

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
Civil Divisions

\_\_\_\_\_)  
JOHN DOE MINOR 1, )  
FATHER DOE 1, ) Civil Action No. \_\_\_\_\_  
MOTHER DOE 1, )  
JANE DOE MINOR 2, ) Jury Trial Demanded  
FATHER DOE 2, )  
MOTHER DOE 2, )  
JANE DOE MINOR 3, )  
FATHER DOE 3, )  
MOTHER DOE 3, )  
JANE DOE MINOR 4, )  
FATHER DOE 4, )  
MOTHER DOE 4, )  
JANE DOE MINOR 5, )  
FATHER DOE 5, )  
MOTHER DOE 5, )  
JANE DOE MINOR 6, )  
FATHER DOE 6, )  
MOTHER DOE 6, )  
JOHN DOE MINOR 7, )  
FATHER DOE 7, )  
MOTHER DOE 7, )  
FATHER DOE 8, )  
MOTHER DOE 8 )  
)  
c/o Cohen Milstein Sellers )  
& Toll, PLLC<sup>1</sup> )  
1100 New York Ave., NW )  
5<sup>th</sup> Floor )  
Washington, D.C. 20005 )  
)  
Plaintiffs, )  
)  
)  
vs. )  
)  
)

<sup>1</sup> Per Superior Court R. Civ. P. 5.2, residential addresses, as well as the initials of the minor plaintiffs and those of the plaintiff parents, are being withheld pending further Order of this Court on any necessary measures to ensure the plaintiffs' confidentiality. Plaintiffs respectfully assert that use of initials and provision of addresses would, in the context of the facts here, necessarily and readily identify minor children who have been sexually abused. That abuse is also known to be the subject of an ongoing criminal investigation, potentially compromising the integrity of that investigation if the identities of the children and families are revealed. A motion to proceed anonymously and for protective order is being filed contemporaneously with this Complaint.

WASHINGTON HEBREW )  
CONGREGATION, INC., )  
d/b/a Washington Hebrew Congregation )  
Edlavitch Tyser Early Childhood Center, )  
 )  
3935 Macomb St., N.W. )  
Washington, D.C. 20016 )  
 )  
and )  
 )  
DEBORAH "DJ" SCHNEIDER JENSEN, )  
 )  
911 Chauncey Avenue )  
Baltimore, Maryland 21217 )  
 )  
Defendants. )  
\_\_\_\_\_ )

**COMPLAINT**

Plaintiff John Doe Minor 1, by and through his parents and natural guardians, Father Doe 1 and Mother Doe 1; Father Doe 1, individually; Mother Doe 1, individually; Jane Doe Minor 2, by and through her parents and natural guardians, Father Doe 2 and Mother Doe 2; Father Doe 2, individually; Mother Doe 2, individually; Jane Doe Minor 3, by and through her parents and natural guardians, Father Doe 3 and Mother Doe 3; Father Doe 3, individually; Mother Doe 3, individually; Jane Doe Minor 4, by and through her parents and natural guardians, Father Doe 4 and Mother Doe 4; Father Doe 4, individually; Mother Doe 4, individually; Jane Doe Minor 5, by and through her parents and natural guardians, Father Doe 5 and Mother Doe 5; Father Doe 5, individually; Mother Doe 5, individually; Jane Doe Minor 6, by and through her parents and natural guardians, Father Doe 6 and Mother Doe 6; Father Doe 6, individually; Mother Doe 6, individually; John Doe Minor 7, by and through his parents and natural guardians, Father Doe 7 and Mother Doe 7; Father Doe 7, individually; and Mother Doe 7, individually; Father Doe 8,

individually; Mother Doe 8, individually; by and through undersigned counsel, hereby sue Defendants Washington Hebrew Congregation, Inc., d/b/a, Washington Hebrew Congregation Edlavitch Tyser Early Childhood Center, and Deborah “DJ” Schneider Jensen, and allege:

### **NATURE OF ACTION AND ESSENTIAL ALLEGATIONS**

1. This is an action for compensatory damages due to Defendant’s negligence in violation of the laws of the District of Columbia, and for punitive damages for Defendants’ misconduct that was reckless and willfully disregarded the Plaintiffs’ rights, including the minor plaintiffs’ right to essential safety from exposure to the known risk of sexual abuse in an educational or child caring facility. That misconduct involved repeated acts and omissions over a prolonged period of time that rose to a criminal level.

2. The events, actions and omissions that underlie the liability issues in this lawsuit began in or about March 2016 and continued through August 2018, during which time numerous children who were enrolled at the Washington Hebrew Congregation Edlavitch Tyser Early Childhood Center, including the minor child plaintiffs here, were subject to systemic and regular sexual abuse on school property, during the school day, by a member of the teaching staff.

3. The abuse was perpetrated by Jordan Silverman (hereafter “Silverman”), who had been hired to teach and care for children at WHC notwithstanding the fact that he had no professional background in teaching or providing child care, rather had worked as a professional photographer throughout the approximate 20 twenty years of his professional life, primarily in Vermont, before recently moving to Bethesda, Maryland.

4. The sexual abuse reported by children uniformly revealed that abuse occurred on the premises of the educational facility when Silverman was allowed to be alone with them individually or in small groups.

5. The abuse included the most grievous, demeaning and damaging forms of sexual abuse.

6. The abuse was perpetrated against both male and female victims.

7. The children Jordan Silverman targeted were between the ages of 2 and 4 at the time of the abuse.

8. Jordan Silverman used specific tactics against his victims, and targeted specific victims, to reduce the chance of detection.

9. Jordan Silverman was able to perpetrate his sexual abuse of children because he was allowed and encouraged by school administrators to be alone, with no other adult present, on an almost daily basis with individual or small groups of children, including each of the minor child plaintiffs here.

10. Jordan Silverman was permitted and encouraged to be alone with these children at locations in and around the facility that were remote from other adults and in areas of no visibility to others and beyond the ability of others even to hear any protests by the children he was abusing.

11. That the Defendants provided Jordan Silverman with access to individual or groups of children alone, under any circumstance, constituted a violation of the laws of the District of Columbia that expressly prohibit such conduct in a licensed child development center;

those laws rather mandate, at 5-A DCMR § 121.8, a “two-deep” policy where at least two adults must be present together at any and all times that one or more children are present.

12. Systemic, regular sexual abuse of such young children and in large numbers in an educational environment does not occur in the absence of neglect by the school administrators of their duty to operate the environment in a manner that thwarts the ability of would-be and unknown predators to access children alone, without visibility or accountability, in order to abuse them.

13. Essential protection against abuse of this type in a child caring environment requires visibility and accountability of all adults present at all times; Defendants provided for neither.

14. Defendant Deborah “DJ” Schneider Jensen, who served as Defendant “Director/Head of Schools” at the subject school, ignored, rejected and purposefully silenced repeated warnings and expressions of concern, from parents and teachers alike, that Jordan Silverman might be engaged in inappropriate conduct towards children and was improperly allowed unsupervised contact with young children; those warnings began within the first month of Jordan Silverman’s tenure at the school.

15. The children who were abused are left to suffer with profound, grievous and debilitating mental health harm, with expected life-long and developmental adverse impact, all of which was avoidable had Defendants not committed the torts and crimes detailed herein.

## **JURISDICTION AND VENUE**

16. Jurisdiction in this Court is proper pursuant to D.C. Code § 11-921, in that the causes of action arose in the District of Columbia.

17. This Court has personal jurisdiction over Defendant Washington Hebrew Congregation, Inc. pursuant to D.C. Code §§ 13-422 and 13-423 as a corporation operating its principle place of business in the District and causing tortious injury in the District by acts or omissions in the District.

18. This Court has personal jurisdiction over Defendant Deborah “DJ” Schneider Jensen pursuant to D.C. Code § 13-423 as a person who caused tortious injury in the District by acts or omissions in the District.

19. Venue in this Court is proper in that each and all of the causes of action alleged herein arise from the operation of a facility within the District of Columbia that is subject to the laws and regulations of the District that govern the operation of early childhood centers.

## **PARTIES**

20. Defendant Washington Hebrew Congregation, Inc., d/b/a, Washington Hebrew Congregation Edlavitch Tyser Early Childhood Center (hereafter “WHC” or “the school”), is a corporate entity that owns and operates the school at 3935 Macomb Street, Washington, DC, under license to operate as a child development center issued by the District of Columbia Office of the State Superintendent of Education.

21. Deborah “DJ” Schneider Jensen (hereafter “Jensen”), is an individual employed at WHC at all pertinent times as “Director of Schools”; she is a resident of Maryland.

22. Plaintiff John Doe Minor 1, is a minor child and former student at WHC, whose claims are brought by and through his parents and natural guardians, Father Doe 1 and Mother Doe 1.

23. Father Doe 1, is an individual and resident of the District of Columbia.

24. Mother Doe 1, is an individual and resident of the District of Columbia.

25. Jane Doe Minor 2, is a minor child and former student at WHC, whose claims are brought by and through her parents and natural guardians, Father Doe 2 and Mother Doe 2;

26. Father Doe 2, is an individual and resident of the District of Columbia.

27. Mother Doe 2, is an individual and resident of the District of Columbia.

28. Jane Doe Minor 3, is a minor child and former student at WHC, whose claims are brought by and through her parents and natural guardians, Father Doe 3 and Mother Doe 3;

29. Father Doe 3, is an individual and resident of the District of Columbia.

30. Mother Doe 3, is an individual and resident of the District of Columbia.

31. Jane Doe Minor 4, is a minor child and former student at WHC, whose claims are brought by and through her parents and natural guardians, Father Doe 4 and Mother Doe 4;

32. Father Doe 4, is an individual and resident of the District of Columbia.

33. Mother Doe 4, is an individual and resident of the District of Columbia.

34. Jane Doe Minor 5, is a minor child and former student at WHC, whose claims are brought by and through her parents and natural guardians, Father Doe 5 and Mother Doe 5;

35. Father Doe 5, is an individual and resident of the District of Columbia.

36. Mother Doe 5, is an individual and resident of the District of Columbia.

37. Jane Doe Minor 6, is a minor child and former student at WHC, whose claims are brought by and through her parents and natural guardians, Father Doe 6 and Mother Doe 6;

38. Father Doe 6, is an individual and resident of Maryland.

39. Mother Doe 6, is an individual and resident of Maryland.

40. John Doe Minor 7, is a minor child and former student at WHC, whose claims are brought by and through his parents and natural guardians, Father Doe 7 and Mother Doe 7;

41. Father Doe 7, is an individual and presently a resident of a foreign nation.

42. Mother Doe 7, is an individual and presently a resident of a foreign nation.

43. Father Doe 8, is an individual and resident of the District of Columbia.

44. Mother Doe 8, is an individual and resident of the District of Columbia.

#### **FACTS COMMON TO ALL COUNTS**

45. WHC founded Edlavitch Tyser Early Childhood Center in or about 1992, which it promotes as being an “exception and innovative preschool”; the school is overseen by WHC’s leadership and senior staff, including its Board of Directors, the Early Childhood Center Task Force of that Board, and WHC’s Executive Director.

