

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)
)
John Doe #4, individually, and now over the)
age of eighteen (18) and Jane Roe #4,)
individually, and as the parent and natural)
guardian of John Doe #4 while he was under)
the age of eighteen (18),)
)
Plaintiff,)
)
vs.)
)
Morningstar Fellowship Church, Richard)
Joyner, David Yarnes, Douglas Lee,)
Erickson Lee, and Chase Portello,)
)
Defendants.)

IN THE COURT OF COMMON PLEAS
SIXTEENTH JUDICIAL CIRCUIT

Civil Action No.: 2025-CP-46-

**SUMMONS
(Jury Trial Demanded)**

TO: DEFENDANTS AND THEIR COUNSEL:

YOU ARE HEREBY SUMMONED and required to Answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint on the subscriber at his office at 1539 Health Care Drive, Rock Hill, South Carolina, 29732, within thirty (30) days from the service hereof, exclusive of the date of such service; and if you fail to Answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

**MCGOWAN, HOOD, FELDER & PHILLIPS,
LLC**

s/S. Randall Hood
S. Randall Hood, SC Bar 65360
Chad A. McGowan, SC Bar 9943
1539 Health Care Drive
Rock Hill, SC 29732
Phone: (803) 327-7800
Facsimile: (803) 324-1483
rhood@mcgowanhood.com
cmcgowan@mcgowanhood.com

February 4, 2025
Rock Hill, South Carolina

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)
)
John Doe #4, individually, and now over the)
age of eighteen (18) and Jane Roe #4,)
individually, and as the parent and natural)
guardian of John Doe #4 while he was under)
the age of eighteen (18),)
)
Plaintiff,)
vs.)
)
Morningstar Fellowship Church, Richard)
Joyner, David Yarnes, Douglas Lee,)
Erickson Lee, and Chase Portello,)
)
Defendants.)

IN THE COURT OF COMMON PLEAS
SIXTEENTH JUDICIAL CIRCUIT

Civil Action No.: 2025-CP-46-

**COMPLAINT
(Jury Trial Demanded)**

TO: DEFENDANTS AND THEIR COUNSEL:

Plaintiffs John Doe #4 and Jane Roe #4, complaining of Defendants, respectfully show unto this Court and allege as follows:

SUMMARY OF ACTION

1. Churches in the Unites States of America are supposed to be places of fellowship and safety.
2. Too often, in the last thirty years, the American public has been informed of religious institutions ignoring the safety of children.
3. First the Catholic Church was exposed for their willingness to shuttle priests back and forth between parishes when accused of credible sexual exploitation and abuse of children.
4. The Southern Baptist Convention had a day of reckoning where it was exposed that they had hidden behind years of knowledge of sexual exploitation and abuse of children.
5. There are scads of other instances where religious institutions abused their power structure, hid behind church ideology, and allowed corrupt and deviant persons to exploit and abuse children.
6. The first amendment of the United States creates a separation of church and state.

7. Too often, churches in the United States have hidden behind immunity granted to churches and allowed sexual abuse and exploitation to proliferate in order to protect their reputation.

8. If scandals come out, churches lose members, and when they lose members, the money goes away.

9. Money is at the heart of this failure to protect children from known and dangerous predators.

10. Churches are NOT immune from running their institutions in a secular corporate manner for the protection of children.

11. Evil exists and the church should not be allowed to hide behind a wall of silence and protect a predator at the victims expense.

12. It is time to shed light on the corruption and misery propagated on children by seemingly responsible and reputable religious institutions.

13. In the case at hand, a large church in Fort Mill, South Carolina has had multiple instances of sexual exploitation and abuse of children since its origin.

14. Prior instances of sexual abuse and exploitation were swept under the rug and WERE NEVER REPORTED TO LAW ENFORCEMENT, though such reporting was mandatory.

15. This church, Morningstar Fellowship Church located in Fort Mill, South Carolina, created a youth program in 2018 involving overnight events and campouts and allowed a relative of one of the church youth program leaders to host, make room and tent assignments and spend time alone with young minor males with no oversight.

16. The name of this youth program at Morningstar was called “Young Special Forces” (hereinafter, “YSF”)

17. The youth program leader was a man by the name of Erickson Lee, a Defendant named in this lawsuit.

18. At times from 2019-2022, Erickson Lee provided alcohol, vapes, and pornography to children as young as twelve (12) years old, including Plaintiff John Doe #4, and eventually sexually exploited

and abused multiple minor male children in the YSF youth program at Morningstar, including Plaintiff John Doe #4.

19. Erickson Lee's conduct was foreseeable and should never have occurred.

20. Richard Joyner, David Yarnes, and Douglas Lee were all aware of past instances of sexual abuse at Morningstar Church before Erickson Lee became a youth program leader and had the ability to craft solutions not involving church polity that would have protected children from the provision of alcohol and pornography to minor children and the sexual exploitation and abuse of minor boys.

21. Plaintiff John Doe #4 has suffered immeasurable harm and will likely have to undergo psychiatric/psychological care for the remainder of his life due to actions or inactions of the Defendants

22. Defendants acted in dereliction of their duties to Plaintiffs by failing to prevent the foreseeable harm perpetrated by Erickson Lee onto Plaintiff John Doe #4.

PARTIES

Plaintiffs

23. Plaintiff John Doe #4 (hereinafter, "J.D., or Doe") is a person now over the age of Eighteen (18), but while he was a minor in the YSF youth program at Morningstar, he was provided alcohol and vape products, given access to pornography, and was sexually exploited and abused by Erickson Lee,

24. Jane Roe #4 (hereinafter, "Jane or Jane Roe #4") is the mother of John Doe #4.

25. The Plaintiffs are citizens and residents of York County, South Carolina.

26. Plaintiffs are filing this action anonymously under the pseudonym John Doe #4 and Jane Roe #4 because the subject matter of this lawsuit could bring embarrassment and publicity to the Plaintiffs.

27. Plaintiff John Doe #4 risks humiliation and embarrassment if he is identified since some of his allegations involve descriptions of criminal sexual activity foisted upon him and allowing him to proceed with a pseudonym brings him comfort.

28. If the ability to proceed with a pseudonym is not allowed, the Plaintiffs will experience further harm because of exercising their legal rights.

29. If Plaintiffs are forced to disclose their identities, that disclosure will amplify the injuries that are at issue in this litigation.

30. The public interest in the disclosure of Plaintiffs identities is minimal and not outweighed by the substantial harm of revealing their identity.

31. There will be no furtherance of justice by requiring the public disclosure of Plaintiffs.

32. Once the Defendants are served and retain counsel, Plaintiffs' identities will be revealed to Defendants in a confidential manner, if not already known.

33. Defendants are not prejudiced by allowing Plaintiffs to proceed anonymously, and any potential prejudice will be mitigated by the confidential disclosure of Plaintiffs' actual identities soon after this lawsuit is filed.

Defendants

34. Defendant, Morningstar Fellowship Church, is an organization created under the laws of the State of Mississippi, having its principal place of business in Fort Mill, South Carolina.

35. Defendant Richard Joyner is the founder of Morningstar, was senior pastor of the church during many of the events described in this action and is a citizen and resident of York County, South Carolina

36. Defendant David Yarnes was the vice president of Morningstar Church at the time of all allegations contained in the complaint and is a citizen and resident of a state in the United States.

37. Defendant Douglas Lee was a senior member of Morningstar Church leadership at the time of the allegations of this complaint, is the father of Defendant Erickson Lee, and is a citizen and resident of South Carolina.

