

**IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA**

ROBERT WILLIAM LAWSON, III,

Plaintiff,

v.

BOY SCOUTS OF AMERICA, INC.  
R. FLEMING WEAVER, JR.,  
THE ESTATE OF F.E. (GENE) BOBO,  
STEVEN N. BROWN,  
NORTHEAST GEORGIA COUNCIL, INC.,  
FIRST BAPTIST CHURCH OF GAINESVILLE,

Defendants.

CIVIL ACTION

FILE NO. \_\_\_\_\_

**COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL**

COMES NOW Plaintiff ROBERT WILLIAM LAWSON, III, and brings this action for money damages against R. Fleming Weaver, Jr., Steven N. Brown, The Estate of F.E. (Gene) Bobo, Boy Scouts of America, Inc., Northeast Georgia Council, Inc., and the First Baptist Church of Gainesville as follows:

**INTRODUCTION**

“Silence in the face of evil is itself evil: God will not hold us guiltless. Not to speak is to speak. Not to act is to act.”

— Pastor Dietrich Bonhoeffer

1. Since 1919, the Boy Scouts of America (hereinafter "Boy Scouts") has maintained an internal confidential file of alleged child molesters who have been accused of abusing boy scouts.
2. These abuse allegations were rarely reported to law enforcement.

3. When the abuse was discovered or suspected, volunteers, with the tacit consent of other Boy Scout leaders, often lied about the reason the volunteer was suddenly leaving the troop, to the detriment of future victims.
4. These repeated instances of intentionally avoiding public exposure of the abuse by covering up allegations was done in an effort to protect the reputation of the Boy Scouts or the reputation of the sponsoring organization, which, in this case, is the First Baptist Church of Gainesville (hereinafter FBC).
5. Not until 2010, over 90 years after becoming aware of the sexual abuse of their boy scouts, did the Boy Scouts adopt a policy of requiring local scout leaders to report sex abuse allegations to police.
6. In 1965, the Georgia legislature enacted O.C.G.A § 19-7-5, the so-called “Mandatory Reporter Law.” By 1981, this statute was revised to provide that any physician, psychologist, health care worker, hospital or medical personnel, nursing personnel, social work personnel, school guidance counselors, licensed osteopathic physician, intern, resident, dentist, podiatrist, public health nurse, social worker, teacher, school administrator, child care personnel or law enforcement personnel having cause to believe that a child under the age of eighteen has had physical injury or injuries inflicted upon him other than by accidental means by a parent or caretaker, or has been neglected or exploited by a parent or caretaker, or has been sexually assaulted or exploited, shall report or cause reports to be made.<sup>1</sup>

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<sup>1</sup> *May v. State*, 295 Ga. 388 (2014)

7. This lawsuit is brought by one of many victims of R. Fleming Weaver, Jr., who was the Scoutmaster, from 1969 until 1981, for Troop 26, which is, to this day, sponsored by the FBC.
8. The Troop 26 Scouting Cabin, located on the property of the FBC, was the location where multiple boys were sexually abused by Weaver.
9. This lawsuit is brought against the Boy Scouts, the Northwest Georgia Council, and the FBC as entities whose negligence led to the abuse suffered by Lawson.
10. This lawsuit is also brought against the individual Boy Scouts officials and church officials who conspired to cover up Weaver's abuse, which led to the continued sexual abuse of other boys, one of whom is the Plaintiff.
11. Despite the fact that at least 2 unrelated children (victims 1 and 2) had made outcries of sexual abuse, which led to the discovery of victim 1's older brother (victim 3) also admitting victimization at Weaver's hands, adult troop and church leadership chose not to report the abuse to law enforcement.
12. Despite the fact that Weaver confessed to Steven N. Brown, Gene Bobo and at least one other individual that he had sexually abused at least five (5) children, these men chose not to report the abuse to law enforcement.
13. If the men and entities named in this lawsuit had done their legal and moral duty to protect children by reporting Weaver's admitted abuse of at least 5 children, Lawson would not have been raped by Weaver in 1985 while on a scouting event at Camp Rainey Mountain.
14. To this day, Weaver continues to be a member and a Deacon of the FBC where he has unrestricted access to children.<sup>2</sup>

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<sup>2</sup> Website of Deacons of First Baptist Church as of 3/14/16.