46. At the time each minor child plaintiff was enrolled in WHC’s school for its educational, summer camp and after-care programs, WHC was promoting its facility as a “nurturing early childhood center” where children would “build a positive self-image in a friendly group atmosphere”, inherently recognizing the lifelong impact of a child’s experiences in their formative years, whether those experiences proved to be positive or negative.

47. At all pertinent times, the administration of the school itself was led by its “Director/Head of Schools”, Jensen, who reported directly to WHC’s Executive Director.

48. As “Director/Head of Schools”, Jensen’s job duties included:

a. Overseeing the day-to-day operations of the school and oversight and management of all personnel and activities of the school.

b. Recruiting, supervising, evaluating and assisting with the professional development of the school's teachers.

c. Ensuring compliance with all licensing requirements applicable to the school, including those set forth in the D.C. Code and established by the Office of the State Superintendent of Education.

49. As "Director/Head of Schools", Jensen constituted the "center director" of the WHC child development center within the meaning of 5-A DCMR § 164, and as such, as a matter of law, was responsible for ensuring WHC complied with, *inter alia*, legally-mandated staffing requirements, supervision of employees and adult-to-child staffing ratios.

50. WHC is vicariously liable for any torts committed by Jensen, and any other WHC employee, while acting within the scope of their employment; and, in fact, such torts were committed as more fully described herein.

51. At all times, WHC had the ability to exercise complete control over Silverman's access to children, including the ability to prevent him from having access alone with individual or small groups of children.

52. During its existence, and prior to the abuse at issue in this Complaint, WHC leadership and school administration had available to them from publicly-available sources substantial knowledge, data and directives on the risk of educator sexual misconduct towards minor children in such educational and child caring institutions, as well as those measures and methods that would be effective to mitigate that risk and those known to be ineffective. From those sources:

a. WHC knew or should have known of the risk of educator sexual misconduct towards children no later than 2001, when national public policy particularly enshrined notice of the problem in the *No Child Left Behind Act*, which amended Section 5414 of the Elementary and Secondary Education Act of 1965, calling for a national study of sexual abuse in schools. Thus, WHC knew or should have known that measures to mitigate the risk of educator sexual misconduct towards children were necessary.

b. WHC knew or should have known of available practice guidelines to mitigate the risk of sexual abuse in schools, as those guidelines have been widely published since at least 1991. Thus, WHC knew or should have known that measures to mitigate the risk were available.

c. WHC knew or should have known that criminal background checks of employee or volunteer applicants cannot be relied upon to identify the majority of child sex offenders, as data widely published since at least 1991 informs that no more than six percent of child sexual abuse cases are ever known to law enforcement or child welfare authorities. Thus, WHC knew or should have known that any employee who passed a criminal background check could still present a risk to children and that safety measures in addition to a criminal background check were necessary.

d. WHC knew or should have known that child sex predators who infiltrate educational environments cannot be readily identified by responsible adults in that environment and, in fact, that many such predators, upon detection, were previously recognized as exemplary and popular professionals who used their positive regard as a pathway to access child victims, as widely published studies established these points of fact since at least 1994. Thus, WHC knew

or should have known that it could not maintain any child safety procedure that relied on responsible adults in its employ to successfully identify potential child sex predators in the environment and bar only them from unsupervised contact with children.

e. WHC knew or should have known based on data widely published since at least 2000 that teachers account for some 90 percent of the offenders in cases of sexual misconduct in schools against children. Thus, WHC knew or should have known that effective policies and procedures to mitigate the risk of sexual abuse of children in its school needed to account for the predominant risk that a teacher might be an offender.

f. WHC knew or should have known no later than 2004, based on widely published studies, that school employees who had unsupervised access to students are far more likely to be identified as sexual offenders against students than those who did not have unsupervised access. Likewise, WHC knew or should have known based on widely published data available since 1994 that a primary tactic used by offenders against children is to isolate them from others. Thus, WHC knew or should have known that effective policies and procedures to mitigate the risk of sexual abuse of children in its school needed to mitigate the specific risk attendant to unsupervised access with children by adult employees.

g. WHC knew or should have known based on data widely-published by 2004, that sexual abuse in schools was known to occur against one student in the presence of others, without any of the children involved timely reporting the abuse. Thus, WHC knew or should have known that the presence of multiple children with a single adult would not completely mitigate the risk of child sexual abuse, nor provide an assurance of timely reporting of the offense by victims.

h. WHC knew or should have known based on widely-published data by 1998 that the age of confirmed sex offenders against children in educational environments range from the early 20's to 75 years old. Thus, WHC knew or should have known that any applicant for employment, at any age, regardless of any prior complaints or allegations of child abuse, could still be a potential offender.

i. WHC knew or should have known based on data widely published by 2004 that educator sexual misconduct perpetrators target both male and female students, with male students accounting for between 23 and 46 percent of victims. Thus, WHC knew or should have known that comprehensive and effective policies and procedures to mitigate the risk of child sex abuse needed to account for risk to both male and female students.

j. WHC knew or should have known based on data widely published by 2004 that educator sexual misconduct includes same-sex perpetration in as much as 28 percent of child sex abuse cases. Thus, WHC knew or should have known that comprehensive and effective policies and procedures to mitigate the risk of child sex abuse needed to account for unsupervised contact between adult employees and children regardless of whether the gender of the children and adults are the same.

k. WHC knew or should have known based on data widely published by 1994 that the professed or actual sexual orientation of child sex abusers is not a reliable indicator of the gender of children at risk of abuse, as same-sex perpetration of child sex abuse occurs in as much as 24 percent of child sex abuse cases where the perpetrator self-identifies as heterosexual. Thus, WHC knew or should have known that comprehensive and effective policies and procedures against sexual abuse needed to account for unsupervised contact between

adult employees and children of any gender, without regard to the known or perceived sexual orientation of the adults involved.

l. WHC knew or should have known based on data widely published by 1994 that most child sex offenders are married or living in committed adult relationships. Thus, WHC knew or should have known that comprehensive and effective policies and procedures against child sex abuse needed to account for unsupervised contact between adult employees and children regardless of the marital status of the adults involved.

m. WHC knew or should have known based on data widely published by 2004 that child sex abusers in educational environments use tactics effectively against children that are specifically designed to gain their silence against reporting the abuse, including lying to them, making them believe that they are willing or complicit in abusive acts, and otherwise manipulating them into sexual acts. Likewise, data widely published by 2004 established that sexual abuse in a school can be perpetrated against multiple victims over several years before any child victim reports it to a responsible adult. Thus, WHC knew or should have known that comprehensive and effective policies and procedures against child sex abuse should not and could not rely on young children timely reporting abusive acts.

n. WHC knew or should have known from mass media and professional publications since at least 2004 that child sex predators who infiltrate educational environments will often abuse multiple children before detection. Thus, WHC knew or should have known that by not having comprehensive and effective policies and procedures against the risk of abuse of children at the school in place as of 2016, it was taking a risk that multiple young children

entrusted to its care could be grievously sexually abused by even a single surreptitious predator in its employ.

53. WHC failed to establish and enforce policies and procedures consistent with the foregoing, in violation of its duties to Plaintiffs, in violation of the applicable standard of care and in violation of law.

54. WHC knew or should have known that training of its administrators, staff, faculty and volunteers should have included training on mitigating the risk of child sex abuse, including as to the following measures, without necessary limitation:

a. Training that any adult in the environment might prove to be unsafe to children, regardless of the employment position they hold, their professional or community standing, or their popularity among peers or students.

b. Training that abuse is most frequently committed by adults who obtain or seek to obtain opportunities to have time alone with individual or small groups of children.

c. Training that abuse perpetrators frequently and purposefully establish positive and trusting relationships with their victims before abusing them, including progressively breaching physical touch barriers, a process known as “grooming”.

d. Training that background and criminal background screening of job applicants or volunteers would not necessarily detect all persons who might be dangerous to children.

e. Training that no adult in a school environment should ever be permitted to be alone with individual or groups of children and that efforts by an adult to create such opportunity is a warning sign that the adult might be seeking to abuse children.

f. Training that predators against children: can be of any age; can have no known prior complaints or allegations of child abuse; can be targeting male and female students for abuse; can be seeking to abuse children of any gender; can be of any known or perceived sexual orientation; and can be of any marital status.

g. Training that children cannot be relied upon to report abuse that they may be suffering.

55. WHC failed to implement or provide for training of its administrators, staff, faculty and volunteers consistent with the foregoing and consistent with the legal mandates of 5-A DCRM § 139.7 (a), in violation of duties owed to Plaintiffs, in violation of the applicable standard of care and in violation of law.

56. WHC otherwise failed to establish and maintain a reasonably safe environment at WHC by undertaking necessary and reasonable measures to ensure visibility and accountability for all adults at all times in its facility into whose care the safety of children were entrusted.

57. Prior to being hired to serve as Director/Head of Schools at WHC, Jensen was an experienced early childhood educational professional who promoted herself as “an internationally recognized expert in early childhood education” and as a professional who trained “educators at all levels: teachers and assistants, directors, administrators, owners and parents”; thus, she knew or should have known before she even began her tenure as Director/Head of Schools at WHC that:

a. There was a risk of educator sexual misconduct towards minor children in preschool institutions, such as the subject school, as well as those measures and methods that would be effective to mitigate that risk and those known to be ineffective.

b. There was available training for preschool administrators, staff, faculty and volunteers on mitigating the risk of child sex abuse and that such training was necessary.

58. In or about July 2014, Jensen was hired by WHC to serve as its Early Childhood Director for the school.

59. At that time, WHC was aware of Jensen's authorship of a book entitled, "Monday Memo: Creating Change in Early Childhood Education, One Message at a Time," which had been published by her the year before; in fact, WHC promoted her authorship of that book on its web site.

60. In her book, Jensen expressly disclosed the following attitudes towards serving as the director of a preschool that deviate materially from best practices, the standard of care and duties owed to each interested party at law:

a. That preschool administrators and teachers should avoid providing to parents any negative information about what happens to their children at school, because the information could be relayed to licensing or regulatory authorities, who might then arrive at the school to investigate, unannounced, and disrupt the day.

b. That teachers have no right, over the objection of school administrators, to share with parents any opinion that they might develop that a school is being operated in a manner that is detrimental to the children's best interests.

61. Jensen failed to employ measures and methods necessary to protect children at WHC from the risk of abuse in the environment and, when confronted by teachers and parents with concerns about those failures, as well as concerns about Silverman specifically, disregarded and rejected those concerns in violation of her duties to these Plaintiffs and her duties at law.

62. Despite having no professional training, credentials or experience in early childhood education, Jordan Silverman was recruited and hired by Jensen to work with children at WHC, including as an assistant teacher. His employment commenced in or about March 2016, when he was immediately given direct contact with children, and continued through August 2018 when he was placed on administrative leave following a child's disclosure of sexual abuse.

63. Throughout his tenure, Silverman was observed by other teachers and parents to be engaging in behaviors towards children that could be part of a purposeful "grooming" effort as a prelude to abuse.

64. Concerns related to certain grooming behavior by Silverman were reported to Jensen in her capacity as Director/Head of Schools as early as one month into his employment at WHC and thereafter, by both parents and teachers.

