

STATE OF MINNESOTA
COUNTY OF OLMSTED

DISTRICT COURT
THIRD JUDICIAL DISTRICT

John Doe 160,
Plaintiff,
v.

COMPLAINT

Boy Scouts of America; and Gamehaven
Council, Boy Scouts of America,
Defendants

Plaintiff, for his cause of action against Defendants, alleges as follows:

PARTIES

1. Plaintiff John Doe 160 is an adult resident of the State of Minnesota. At all times relevant to the tortious conduct alleged in this complaint, Plaintiff was an unemancipated minor who was invited to participate in meetings, events, and activities run and sponsored by Defendants. Plaintiff uses the pseudonym "John Doe 160" because he was the victim of childhood sexual abuse and disclosure of his identity to the public would further victimize him and cause emotional injury. Plaintiff will provide his identity to the Defendants under separate cover.

2. The Boy Scouts of America ("BSA") is a congressionally-chartered corporation not registered with the Minnesota Secretary of State, with its principal place of business and its agent for service located at 1325 W. Walnut Hill Lane, Irving, Texas, 75038.

3. Gamehaven Council, Inc., Boy Scouts of America ("Gamehaven") is a non-profit corporation organized under the laws of the State of Minnesota and with its principal place of business and its agent for service located at 1124 - 11 1/2 Street SE, Rochester, MN 55904.

4. Defendants BSA and Gamehaven will be collectively referred to as “Defendants.” Defendants jointly own and operate Scouting programs which invite and seek out the participation of children. Defendants, through their agents and officials, have control over those activities involving children. Defendant BSA has the power to appoint, supervise, monitor, restrict and fire each person working with children within the Defendants’ Scouting programs.

FACTS

5. At all times material, Defendants selected or accepted Jack D. Tibbetts (“Tibbetts”) for the position of Assistant Scoutmaster, or in a similar capacity, for the Boy Scout Troop to which Plaintiff belonged. On information and belief, Defendants also employed or appointed Tibbetts for the position of professional Scout leader, or in a similar capacity, for Defendant Gamehaven. Tibbetts’ positions as Scoutmaster and professional Scout leader will be referred to collectively as “Scout Leader” in this Complaint. At all times material, Tibbetts was an agent of Defendants BSA and Gamehaven, and under the direct supervision, employ and control of Defendants.

6. Defendants’ agent and Scout Leader Jack D. Tibbetts (“Tibbetts”) sexually abused Plaintiff on multiple occasions in approximately 1962 – 1964, when Plaintiff was between the ages of approximately 12 to 14 years old. The abuse occurred during Scouting-related meeting, events, and/or outings in and around Rochester, Minnesota. The sexual abuse occurred while Tibbetts was acting as a Scout Leader and within the scope of his agency with Defendants.

7. In 1916, Congress granted BSA a federal charter, now codified as 36 U.S.C. Ch. 309. Under that Charter, Congress granted BSA the exclusive right to BSA’s name, emblems, badges, and descriptive words and markings.

8. Since 1910, BSA has derived millions of dollars a year licensing the rights to its name, emblems, Scouting paraphernalia, and BSA-branded merchandise to affiliated Scouting organizations throughout the United States and abroad (See 36 U.S.C. §80305). BSA has realized income from these assets by marketing them to parents and their children, including Plaintiff and his parent(s). In addition to exclusive license, BSA enjoys numerous tax payer subsidies, including: (1) free access to national forest lands (16 U.S.C. § 539f); (2) free use of Defense Department equipment and facilities for BSA Jamborees (10 U.S.C. § 2554); (3) free ground and air transportation, communications, emergency, and technical services from the National Guard (32 U.S.C. § 508); (4) free use of meeting facilities, transportation, and support services at United States military bases world-wide (10 U.S.C. § 2606); (5) free firearms, ammunition, repairs, supplies, and marksmanship training equipment (36 U.S.C. § 40731); (6) free military surplus (10 U.S.C. Ch. 943); and (7) Department of Agriculture grants (7 U.S.C. § 7630).