38. Defendant Erickson Lee was the former leader of a youth program at Morningstar where he used his position to provide alcohol and pornography to minor children and ultimately sexually exploited and abused them and was a citizen and resident of York County South Carolina.

39. Defendant Erickson Lee was employed by and an agent for Morningstar at all times referenced in this complaint.

40. Chase Portello assisted Erickson Lee in the youth program at Morningstar, participated in some of the illicit actions involving minor boys at Morningstar and helped facilitate the hiding of Erickson Lee's actions and is a citizen and resident of a State in the United States.

41. Defendants have duties and responsibilities to direct and control the way Morningstar agents and/or employees provide secular services to minors and their parents.

42. Defendants have duties and responsibilities to protect minor children from foreseeable harm.

43. Defendants Morningstar, Joyner, Yarnes, and Lee have the right or power to direct and control the way their employees and/or agents train, monitor, and supervise, staff under their employment or agency.

44. Upon information and belief, Defendants Morningstar, Joyner, Yarnes, and Lee had or should have had non-ecclesiastical policies, procedures, and guidance on how adult members should interact with minor children at the church, including common sense admonitions on ways to prevent foreseeable exploitation and/or abuse of minor children.

45. Upon information and belief, Defendants Morningstar, Joyner, Yarnes, and Lee should have created, communicated, and implemented non-ecclesiastical policies, procedures, and guidance on how adult members should interact with minor children at the church, including common sense admonitions on ways to prevent foreseeable exploitation and/or abuse of minor children.

46. Consistent with the standards recognized in secular organizations or churches with youth programs, Defendants Morningstar should have policies, procedures, and guidelines related to employee training, supervision, and monitoring, which includes, at a minimum, the duty to ensure minors are protected from preventable predatory behavior.

47. Defendants Morningstar, Joyner, Yarnes, and Douglas Lee had a non-delegable duty to provide employees and/or agents with adequate knowledge and training to prevent provision of alcohol and pornography to minors and sexually exploit and abuse minor children within a church sponsored youth program.

48. This training on policies, procedures, safety features, supervisory responsibility and predatory behavior would include employees of Morningstar, the parents or minor children and the children themselves.

49. Some duties of Morningstar, Joyner, Yarnes, and Douglass Lee includes identifying inappropriate non-ecclesiastical behavior in adult staff, members or volunteers and immediately reporting said behavior to designated entities, including law enforcement.

50. Before the events underlying this case began in 2019, Defendant Morningstar and its employees and/or agents had actual knowledge that a vulnerable population of children or young adults would be subject to youth program dangers of being exploited or abused if reasonable precautions were not exercised in training, supervision, and monitoring of staff, members, or volunteers in a youth program.

51. Morningstar and its employees and/or agents had the opportunity to prevent harm against vulnerable children, and yet, Defendant Morningstar and its employees and/or agents ignored signs of provision of alcohol and pornography to minors and signs of sexual exploitation or abuse by Church staff, members, or volunteers.

52. At all times relevant hereto, Joyner, Yarnes, Douglas Lee, Erickson Lee, and Chase Portello (with respect to the facts alleged herein) acted within the course and scope of their employment and/or agency with Defendant Morningstar.

53. Defendants knew that minor children exposed to provision of alcohol and pornography, sexual misconduct, emotional abuse, or exploitation were at risk of unfathomable harm and knew that if children were provided alcohol and pornography, sexually abused, emotionally abused, or exploited, these children would sustain lifelong emotional harm and behavioral difficulties.

54. The negligent, grossly negligent, reckless, willful, or wanton acts, omissions, and liability of Defendants includes that of their agents, principals, employees, and/or servants, both directly and vicariously, pursuant to principals of non-delegable duty, corporate liability, apparent authority, agency, ostensible agency, and/or respondeat superior.

JURISDICTION AND VENUE

55. The Plaintiffs reside in Lancaster County, South Carolina.

56. At least one Defendant is located in or has its principal place of business in York County, South Carolina.

57. A primary portion of the facts alleged in this matter occurred in York County, South Carolina.

58. Each Defendant interacted with South Carolina in a systemic and pervasive way, such that this Court may exercise personal jurisdiction without offending the notions of justice.

59. Each of the Defendants has a present and lasting contact with the State of South Carolina by virtue of revenue, ownership of land, or other qualifying state jurisdictional criteria

JOINT AND SEVERAL LIABILITY

60. The above-named Defendants are jointly and severally liable for all damages alleged herein since their negligent, grossly negligent, reckless, and wanton acts and omissions, singularly, or in combination, are the contributing proximate causes of Plaintiffs' injuries, damages, and losses.

DAMAGES ALLEGATIONS AS TO DEFENDANTS

61. Defendant Morningstar will likely claim to be a charitable entity which would subject them to charitable immunity caps.

62. The Charitable Immunity Act ("CIA") references the South Carolina Tort Claims Act as the predicate statutory authority for the number of caps to be imposed by any person or entity against a CIA entity.

63. In relevant part, regarding limitations of liability under the South Carolina Tort Claims Act ("TCA"), S.C. Code Ann. Section 15-78-120, provides as follows:

(a) For any action or claim for damages brought under the provisions of this chapter,

the liability shall not exceed the following limits:

- (1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding three hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.
- (2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed six hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

64. Under S.C. Code Ann. Section 15-78-30: “Occurrence” is defined as “an unfolding sequence of events which proximately flow from a single act of negligence.”

65. Each act of negligence, gross negligence, recklessness, and/or willful and wanton conduct by any person employed by or an agent of Morningstar is an act or occurrence regarding the South Carolina Tort Claims Act/CIA.

66. There are multiple breaches of duties of care and industry standards in this case, and, upon information and belief, each breach (or occurrence) can be stacked to create multiple “caps” for any Defendant under the TCA/CIA (depending on what a jury ultimately decides).

67. All individually named Defendants are alleged to have committed grossly negligent or reckless acts and/or omissions are named individually.

68. If there is a finding by a jury of gross negligence or recklessness against any individually named Defendant, they are subject to liability outside any “cap” and have unlimited exposure for damages.

69. Plaintiff is further alleging that Defendants, and their agents and/or employees committed grossly negligent and/or reckless acts which breached the duties of care and industry standards for which caps do not exist under the TCA/CIA.

70. Plaintiff has identified multiple breaches of duties by Defendants and their agents and/or employees which are known and there are other breaches not addressed which are unknown at this time.

SEPARATION OF CHURCH AND STATE AND ECCLESIASTICAL PRIVILEGE

71. In accordance with the constitutional freedom of religion and corresponding separation of church and state enshrined in the First Amendment to the United States Constitution, religious organizations must be given “an independence from secular control or manipulation, in short, power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.” Kedroff v. St. Nicholas Cathedral, 344 U.S. 94, 116, 73 S.Ct. 143, 97 L.Ed. 120 (1952).

72. To put that principle into practice, South Carolina Courts have held that civil courts “may not engage in resolving disputes as to religious law, principle, doctrine, discipline, custom, or administration.” Pearson v. Church of God, 325 S.C. 45, 52, 478 S.E.2d 849, 853 (1996).

73. However, South Carolina courts have also recognized that civil courts may hear cases touching upon religious organizations where the dispute may be resolved entirely by neutral principles of law. See id. at 51–53, 478 S.E.2d at 852–53.