65. Concerns were likewise expressed repeatedly to Jensen that Silverman was taking children alone to certain areas of the school, which were rejected by Jensen, without engaging in any type of investigation, without making any effort to curtail his actions and without acting to remedy the violation of the standard of care and the law reflected in that behavior.

66. In her capacity as Director/Head of Schools, Jensen categorically rejected all concerns about Silverman as unfounded, stating *inter alia*, that they were based on the reporter's own "sick mind" and insisted that Silverman would not abuse a child; in so doing, Jensen inherently recognized that the behaviors reported to her reflected a concern that Silverman might be a danger towards children.

67. In her capacity as Director/Head of Schools, Jensen failed to act on multiple complaints that Silverman was sometimes late returning children when he had been alone with them and was not reachable or responsive to efforts by co-workers to locate him and the children at such times.

68. Despite the concerns expressed to her over more than a two-year period regarding Silverman engaging in grooming and predatory behaviors towards children, Jensen: expressly refused to direct or order Silverman to cease engaging in such conduct; took no action to investigate the concerns further; took no action to restrict Silverman's access to children, including unsupervised access; made no changes in policies and procedures; failed to report the misconduct to any law enforcement or child welfare authority; failed to report the misconduct to the school's licensing authority; and failed and refused to discharge Silverman from employment.

69. Throughout Silverman's tenure at WHC, certain children, including minor child plaintiffs here, were observed by various WHC staff members as engaging in behaviors that were indicative of possible abuse, but they had not been trained properly to identify and report such behaviors for further investigation and intervention; accordingly, those behaviors persisted, along with the abuse that caused them.

70. In large measure, the behaviors exhibited by children that were indicative of possible abuse were not understood by WHC staff at the time to be warning signs of possible abuse due to inadequate training, policies and procedures; those that were recognized as abnormal and extreme adverse behaviors were not timely reported to the parents and, in fact, were purposely withheld under the policies established by Jensen to avoid any "negative"

impression of the school environment being formed by parents and her express directions to her subordinates on a case-by-case basis.

71. Upon his hiring and through his employment tenure of more than two years at WHC, Silverman found at WHC a school environment that was friendly to would-be child sex predators, including:

a. One in which he was permitted and encouraged, in violation of the law, on a daily basis and sometimes multiple times day, to create opportunities to access individual and small groups of children, alone, with no other adults present.

b. One in which he was permitted and encouraged, on a daily basis, to access individual and small groups of children, alone, at locations that were isolated and remote from any other adult, with no visibility or accountability for his conduct.

c. One in which he was permitted and encouraged, on a daily basis, to access individual and small groups of children, alone, for periods of time up to an hour, adequate time to sexually abuse the children.

d. One in which he was not required, after he had been alone with individual or small groups of children, to justify time periods in which he was late returning those children to their regular classrooms or the next scheduled activity, including when he overtly refused to answer direct questions about his absences.

e. One in which he was not required by any superior to cease engaging in predatory grooming behaviors to gain the trust and affections of children, even when challenged.

f. One in which his co-workers were not properly trained to recognize his “red flag” predatory behaviors.

g. One in which his co-workers were not properly trained to recognize in the children he abused adverse behaviors indicative of having suffered sexual abuse at his hands.

72. Silverman did, in fact, take advantage of the predator-friendly environment maintained at WHC in order to be able to sexually abuse the minor children Plaintiffs, repeatedly, as well as other children who were their schoolmates.

73. The abuse of the minor children Plaintiffs constituted the commission of felonies by Jordan Silverman, including without necessary limitation, the following sections of District of Columbia criminal statutes, Title II, Subchapter II: section 22.3008, first degree child sexual abuse (engaging in a sexual act with a child or causing a child to engage in a sexual act); section 22.3009, second degree child sexual abuse (engaging in sexual contact with a child or causing a child to engage in sexual contact); section 22.3009.1, first degree sexual abuse of a minor (an adult, being in a “significant relationship” with a minor, engages in a sexual act with the minor or causes the minor to engage in a sexual act); and section 22.3009.02, second degree sexual abuse of a minor (an adult, being in a significant relationship with a minor, engages in sexual contact with the minor or causes the minor to engage in sexual contact).

74. An award of punitive damages against these Defendants is warranted for their reckless and willful disregard of the rights of these plaintiffs to the assurance of essential safety for the minor children, and for their violation of criminal laws that enabled, allowed for and facilitated the abuse of the minor children plaintiffs by Silverman and that, but for said criminal violations, the abuse and sexual abuse would not have been perpetrated. The criminal violations by Defendants include, without necessary limitation, those established pursuant to 5-A DCMR § 116.2.

## CAUSES OF ACTION

### COUNT 1 - FOR JOHN DOE MINOR 1 AGAINST WHC -- NEGLIGENCE

75. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

76. Defendant owed to Plaintiff a duty to provide, maintain and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safety against the risk of abuse and sexual abuse.

77. WHC breached its duty by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

78. WHC knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that its burden of avoiding the risk was very slight, indeed legally-mandated by virtue of its license to operate.

79. WHC owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

80. WHC owed a special duty to Plaintiff as a minor child student at the school.

81. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had WHC complied with its duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with an individual child or group of children.

82. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 2 - FOR JOHN DOE MINOR 1 AGAINST WHC – VICARIOUS LIABILITY –  
RESPONDEAT SUPERIOR NEGLIGENCE AND NEGLIGENCE PER SE**

83. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

84. At all pertinent times, Defendant employed Silverman to act as its agent, servant or employee and permitted Silverman to remain as such at all pertinent times.

85. WHC was negligent and negligent *per se* in that it disregarded and violated licensing mandates that no adult staff member, like Silverman, be left alone with an individual child or group of children without another adult present for visibility and accountability, laws specifically intended to protect Plaintiff from abuse and sexual abuse.

86. Violation of those laws constitutes committing negligence *per se* as a matter of law.

87. As the principal, master and/or employer of Silverman, Defendant is liable for all of the injuries and damages caused by and committed by Silverman.

88. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 3 - FOR JOHN DOE MINOR 1 AGAINST WHC – NEGLIGENT HIRING, RETENTION AND SUPERVISION OF SILVERMAN**

89. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

90. At all pertinent times, Defendant WHC appointed, engaged and/or employed Jordan Silverman to act as its actual and duly authorized agent, servant and/or employee with job duties that necessarily involved care of young children and permitted him to remain as such for all relevant time periods.

91. At all pertinent times, Defendant WHC owed a continuing duty to reasonably and carefully secure the services of qualified and trained agents, servants and/or employees; to properly select, monitor and supervise such persons; and to promulgate and enforce proper and effective standards, procedures, protocols, systems and rules to ensure the safety of minor children at the school from the risk of harm by its agents, servants and employee.

92. Defendant negligently breached the above described duties by hiring and retaining Silverman, and by failing to properly and effectively supervise him to ensure the safety of children.

93. Defendant knew or should have known that Silverman was engaging in unlawful conduct towards young children, including the minor Plaintiffs here, but failed and refused to restrict his dangerous actions and to discharge him from employment.

94. In addition to the criminal illegality of allowing Silverman to have unsupervised access to children, WHC was on notice that Silverman was unfit to be involved in any employment capacity in which he would have unsupervised access to children.

95. Despite being on notice that he was unfit to be entrusted with unsupervised access to children, WHC negligently placed and maintained Silverman in a position of caring for and teaching very young children, and allowed him to have such contact without any other adults present for periods of time sufficient to allow him to commit acts of abuse and sexual abuse of

children and to threaten, intimidate and manipulate them into silence so that he could continue to do so.

96. Under all the circumstances, placing Silverman into a position of unsupervised access to minor children presented an unreasonable risk of harm to those minor children, including each and all of the minor child plaintiffs in this suit.

97. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 4 - FOR JOHN DOE 1 MINOR AGAINST WHC – NEGLIGENT HIRING OF JENSEN BY WHC**

98. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

99. WHC knew or should have known that Jensen was unfit to be hired as Director/Head of Schools in that she presented an unreasonable risk of harm to children based on her belief that it was proper to withhold from parents and from regulatory and licensing

authorities any information regarding harm that might befall children and risk of harm to children in a licensed educational or child caregiving facility.

100. WHC leadership failed to monitor for, identify and appreciate the grave violations of the standard of care and laws applicable to essential child safety that were overseen and facilitated by the attitudes and policies maintained by Jensen. In fact, despite what its own investigations have revealed since August 2018 and the discovery of the sexual abuse of potentially over 15 young children on her watch, as recently as February 27, 2019, WHC praised Jensen publicly for “her many contributions” to the school and expressing that it is “grateful for her innovative vision for the schools.”

101. As a direct and proximate result of Defendant’s negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 5 - FOR JOHN DOE MINOR 1 AGAINST JENSEN – NEGLIGENCE**

102. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

103. As Director/Head of Schools, Defendant Jensen owed to Plaintiff a duty to assure and maintain, provide and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safe against the risk of abuse and sexual abuse.

104. As Director/Head of Schools, and pursuant to 5-A DCMR § 164, Jensen had a duty, as a matter of law, to ensure that WHC complied with, *inter alia*, legally-mandated staffing requirements, supervision of employees and adult-to-child staffing ratios.

105. Defendant Jensen breached her duties by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

106. Defendant Jensen further breached her duty by failing to heed, investigate and otherwise respond in a lawful manner that ensured Plaintiff's safety when she was confronted by her subordinates and by parents who expressed concern over Silverman's suspected predatory behaviors and his illegal access alone to individual and small groups of children.

107. Defendant Jensen further breached her duty by acting purposefully, recklessly and maliciously to silence and place a chilling effect on anyone who complained about or raised concerns about Silverman, including by threatening to fire any subordinate who continued to raise concerns to her about Silverman.

108. Defendant Jensen's misconduct in threatening subordinates had the foreseeable and intended effect of discouraging further complaints about Silverman, which directly and materially contributed to the delay in discovering his abuse of children, including the minor Plaintiffs here.

109. Defendant Jensen knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that the burden of avoiding the risk was very slight, indeed legally-mandated by virtue of WHC's license to operate.

110. Defendant Jensen owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

111. Defendant Jensen owed a special duty to Plaintiff as a minor child student at the school.

112. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had Defendant Jensen complied with her duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with a child or group of children.

113. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs

of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 6 - FOR JOHN DOE MINOR 1 AGAINST JENSEN – NEGLIGENCE PER SE**

114. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

115. Defendant Jensen was negligent *per se* in that she disregarded and violated licensing laws that she, as the director of the school, as a matter of law, was mandated to enforce, including that no adult staff member, like Silverman, be left alone with a child or group of children without another adult present for visibility and accountability; those laws are specifically intended to protect Plaintiff from abuse and sexual abuse.

116. Violation of those laws, including the dictates of 5-A DCMR § 164 constitutes committing negligence *per se* as a matter of law.

117. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost

earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 7 - FOR JANE DOE MINOR 2 AGAINST WHC -- NEGLIGENCE**

118. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

119. Defendant owed to Plaintiff a duty to provide, maintain and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safety against the risk of abuse and sexual abuse.

120. WHC breached its duty by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

121. WHC knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that its burden of avoiding the risk was very slight, indeed legally-mandated by virtue of its license to operate.