9. BSA's marketing includes encouraging parents to enroll their children in the BSA. Enrollment secures parents' and children's commitment to follow a system that encourages parents to entrust their children's health and safety to BSA. This entrustment empowers BSA to secure each child's oath to uphold the "Scout Law," to adopt the "Scout" identity, and to adhere to a system that requires children to engage in activities that expose them to adults and others. This system includes over-night outings, camping events, and trips away from parents. The system is reward-based, obligating the child to purchase emblems, badges, and other Scouting paraphernalia, which in turn creates profit for the organization.

10. BSA implements Scouting programs through local Boy Scouts of America councils to which it issues licenses to the Boy Scouts of America name, emblems, badges, markings, and

youth programs. BSA requires local councils and troops within a local council to strictly adhere to BSA's organizational charter and "Standards of Leadership" requirements.

11. At all relevant times, the local council and troop to which Plaintiff was a member were the agents of the BSA and were subject to BSA's authority and control.

12. BSA is one of the largest non-profits in the United States, with income exceeding \$780 million dollars a year. BSA is the largest youth organization in the United States, serving more than 2.7 million youth members, ages ten to eighteen, with over 1 million adult volunteers.

13. Shortly after its inception, Defendant BSA became aware that a significant number of its adult Boy Scout leaders ("Scout Leaders") were using their position of trust and authority as Scout Leaders to manipulate and sexually abuse youth participating in Defendant BSA's Scouting program.

14. Since its inception, BSA aggressively marketed the wholesomeness and safety of its programs to the American public. Simultaneously, BSA concealed from scouts and scouts' parents BSA's certain knowledge that pedophiles had been infiltrating BSA in large numbers for many years. BSA also misrepresented to scouts and their parents that scouts were safe in Scouting programs, when, in fact, scouts were at an unreasonably heightened risk of sexual abuse by adult scout leaders. BSA made said misrepresentations to Plaintiff and his parent(s).

15. By the early 1920s, Defendant BSA implemented an internal "Red Flag" system to identify Scout Leaders whom Defendant BSA considered "ineligible" to hold positions as a Scout Leader. This internal system eventually became known as the "Ineligible Volunteer Files" (hereafter "I.V. Files"). Historically, the most common reason for a Scout Leader to be placed in the I.V. Files has been allegations of sexual abuse of boys. This subset of Ineligible Volunteer files has been referred to by Defendants as the "Perversion Files."

16. By 1935, Defendant BSA had already identified and removed over 1,000 adult men from their positions as Scout Leaders for sexually abusing boys involved in Defendant BSA's Scouting program.

17. Between 1935 and 1971, Defendant BSA identified thousands of additional Scout Leaders who were believed to have sexually abused boys in Defendant BSA's Scouting program. Not all of these men were removed from their positions as Scout Leaders. Rather, at some point prior to 1955, Defendant BSA implemented a secret, internal "probation program." Under Defendant BSA's "probation program," a significant number of Scout Leaders believed to have sexually abused boys were allowed to continue on as a Scout Leader with access to boys. Neither boy scouts nor their parents were informed if a Scout Leader was on "probation" for sexually abusing boys.

18. Defendant BSA went to significant lengths to keep the existence of their Perversion File system and the problem of pedophile Scout Leaders a secret from scouts and the public. Local councils were instructed - and agreed - not to keep Perversion File materials at their offices, but rather to send everything to BSA national.

19. At some point between 1935 and 1971, Defendant BSA became aware that their internal "probation" program allowed pedophile Scout Leaders an opportunity to continue to abuse boy scouts. Defendant BSA knew that, in some of these instances, Scout Leaders previously accused of sexual abuse of boys went on to reoffend against other boys. Nevertheless, Defendant BSA continued its probation program.

20. Defendant BSA was also aware that local councils (like Defendant Gamehaven) were sometimes unaware of the existence of the I.V. File system, did not know how to properly respond to allegations of child sexual abuse in their programs, and sometimes inadequately

responded to such allegations resulting in allegations of further abuse of other boys. Despite this knowledge, Defendant BSA did nothing prior to 1971 to inform, educate or train local councils (including Defendant Gamehaven) in how to identify, prevent or respond to incidents of child sexual abuse in their Scouting programs.