74. Under the neutral principles of law approach, courts may apply “property, corporate, and other forms of law to church disputes.” All Saints Parish Waccamaw v. Protestant Episcopal Church in Diocese of S.C., 385 S.C. 428, 444, 685 S.E.2d 163, 172 (2009).

75. In other words, so long as a court can hear a case without deciding issues of religious law, principle, doctrine, discipline, custom, or administration, the court must entertain jurisdiction. Id.

76. Certain ecclesiastical actions have a privilege or immunity from civil liability and other actions do not.

77. The actions by employees or agents of a church can be both ecclesiastical and secular in nature.

78. Preaching a sermon to minor children is ecclesiastical in nature and subject to 1st Amendment privilege.

79. Whether someone molested a child during the preaching of a sermon involves neutral principles of law subject to civil court jurisdiction.

80. An ecclesiastical polity is the operational and governance structure of a church, church-school or of a Christian denomination.

81. Church organizations often refer to problems or troubles as ecclesiastical in nature when the problem or trouble is secular in nature or involves neutral principle of law questions.

82. There is a difference between ecclesiastical issues or questions (relating to church or church-school doctrine and religious indoctrination) and those involving neutral principles of law questions subject to civil court jurisdiction (secular or non-ecclesiastical).

83. For example, hiring a youth program mentor and evaluation of his/her doctrinal fitness may be ecclesiastical in nature but his/her training (including secular safety protection policies and procedures), monitoring or supervision in the prevention or exploitation (provision of alcohol or abuse to minor) and/or abuse of minors may be secular in nature and involve neutral principles of law.

84. The actions and behavior of the church entity or organization and their agents and/or employees must be examined to determine if issues or circumstances can be decided by the application of neutral principles of law.

**DUTIES OF MORNINGSTAR, JOYNER, YARNES, AND DOUGLAS LEE TO
PLAINTIFFS**

85. The Defendants Morningstar, Joyner, Yarnes, and Douglas Lee had duties to the Plaintiffs.

86. The Defendant Erickson Lee was an employee and agent of Morningstar during his leadership of the YSF program at Morningstar.

87. In the State of South Carolina, a duty from a defendant to an aggrieved party can be created by a number of different ways.

88. In this matter, these duties were created by the special relationship between the Defendants Morningstar, Joyner, Yarnes and Douglas Lee and the minor children in the YSF program.

89. While these minors were under in the YSF program they were essentially being parented by the adults with them at the time.

90. This was not only a mentorship situation but a legal guardianship as well.

91. The duty to protect the minor children in the YSF Youth Program from harm was also created by Morningstar (by and through Joyner, Yarnes, and Douglas Lee) when they informed the minor children's parents that the minor children in the YSF program would be safe and protected by the church and its employees/volunteers.

92. Morningstar, Joyner, Yarnes, and Douglas Lee had a background check run on Erickson Lee.

93. They were not required to perform the background check, and it was a voluntarily action by Morningstar

94. Morningstar, Joyner, Yarnes, and Douglas Lee had policies and procedures on a number of different issues that were supposed to be performed by those on staff at Morningstar.

95. They had no duty to create, implement or communicate these policies and procedures.

96. Once they did enact them, though, they had a duty to ensure they were adhered to and followed in a reasonable manner.

97. Under section 323 of the restatement of torts (recognized in South Carolina), if an entity or person voluntarily undertakes an action, they must do so in a reasonable manner.

98. Morningstar, Joyner, Yarnes, and Douglas Lee's undertaking of the background check on Erickson Lee and creation of certain policies and procedures created the duty to ensure those actions were done appropriately to protect minors in the YSF Youth Program in a reasonable manner.

99. Performing a background check and having policies and procedures in place is the genesis of the duty to protect the children and an entity (in this case, Morningstar and its leadership) must do it reasonably or face the consequences.

100. The duties of Morningstar, Joyner, Yarnes, and Douglas Lee to the minors in the YSF youth program were breached by them in failing to train, monitor, or supervise Erickson Lee of other employees/volunteers in the YSF program.

101. The duties of Morningstar, Joyner, Yarnes, and Douglas Lee to the minors in the YSF youth program were breached by them in failing to communicate, implement and oversee reasonable policies and procedures to protect children in a youth program.

102. The duties created by virtue of common law in South Carolina, statutory law, federal law, or Defendant's actions did not change based on Erickson Lee's status.

PROVISION OF ALCOHOL AND/OR PORNOGRAPHY TO A MINOR, SEXUAL EXPLOITATION OR ABUSE OF A MINOR, FAILURE TO TRAIN/MONITOR/SUPERVISE LEADERS OF YOUTH GROUPS AND FAILURE TO IMPLEMENT, COMMUNICATE AND OVERSEE POLICIES AND PROCEDURES TO PROTECT CHILDREN AT RISK OF PREDATORIAL CONDUCT INVOLVES NEUTRAL PRINCIPLE OF LAW ANALYSIS

103. Though church organizations (including church youth programs) are founded on ecclesiastical principles, they must utilize non-ecclesiastical principles (secular) in training, monitoring, and supervision, of employees or leaders of youth programs and the implementation, communication and oversight of policies and procedures to prevent harm to children.

104. These neutral principle of law actions which are secular in nature are necessary because reasonable training, monitoring, and supervision requires a church organization (as well as any secular organization) to protect minor children from harm.

105. The provision of alcohol and pornography to minor children (exploitation) and actual sexual misconduct and abuse by an employee and/or agent of Morningstar is not ecclesiastical in nature.

106. The neutral principle of law duties of Morningstar, their agents and/or employees had to be performed in a reasonable manner to protect minor children from harm.

107. The communication, implementation and oversight of safety policies and procedures by Morningstar and responses to signs of provision of alcohol and pornography to minors in a youth program and signs of exploitation or possible abuse of minor children in its youth program involves neutral principles of law and are secular in nature.

108. In this case, Defendants Morningstar, Joyner, Yarnes, Douglas Lee, and Chase Portello were all complicit from a neutral principle of law perspective in regard to Erickson Lee's exploitation and abuse of John Doe #4.

109. The investigation or knowledge by Morningstar, Joyner, Yarnes, and Douglas Lee into previous instances of exploitation or sexual abuse at the church or through one of its programs involves neutral principles of law and is secular in nature.

110. The actions of Morningstar, Joyner, Yarnes, and Lee regarding previous instances of exploitation or sexual abuse at the church or through one of its programs involves neutral principles of law and is secular in nature.

111. The Morningstar investigation regarding allegations of exploitation and abuse of John Doe #4 by Erickson Lee involves neutral principles of law and is secular in nature.

112. It should be apparent that abridgement of any personal boundaries between minor children, witnessed by any Morningstar staff member or volunteer or having knowledge of such violation of boundaries by a Morningstar employee, member, volunteer or mentor and the failure to notify appropriate authorities or the parents of such minor involves neutral principles of law and is secular in nature.

113. Defendants have a non-delegable non-ecclesiastic duty to provide youth program adults and its minor participants with adequate knowledge, training, monitoring, and supervision to prevent exploitation and sexual abuse of a minor child at Morningstar.

114. The provision of knowledge, training, monitoring and supervision of youth program leaders, its minor participants and other volunteers at Morningstar to prevent exploitation and/or abuse of minor children in a church created youth program involves neutral principles of law and is secular in nature.