122. WHC owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

123. WHC owed a special duty to Plaintiff as a minor child student at the school.

124. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had WHC complied with its duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with an individual child or group of children.

125. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 8 - FOR JANE DOE MINOR 2 AGAINST WHC – VICARIOUS LIABILITY –  
*RESPONDEAT SUPERIOR* NEGLIGENCE AND NEGLIGENCE *PER SE***

126. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

127. At all pertinent times, Defendant employed Silverman to act as its agent, servant or employee and permitted Silverman to remain as such at all pertinent times.

128. WHC was negligent and negligent *per se* in that it disregarded and violated licensing mandates that no adult staff member, like Silverman, be left alone with an individual child or group of children without another adult present for visibility and accountability, laws specifically intended to protect Plaintiff from abuse and sexual abuse.

129. Violation of those laws constitutes committing negligence *per se* as a matter of law.

130. As the principal, master and/or employer of Silverman, Defendant is liable for all of the injuries and damages caused by and committed by Silverman.

131. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 9 - FOR JANE DOE MINOR 2 AGAINST WHC – NEGLIGENT HIRING,  
RETENTION AND SUPERVISION OF SILVERMAN**

132. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

133. At all pertinent times, Defendant WHC appointed, engaged and/or employed Jordan Silverman to act as its actual and duly authorized agent, servant and/or employee with job duties that necessarily involved care of young children and permitted him to remain as such for all relevant time periods.

134. At all pertinent times, Defendant WHC owed a continuing duty to reasonably and carefully secure the services of qualified and trained agents, servants and/or employees; to properly select, monitor and supervise such persons; and to promulgate and enforce proper and effective standards, procedures, protocols, systems and rules to ensure the safety of minor children at the school from the risk of harm by its agents, servants and employee.

135. Defendant negligently breached the above described duties by hiring and retaining Silverman, and by failing to properly and effectively supervise him to ensure the safety of children.

136. Defendant knew or should have known that Silverman was engaging in unlawful conduct towards young children, including the minor Plaintiffs here, but failed and refused to restrict his dangerous actions and to discharge him from employment.

137. In addition to the criminal illegality of allowing Silverman to have unsupervised access to children, WHC was on notice that Silverman was unfit to be involved in any employment capacity in which he would have unsupervised access to children.

138. Despite being on notice that he was unfit to be entrusted with unsupervised access to children, WHC negligently placed and maintained Silverman in a position of caring for and teaching very young children, and allowed him to have such contact without any other adults present for periods of time sufficient to allow him to commit acts of abuse and sexual abuse of children and to threaten, intimidate and manipulate them into silence so that he could continue to do so.

139. Under all the circumstances, placing Silverman into a position of unsupervised access to minor children presented an unreasonable risk of harm to those minor children, including each and all of the minor child plaintiffs in this suit.

140. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 10 - FOR JANE DOE MINOR 2 AGAINST WHC – NEGLIGENT HIRING OF JENSEN BY WHC**

141. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

142. WHC knew or should have known that Jensen was unfit to be hired as Director/Head of Schools in that she presented an unreasonable risk of harm to children based on her belief that it was proper to withhold from parents and from regulatory and licensing authorities any information regarding harm that might befall children and risk of harm to children in a licensed educational or child caregiving facility.

143. WHC leadership failed to monitor for, identify and appreciate the grave violations of the standard of care and laws applicable to essential child safety that were overseen and facilitated by the attitudes and policies maintained by Jensen. In fact, despite what its own investigations have revealed since August 2018 and the discovery of the sexual abuse of potentially over 15 young children on her watch, as recently as February 27, 2019, WHC praised Jensen publicly for “her many contributions” to the school and expressing that it is “grateful for her innovative vision for the schools.”

144. As a direct and proximate result of Defendant’s negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational,

rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 11 - FOR JANE DOE MINOR 2 AGAINST JENSEN – NEGLIGENCE**

145. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

146. As Director/Head of Schools, Defendant Jensen owed to Plaintiff a duty to assure and maintain, provide and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safe against the risk of abuse and sexual abuse.

147. As Director/Head of Schools, and pursuant to 5-A DCMR § 164, Jensen had a duty, as a matter of law, to ensure that WHC complied with, *inter alia*, legally-mandated staffing requirements, supervision of employees and adult-to-child staffing ratios.

148. Defendant Jensen breached her duties by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

149. Defendant Jensen further breached her duty by failing to heed, investigate and otherwise respond in a lawful manner that ensured Plaintiff's safety when she was confronted by her subordinates and by parents who expressed concern over Silverman's suspected predatory behaviors and his illegal access alone to individual and small groups of children.

150. Defendant Jensen further breached her duty by acting purposefully, recklessly and maliciously to silence and place a chilling effect on anyone who complained about or raised concerns about Silverman, including by threatening to fire any subordinate who continued to raise concerns to her about Silverman.

151. Defendant Jensen's misconduct in threatening subordinates had the foreseeable and intended effect of discouraging further complaints about Silverman, which directly and materially contributed to the delay in discovering his abuse of children, including the minor Plaintiffs here.

152. Defendant Jensen knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that the burden of avoiding the risk was very slight, indeed legally-mandated by virtue of WHC's license to operate.

153. Defendant Jensen owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

154. Defendant Jensen owed a special duty to Plaintiff as a minor child student at the school.

155. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had Defendant Jensen complied with her duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with a child or group of children.

156. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 12 - FOR JANE DOE MINOR 2 AGAINST JENSEN – NEGLIGENCE PER SE**

157. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

158. Defendant Jensen was negligent *per se* in that she disregarded and violated licensing laws that she, as the director of the school, as a matter of law, was mandated to enforce, including that no adult staff member, like Silverman, be left alone with a child or group of

children without another adult present for visibility and accountability; those laws are specifically intended to protect Plaintiff from abuse and sexual abuse.

159. Violation of those laws, including the dictates of 5-A DCMR § 164 constitutes committing negligence *per se* as a matter of law.

160. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

### **COUNT 13 - FOR JANE DOE MINOR 3 AGAINST WHC -- NEGLIGENCE**

161. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

162. Defendant owed to Plaintiff a duty to provide, maintain and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safety against the risk of abuse and sexual abuse.

163. WHC breached its duty by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by

employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

164. WHC knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that its burden of avoiding the risk was very slight, indeed legally-mandated by virtue of its license to operate.

165. WHC owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

166. WHC owed a special duty to Plaintiff as a minor child student at the school.

The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had WHC complied with its duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with an individual child or group of children.

167. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of

vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 14 - FOR JANE DOE MINOR 3 AGAINST WHC – VICARIOUS LIABILITY –  
RESPONDEAT SUPERIOR NEGLIGENCE AND NEGLIGENCE PER SE**

168. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

169. At all pertinent times, Defendant employed Silverman to act as its agent, servant or employee and permitted Silverman to remain as such at all pertinent times.

170. WHC was negligent and negligent *per se* in that it disregarded and violated licensing mandates that no adult staff member, like Silverman, be left alone with an individual child or group of children without another adult present for visibility and accountability, laws specifically intended to protect Plaintiff from abuse and sexual abuse.

171. Violation of those laws constitutes committing negligence *per se* as a matter of law.

172. As the principal, master and/or employer of Silverman, Defendant is liable for all of the injuries and damages caused by and committed by Silverman.

173. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent

economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 15 - FOR JANE DOE MINOR 3 AGAINST WHC – NEGLIGENT HIRING, RETENTION AND SUPERVISION OF SILVERMAN**

174. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

175. At all pertinent times, Defendant WHC appointed, engaged and/or employed Jordan Silverman to act as its actual and duly authorized agent, servant and/or employee with job duties that necessarily involved care of young children and permitted him to remain as such for all relevant time periods.

176. At all pertinent times, Defendant WHC owed a continuing duty to reasonably and carefully secure the services of qualified and trained agents, servants and/or employees; to properly select, monitor and supervise such persons; and to promulgate and enforce proper and effective standards, procedures, protocols, systems and rules to ensure the safety of minor children at the school from the risk of harm by its agents, servants and employee.

177. Defendant negligently breached the above described duties by hiring and retaining Silverman, and by failing to properly and effectively supervise him to ensure the safety of children.

Defendant knew or should have known that Silverman was engaging in unlawful conduct towards young children, including the minor Plaintiffs here, but failed and refused to restrict his dangerous actions and to discharge him from employment.

178. In addition to the criminal illegality of allowing Silverman to have unsupervised access to children, WHC was on notice that Silverman was unfit to be involved in any employment capacity in which he would have unsupervised access to children.

179. Despite being on notice that he was unfit to be entrusted with unsupervised access to children, WHC negligently placed and maintained Silverman in a position of caring for and teaching very young children, and allowed him to have such contact without any other adults present for periods of time sufficient to allow him to commit acts of abuse and sexual abuse of children and to threaten, intimidate and manipulate them into silence so that he could continue to do so.

180. Under all the circumstances, placing Silverman into a position of unsupervised access to minor children presented an unreasonable risk of harm to those minor children, including each and all of the minor child plaintiffs in this suit.

181. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational,

rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 16 - FOR JANE DOE 3 MINOR AGAINST WHC – NEGLIGENT HIRING OF JENSEN BY WHC**

182. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

183. WHC knew or should have known that Jensen was unfit to be hired as Director/Head of Schools in that she presented an unreasonable risk of harm to children based on her belief that it was proper to withhold from parents and from regulatory and licensing authorities any information regarding harm that might befall children and risk of harm to children in a licensed educational or child caregiving facility.

184. WHC leadership failed to monitor for, identify and appreciate the grave violations of the standard of care and laws applicable to essential child safety that were overseen and facilitated by the attitudes and policies maintained by Jensen. In fact, despite what its own investigations have revealed since August 2018 and the discovery of the sexual abuse of potentially over 15 young children on her watch, as recently as February 27, 2019, WHC praised Jensen publicly for “her many contributions” to the school and expressing that it is “grateful for her innovative vision for the schools.”

185. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 17 - FOR JANE DOE MINOR 3 AGAINST JENSEN – NEGLIGENCE**

186. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

187. As Director/Head of Schools, Defendant Jensen owed to Plaintiff a duty to assure and maintain, provide and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safe against the risk of abuse and sexual abuse.

188. As Director/Head of Schools, and pursuant to 5-A DCMR § 164, Jensen had a duty, as a matter of law, to ensure that WHC complied with, *inter alia*, legally-mandated staffing requirements, supervision of employees and adult-to-child staffing ratios.

189. Defendant Jensen breached her duties by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children

by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

190. Defendant Jensen further breached her duty by failing to heed, investigate and otherwise respond in a lawful manner that ensured Plaintiff's safety when she was confronted by her subordinates and by parents who expressed concern over Silverman's suspected predatory behaviors and his illegal access alone to individual and small groups of children.

191. Defendant Jensen further breached her duty by acting purposefully, recklessly and maliciously to silence and place a chilling effect on anyone who complained about or raised concerns about Silverman, including by threatening to fire any subordinate who continued to raise concerns to her about Silverman.

192. Defendant Jensen's misconduct in threatening subordinates had the foreseeable and intended effect of discouraging further complaints about Silverman, which directly and materially contributed to the delay in discovering his abuse of children, including the minor Plaintiffs here.