21. In addition to Defendant BSA's knowledge that its probation program exposed children to known pedophiles and that local councils were sometimes unaware of the I.V. File system, BSA gained unique knowledge through its repository of informative data containing the identities of pedophiles that had successfully infiltrated Scouting. The I.V. Files highlight BSA's vulnerabilities, including pedophiles' techniques used to enter Scouting, pedophiles' patterns for grooming victims, and widely-found biographical and behavioral characteristics shared by pedophiles that had entered or were attempting to enter Scouting. For a century, Defendant BSA has known of its distinctive characteristics that render scouts particularly prone to pedophilic abuse.

22. By 1935, BSA had accumulated approximately 2,000 files on pedophiles that had successfully infiltrated or attempted to infiltrate its program. Between 1935 and 1971, Defendant BSA received thousands of reports of Scout Leaders sexually abusing boys in their program. These reports were continuous in frequency over time and were spread throughout the geographic bounds of the Defendant BSA's Scouting programs.

23. In the 1970's, BSA recognized the potential liabilities represented by possessing and maintaining the I.V. Files. By 2005, BSA's secret cache of files on pedophiles exceeded 20,000. Over the course of two years in the early 1970s, three BSA executives reviewed and permanently destroyed thousands of I.V. Files. BSA executives kept no retention logs showing which or how many of the files BSA destroyed. BSA made no contemporaneous record of its

criteria in determining which files to destroy and which to save. Approximately 6,000 files survived BSA's file-purge and are in BSA's possession. Approximately 1,900 of those files are now in the public domain. The exact number of sexual abuse reports is unknown, in part because of the mid-1970s file purge; nevertheless, these reports demonstrated to Defendant BSA that it had a continuous and systemic problem of Scout Leaders sexually abusing boys participating in the Defendants' Scouting program.

24. At some point between approximately 1955 and 1964, Defendant Gamehaven became aware that Scout Leaders within their council(s) posed a danger of sexually abusing boy scouts. Defendant Gamehaven gained this knowledge through reports of sexual abuse by Scout Leaders operating within the Council's geographic boundaries.

25. Defendants' knowledge of the danger of sexual abuse of boys in Scouting included knowledge about *how* pedophile Scout Leaders accomplished their abuse. Prior to 1964, Defendants knew or should have known that pedophile Scout Leaders groomed their victims to accomplish their abuse and understood how such grooming was accomplished (including winning the trust of the victim and spending time alone with the victim).

26. The I.V. Files demonstrate that BSA had evidence (1) that Scouting attracts pedophiles at an alarming rate, and (2) of Scouting's distinctive characteristics that make it attractive to pedophiles, including:

- a. Scouting provides a pedophile access to boys alone and away from their parents in secluded settings like camp-outs and overnight hikes;
- b. Scouting provides opportunities for a pedophile to seduce a boy by getting him into situations where the boy has to change clothing or spend the night with him;

- c. A pedophile Scout Leader can, depending on the pedophile's preferred victim age, volunteer for and be sure to have access only to boys of a certain age;
- d. BSA conditions boys to the concept of strict obedience to the Scout Leader and a bonding mechanism that pedophiles utilize;
- e. BSA promotes the idea of secret ceremonies, rituals, and loyalty oaths, all of which help facilitate a pedophile's efforts to keep his victims silent and compliant;
- f. BSA conducted no criminal background checks on its volunteers;
- g. BSA did not prohibit adults from sleeping in tents with boys overnight;
- h. BSA did not prohibit adult Scout Leaders from spending time alone with individual scouts;
- i. BSA did not prohibit adult Scout Leaders from having contact with scouts outside of authorized Scouting activities;
- j. For decades, BSA re-admitted pedophiles it had previously removed for child abuse after a period of BSA "probation," thereby exposing unsuspecting children to sexual abuse;
- k. BSA had a practice of not reporting scout abuse incidents to law enforcement;
- l. BSA had a pattern of reaching an accommodation with a pedophile, in which the pedophile would resign from Scouting and the BSA would agree not to report the child sexual abuse to civil authorities;

- m. BSA refused requests to share its list of known abusers with other youth organizations, knowing that pedophiles it had ejected often joined other youth-serving organizations;
- n. BSA refused to produce its I.V. Files to its review board and scout-safety consultants, who were endeavoring to develop and implement meaningful safeguards and barriers to pedophile infiltration;
- o. BSA refused to fingerprint, photograph or perform background checks on its adult volunteers, allowing removed pedophiles using an alias to sneak back in to Scouting through another troop;
- p. BSA refused to utilize widely-accepted organizational best practices that would establish reasonable barriers to intrusion by pedophiles;
- q. BSA refused to educate local councils, staff, and troop leaders regarding the true risks posed by pedophiles to scouts; and
- r. BSA refused to effectively monitor local councils and troops to ensure that appropriate safeguards were being used in the selection and retention of adult Scout Leaders.

