other entities which employed, oversaw, directed, ordered, and otherwise exercised any control or right of control over the named defendants at any time relevant to the incident which forms the basis of this action.

6. Fictitious Defendants C through D, whether singular or plural, are the persons, firms, proprietorships, partnerships, corporations, and/or entities other than the above-named Defendants, and/or A through D, who or which caused or contributed to the incident made the basis of this Complaint.

7. Fictitious Defendants E through F, whether singular or plural, are the owners, proprietors, partners, stockholders, affiliates, lessors, directors, assignors, and/or delegators of the specifically named Defendants above and/or Defendants A through D.

8. Fictitious Defendants G through H, whether singular or plural, are the employers, masters, directors, co-employees, supervisors, overseers, and/or affiliates of the specifically named Defendants above and/or Defendants A through F.

9. Fictitious Defendants I through J, whether singular or plural, are the persons and/or entities who or which were acting negligently, wantonly, recklessly, and/or intentionally and whose actions or omissions caused or contributed to the Plaintiff's injuries.

10. Fictitious Defendants K through L, whether singular or plural, are the persons, corporations or other entities whose negligence and/or wantonness or other wrongful conduct, including breach of any statutory, voluntary or contractual duties contributed to the injuries of the Plaintiff or any and all wrongful actions as alleged in the Plaintiff's Complaint.

11. Fictitious Defendants M through N, whether singular or plural, are the persons, corporations, entities, employees, servants, or agents of any Defendant(s) specifically named and/or unknown whose actions or omissions caused or contributed to the Plaintiff's injuries.

12. Fictitious Defendants O through P, whether singular or plural, are the persons, corporations, entities, employees, servants or agents of those Defendants listed above whose negligence or other wrongful conduct proximately caused the injuries and damages suffered by the Plaintiff.

13. Fictitious Defendants Q through R, whether singular or plural, are the persons, corporations, entities, employees, officials, servants or agents with obligations to provide for the protection of the Plaintiff, and/or to oversee compliance and adherence to policies, procedures and/or legal requirements designed to protect the safety of Plaintiff, who failed to carry out their obligations to the Plaintiff.

14. Fictitious Defendants S through T, whether singular or plural, are the person(s), entities specifically or generally named above who failed to properly, adequately, and/or reasonably hire, supervise, monitor, train, regulate, instruct, manage, oversee, and/or otherwise guide their employees, agents, associates, servants, delegates, and/or contractees in the course of their duties, which contributed to the incident(s) made the basis of this lawsuit.

15. The Plaintiff states that the identity of these fictitious defendants is currently unknown but their names will be substituted by amendment when so ascertained.

STATEMENT OF THE FACTS

16. The Plaintiff was enrolled in Pickens Academy for the 2014-2015 and 2015-2016 school years as a Junior and Senior respectively in the school's high school education program.

17. The Plaintiff was recruited by Coach Jaime Parker to play basketball for Pickens

Academy.

18. Immediately upon his arrival at Pickens Academy, the sixteen-year old Plaintiff was targeted by then twenty-eight year old Picken's Academy employee, Charli Parker, who sought an inappropriate relationship with the Plaintiff.

19. Charli Parker engaged in sexual intercourse and deviant sexual intercourse, including oral sex, with the Plaintiff on more than 11 occasions while the Plaintiff was enrolled at Pickens Academy.

20. Inappropriate conduct by Charli Parker occurred both on and off Pickens Academy School property.

21. The Plaintiff would meet with Charli Parker during the Plaintiff's senior year in Charli Parker's classroom during 6th period which was an open period for Mrs. Parker. The Plaintiff was assigned as a student aid to another classroom during that period (Charli Parker's mother), but would meet with Charli Parker several times a week after completing his assigned tasks. Mrs. Parker engaged in inappropriate sexual acts with the Plaintiff at that time in her classroom.

22. Additionally, Charli Parker engaged in inappropriate sexual conduct with the Plaintiff at the Parker's home, Graham Cemetery in Reform, AL, motels, and on the property in which the Plaintiff resided.

23. Mrs. Parker texted/communicated via cell phone and social media in an inappropriate manner with the Plaintiff on a daily basis. These communications included exchanging naked images, as well as inappropriate conversations of lewd and sexual nature.

24. These conversations also included discussing romantic relationships with the Plaintiff and illegal drug use on the part of Mrs. Parker.

25. Throughout the 2014-2016 school years Mrs. Parker systematically manipulated the Plaintiff with her affections, physical interludes, and gifts bestowed upon the Plaintiff. Mrs. Parker purchased beer, underwear, food, basketball shoes, cell phones, and illegal substances for the Plaintiff and his friends.