193. Defendant Jensen knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that the burden of avoiding the risk was very slight, indeed legally-mandated by virtue of WHC's license to operate.

194. Defendant Jensen owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

195. Defendant Jensen owed a special duty to Plaintiff as a minor child student at the school.

196. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had Defendant Jensen complied with her duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with a child or group of children.

197. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 18 - FOR JANE DOE MINOR 3 AGAINST JENSEN – NEGLIGENCE PER SE**

198. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

199. Defendant Jensen was negligent *per se* in that she disregarded and violated licensing laws that she, as the director of the school, as a matter of law, was mandated to enforce, including that no adult staff member, like Silverman, be left alone with a child or group of children without another adult present for visibility and accountability; those laws are specifically intended to protect Plaintiff from abuse and sexual abuse.

200. Violation of those laws, including the dictates of 5-A DCMR § 164 constitutes committing negligence *per se* as a matter of law.

201. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 19 - FOR JANE DOE MINOR 4 AGAINST WHC -- NEGLIGENCE**

202. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

203. Defendant owed to Plaintiff a duty to provide, maintain and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safety against the risk of abuse and sexual abuse.

204. WHC breached its duty by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

205. WHC knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that its burden of avoiding the risk was very slight, indeed legally-mandated by virtue of its license to operate.

206. WHC owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

207. WHC owed a special duty to Plaintiff as a minor child student at the school.

208. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had WHC complied with its duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply

complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with an individual child or group of children.

209. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 20 - FOR JANE DOE MINOR 4 AGAINST WHC – VICARIOUS LIABILITY –  
*RESPONDEAT SUPERIOR* NEGLIGENCE AND NEGLIGENCE *PER SE***

210. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

211. At all pertinent times, Defendant employed Silverman to act as its agent, servant or employee and permitted Silverman to remain as such at all pertinent times.

212. WHC was negligent and negligent *per se* in that it disregarded and violated licensing mandates that no adult staff member, like Silverman, be left alone with an individual child or group of children without another adult present for visibility and accountability, laws specifically intended to protect Plaintiff from abuse and sexual abuse.

213. Violation of those laws constitutes committing negligence *per se* as a matter of law.

214. As the principal, master and/or employer of Silverman, Defendant is liable for all of the injuries and damages caused by and committed by Silverman.

215. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 21 - FOR JANE DOE MINOR 4 AGAINST WHC – NEGLIGENT HIRING, RETENTION AND SUPERVISION OF SILVERMAN**

216. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

217. At all pertinent times, Defendant WHC appointed, engaged and/or employed Jordan Silverman to act as its actual and duly authorized agent, servant and/or employee with job duties that necessarily involved care of young children and permitted him to remain as such for all relevant time periods.

218. At all pertinent times, Defendant WHC owed a continuing duty to reasonably and carefully secure the services of qualified and trained agents, servants and/or employees; to properly select, monitor and supervise such persons; and to promulgate and enforce proper and effective standards, procedures, protocols, systems and rules to ensure the safety of minor children at the school from the risk of harm by its agents, servants and employee.

219. Defendant negligently breached the above described duties by hiring and retaining Silverman, and by failing to properly and effectively supervise him to ensure the safety of children.

220. Defendant knew or should have known that Silverman was engaging in unlawful conduct towards young children, including the minor Plaintiffs here, but failed and refused to restrict his dangerous actions and to discharge him from employment.

221. In addition to the criminal illegality of allowing Silverman to have unsupervised access to children, WHC was on notice that Silverman was unfit to be involved in any employment capacity in which he would have unsupervised access to children.

222. Despite being on notice that he was unfit to be entrusted with unsupervised access to children, WHC negligently placed and maintained Silverman in a position of caring for and teaching very young children, and allowed him to have such contact without any other adults present for periods of time sufficient to allow him to commit acts of abuse and sexual abuse of children and to threaten, intimidate and manipulate them into silence so that he could continue to do so.

223. Under all the circumstances, placing Silverman into a position of unsupervised access to minor children presented an unreasonable risk of harm to those minor children, including each and all of the minor child plaintiffs in this suit.

224. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 22 - FOR JANE DOE MINOR 4 AGAINST WHC – NEGLIGENT HIRING OF JENSEN BY WHC**

225. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

226. WHC knew or should have known that Jensen was unfit to be hired as Director/Head of Schools in that she presented an unreasonable risk of harm to children based on her belief that it was proper to withhold from parents and from regulatory and licensing authorities any information regarding harm that might befall children and risk of harm to children in a licensed educational or child caregiving facility.

227. WHC leadership failed to monitor for, identify and appreciate the grave violations of the standard of care and laws applicable to essential child safety that were overseen and facilitated by the attitudes and policies maintained by Jensen. In fact, despite what its own investigations have revealed since August 2018 and the discovery of the sexual abuse of potentially over 15 young children on her watch, as recently as February 27, 2019, WHC praised Jensen publicly for “her many contributions” to the school and expressing that it is “grateful for her innovative vision for the schools.”

228. As a direct and proximate result of Defendant’s negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 23 - FOR JANE DOE MINOR 4 AGAINST JENSEN – NEGLIGENCE**

229. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

230. As Director/Head of Schools, Defendant Jensen owed to Plaintiff a duty to assure and maintain, provide and operate the educational and caregiving environment at the school in a

manner that was reasonably safe for Plaintiff, including safe against the risk of abuse and sexual abuse.

231. As Director/Head of Schools, and pursuant to 5-A DCMR § 164, Jensen had a duty, as a matter of law, to ensure that WHC complied with, *inter alia*, legally-mandated staffing requirements, supervision of employees and adult-to-child staffing ratios.

232. Defendant Jensen breached her duties by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

233. Defendant Jensen further breached her duty by failing to heed, investigate and otherwise respond in a lawful manner that ensured Plaintiff's safety when she was confronted by her subordinates and by parents who expressed concern over Silverman's suspected predatory behaviors and his illegal access alone to individual and small groups of children.

234. Defendant Jensen further breached her duty by acting purposefully, recklessly and maliciously to silence and place a chilling effect on anyone who complained about or raised concerns about Silverman, including by threatening to fire any subordinate who continued to raise concerns to her about Silverman.

235. Defendant Jensen's misconduct in threatening subordinates had the foreseeable and intended effect of discouraging further complaints about Silverman, which directly and

materially contributed to the delay in discovering his abuse of children, including the minor Plaintiffs here.

236. Defendant Jensen knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that the burden of avoiding the risk was very slight, indeed legally-mandated by virtue of WHC's license to operate.

237. Defendant Jensen owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

238. Defendant Jensen owed a special duty to Plaintiff as a minor child student at the school.

239. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had Defendant Jensen complied with her duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with a child or group of children.

240. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and

future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 24 - FOR JANE DOE MINOR 4 AGAINST JENSEN – NEGLIGENCE PER SE**

241. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

242. Defendant Jensen was negligent *per se* in that she disregarded and violated licensing laws that she, as the director of the school, as a matter of law, was mandated to enforce, including that no adult staff member, like Silverman, be left alone with a child or group of children without another adult present for visibility and accountability; those laws are specifically intended to protect Plaintiff from abuse and sexual abuse.

243. Violation of those laws, including the dictates of 5-A DCMR § 164 constitutes committing negligence *per se* as a matter of law.

244. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation,

embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 25 - FOR JANE DOE MINOR 5 AGAINST WHC -- NEGLIGENCE**

245. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

246. Defendant owed to Plaintiff a duty to provide, maintain and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safety against the risk of abuse and sexual abuse.

247. WHC breached its duty by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

248. WHC knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that its burden of avoiding the risk was very slight, indeed legally-mandated by virtue of its license to operate.

249. WHC owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

250. WHC owed a special duty to Plaintiff as a minor child student at the school.

251. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had WHC complied with its duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with an individual child or group of children.

252. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 26 - FOR JANE DOE MINOR 5 AGAINST WHC – VICARIOUS LIABILITY –  
*RESPONDEAT SUPERIOR* NEGLIGENCE AND NEGLIGENCE *PER SE***

253. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

254. At all pertinent times, Defendant employed Silverman to act as its agent, servant or employee and permitted Silverman to remain as such at all pertinent times.

255. WHC was negligent and negligent *per se* in that it disregarded and violated licensing mandates that no adult staff member, like Silverman, be left alone with an individual child or group of children without another adult present for visibility and accountability, laws specifically intended to protect Plaintiff from abuse and sexual abuse.

256. Violation of those laws constitutes committing negligence *per se* as a matter of law.

257. As the principal, master and/or employer of Silverman, Defendant is liable for all of the injuries and damages caused by and committed by Silverman.

258. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 27 - FOR JANE DOE MINOR 5 AGAINST WHC – NEGLIGENT HIRING, RETENTION AND SUPERVISION OF SILVERMAN**

259. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

260. At all pertinent times, Defendant WHC appointed, engaged and/or employed Jordan Silverman to act as its actual and duly authorized agent, servant and/or employee with job duties that necessarily involved care of young children and permitted him to remain as such for all relevant time periods.

261. At all pertinent times, Defendant WHC owed a continuing duty to reasonably and carefully secure the services of qualified and trained agents, servants and/or employees; to properly select, monitor and supervise such persons; and to promulgate and enforce proper and effective standards, procedures, protocols, systems and rules to ensure the safety of minor children at the school from the risk of harm by its agents, servants and employee.

262. Defendant negligently breached the above described duties by hiring and retaining Silverman, and by failing to properly and effectively supervise him to ensure the safety of children.

263. Defendant knew or should have known that Silverman was engaging in unlawful conduct towards young children, including the minor Plaintiffs here, but failed and refused to restrict his dangerous actions and to discharge him from employment.

264. In addition to the criminal illegality of allowing Silverman to have unsupervised access to children, WHC was on notice that Silverman was unfit to be involved in any employment capacity in which he would have unsupervised access to children.

265. Despite being on notice that he was unfit to be entrusted with unsupervised access to children, WHC negligently placed and maintained Silverman in a position of caring for and teaching very young children, and allowed him to have such contact without any other adults present for periods of time sufficient to allow him to commit acts of abuse and sexual abuse of children and to threaten, intimidate and manipulate them into silence so that he could continue to do so.

266. Under all the circumstances, placing Silverman into a position of unsupervised access to minor children presented an unreasonable risk of harm to those minor children, including each and all of the minor child plaintiffs in this suit.

267. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 28 - FOR JANE DOE MINOR 5 AGAINST WHC – NEGLIGENT HIRING OF JENSEN BY WHC**

268. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

269. WHC knew or should have known that Jensen was unfit to be hired as Director/Head of Schools in that she presented an unreasonable risk of harm to children based on her belief that it was proper to withhold from parents and from regulatory and licensing authorities any information regarding harm that might befall children and risk of harm to children in a licensed educational or child caregiving facility.

270. WHC leadership failed to monitor for, identify and appreciate the grave violations of the standard of care and laws applicable to essential child safety that were overseen and facilitated by the attitudes and policies maintained by Jensen. In fact, despite what its own investigations have revealed since August 2018 and the discovery of the sexual abuse of potentially over 15 young children on her watch, as recently as February 27, 2019, WHC praised Jensen publicly for “her many contributions” to the school and expressing that it is “grateful for her innovative vision for the schools.”