27. Prior to 1964, Defendant BSA also knew or should have known that its I.V. File system did not function as it was intended, was flawed, and in many cases ineffective to address the sustained and systemic problem of sexual abuse of scouts by Scout Leaders.

28. Despite their knowledge of the danger of sexual abuse of boys in Scouting, at no time prior to 1964 did Defendants warn boys in their programs (or their parents) about this known danger or implement reasonable and feasible child abuse prevention policies. BSA also failed to alert authorities to the nature and scope of this known danger. Instead, Defendants intentionally

and actively concealed the continuous and systemic danger of sexual abuse of boys in their program by Scout Leaders. Defendants also actively promoted and represented to the public that their Scouting programs were safe and wholesome and their Scout Leaders were safe and trustworthy.

29. At all times relevant to this Complaint, Defendants invited participation of boys, including Plaintiff in this case, in their Scouting program and selected adults to serve as Scoutmasters or similar leadership positions as a Scout Leader.

30. BSA continues to make false and misleading public statements regarding the risks of sexual abuse in Scouting; continues to minimize and downplay the harm of sexual abuse to children in Scouting; fails to reach out to provide support and assistance to boys it knows were sexually abused by adult Scout Leaders; and continues to deny the truth about its historical knowledge of the nature and extent of sexual abuse of scouts by adult Scout Leaders.

31. BSA has known for decades that Scouting involved an unreasonably high risk of sexual abuse by adult Scout Leaders. BSA made repeated false counterfactual claims that the number of pedophiles in Scouting was comparatively small, that scouts were reasonably safe from sexual abuse by adult scout leaders, and that BSA is not a magnet for pedophiles, all of which BSA made (1) knowing that the claims were false or (2) with reckless disregard for the truth or falsity of those claims. Plaintiff alleges that he trusted BSA and that he reasonably relied upon the BSA's representations that it presented a moral and safe place for boys.

32. Defendants selected or accepted Jack Tibbetts (hereinafter "Tibbetts") as a Scout Leader for Plaintiff's Boy Scout troop located in Rochester, Minnesota.

33. Defendants authorized and empowered Tibbetts to perform all duties of a Scout Leader, including the authority and power to provide instruction, counseling, moral guidance, and

physical supervision of boys participating in Boy Scout programs and activities; to enforce the rules governing the boys' participation; and to undertake other duties. Defendants knew that as part of his duties as a Scout Leader, Tibbetts would be in a position of trust, confidence, and authority over the boys involved in the Scout Program, including Plaintiff. Defendants retained the right to control the means and methods used by Scout Leaders, including Tibbetts, in fulfilling these duties for Defendants.

34. As a Scout Leader, Tibbetts befriended Plaintiff; gained the trust and confidence of Plaintiff and his family as an instructor, guide, mentor, counselor, and authority figure; and gained the permission and support of Plaintiff's family to spend substantial periods of time alone with Plaintiff. As a Scout Leader, Tibbetts also gained the directive of Plaintiff's parents to minor Plaintiff that Plaintiff respect persons with authority within the BSA and Gamehaven Council.

35. Thereafter, Tibbetts acted as a Scout Leader toward Plaintiff, supervised him during Scouting outings and activities, and exercised authority *in loco parentis* over Plaintiff during Scouting events.

36. Many of the Scouting outings and activities were conducted in geographically remote areas without any means of communication between Plaintiff and his parents. The circumstances surrounding the Scouting outings and activities deprived Plaintiff of normal opportunities of self-protection.

37. There was a special relationship between Plaintiff and Defendants giving rise to a duty by Defendants to protect Plaintiff from harm.

38. Tibbetts's primary contact with Plaintiff was through Tibbetts's position of leadership and authority in Defendants' Scouting program. At all times relevant, Tibbetts was an

employee and/or agent of Defendants. Tibbetts was also under Defendants' control, dominion and supervision.