26. Brach White and the administration were made aware of rumors of inappropriate “sexting” between Mrs. Parker and several students, including the Plaintiff, as early as October of 2014. On October 21, 2014, Brach White questioned the Plaintiff and three other students in his office concerning rumors of “sexting” between them and Mrs. Parker. White questioned Mr. Parker following that interview, but took no further investigative or corrective action.

27. White and the Defendants failed to inform the parents of the students questioned or the local authorities of these allegations or the interrogations that took place.

28. Mrs. Parker had inappropriate sexual contact/communications with at least 2 other students, not including the Plaintiff, during her employment at Pickens Academy.

29. In March of 2016, both Charli and Jaime Parker were arrested on charges of being sexually involved with students multiple times over the prior 2 years.

30. Jaime Parker was not involved in any sexual conduct with the Plaintiff.

31. The Plaintiff did not return to Pickens Academy to finish his senior year following the Parkers’ arrests.

32. As a result of these events, the Plaintiff suffered mental anguish, embarrassment, emotional distress, and suffered a loss of the enjoyment of life.

COUNT I – NEGLIGENCE, WANTONNESS, RECKLESSNESS

33. Plaintiff re-alleges all prior paragraphs as if fully set forth herein

34. The Defendants had obligations and duties running to the Plaintiff to exercise reasonable care to prevent and protect the Plaintiff from foreseeable and known harms and dangers including sexual misconduct perpetrated by its faculty, and such duties arise by virtue of the general negligence doctrine. The Defendants failed to investigate and inform the parents of the Plaintiff (and other students involved) of the allegations of inappropriate conduct on behalf of Mrs. Parker when they were first made aware in October of 2014. The Defendants also failed to notify the appropriate authorities that illegal sexual misconduct had taken place between Mrs. Parker and one or more Pickens Academy students.

35. Allegations of misconduct on the part of Mrs. Parker were known by the Defendants as early as October 2014 and they ignored and/or failed to act in violation of their civil responsibilities to the Plaintiff.

36. That as the direct and proximate result of the actions and/or inactions of the Defendants, the Plaintiff sustained harm, including trauma, mental, and emotional damages as alleged above.

**COUNT II – NEGLIGENT, WANTON AND/OR RECKLESSNES SUPERVISION,
HIRING, AND TRAINING**

37. Plaintiff re-alleges all prior paragraphs as if fully set forth herein.

38. Defendants failed to properly supervise, hire, and train its employees to prevent sexual/inappropriate relationships between students and faculty.

39. Not only did Mr. and Mrs. Parker engage in inappropriate sexual relationships with students for a period of years, but Mrs. Parker herself was engaged in an inappropriate sexual relationship with a faculty member during her time as a student at Pickens Academy as well.

40. The lack of training, supervision, policies, procedures, and structure to deal with inappropriate sexual relationships between students and faculty over the past decade or more has

created a dangerous environment where it is acceptable if not commonplace for faculty members to engage in dangerous relationships with Pickens Academy students.

41. The Defendants have failed to institute any procedures, training, and/or safeguards to protect the safety of Pickens Academy Students with respect to sexual misconduct on the part of the Pickens Academy Faculty.

42. That as the direct and proximate result of the actions and/or inactions of the Defendants, the Plaintiff sustained harm, including trauma, mental, and emotional damages as alleged above.

COUNT III – GENERAL NEGLIGENCE, WANTONNESS, AND/OR RECKLESSNESS

43. Plaintiff re-alleges all prior paragraphs as if fully set forth herein.

44. Plaintiff alleges that all named and/or unnamed Defendants failed to act in a reasonable and prudent manner proximately causing the Plaintiff's injuries.

45. The Defendants, named and/or unnamed, failed to properly hire, train, supervise, educate, and/or act in a reasonable and prudent manner. Said failures were done negligently/wantonly/recklessly endangering the Plaintiff and the public at large.

46. As a result of the Defendant(s) negligence/wantonness/recklessness the Plaintiff suffered injuries as described above.

RELIEF REQUESTED

Based on the allegations above the Plaintiff respectfully requests compensatory and punitive damages against the Defendant(s) jointly and severally for mental anguish, loss of the enjoyment of life, future hedonic damages, and any and all other damages available under Alabama Law.

THE PLAINTIFF DEMANDS A JURY TO BE STRUCK TO DETERMINE ALL

ISSUES AND DAMAGES ALLEGED BY THE PLAINTIFF.

Respectfully submitted,

/s/ Clint Mountain

Clint Mountain (MOU-012)
Attorney for the Plaintiff

/s/ William Ivey Gilmore

William Ivey Gilmore (GIL-049)
Attorney for the Plaintiff

/s/ James Moore

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