271. As a direct and proximate result of Defendant’s negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess

child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 29 - FOR JANE DOE MINOR 5 AGAINST JENSEN – NEGLIGENCE**

272. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

273. As Director/Head of Schools, Defendant Jensen owed to Plaintiff a duty to assure and maintain, provide and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safe against the risk of abuse and sexual abuse.

274. As Director/Head of Schools, and pursuant to 5-A DCMR § 164, Jensen had a duty, as a matter of law, to ensure that WHC complied with, *inter alia*, legally-mandated staffing requirements, supervision of employees and adult-to-child staffing ratios.

275. Defendant Jensen breached her duties by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

276. Defendant Jensen further breached her duty by failing to heed, investigate and otherwise respond in a lawful manner that ensured Plaintiff's safety when she was confronted by

her subordinates and by parents who expressed concern over Silverman's suspected predatory behaviors and his illegal access alone to individual and small groups of children.

277. Defendant Jensen further breached her duty by acting purposefully, recklessly and maliciously to silence and place a chilling effect on anyone who complained about or raised concerns about Silverman, including by threatening to fire any subordinate who continued to raise concerns to her about Silverman.

278. Defendant Jensen's misconduct in threatening subordinates had the foreseeable and intended effect of discouraging further complaints about Silverman, which directly and materially contributed to the delay in discovering his abuse of children, including the minor Plaintiffs here.

279. Defendant Jensen knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that the burden of avoiding the risk was very slight, indeed legally-mandated by virtue of WHC's license to operate.

280. Defendant Jensen owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

281. Defendant Jensen owed a special duty to Plaintiff as a minor child student at the school.

282. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had Defendant Jensen complied with her duty to exercise reasonable care under all circumstances to guard

against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with a child or group of children.

283. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 30 - FOR JANE DOE MINOR 5 AGAINST JENSEN – NEGLIGENCE PER SE**

284. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

285. Defendant Jensen was negligent *per se* in that she disregarded and violated licensing laws that she, as the director of the school, as a matter of law, was mandated to enforce, including that no adult staff member, like Silverman, be left alone with a child or group of children without another adult present for visibility and accountability; those laws are specifically intended to protect Plaintiff from abuse and sexual abuse.

286. Violation of those laws, including the dictates of 5-A DCMR § 164 constitutes committing negligence *per se* as a matter of law.

287. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 31 - FOR JANE DOE MINOR 6 AGAINST WHC -- NEGLIGENCE**

288. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

289. Defendant owed to Plaintiff a duty to provide, maintain and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safety against the risk of abuse and sexual abuse.

290. WHC breached its duty by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with

all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

291. WHC knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that its burden of avoiding the risk was very slight, indeed legally-mandated by virtue of its license to operate.

292. WHC owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

293. WHC owed a special duty to Plaintiff as a minor child student at the school.

The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had WHC complied with its duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with an individual child or group of children.

294. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational

expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 32 - FOR JANE DOE MINOR 6 AGAINST WHC – VICARIOUS LIABILITY –  
RESPONDEAT SUPERIOR NEGLIGENCE AND NEGLIGENCE PER SE**

295. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

296. At all pertinent times, Defendant employed Silverman to act as its agent, servant or employee and permitted Silverman to remain as such at all pertinent times.

297. WHC was negligent and negligent *per se* in that it disregarded and violated licensing mandates that no adult staff member, like Silverman, be left alone with an individual child or group of children without another adult present for visibility and accountability, laws specifically intended to protect Plaintiff from abuse and sexual abuse.

298. Violation of those laws constitutes committing negligence *per se* as a matter of law.

299. As the principal, master and/or employer of Silverman, Defendant is liable for all of the injuries and damages caused by and committed by Silverman.

300. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational,

rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 33 - FOR JANE DOE MINOR 6 AGAINST WHC – NEGLIGENT HIRING, RETENTION AND SUPERVISION OF SILVERMAN**

301. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

302. At all pertinent times, Defendant WHC appointed, engaged and/or employed Jordan Silverman to act as its actual and duly authorized agent, servant and/or employee with job duties that necessarily involved care of young children and permitted him to remain as such for all relevant time periods.

303. At all pertinent times, Defendant WHC owed a continuing duty to reasonably and carefully secure the services of qualified and trained agents, servants and/or employees; to properly select, monitor and supervise such persons; and to promulgate and enforce proper and effective standards, procedures, protocols, systems and rules to ensure the safety of minor children at the school from the risk of harm by its agents, servants and employee.

304. Defendant negligently breached the above described duties by hiring and retaining Silverman, and by failing to properly and effectively supervise him to ensure the safety of children.

305. Defendant knew or should have known that Silverman was engaging in unlawful conduct towards young children, including the minor Plaintiffs here, but failed and refused to restrict his dangerous actions and to discharge him from employment.

306. In addition to the criminal illegality of allowing Silverman to have unsupervised access to children, WHC was on notice that Silverman was unfit to be involved in any employment capacity in which he would have unsupervised access to children.

307. Despite being on notice that he was unfit to be entrusted with unsupervised access to children, WHC negligently placed and maintained Silverman in a position of caring for and teaching very young children, and allowed him to have such contact without any other adults present for periods of time sufficient to allow him to commit acts of abuse and sexual abuse of children and to threaten, intimidate and manipulate them into silence so that he could continue to do so.

308. Under all the circumstances, placing Silverman into a position of unsupervised access to minor children presented an unreasonable risk of harm to those minor children, including each and all of the minor child plaintiffs in this suit.

309. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation,

embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 34 - FOR JANE DOE MINOR 6 AGAINST WHC – NEGLIGENT HIRING OF JENSEN BY WHC**

310. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

311. WHC knew or should have known that Jensen was unfit to be hired as Director/Head of Schools in that she presented an unreasonable risk of harm to children based on her belief that it was proper to withhold from parents and from regulatory and licensing authorities any information regarding harm that might befall children and risk of harm to children in a licensed educational or child caregiving facility.

312. WHC leadership failed to monitor for, identify and appreciate the grave violations of the standard of care and laws applicable to essential child safety that were overseen and facilitated by the attitudes and policies maintained by Jensen. In fact, despite what its own investigations have revealed since August 2018 and the discovery of the sexual abuse of potentially over 15 young children on her watch, as recently as February 27, 2019, WHC praised Jensen publicly for “her many contributions” to the school and expressing that it is “grateful for her innovative vision for the schools.”

313. As a direct and proximate result of Defendant’s negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical,

psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 35 - FOR JANE DOE MINOR 6 AGAINST JENSEN – NEGLIGENCE**

314. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

315. As Director/Head of Schools, Defendant Jensen owed to Plaintiff a duty to assure and maintain, provide and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safe against the risk of abuse and sexual abuse.

316. As Director/Head of Schools, and pursuant to 5-A DCMR § 164, Jensen had a duty, as a matter of law, to ensure that WHC complied with, *inter alia*, legally-mandated staffing requirements, supervision of employees and adult-to-child staffing ratios.

317. Defendant Jensen breached her duties by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with

all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

318. Defendant Jensen further breached her duty by failing to heed, investigate and otherwise respond in a lawful manner that ensured Plaintiff's safety when she was confronted by her subordinates and by parents who expressed concern over Silverman's suspected predatory behaviors and his illegal access alone to individual and small groups of children.

319. Defendant Jensen further breached her duty by acting purposefully, recklessly and maliciously to silence and place a chilling effect on anyone who complained about or raised concerns about Silverman, including by threatening to fire any subordinate who continued to raise concerns to her about Silverman.

320. Defendant Jensen's misconduct in threatening subordinates had the foreseeable and intended effect of discouraging further complaints about Silverman, which directly and materially contributed to the delay in discovering his abuse of children, including the minor Plaintiffs here.

321. Defendant Jensen knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that the burden of avoiding the risk was very slight, indeed legally-mandated by virtue of WHC's license to operate.

322. Defendant Jensen owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

323. Defendant Jensen owed a special duty to Plaintiff as a minor child student at the school.

324. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had Defendant Jensen complied with her duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with a child or group of children.

325. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 36 - FOR JANE DOE MINOR 6 AGAINST JENSEN – NEGLIGENCE PER SE**

326. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

327. Defendant Jensen was negligent *per se* in that she disregarded and violated licensing laws that she, as the director of the school, as a matter of law, was mandated to enforce, including that no adult staff member, like Silverman, be left alone with a child or group of children without another adult present for visibility and accountability; those laws are specifically intended to protect Plaintiff from abuse and sexual abuse.

328. Violation of those laws, including the dictates of 5-A DCMR § 164 constitutes committing negligence *per se* as a matter of law.

329. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 37 - FOR JOHN DOE MINOR 7 AGAINST WHC -- NEGLIGENCE**

330. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

331. Defendant owed to Plaintiff a duty to provide, maintain and operate the educational and caregiving environment at the school in a manner that was reasonably safe for Plaintiff, including safety against the risk of abuse and sexual abuse.

332. WHC breached its duty by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

333. WHC knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that its burden of avoiding the risk was very slight, indeed legally-mandated by virtue of its license to operate.

334. WHC owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

335. WHC owed a special duty to Plaintiff as a minor child student at the school.

336. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had WHC complied with its duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply

complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with an individual child or group of children.

337. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 38 - FOR JOHN DOE MINOR 7 AGAINST WHC – VICARIOUS LIABILITY – RESPONDEAT SUPERIOR NEGLIGENCE AND NEGLIGENCE PER SE**

338. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

339. At all pertinent times, Defendant employed Silverman to act as its agent, servant or employee and permitted Silverman to remain as such at all pertinent times.

340. WHC was negligent and negligent per se in that it disregarded and violated licensing mandates that no adult staff member, like Silverman, be left alone with an individual child or group of children without another adult present for visibility and accountability, laws specifically intended to protect Plaintiff from abuse and sexual abuse.

341. Violation of those laws constitutes committing negligence per se as a matter of law.

342. As the principal, master and/or employer of Silverman, Defendant is liable for all of the injuries and damages caused by and committed by Silverman.

343. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 39 - FOR JOHN DOE MINOR 7 AGAINST WHC – NEGLIGENT HIRING, RETENTION AND SUPERVISION OF SILVERMAN**

344. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

345. At all pertinent times, Defendant WHC appointed, engaged and/or employed Jordan Silverman to act as its actual and duly authorized agent, servant and/or employee with job duties that necessarily involved care of young children and permitted him to remain as such for all relevant time periods.

346. At all pertinent times, Defendant WHC owed a continuing duty to reasonably and carefully secure the services of qualified and trained agents, servants and/or employees; to properly select, monitor and supervise such persons; and to promulgate and enforce proper and effective standards, procedures, protocols, systems and rules to ensure the safety of minor children at the school from the risk of harm by its agents, servants and employee.

347. Defendant negligently breached the above described duties by hiring and retaining Silverman, and by failing to properly and effectively supervise him to ensure the safety of children.

348. Defendant knew or should have known that Silverman was engaging in unlawful conduct towards young children, including the minor Plaintiffs here, but failed and refused to restrict his dangerous actions and to discharge him from employment.