115. The imbalance of power between youth program leaders and minor children involves neutral principles of law.

116. This imbalance of power is recognized by secular corporate organizations.

117. As a result of this imbalance of power dynamic, the church and corporate organizations share a duty and responsibility to protect potential victims of exploitation, harassment or sexual abuse.

118. When this imbalance of power is manipulated and misused, it can lead to non-ecclesiastic boundary crossing by adult youth leaders on minor children which results in exploitation (providing alcohol, vapes and pornography to minors) or sexual abuse (which occurred in this case).

119. It is never permissible or acceptable for a church affiliated youth leader to exploit or abuse a minor child.

120. For decades, the church has hidden behind the cloak of ecclesiastical privilege.

121. This privilege is an abused form of leniency and immunity propagated by the church to shirk their responsibility for the misconduct of their pastors, employees, teachers/coaches, volunteers, and fellow students onto a minor child.

122. Before the underlying events in this case took place, employees and/or agents of Defendants knew, or reasonably should have known, its vulnerable population of minor students would likely be subject to exploitation or abuse if reasonable neutral principle of law policies and procedures were not created, communicated, or implemented and proper steps taken in the training, monitoring and supervision, of employees and/or agents.

123. Morningstar facilitated an improper non-ecclesiastic environment of exploitation and abuse in their church sponsored youth program which resulted in injuries and harm to Plaintiffs.

124. Whether defendants conduct was actionable or not regarding the exploitation or abuse of the minor children in their youth program from a training, monitoring, or supervision aspect or from the communication, implementation or oversight of proper policies and procedures standpoint involves neutral principle of law subject to South Carolina Civil Court Jurisdiction.

**NEUTRAL PRINCIPLE OF LAW STANDARDS IN THE INDUSTRY FOR
PROTECTION OF MINORS BY CHURCH ORGANIZATIONS**

125. An industry standard refers to a set of criteria, guidelines, or characteristics established by consensus among industry members, which defines the acceptable level of quality, safety, performance, or compatibility for products, services, or processes within that industry.

126. These standards are often developed and published by leading standard-setting organizations, industry groups, or regulatory bodies to ensure consistency, interoperability, and quality across the industry.

127. They can cover a wide range of topics, including product specifications, manufacturing processes, testing methodologies, and service delivery practices.

128. Industry standards play a crucial role in facilitating trade, enhancing product reliability, ensuring consumer safety, and fostering innovation by providing a clear framework within which companies can develop and offer their products or services.

129. The industry standard for church organizations includes neutral principle of law standards and requirements established to ensure that church leadership and church staff (such as youth program leaders) are adequately trained, supervised and/or monitored to prevent exploitation or abuse to minor children affiliated with the church.

130. The industry standard for church organizations includes neutral principles of law standards and requirements established to ensure that church leadership and church staff create, communicate, and implement policies and procedures to prevent the exploitation or abuse to minor children affiliated with the church.

131. These neutral principle of law industry standards are critical for the safety of minor children.

132. The neutral principle of law duty of training, monitoring or supervision extends to all youth program activities, including church related activities, field trips, athletic endeavors, and any youth program -related functions at Morningstar.

133. The duty does not change because organized activities were held on campus or off campus.

134. The neutral principle of law duty of creating, communicating, and implementing child safety policies and procedures in a youth program was applicable to Defendants Morningstar, Joyner, Yarnes, and Douglas Lee.

135. Youth program leaders are supposed to treat all minor children equally.

136. When a youth program leader starts to separate and spend disparate time or attention to one minor child or group of children, it is foreshadowing of potential exploitation, harassment, or abuse.

137. Church leaders are required by law to report any suspicions of child abuse, neglect, or endangerment.

138. Upon information and belief, there were multiple instances where it was apparent that Erickson Lee was providing alcohol, vapes or pornography to minor children and this was actually known by different members of Church Leadership and other employees of the church, including Erickson Lee's own father, Douglas Lee.

139. If a church organization, or their employees and/or agents breaches neutral principle of law industry standards concerning the safety of children, it can result in devastating harm to a minor child

140. Defendants had duties and responsibilities to Plaintiffs to abide by neutral principle of law industry standards in church organizations to protect minor children and they failed.

141. The negligence, gross negligence, and/or recklessness in multiple breaches of neutral principle of law industry standards by all Defendants resulted in damages and injuries to the Plaintiffs.

KNOWLEDGE OF CHURCH ORGANIZATION AND ITS LEADERS OF PROXIMATE INSTANCES OF EXPLOITATION AND ABUSE/ASSAULT OF MINORS

142. Morningstar, Rick Joyner David Yarnes, and Douglas Lee made up part of the leadership of Morningstar.

143. Rick Joyner was the senior pastor and CEO of Morningstar at most of the times mentioned in this complaint.

144. David Yarnes was Morningstar second in charge for most of the times mentioned in this complaint

145. Douglas Lee was head of security for the church for most of the times mentioned in this complaint and was involved in the day-to-day running of the YSF program by his son, Erickson Lee.

146. Joyner, Yarnes, and Lee were the persons charged with protecting the minors of Morningstar from exploitation and abuse by employees or youth leaders at Morningstar.

147. More than 20 years prior to these sexual assaults described in this complaint, Joyner was making dangerous decisions about allowing minors to be exposed to predatory adults.

148. There was a church called “the Abide Church” in New York in the 1990s that was covered and under Morningstar’s leadership.

149. During the mid-1990s, Rick Joyner and other leaders at Morningstar at the time, were involved in a leadership decision to allow a Twenty Six (26) year old pastor to “court” a fourteen (14) year old student.

150. The pastor had told Joyner and others that “God told him she was supposed to be his wife” and Rick Joyner and the other leaders decided this was from God, and allowed him to court her, which led to her being abused.

151. That pastor was finally brought to justice and is now serving time in Pennsylvania and is a registered sex offender.¹

152. Sometime in the 2000s, two women in Morningstar University were sexually assaulted by an employee of Morningstar.

153. This put Morningstar, Joyner, Yarnes, and Lee on notice of the potential danger to vulnerable persons by predatorial people.

154. Yet, Rick Joyner knew of these issues because he had already been facilitating and promoting abuse for years.

155. The provision of safety and enacting safety measures provides for the prevention of predatorial conduct or actions by employees or members of the church.

156. In order to prevent harm to vulnerable persons at the church, including children, the church had to be proactive in its mission to prevent harm within their control.

157. There was a second sexual assault involving Morningstar sometime after the church was created.

158. Upon information and belief, a child was going on a field trip with a program at Morningstar.

159. Upon information belief, the mother of the minor was leery of a particular Morningstar University volunteer and specifically asked that her child not be exposed to that person.

160. Morningstar and its church did not protect the minor and he was abused and assaulted by the specific person warned about by the mother.

161. Both of these incidents of sexual abuse and assault were covered up by the church.

¹ https://www.thedailyreview.com/news/local/former-bradford-county-youth-pastor-pleads-guilty-to-sexual-assault-charges/article_e6003de4-d44a-11ef-b5f4-6b1c3eb438c1.html

162. Morningstar Church also had wholly owned entities called CSCL (a church school) and Morningstar University since the early 2000s.

163. There have been instances at both facilities that were known by Joyner, Yarnes and Douglass Lee that manifested in cover-ups of sexual assault, abuse and exploitation by church leaders.

164. There have been multiple children assaulted and sexually harassed at CSCL.

165. This was known by church leadership, and they did nothing.

166. There were multiple instances of administrators at Morningstar University harassing or sexually exploiting students within the program.