39. As a result of Tibbetts's authorized conduct as a Scout Leader, Plaintiff was conditioned to trust Tibbetts, to comply with his directions, and to respect him as a person of authority, including in moral and ethical matters.

40. Using the power, authority and trust of his position within the BSA and Gamehaven Council, and availing himself of Defendants' representations that the Boy Scouts were moral and safe places for boys, Tibbetts induced and directed Plaintiff to engage in various sexual acts with him while Plaintiff was a minor (hereinafter "the sexual abuse").

41. The methods used by Tibbetts to accomplish his sexual abuse of Plaintiff were substantially similar to methods known to Defendants to have been used previously by numerous other Scout Leaders to accomplish sexual abuse of other boys.

42. During the Scouting outings and activities, Tibbetts displayed inappropriate physical contact with Plaintiff that was readily observable by other adults who were supposed to supervise the outings and activities.

43. During the Scouting outings and activities, Tibbetts showed inappropriate affection toward Plaintiff that was readily observable by other adults who were supposed to supervise the outings and activities.

44. Tibbetts's sexual misconduct was foreseeable to Defendants.

45. As set out in the preceding paragraphs above, Defendants knew for decades prior to Plaintiff's abuse that sexual predators of boys were continually infiltrating Scouting and using the Scouting program to accomplish their sexual abuse of boys. Defendants knew their Scouting

programs were attractive to pedophiles and knew the distinctive characteristics of Scouting that render scouts particularly susceptible to pedophiles, including that:

- a. Scouting provides the pedophile access to boys alone and away from their parents in secluded settings like camp-outs and overnight hikes – these settings place Scout Leaders in close proximity to boys while they are particularly vulnerable, including while changing clothes, while bathing and during sleeping;
- b. Defendants’ Scouting program taught, encouraged and conditioned boys to strictly obey Scout Leaders as trusted authorities;
- c. Defendants’ Scouting program utilized and promoted the idea of (sometimes secretive) ceremonies, rituals, traditions and loyalty oaths, all of which Defendants knew or should have known could be manipulated by pedophile Scout Leaders to help maintain a sexual abuse victim’s silence and compliance; and,
- d. Defendants’ Scouting program allowed pedophile Scout Leaders the opportunity to volunteer for and obtain access to boys of a certain age range which fit the pedophile’s preference for victimization.

46. Defendants knew or should have known the danger that pedophiles presented to boy scouts before Plaintiff was abused and knew or should have known the danger that Tibbetts presented before Plaintiff was abused. Despite this knowledge, Defendants ignored the danger and permitted Tibbetts and other pedophiles in Scouting to prey upon young boys, including Plaintiff, by failing to warn of the danger and failing to implement reasonable policies to prevent and identify child sexual abuse in Scouting.

47. Defendants also negligently permitted Tibbetts to be alone with Plaintiff while on overnight Scouting trips, causing Plaintiff to be injured by the sexual abuse.

48. As a direct result of the Defendants' conduct described herein, Plaintiff has suffered and will continue to suffer great pain of mind and body, severe and permanent emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, humiliation, and psychological injuries. Plaintiff was prevented and will continue to be prevented from performing his normal daily activities and obtaining the full enjoyment of life; has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling; and, on information and belief, has incurred and will continue to incur loss of income and/or loss of earning capacity.

COUNT I: NEGLIGENCE

49. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.

50. Defendants owed Plaintiff a duty to protect Plaintiff based upon a special relationship between the Defendants and Plaintiff.

51. Defendants breached the duty to protect Plaintiff.

52. Defendants' breach of duty was the proximate cause of Plaintiff's injuries. As a direct result of Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT II: NEGLIGENT SUPERVISION

53. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.

54. At all times material hereto, Tibbetts was employed by and/or in an agency relationship with Defendants. As such, Tibbetts was under Defendants' direct supervision, employ,

and control when he committed the wrongful acts alleged herein. Tibbetts engaged in the wrongful conduct while acting in the course and scope of his employment and/or agency with each Defendant and/or accomplished the sexual abuse by virtue of his job-created authority. Most of the sexually abusive acts committed by Tibbetts against Plaintiff were committed on Scouting outings and activities and were committed within the working hours of a Scout Leader.