349. In addition to the criminal illegality of allowing Silverman to have unsupervised access to children, WHC was on notice that Silverman was unfit to be involved in any employment capacity in which he would have unsupervised access to children.

350. Despite being on notice that he was unfit to be entrusted with unsupervised access to children, WHC negligently placed and maintained Silverman in a position of caring for and teaching very young children, and allowed him to have such contact without any other adults present for periods of time sufficient to allow him to commit acts of abuse and sexual abuse of children and to threaten, intimidate and manipulate them into silence so that he could continue to do so.

351. Under all the circumstances, placing Silverman into a position of unsupervised access to minor children presented an unreasonable risk of harm to those minor children, including each and all of the minor child plaintiffs in this suit.

352. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 40 - FOR JOHN DOE 7 MINOR AGAINST WHC – NEGLIGENT HIRING OF JENSEN BY WHC**

353. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

354. WHC knew or should have known that Jensen was unfit to be hired as Director/Head of Schools in that she presented an unreasonable risk of harm to children based on her belief that it was proper to withhold from parents and from regulatory and licensing authorities any information regarding harm that might befall children and risk of harm to children in a licensed educational or child caregiving facility.

355. WHC leadership failed to monitor for, identify and appreciate the grave violations of the standard of care and laws applicable to essential child safety that were overseen and facilitated by the attitudes and policies maintained by Jensen. In fact, despite what its own investigations have revealed since August 2018 and the discovery of the sexual abuse of potentially over 15 young children on her watch, as recently as February 27, 2019, WHC praised Jensen publicly for “her many contributions” to the school and expressing that it is “grateful for her innovative vision for the schools.”

356. As a direct and proximate result of Defendant’s negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 41 - FOR JOHN DOE MINOR 7 AGAINST JENSEN – NEGLIGENCE**

357. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

358. As Director/Head of Schools, Defendant Jensen owed to Plaintiff a duty to assure and maintain, provide and operate the educational and caregiving environment at the school in a

manner that was reasonably safe for Plaintiff, including safe against the risk of abuse and sexual abuse.

359. As Director/Head of Schools, and pursuant to 5-A DCMR § 164, Jensen had a duty, as a matter of law, to ensure that WHC complied with, inter alia, legally-mandated staffing requirements, supervision of employees and adult-to-child staffing ratios.

360. Defendant Jensen breached her duties by failing to exercise reasonable care under all circumstances to protect against the known risk of abuse and sexual abuse of minor children by employees at the school, including the unknown predator who may have infiltrated the educational environment and the educational and caregiving staff; and by failing to comply with all laws applicable to operation of the school that are intended to protect against the risk of abuse or sexual abuse within the environment.

361. Defendant Jensen further breached her duty by failing to heed, investigate and otherwise respond in a lawful manner that ensured Plaintiff's safety when she was confronted by her subordinates and by parents who expressed concern over Silverman's suspected predatory behaviors and his illegal access alone to individual and small groups of children.

362. Defendant Jensen further breached her duty by acting purposefully, recklessly and maliciously to silence and place a chilling effect on anyone who complained about or raised concerns about Silverman, including by threatening to fire any subordinate who continued to raise concerns to her about Silverman.

363. Defendant Jensen's misconduct in threatening subordinates had the foreseeable and intended effect of discouraging further complaints about Silverman, which directly and

materially contributed to the delay in discovering his abuse of children, including the minor Plaintiffs here.

364. Defendant Jensen knew or should have known that the failure to exercise reasonable care to protect against the known risk of abuse and sexual abuse by an unknown predator employee carried a substantial likelihood of injury to very young children, that the seriousness of such injury was extreme and likely life-long, and that the burden of avoiding the risk was very slight, indeed legally-mandated by virtue of WHC's license to operate.

365. Defendant Jensen owed a duty to prevent the criminal acts perpetrated by Silverman and those acts were, in fact, foreseeable and preventable.

366. Defendant Jensen owed a special duty to Plaintiff as a minor child student at the school.

367. The criminal acts of abuse and sexual abuse perpetrated by Silverman against children at WHC, including Plaintiff here, would have been completely prevented had Defendant Jensen complied with her duty to exercise reasonable care under all circumstances to guard against and prevent the risk of abuse and sexual abuse by an unknown predator employee, including simply complying with the legal mandate of its licenses to ensure that Silverman and all other faculty and staff of WHC were never left alone with a child or group of children.

368. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused by Silverman, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and

future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 42 - FOR JOHN DOE MINOR 7 AGAINST JENSEN – NEGLIGENCE PER SE**

369. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

370. Defendant Jensen was negligent per se in that she disregarded and violated licensing laws that she, as the director of the school, as a matter of law, was mandated to enforce, including that no adult staff member, like Silverman, be left alone with a child or group of children without another adult present for visibility and accountability; those laws are specifically intended to protect Plaintiff from abuse and sexual abuse.

371. Violation of those laws, including the dictates of 5-A DCMR § 164 constitutes committing negligence per se as a matter of law.

372. As a direct and proximate result of Defendant's negligence, Plaintiff was abused and sexually abused, and has suffered, and will continue to suffer in the future, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation,

embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 43 - FOR FATHER DOE 1 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

373. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

374. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

375. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

376. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

377. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

378. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

379. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

380. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

381. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

382. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

383. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as

to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

384. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

385. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

386. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

387. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

388. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their

development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

389. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

390. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

391. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

392. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

393. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

394. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 44 - FOR FATHER DOE 1 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

395. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

396. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

397. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

398. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

399. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

400. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

401. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always

and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

402. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

403. It was foreseeable and inherent in Jensen's undertaking to or relationship with Plaintiff to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

404. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing and it was to this Plaintiff.

405. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

406. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

407. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

408. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

409. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

410. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

411. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

412. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

413. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

414. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

415. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

416. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

417. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 45 - FOR MOTHER DOE 1 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

418. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

419. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

420. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in

accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

421. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

422. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

423. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

424. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

425. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

426. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

427. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

428. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

429. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

430. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

431. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

432. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

433. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

434. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

435. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

436. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

437. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

438. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

439. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and

suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 46 - FOR MOTHER DOE 1 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

440. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

441. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

442. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

443. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

444. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

445. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

446. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

447. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

448. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

449. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

450. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

451. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

452. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

453. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

454. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

455. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

456. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

457. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

458. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

459. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

460. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

461. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

462. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity

for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 47 - FOR FATHER DOE 2 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

463. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

464. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

465. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

466. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

467. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

468. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

469. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

470. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

471. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

472. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

473. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as

to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

474. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

475. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

476. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

477. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

478. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their

development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

479. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

480. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

481. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

482. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

483. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

484. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 48 - FOR FATHER DOE 2 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

485. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

486. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

487. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

488. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

489. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

490. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

491. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always

and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

492. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

493. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

494. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

495. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

496. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

497. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

498. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

499. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

500. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

501. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

502. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

503. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

504. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

505. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

506. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

507. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 49 - FOR MOTHER DOE 2 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

508. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

509. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

510. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in

accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

511. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

512. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

513. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

514. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

515. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

516. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

517. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

518. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

519. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

520. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

521. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

522. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

523. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

524. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

525. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

526. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

527. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

528. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

529. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and

suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 50 - FOR MOTHER DOE 2 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

530. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

531. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

532. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

533. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

534. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

535. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

536. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

537. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

538. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

539. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

540. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

541. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

542. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

543. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

544. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

545. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

546. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

547. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

548. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

549. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

550. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

551. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

552. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity

for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 51 - FOR FATHER DOE 3 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

553. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

554. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

555. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

556. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

557. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

558. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

559. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

560. It was foreseeable and inherent in WHC's undertaking to or relationship with Plaintiff to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

561. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing and it was to this Plaintiff.

562. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

563. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as

to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

564. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

565. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

566. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

567. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

568. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their

development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

569. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

570. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

571. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

572. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

573. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

574. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 52 - FOR FATHER DOE 3 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

575. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

576. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

577. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

578. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

579. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

580. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

581. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always

and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

582. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

583. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

584. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

585. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

586. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

587. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

588. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

589. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

590. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

591. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

592. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

593. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

594. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

595. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

596. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

597. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 53 - FOR MOTHER DOE 3 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

598. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

599. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

600. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in

accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

601. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

602. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

603. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

604. The nature of WHC's undertaking to, or, relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

605. It was foreseeable and inherent in WHC's undertaking to or relationship with Plaintiff to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

606. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

607. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

608. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

609. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

610. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

611. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

612. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

613. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

614. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

615. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

616. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

617. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

618. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

619. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and

suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 54 - FOR MOTHER DOE 3 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

620. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

621. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

622. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

623. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

624. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

625. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

626. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

627. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

628. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

629. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

630. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

631. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

632. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

633. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

634. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

635. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

636. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

637. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

638. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

639. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

640. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

641. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

642. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity

for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 55 - FOR FATHER DOE 4 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

643. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

644. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

645. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

646. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

647. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

648. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

649. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

650. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

651. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

652. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

653. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as

to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

654. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

655. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

656. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

657. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

658. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their

development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

659. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

660. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

661. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

662. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

663. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

664. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 56 - FOR FATHER DOE 4 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

665. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

666. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

667. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

668. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

669. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

670. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

671. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always

and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

672. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

673. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

674. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

675. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

676. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

677. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

678. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

679. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

680. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

681. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

682. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

683. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

684. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

685. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

686. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 57 - FOR MOTHER DOE 4 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

687. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

688. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

689. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in

accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

690. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

691. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

692. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

693. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

694. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

695. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

696. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

697. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

698. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

699. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

700. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

701. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

702. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

703. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

704. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

705. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

706. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

707. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

708. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and

suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 58 - FOR MOTHER DOE 4 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

709. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

710. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

711. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

712. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

713. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

714. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

715. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

716. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

717. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

718. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

719. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

720. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

721. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

722. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

723. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

724. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

725. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

726. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

727. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

728. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

729. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

730. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

731. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity

for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 59 - FOR FATHER DOE 5 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

732. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

733. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

734. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

735. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

736. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

737. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

738. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

739. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

740. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

741. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

742. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as

to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

743. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

744. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

745. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

746. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

747. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their

development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

748. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

749. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

750. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

751. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

752. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

753. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 60 - FOR FATHER DOE 5 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

754. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

755. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

756. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

757. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

758. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

759. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

760. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always

and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

761. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

762. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

763. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

764. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

765. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

766. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

767. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

768. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

769. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

770. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

771. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

772. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

773. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

774. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

775. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

776. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 61 - FOR MOTHER DOE 5 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

777. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

778. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

779. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in

accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

780. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

781. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

782. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

783. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

784. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

785. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

786. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

787. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

788. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

789. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

790. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

791. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

792. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

793. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

794. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

795. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

796. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

797. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

798. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and

suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 62 - FOR MOTHER DOE 5 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

799. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

800. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

801. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

802. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

803. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

804. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

805. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

806. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

807. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

808. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

809. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

810. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

811. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

812. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

813. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

814. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

815. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

816. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

817. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

818. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

819. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

820. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

821. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity

for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 63 - FOR FATHER DOE 6 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

822. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

823. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

824. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

825. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

826. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

827. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

828. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

829. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

830. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

831. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

832. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as

to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

833. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

834. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

835. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

836. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

837. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their

development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

838. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

839. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

840. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

841. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

842. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

843. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 64 - FOR FATHER DOE 6 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

844. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

845. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

846. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

847. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

848. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

849. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

850. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always

and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

851. The nature of Jensen's undertaking to, or, relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

852. It was foreseeable and inherent in Jensen's undertaking to or relationship with Plaintiff to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

853. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

854. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

855. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

856. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

857. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

858. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

859. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

860. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

861. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

862. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

863. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

864. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

865. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

866. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 65 - FOR MOTHER DOE 6 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

867. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

868. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

869. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in

accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

870. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

871. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

872. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

873. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

874. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

875. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

876. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

877. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

878. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

879. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

880. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

881. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

882. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

883. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

884. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

885. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

886. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

887. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

888. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and

suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 66 - FOR MOTHER DOE 6 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

889. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

890. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

891. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

892. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

893. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

894. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

895. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

896. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

897. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

898. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

899. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

900. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

901. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

902. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

903. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

904. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

905. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

906. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

907. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

908. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

909. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

910. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

911. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity

for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 67 - FOR FATHER DOE 7 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

912. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

913. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

914. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

915. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

916. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

917. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

918. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

919. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

920. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

921. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

922. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as

to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

923. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

924. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

925. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

926. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

927. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their

development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

928. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

929. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

930. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

931. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

932. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

933. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 68 - FOR FATHER DOE 7 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

934. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

935. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

936. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

937. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

938. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

939. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

940. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always

and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

941. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

942. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

943. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

944. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

945. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

946. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

947. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

948. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

949. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

950. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

951. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

952. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

953. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

954. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

955. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

956. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 69 - FOR MOTHER DOE 7 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

957. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

958. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

959. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in

accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

960. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

961. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

962. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

963. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

964. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

965. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

966. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

967. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

968. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

969. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

970. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

971. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

972. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

973. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

974. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

975. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

976. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

977. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

978. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and

suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 70 - FOR MOTHER DOE 7 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

979. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

980. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

981. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

982. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

983. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

984. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

985. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

986. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

987. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

988. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

989. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

990. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

991. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

992. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

993. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

994. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

995. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

996. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

997. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

998. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

999. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

1000. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

1001. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity

for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 71 - FOR FATHER DOE 8 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

1002. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

1003. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

1004.. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

1005. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

1006. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

1007. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

1008. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

1009. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

1010. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

1011. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

1012. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as

to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

1013. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

1014. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

1015. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

1016. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

1017. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their

development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

1018. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

1019. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

1020. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

1021. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

1022. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

1023. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 72 - FOR FATHER DOE 8 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

1024. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

1025. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

1026. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

1027. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

1028. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

1029. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

1030. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always

and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

1031. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

1032. It was foreseeable and inherent in Jensen's undertaking to or relationship with Plaintiff to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

1033. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing and it was to this Plaintiff.

1034. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

1035. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

1036. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

1037. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

1038. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

1039. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

1040. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

1041. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

1042. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

1043. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

1044. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

1045. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

1046. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 73 - FOR MOTHER DOE 8 AGAINST WHC – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

1047. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

1048. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses.

1049. As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in

accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

1050. In connection with that contractual undertaking and obligation to Plaintiff, WHC had a duty to avoid negligent infliction of emotional distress against Plaintiff.

1051. WHC violated its duty to Plaintiff by knowingly, purposefully and repeatedly neglecting its legal obligation to maintain an environment at the school that was safe from the risk of sexual abuse of children; WHC did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

1052. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on WHC to act, always and without exception, to prevent adult employees from being alone with individual or groups of children.

1053. The nature of WHC's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

1054. It was foreseeable and inherent in WHC's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected its duties and sexual abuse to the child proximately resulted.

1055. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

1056. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

1057. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

1058. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

1059. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

1060. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

1061. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

1062. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

1063. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

1064. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

1065. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

1066. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of WHC violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

1067. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

1068. As a direct and proximate result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and

suffering; loss of capacity for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**COUNT 74 - FOR MOTHER DOE 8 AGAINST JENSEN – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

1069. Plaintiff adopts by reference all allegations contained in paragraphs 1 through 72 above as if fully set forth herein.

1070. WHC entered into a legally-recognized relationship with this Plaintiff when contracting to provide educational and child care services to Plaintiff's minor child in return for payment of tuition, fees and other designated expenses; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like legally-recognized relationship with Plaintiff.

1071 As part of that contract, WHC undertook an obligation to Plaintiff to care for the safety of Plaintiff's child while left in the care of WHC's licensed child development center in accord with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia; by operation of law regulating the duties of child development center directors, Defendant Jensen had a like obligation to ensure compliance with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

1072. As a matter of law, as director of the school, Defendant Jensen had a duty to conduct herself, and ensure that the school was operated, consistently with the licensing requirements and other applicable legal requirements established by the laws of the District of Columbia.

1073. In connection with that legal obligation, Jensen had a duty to avoid negligent infliction of emotional distress against Plaintiff.

1074. Jensen violated her duty to Plaintiff by knowingly, purposefully and repeatedly neglecting her legal obligation to maintain an environment at the school she directed that was safe from the risk of sexual abuse of children; she did so, in part, by violating the criminal laws of the District of Columbia; specifically, those laws mandate, under penalty of criminal prosecution of school employees that permit it, that no adult employee of any licensed facility be permitted to be alone with an individual child or groups of children.

1075. Said laws are specifically intended to prevent the risk of sexual abuse of children by adult employees of such facilities by imposing an affirmative duty on Jensen to act, always and without exception, to prevent adult employees of the school from being alone with individual or groups of children.

1076. The nature of Jensen's undertaking to or relationship with Plaintiff, which included an obligation in connection therewith to follow the regulatory and criminal laws of the District of Columbia that are intended to prevent the sexual abuse of very young children, necessarily implicated Plaintiff's emotional well-being.

1077. It was foreseeable and inherent in Jensen's undertaking to, or, relationship with Plaintiff, to act in accord with the law to prevent the sexual abuse of Plaintiff's very young child, that serious emotional distress to Plaintiff was especially likely to be caused if Defendant neglected her duties and sexual abuse to the child proximately resulted.

1078. The sexual abuse of a child is among the most horrendous and unthinkable tragedies known to any parent, the mere prospect of which is severely distressing, and it was to this Plaintiff.

1079. Knowledge that such tragedy has actually befallen a child, and knowledge that the tragedy was completely avoidable, is among the most horrific, shocking, depressing and anxiety-producing events that a parent can ever experience, and it was to this Plaintiff.

1080. Learning that one's child has been sexually abused is known in mental health medicine to inflict severe and long-lasting psychological distress, mental health disorders and other such harm on the child's parent, potentially provoking such symptoms as: clinically-significant depression and/or anxiety; rage; agitation; irritability; humiliation; hypervigilance as to the child's ongoing safety; fear; despondency; mistrust of others; damage to other relationships; distressing damage to the parent-child relationship; and damage to religious faith.

1081. As a further and proximate result, a parent, such as this Plaintiff, may require mental health intervention, including psychological counseling and prescribed mental health medications.

1082. The adverse impact is aggravated where, as here, the child victim is of such a tender and vulnerable age, with the Plaintiff being aware of the likely severe adverse impact on the child's development throughout minority and potentially into adulthood.

1083. The adverse impact is aggravated further where, as here, the child victim is developmentally incapable of fully comprehending the nature of the abuse that was perpetrated, developmentally incapable of reporting fully with words the nature of the abuse that was perpetrated, and developmentally lacking the capacity to comprehend the adverse impact on the

child's relationships with others, including parents, future teachers, peers and persons in a position of authority.

1084. As a direct and proximate result of the child's developmental limitations, Plaintiff has and will continue to suffer from the serious mental health and emotional distress of not being able to discern with certainty all details of what Jordan Silverman did to the child, with the related struggle of having incomplete information to inform helping the child through a recovery process.

1085. As a direct and proximate result of the child's developmental limitations and the potential developmental impact of abuse suffered by the child, Plaintiff must now remain vigilant for years to come, and incur medical expenses on behalf of the child throughout their development, to monitor for and respond to any long-term harm and disorders that may result from the abuse.

1086. As a direct and proximate result of Defendant's negligence causing the child to have suffered sexual abuse, Plaintiff has and will continue to suffer serious emotional distress at knowing and having to be vigilant about the child's increased likelihood of mental health and developmental harm into the future by virtue of having been sexually abused at such a critically young age.

1087. This potential harm includes, in the child's developmental years and beyond, a higher likelihood than a non-abused child faces of: suffering psychological disorders such as depression, anxiety and stress disorders; experiencing behavioral problems; suffering developmental delays; suffering psychosomatic disorders; suffering from post-trauma symptoms, such as engaging in premature sexualized and promiscuous behaviors; suffering poor self-

esteem; suffering academic problems; developing substance abuse, eating or sleep disorders; struggling with above-average peer relationship problems; among other harmful impact.

1088. As a direct and proximate result of Defendant's negligence, Plaintiff has and will continue to endure the serious debilitating distress of participating in the criminal justice process in order to seek, on behalf of the child, the arrest and prosecution of Jordan Silverman, as well as any other persons criminally responsible for facilitating his crimes.

1089. Plaintiff believes that Plaintiff's child was, and/or was more likely than not, severely sexually abused by Jordan Silverman at WHC as the proximate result of Jensen violating the licensing and criminal laws of the District of Columbia that are specifically intended to prevent the sexual abuse of children by employees of child development centers.

1090. The emotional distress proximately caused to Plaintiff by Defendant's negligence has manifested itself in Plaintiff suffering serious and severe mental health harm and requiring mental health treatment and intervention.

1091. As a result of Defendant's negligence, Plaintiff has suffered, and will continue to suffer in the future, from serious emotional distress and mental health harm, expenses of medical and mental health care and monitoring, permanent economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; aggravation of pre-existing conditions; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity

for the enjoyment of life; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.

**PRAYER FOR RELIEF  
AS TO EACH AND ALL COUNTS**

**WHEREFORE**, each and all Plaintiffs pray for judgment as to each count as follows:

- a. For an award of compensatory damages in an amount to be proven at trial for economic and non-economic damages including, without necessary limitation: costs of medical, psychological and psychiatric evaluation and care and medications; costs of vocational, rehabilitative, occupational and physical therapies; loss of earning capacity and future lost earnings; cost of transportation to and from health care providers; educational expenses; excess child care expenses; cost of parenting and family therapies; mental anguish, humiliation, embarrassment, and emotional distress; pain and suffering; loss of capacity for the enjoyment of life; bodily injury; pre-judgment interest; post-judgment interest; and other pecuniary losses to be established at trial.
- b. For an award of punitive damages in an amount to be proven at trial.
- c. For an award of costs and prejudgment and post-judgment interest.
- d. Such other relief as the Court deems appropriate under the circumstances.

**DEMAND FOR JURY TRIAL**

Plaintiffs demand trial by jury on all counts so triable.

Dated this 15th day of April, 2019.



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