167. One such instance became well known.

168. Rick Joyner sent out an email to certain female students asking them to meet and discuss two specific administrators that may have been exploiting students.

169. Many students showed up to this meeting.

170. Rick Joyner personally attended it.

171. He heard all of the accusations and acknowledged a problem yet referred to the women as “jezebels” and accusing them of creating lust in the men.

172. All of these instances have been ongoing for decades.

173. Rick Joyner was also responsible for a convicted pedophile, Todd Bentley, to be hired by the church.

174. In his infinite wisdom, Rick Joyner ensured that the convicted child abuser had an office near the church nursery.

175. Despite MorningStar Ministries’ professed commitment to protecting its congregation and fostering a safe environment, its leadership has displayed a blatant disregard for the safety and well-being of its members.

176. Lead Pastor Rick Joyner has perpetuated this culture of indifference by allowing disgraced pastor Todd Bentley to become associated with the church.

177. Bentley has a well-documented history of child sexual abuse and sexual misconduct allegations, rendering his continued affiliation with MorningStar Ministries both irresponsible and reckless.

178. This decision exemplifies a troubling pattern of ignoring dangerous predators within the church.

179. By presenting Bentley as a viable pastoral figure, Joyner has signaled to the congregation and the broader community that the church prioritizes maintaining its leadership's agenda over ensuring the safety of its members.

180. This failure of oversight and accountability underscores the systemic negligence that enabled the abuse underlying this lawsuit.

181. In 2021, it became known by Rick Joyner that his personally selected head pastor was engaging in inappropriate actions with a member of Morningstar University.

182. Rick Joyner helped orchestrate covering up this transgression, until it leaked.

183. Then he turned on the former senior pastor and exposed him to the press.

184. In all instances, the victims were encouraged not to report these unbelievable circumstances to anyone, including law enforcement.

185. Lastly, Rick Joyner has begun to preach dangerous ideologies to congregants, not in a pastoral safety way but to protect his church from further lawsuits.

186. Specifically, in Rick Joyner's January 12 sermon to his church, he preached that anything less than a witness as described in the bible is not to be believed.

187. This does NOT include the victim themselves but must be one (1) or more eyewitnesses.

188. Everyone knows that sexual exploitation and abuse is almost always perpetrated in secrecy.

189. It is shrouded in secrecy.

190. It lives in secrecy

191. Rick Joyner is advocating for systems that facilitate and allow predators to thrive under his leadership.

192. Upon information and belief, Joyner, Yarnes, and Douglas Lee knew of these exploitations and assaults, and helped orchestrate the victims not reporting the conduct to anyone.

193. The actions by Morningstar, Joyner, Yarnes and Doug Lee in the investigation and actions of them after each exploitation,, assault or incident involved neutral principles of law.

194. At a minimum, the admonition not to contact law enforcement when someone has been sexually assaulted is reckless, and at its worst, it is a criminal offense punishable by incarceration.

195. These separate incidents are the tip of the iceberg of the exploitation, assaults and harassment that has been ongoing at Morningstar for two decades.

196. There is no telling how many others have occurred and were shut down by Morningstar and its leadership.

197. These incidents are notice to Morningstar and all leaders that a vulnerable population exists at the church, the CSCL school and Morningstar University.

198. These incidents place the leaders of the church, including Joyner, Yarnes, and Douglas Lee, on notice that there are predators that exist within the church hierarchy and employment

199. These incidents are actual notice of the need to ensure proper training, monitoring and supervision of youth leaders or others.

200. These incidents are actual notice that Morningstar needs to have proper policies, procedures, and other written admonitions to protect vulnerable members of the church, including minor children.

PRIOR TO ANY SEXUAL ASSAULT OR ABUSE BY ERICKSON LEE, HE HAD PROVIDED ALCOHOL AND PRONOGRAPHY TO THESE CHILDREN CAUSING HARM

201. There are multiple allegations of negligent, grossly negligent, and reckless conduct by Defendants.

202. Some of these negligent, grossly negligent, and reckless acts occurred at different times.

203. In this matter, John Doe #4 was provided alcohol before any other types of improper conduct was perpetrated against him by Erickson Lee.

204. This providing of alcohol continued for a period of time before he was then exposed to pornography.

205. The provision of alcohol by Erickson Lee to minor children in the YSF program occurred in front of other church employees and leaders years before Erickson lee was charged with a crime

206. The provision of alcohol occurred first.

207. This is actionable as a tort.

208. The knowledge of other Morningstar employees and leaders of this provision of alcohol and taking no steps to protect the children was reckless and foreshadowing of worse things to come.

209. The provision of pornography occurred after the provision of alcohol

210. It was second in sequence.

211. This improper actions by Erickson occurred at all times during the course and scope of his mentorship with the YSF program sponsored and facilitated by Morningstar and other Defendants.

212. The provision or alcohol and pornography were both detrimental to the Plaintiff John Doe #4 and have caused him harm for the rest of his life.

FACTUAL ALLEGATIONS SUPPORTING THE CAUSES OF ACTION

213. During all times that John Doe #4 was a minor child in the youth program at Morningstar, Erickson Lee was the leader of the program.

214. During his time in the Morningstar youth program, Doe #4 was aware that multiple members of the church and YSF leadership knew of Erickson Lee's propensity for showing favoritism to 4-5 specific boys and Douglas Lee was aware of Erickson Lee providing alcohol to at least one of these 4-5 segregated boys by Erickson Lee.

215. This behavior was normalized at the church and no church affiliated adult member ever intervened to prevent Erickson Lee's inappropriate interactions with minor children.

216. There are multiple allegations of wrongful conduct by each Defendant in this case.

217. In January 2020, Erickson Lee sent information to the parents about the YSF program:

Good evening Everyone!

The first YSF class is right around the corner. Sunday January 5th. No better way to start the year than with a YSF PT TEST!

The first day of class will begin at 14:00. Please make sure that all students are in the MSU room on Main Street by 13:45 dressed in PT gear. As the Marines always say 15 minutes early is 5 minutes late. Make sure each student has the right gear for the day with them, (Notebook, YSF handbook, water bottle, pens change of clothing for after PT, ECT). The first PT for YSF will be our basic PT assessment test. That will consist of a 1.5-mile run, 2 minutes timed pushups, and 2-minute timed sit ups. Begin preparing for this PT test NOW.

We will be giving out a lot of information and gear at the first class. With that being said the first class might go a little past the 1600 end time. We will not have time to talk or answer any questions during class so if there are any questions please seek one of the YSF instructors before the beginning of class at 1400 on January 5th.

There are a lot of opportunities during the Vision Conference for Students Volunteer program hours. Check with your department head to see where you can work or reach out to Zach about getting involved.

We will be taking YSF hoodie Pre orders that day also! \$35 dollars for pre orders. CASH ONLY. Have an amazing Christmas and if there are any questions please let Zach, Bob or myself know!

Erickson Lee

"Where there is no guidance the people fall, but in abundance of counselors there is victory." – Proverbs 11:14

218. There were some subsequent YSF meetings including the parents.
219. The parents were advised on multiple occasions by Erickson Lee, Zach Rowe, and others, that the minor children would be safe and protected in the YSF program.
220. The admonition by church leaders and employees/volunteers of the church to the parents created a duty to keep the minors safe once promised.
221. In exchange for this protection, the parents paid dues and money for their children to participate in different activities.
222. This was done, upon information and belief, to solidify the trust by the predator Erickson Lee so that he could continue his illicit activity with minor boys.
223. In spring 2020 in York County, Erickson Lee provided John Doe #4 sweet mixed alcoholic drinks, as well as beer and liquor.
224. After proceeding to get a bunch of minors drunk, Erickson Lee suggested that they all go skinny dipping in Erickson's pool at the house Erickson rented (where Erickson Lee was residing at the time).