55. Defendants failed to exercise ordinary care in supervising Tibbetts in his role as a Scout Leader, and Defendants further failed to prevent the foreseeable misconduct of Tibbetts from causing harm to others, including Plaintiff.

56. As a direct result of Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT III: NEGLIGENT RETENTION

57. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.

58. Defendants, by and through their agents, servants and employees, became aware, or should have become aware, of problems indicating that Tibbetts was an unfit agent with dangerous and exploitive propensities, yet Defendants failed to take any further action to remedy the problem and failed to investigate or remove Tibbetts from working with children.

59. As a direct result of Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT IV: FRAUD

60. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count and further alleges:

61. At all times relevant to this complaint, Defendants invited and encouraged Plaintiff to participate in the Scouting program that they administered and controlled, all the while promoting their program as being safe and beneficial for boys, physically, emotionally, and spiritually. This invitation created a special, fiduciary relationship, wherein this Plaintiff and his parents relied upon Defendants' expertise and judgment in selecting safe, moral and trustworthy men to lead Boy Scout Troops.

62. As set out above, Defendants knew by at least 1955 that boys in Scouting were at risk of sexual abuse by Scout Leaders. Defendants knew this because historically noticeable numbers of the adult volunteers participating in Scouting were discovered to be child molesters who used Scouting to gain access to and earn the trust of Scouts.

63. Defendants had a duty to disclose known threats to the health and safety of the minors involved in their Scouting programs. In the first alternative, Defendants' invitation to Plaintiff to participate in Scouting upon payment of a fee required Defendants to disclose all matters material to the entering into the transaction, and the known incidence of child molestation by Scout Leaders would have been material to Plaintiff's decision to enter into the transaction with Defendants. In the second alternative, Defendants actively concealed the known problem of child molestation by Scout Leaders.

64. Defendants' knowledge that pedophile Scout Leaders used the Scouting program to accomplish sexual abuse of boys constituted a material fact, particularly in light of Defendants' failure to change the BSA program, policies, or procedures that in the past had been frequently used by pedophile Scout Leaders to accomplish sexual abuse of boys. Plaintiff would not have entered into a relationship with Defendants, the Scouting program, Tibbetts, or any other of Defendants' agents had he been aware of this fact.

65. Defendants fraudulently misrepresented and failed to disclose, and/or actively concealed the dangers of sexual abuse of boy scouts by Scout Leaders (hereinafter the “fraudulent representations”).

66. Defendants knew that the fraudulent representations were false, or made the fraudulent representations with reckless disregard for the truth. Defendants made the fraudulent representations with the intent of inducing Plaintiff (and other children similarly situated), Plaintiff’s parents (and other parents and guardians similarly situated), and the community at large to rely on the fraudulent representations and thereby continue to trust Defendants. Defendants obtained a substantial economic benefit from this reliance upon the fraudulent representations.

67. Plaintiff’s (and his parents’) reliance on the fraudulent representations resulted in Plaintiff engaging in a trust relationship with Defendants and their agents, including Tibbetts. The reliance of Plaintiff and his parents was justified because they did not know – nor could they reasonably have known – that Defendants were aware of a significant danger of sexual abuse by Scout Leaders (based on the known sustained and systemic problem of pedophile Scout Leaders using Scouting to accomplish sexual abuse of boys).

68. Plaintiff and his parents reasonably relied on the fraudulent representations by Defendants and reasonably believed that Scouting was safe (and did not pose a known danger of sexual abuse to Scouts). Plaintiff and his parents acted to their detriment in allowing Plaintiff to participate in Scouting based on this reliance.

69. As a direct result of Defendants’ fraud, Plaintiff has suffered the injuries and damages described herein.

JURY TRIAL REQUEST

70. Plaintiff requests a jury trial on all counts of this Complaint.

PRAYER FOR RELIEF

71. WHEREFORE, Plaintiff demands judgment against Defendants individually, jointly, and severally in an amount in excess of \$50,000 plus costs, disbursements, reasonable attorney's fees, interest, and whatever other relief the Court deems just and equitable.

Dated: March 16, 2016

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ACKNOWLEDGMENT

The undersigned hereby acknowledges that sanctions, including costs, disbursements, and reasonable attorney fees may be awarded pursuant to Minn. Stat Section 549.211 to a party against whom the allegations in this pleading are asserted.



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