225. At around midnight. Erickson Lee and the minors present, at Erickson Lee's request, stripped down naked and got into the pool to swim.

226. John Doe #4 ended up throwing up due to severe nausea from the alcohol.

227. In May 2021, John Doe #4, stayed at Erickson Lee's parents' house with another YSF minor member and was exposed to vaping by Erickson Lee.

228. On, September 4-7th 2020, the YSF youth program went to a trip to Camp Lejeune orchestrated by Erickson Lee with all Defendants' Blessing.

229. Erickson Lee made this a "special trip" for 2nd year students only.

230. The minor YSF member participants stayed in bungalow cabins on a private beach on Camp Lejeune.

231. Erickson Lee made it so that John Doe #4 and others were in his cabin.

232. The YSF entourage stayed at beach cabins on this trip to Lejeune.

233. There were 2 floors in each of these beach cabins.

234. Erickson Lee and another minor were sleeping in the bedroom on the main floor and the other boys were in the loft upstairs.

235. Erickson Lee and the minor staying in his room came up to the upstairs loft late at night and were drunk and looking at porn on their phones and were showing the other boys the porn on their phone.

236. Erickson Lee and the other minor went back downstairs and a little later, Doe #4 and another minor went downstairs because they heard a noise, and Erickson Lee was in the kitchen.

237. Doe #4 and the minor who went downstairs with him sat on the couch.

238. Erickson Lee was obviously drunk and was being touchy and perverted towards the boys.

239. The boys grew concerned about the minor in Erickson Lee's room and asked where the minor was at, and Erickson Lee said he was sleeping.

240. The bedroom door was open, and they went in and saw that the minor child was completely naked and passed out on the bed.

241. Later on in this trip, Erickson Lee then forced the boys to get naked in front of him and then take a shower together.

242. He was being very forceful, and the minor aged boys didn't feel like they had a choice or could stand up to Erickson Lee.

243. On December 31st-Jan 1st 2020/2021 - New Years Eve, there was a "Lock in" at the Morningstar ballroom.

244. Erickson Lee brought hard liquor to this event and hid it in his bag.

245. Periodically he took different minors to the Morningstar premises bathroom where he gave out shots of alcohol and gave them water bottles to put alcohol in.

246. They set up tents in the ballroom to sleep in and Erickson made it, so boys were in his tent and in the tent he continued to give them alcohol to the point of drunkenness.

247. This occurred on Morningstar's premises.

248. In York County from July 2021 to March 2023, Erickson Lee gave alcohol to minors many times, gave vapes to minors many times, was showing porn to minors many times, indecently exposed himself and assaulted different minors, including John Doe #4.

249. During this time Erickson would have "YSF" meetings with different Morningstar Minor participants and was always producing reasons why they needed to meet "to plan YSF events etc."

250. These meetings sometimes would involve an overnight stay, mostly with other students present.

251. In these overnight stays, John Doe #4 was sexually abused, molested, and violated by Erickson while in bed during these overnight “meetings”.

252. In January 2023, a parent of one of the minors in the YSF program notified Dave Yarnes about text messages he found between Erickson Lee and his son that were inappropriate and sexual in nature.

253. Yarnes involved Ron Philips (one of the Morningstar elders) who reviewed it and involved Tom Hardiman (elder /leader) and Justin Perry (Morningstar university director and pastor).

254. Morningstar leaders told Erickson Lee to “quietly step down” and to not have contact with the minors in the YSF program any longer.

255. However, parents were not informed by the church about any of this and the fact Morningstar had told him to step down and not have contact anymore.

256. Erickson was living in an apartment at the home one of the boys he had abused and was in the YSF program, at that the time he was found out by another parent to be engaged in inappropriate actions with minors.

257. Every one of those leaders at Morningstar knew Erickson Lee was living in the apartment and did not inform any of the parents.

258. No one was given the real reason Erickson stepped down.

259. Erickson told the parents it was because he couldn’t keep the commitment anymore due to work (and even mentioned to some parents that he might be “moving away” and had an opportunity with the US Marshals (that was a lie).

260. The decision not to inform the parents came from Rick Joyner and/or Dave Yarnes.

261. This was consistent with every other time there had been issues with a male member on staff or volunteer who had acted in an inappropriate way with a minor or a student associated with Morningstar.

262. This continued a two-decade conspiracy of silence.

263. Morningstar, Joyner, Yarnes, and Doug Lee allowed a predator to run a church youth organization for years and then when caught, they tried to cover it up.

264. Once Erickson Lee was terminated from his position, he tried to manipulate certain boys to control the dialogue on his crimes.

265. He enlisted Chase Portello as an implement in maintaining his control of certain minor children

266. This was done for one reason – so that Erickson Lee could control the story of what actually occurred.

267. Chase Portello was a fellow marine and aspiring law enforcement officer and conspired with Erickson Lee to control the criminal action perpetrated by Erickson Lee on multiple minors.

268. Chase Portello's assistance in trying to cover up these crimes occurred while he was still involved with YSF at Morningstar.

269. Morningstar did not have proper policies procedures, training, monitoring, or supervision in place of Chase Portello at that time to ensure he was acting appropriately in his role as an employee or agent of Morningstar in the YSF program.

270. When the parents of one of the abused minors was told about Erickson Lee's actions by their son in late April/May 2023, the parents contacted the head of safety at Morningstar, Nate DeGrandpre.

271. Nate DeGrandpre then set a meeting with the Dads of the abused minors to get more information.

272. The police were not called right away but were eventually contacted by the Church.

273. The head of security of the church had questioned the boys WITHOUT parents before calling the police.

274. During this time Erickson Lee must have been watching the boys because he left notes on two (2) of the boys vehicles.

275. One of the notes said, "I am watching you" and had a picture of one of the boys and was threatening.

276. The other note also implied that another boy was being watched.

277. One of the boys got a text message from Chase Portello's number saying "windshield" which is where the note was left.

278. It appears that Chase Portello was engaged in an intimidation campaign along with Erickson Lee while still affiliated with the YSF program at Morningstar.

279. Erickson Lee was arrested for his crimes.

280. Erickson Lee plead guilty to criminal sexual conduct for his actions with the minor boys at YSF and is doing nine years' time in prison.

281. The causes of actions in this complaint include multiple allegations of negligence, wrongful provision of alcohol, wrongful provision of pornography, conspiracy, reckless or intentional infliction of emotional distress and a necessities claim.

282. Plaintiffs suffered injury by all of the actions and inactions of Defendants.

FOR A FIRST CAUSE OF ACTION
AS TO ALL DEFENDANTS

(Negligence, Gross Negligence and Recklessness)

283. Plaintiffs reincorporate and reallege all above paragraphs verbatim.

284. All Defendants had multiple neutral principle of law duties to Plaintiff John Doe #4 to prevent him from suffering harm through a Morningstar Youth Program.

285. Defendant Erickson Lee provided alcohol to John Doe #4, provided pornography to John Doe #4, emotionally manipulated, emotionally abused, inappropriately touched, used harsh language, sexually abused and assaulted John Doe #4 and performed his duties as a Youth Program leader in a negligent, grossly negligent, and reckless manner.

286. As alleged above, Defendants Morningstar, Joyner, Yarnes, Doug Lee, Erickson Lee, and Chase Portello had a neutral principle of law duty to protect Plaintiff John Doe #4 from foreseeable harm.

287. As alleged above, Defendants Morningstar, Joyner, Yarnes, Doug Lee, and Chase Portello were aware of or should have been aware of Erickson Lee's spending a lot of alone time with specific minors in the course and scope of YSF programs on trips away from Morningstar and on Morningstar's property.

288. At all relevant times, prior to Erickson Lee's interaction with Plaintiff John Doe #4, Defendants Morningstar, Joyner, Yarnes, and Doug Lee knew of sexual misconduct incidents involving the church or one of its affiliated programs.

289. Morningstar, Joyner, Yarnes, and Doug Lee duty to implement, communicate and oversee neutral principle of law policies and procedures to protect minors at youth programs at the Church.

290. Defendant Chase Portello and other unnamed members of YSF knew of Erickson Lee's propensity to provide alcohol and vapes to minor program participants and actually participated in the drinking themselves and also know of Erickson Lee spending time alone with minor boys overnight.

291. This knowledge by Chase Portello and others created a duty to report Erickson Lee's illicit conduct to law enforcement or leadership of the Church.

292. Instead, Chase Portello and other employees of Morningstar chose to enable Erickson Lee to provide alcohol to minors, provide pornography to minors and to sexually abuse and assault minor boys.

293. Defendants Morningstar (through its employees and/or agents), Joyner, Yarnes, and Doug Lee had a duty to create and promote a neutral principle of law culture of safety to prioritize the well-being of children and young adults to protect them from negligent, grossly negligent, reckless, predatory, and abusive youth program leaders.

294. Defendants Morningstar, Joyner, Yarnes, Doug Lee and Chase Portello and other unnamed leaders in the YSF program had a duty to train, monitor and supervise Youth program leaders, including Erickson Lee, and report inappropriate conduct to law enforcement authorities or members of church leadership.

295. The duties to John Doe #4 by all Defendants included a duty to prohibit or prevent one-on-one interaction with youth leaders and participants with no other adults present.

296. Defendants Morningstar, Joyner, Yarnes, and Doug Lee knew that Erickson Lee would be around vulnerable children.

297. As a result of the actions and inactions of all Defendants, Plaintiff John Doe #4 was subjected to negligent, grossly negligent, and reckless conduct by Erickson Lee, pervasive and inappropriate actions by Erickson Lee, exploitative behavior by Erickson Lee and sexual misconduct by Erickson Lee.

298. Defendants breached their duties to Plaintiff John Doe #4 in multiple ways

299. Defendants Joyner, Yarnes, Doug Lee, Erickson Lee, and Chase Portello's failures as indicated herein amount to the total absence of care.

300. Defendants breached several neutral principle of law duties owed to Plaintiffs in a negligent, grossly negligent, and reckless manner in committing one or more of the following acts of omission or commission, any, or all of which were breaches of the duties owed to Plaintiffs:

- a. As an unfolding sequence of events proximately flowing from failing to ensure Plaintiff John Doe #4 was not exposed to injurious behavior by Defendant Erickson Lee as a first occurrence;
- b. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarnes, and Doug Lee's failure to undertake proper protections of the minors when only undertaking a background check on Erickson Lee;
- c. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar (through agents and/or employees) of failing to report Erickson Lee's provision of alcohol to minors.
- d. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarnes, and Doug Lee's failure to train Erickson Lee in a proper manner.
- e. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarnes, and Doug Lee's failure to train other members of the Youth program at Morningstar on ways to protect children in the program.
- f. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar (through its agents and/or employees) , Joyner, Yarnes, and Doug Lee's failure to train the youth members of the YSF program about exploitative, dangerous or illegal conduct.
- g. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarnes, and Doug Lee's failure to supervise Erickson Lee in a proper manner.
- h. As a separate and independent unfolding sequence of events flowing from Defendant Morningstar, Joyner, Yarnes, and Doug Lee's failure to monitor Erickson Lee in a proper manner.
- i. As a separate and independent unfolding sequence of events flowing from failing to protect Plaintiff John Doe #4 from Defendant Erickson Lee;
- j. As a separate and independent unfolding sequence of events flowing from failing to ensure Plaintiff John Doe #4 was safe while in the YSF Morningstar youth program;

- k. As a separate and independent unfolding sequence of events flowing from Defendants Morningstar, Joyner, Yarnes, or Doug Lee's failure to create, implement and communicate appropriate policies and procedures engineered to protect children in the YSF Morningstar program.
- l. As a separate and independent unfolding sequence of events flowing from failing to properly investigate previous incident of sexual abuse and take proper steps to protect children who were under the stewardship of Morningstar or its employees or youth leaders.
- m. As a separate and independent unfolding sequence of events flowing from failing to train all employees and/or volunteers at Morningstar in a manner that would promote personal safety for minors, including reporting of provision of alcohol or pornography or sexually grooming, exploiting, or abusing of minor parishioners;
- n. As a separate and independent unfolding sequence of events flowing from failing to investigate Defendant Erickson Lee's actions when it first became known that he was having inappropriate contact or exhibiting inappropriate behavior towards a minor child in the youth program at Morningstar.
- o. As a separate and independent unfolding sequence of events flowing from failing to follow industry standards in neutral principles of law.
- p. As a separate and independent unfolding sequence of events flowing from Defendant Erickson Lee providing alcohol to John Doe #4.
- q. As a separate and independent unfolding sequence of events flowing from Defendant Erickson Lee providing pornography to John Doe #4.
- r. In such other particulars as will be discovered through discovery undertaken pursuant to the S.C. Rules of Civil Procedure.

301. As a direct and proximate result of the negligent, grossly negligent, and reckless, actions and inactions of Defendants, the Plaintiff John Doe #4 has suffered and will continue to suffer damages and Plaintiffs are entitled to judgment against Defendant Morningstar for all actual damages and against Joyner, Yarnes, Doug Lee, Erickson Lee and Chase Portello for actual and compensatory damage, punitive damages, and such other relief in law or equity as may be determined by a jury.

FOR A SECOND CAUSE OF ACTION

AS TO ALL DEFENDANTS
(Civil Conspiracy)

302. Plaintiffs reallege and reincorporate all above paragraphs verbatim.

303. Prior to the provision of alcohol to John Doe #4, the provision of pornography to John Doe #4 and sexual abuse and assault of John Doe #4 by Erickson Lee, upon information and belief, Defendants Morningstar, Joyner, Yarnes, and Doug Lee knew or should have known that the YSF program did not have proper policies and procedures in place to protect minor children participants.

304. Defendants Morningstar, Joyner, Yarnes, and Doug Lee knew or reasonably should have known that allowing a young male adult to spend alone time sleeping with minor boys and providing alcohol and pornography to minor boys would cause harm to a vulnerable population.

305. Despite the knowledge that Morningstar had of known incidents of sexual abuse with a vulnerable population and also a minor, they knowingly failed to create, communicate, and implement safety policies and procedures to program youth program participants.

306. The Defendants knew or should have known of Erickson Lee's inappropriate behaviors with minor children, including texting them by himself, spending time with them by himself, providing alcohol to minor children and other improper actions that foreshadowed potential abuse and assault of minor children.

307. Doug Lee, Erickson Lee, and Chase Portello knew of Erickson Lee's inappropriate actions with minor children in the YSF program.

308. Upon information and belief, Defendants undertook an effort to hide or otherwise prevent Erickson Lee to be found out because he was a revered son of a church leader, and Defendants not only feared the fallout from such a discovery but also profited from Defendant Erickson Lee and thus had a financial incentive to protect Defendant Erickson Lee from discovery.

309. Defendants actively conspired to hide the allegations of inappropriate behavior by Erickson Lee with minor YSF participants from others.

310. The access to minor children by Erickson Lee facilitated by the conspiratorial actions of all defendants, resulted in harm to Plaintiff John Doe #4.

311. The predicate acts of all Defendants necessary to constitute a conspiracy includes:

1. Defendants complicity with one another to prohibit others from finding out about Erickson Lee's inappropriate actions with minor YSF participants;
2. Defendants failure to report Defendant Erickson Lee's inappropriate conduct to law enforcement,
3. Defendants failure to report the conduct of Erickson Lee to anyone in authority at the church other than themselves, and
4. Defendants working in tandem to protect Erickson Lee from known complaints to parents of the minor children in the YSF program, and
5. Defendant's overt attempts to silence victims of sexual abuse and misconduct at the church.

312. The predicate acts necessary for the conspiracy are wholly separate and apart from allegations of negligence, gross negligence, or recklessness in other portions of this complaint.

313. As a direct and proximate result of the civil conspiracy between all Defendants, the Plaintiff John Doe #4 has suffered and will continue to suffer damages and Plaintiff John Doe #4 is entitled to judgment against Defendant Morningstar for actual and compensatory damages, and is entitled to judgment against Joyner, Yarnes, Doug Lee, Erickson Lee and Chase Portello for actual and punitive damages and such other damages in law or equity as may be determined at a trial of this matter.

FOR A THIRD CAUSE OF ACTION
AS TO DEFENDANT ERICKSON LEE
(Assault and Battery)

314. Plaintiffs reincorporate and reallege the above paragraphs herein verbatim.

315. Erickson Lee threatened and intended to harm Plaintiff John Doe #4 (assault).

316. Erickson Lee inappropriately touched and violated Plaintiff John Doe #4 (battery).

317. As a direct and proximate result of Defendant Erickson Lee's actions outlined above, Plaintiff John Doe #4 suffered damages.

318. Plaintiff John Doe #4 will likely have to undergo medical treatment, including intense psychiatric/counseling and therapy for the remainder of his life.

319. As a direct and proximate result of the assault and battery perpetrated on the Plaintiff John Doe #4 by Defendant Erickson Lee, the Plaintiff John Doe #4 has suffered and will continue to suffer damages and is entitled to judgment against Defendant Erickson Lee for actual damages, compensatory damages, punitive damages, and such other relief in law and equity as may be determined by a jury at the trial of this action.

FOR A FOURTH CAUSE OF ACTION

(Outrage/Intentional or Reckless Infliction of Emotional Distress)

320. Plaintiff realleges and reincorporates all above paragraphs herein verbatim.

321. Defendants recklessly or intentionally inflicted severe emotional distress on Plaintiff John Doe #4 by virtue of their actions and it was certain or substantially certain that such distress could result from Defendants' conduct.

322. Defendants Erickson Lee and Chase Portello inflicted severe emotional distress on Plaintiff John Doe #4 by attempting to intimidate all persons victimized by the conduct of Erickson Lee

323. Defendants Morningstar, Joyner, Yarnes and Douglas Lee inflicted severe emotional distress by acting in tandem to prevent Erickson Lee's sexual misconduct from being discovered by law enforcement and by others within its organization, including the parents of John Doe #4.

324. Defendants Morningstar, Joyner, Yarnes and Douglas Lee inflicted severe emotional distress by pressuring others who had been sexually abused and assaulted before John Doe #4 not to report instances of sexual misconduct which resulted in the proliferation of illicit behavior at the church.

325. Defendants' conduct was extreme and outrageous as to exceed all possible bounds of decency and is intolerable in a civilized community.

326. Defendants' actions caused Plaintiffs emotional distress.

327. The emotional distress suffered by Plaintiffs was so severe that no reasonable person could be expected to endure it and this distress manifested itself in physical symptoms.

328. The emotional distress caused by actions and inactions of Defendants includes, but is not limited to, medical problems, emotional issues, mental anguish, and behaviors that are capable of objective diagnosis.

329. As a direct and proximate result of the intentional and/or reckless infliction of emotional distress on Plaintiffs, they have suffered damages.

330. As a direct and proximate result of the reckless or intentional infliction of emotional distress by Defendants, the Plaintiffs have suffered and will continue to suffer damages and Plaintiffs are entitled to judgment against Defendants Erickson Lee and Portello for actual damages, compensatory damages, punitive damages and such other damages in law or equity as may be determined at a trial of this matter.

FOR A FIFTH CAUSE OF ACTION
AS TO ALL DEFENDANTS
(Necessaries Claim)

331. Plaintiff Jane Roe #4 reallege and reincorporate all above paragraphs verbatim.

332. As a direct and proximate result of the acts and/or omissions described herein, Jane Roe #4 was responsible for the following expenses related to their minor child until he turned the age of eighteen (18):

- a. Substantial medical expenses that are certain to occur for a significant amount of time, if not for the rest of John Doe #4's life;
- b. Substantial life-care expenses that are reasonably certain to occur for a significant amount of time, if not for the rest of John Doe #4's life;
- c. Care related to John Doe #4's disability that are likely to occur before he reaches the age of majority;
- d. The provision of extraordinary medical care to John Doe #4;
- e. The general expense of obtaining resources for John Doe #4 before the age of eighteen, including, but not limited to, special assistance and other medical treatment and/or therapies which may alleviate some of John Doe #1's suffering which took place due to Defendants' conduct as alleged herein.
- f. The time and expense associated with Jane Roe #4's care of John Doe #4 from time missed from work, transportation costs and other assorted expenses.

333. Plaintiffs Jane Roe #4 (as the mother of John Doe #4) is responsible for the medical bills, medical care, and overall care for her minor child until the age of eighteen (18).

334. If John Doe #4 is under a disability, he may be required to undergo care for an undetermined length of time after she reaches eighteen years of age.

335. Plaintiff Jane Roe #4 will also suffer other economic damages, including, but not limited to, the provision of extraordinary medical care, life care expenses, transportation costs, counseling services, and special programs for her child John Doe #4 because of Defendants' actions and/or inactions.

336. Plaintiffs Jane Roe #4 should be awarded all damages flowing from any necessities claim or any other economic damages they may suffer because of Defendants' actions and/or inactions.

WHEREFORE, Plaintiffs respectfully pray for judgement against all Defendants for all actual damages and against all Defendants Joyner, Yarnes, Doug Lee, Erickson Lee, and Chase Portello for all punitive damages alleged herein, and for such other and further relief as this Honorable Court deems just and proper.

**MCGOWAN, HOOD, FELDER & PHILLIPS,
LLC**

s/S. Randall Hood
S. Randall Hood, SC Fed ID 6103
Chad A. McGowan, SC Fed ID 6620
1539 Health Care Drive
Rock Hill, SC 29732
Phone: (803) 327-7800
Facsimile: (803) 324-1483
rhoor@mcbgowanhood.com
cmcbgowan@mcbgowanhood.com

February 4, 2025
Rock Hill, South Carolina