15. Despite admitting his sexual abuse to an agent of the Georgia Bureau of Investigation (GBI) and an investigator with Hall County Sheriff's Department in 1994, which included transporting minors over state lines to conduct sexual abuse, Weaver has never been criminally charged for his sexual abuse of numerous boys, many of whom are men in their 40's and 50's today.
16. Despite removing Weaver from participating in Troop 26 activities for his perverted, repulsive, and criminal conduct, FBC allowed Weaver to deceive the congregation, Boy Scouts, and community by honoring Weaver's contributions in the church bulletin and by falsely claiming that he was leaving his position as Scoutmaster to spend more time with his family.
17. Upon information and belief, the Hall County Sheriff did not request the United States Attorneys' Office or other federal agency investigate or prosecute Weaver for the violation of federal crimes.
18. No civil suit has previously been brought against Weaver or any of the other named Defendants related to this abuse and the subsequent cover up of the abuse by the Defendant Boy Scout entities, named individuals, or the FBC.
19. Only last year did Plaintiff become aware of the Defendants' intentional acts of concealing the abuse committed by Weaver and intentionally misleading the public regarding Weaver's crimes and the inherently dangerous risk he posed to children.
20. But for the Defendants' intentional concealment of Weaver's past crimes and intentional misrepresentation regarding the reason for Weaver's exit from Troop 26, Weaver would have been prevented from victimizing the Plaintiff.

## JURISDICTION AND VENUE

21. This Court has subject-matter jurisdiction over this action for money damages arising from injuries proximately caused by the tortuous acts of the Defendants acting in concert with one another. GA. CONST. ART. VI, § 3, ¶ I.
22. Venue is proper in this Court as one or more of the Defendants maintain a registered agent for service of process in Fulton County, Georgia and this suit is brought against the Defendants as joint tortfeasors. GA. CONST. ART. VI, § 2, ¶¶ III, IV & VI, O.C.G.A. §§ 9-10-31, 9-10-93, 14-2-510.

## PARTIES

23. **Robert William Lawson, III** is a 45 year old married father of two children and a resident of the State of Georgia.
24. **Boy Scouts of America, Inc.** is a foreign corporation organized and existing under the laws of the District of Columbia with its principal place of business located in Irving, Texas. The Boy Scouts routinely transact business and maintain a registered agent in Georgia. The Boy Scouts may be served with summons and a copy of this Complaint through its registered agent Michele Eldredge, 1800 Circle 75 Pkwy SE, Atlanta, Georgia.
25. **Northeast Georgia Council, Inc.** (“NGC”) is a Georgia corporation with its principal place of business in Jackson County, Georgia. NGC may be served with summons and a copy of this Complaint through its registered agent for service of process, Trip Selman, 148 Boy Scout Trail, Pendergrass, Georgia 30567.

26. **First Baptist Church of Gainesville** is a church located at 751 Green St., NW, Gainesville, Hall County 30501 and may be served with summons and a copy of this Complaint through its Pastor, William Coates.
27. **Dr. Steven N. Brown** is a resident of Hall County and may be served with summons and a copy of this Complaint at his residence.
28. **F.E. Bobo** was a resident of Hall County and died on April 4, 2012. **The Estate of F.E. Bobo** was probated in Hall County and the Administrator of the Estate may be served with summons and a copy of this Complaint.
29. **R. Fleming Weaver, Jr.** is a resident of Hall County, Georgia.

## **OPERATIVE FACTS**

### **A. BOY SCOUTS OF AMERICA STRUCTURE AND ORGANIZATION**

30. Boy Scouts is one of the largest youth service organizations in the United States. Approximately 2.5 million children and more than 950,000 adult volunteers participate in Boy Scout programs.
31. The Boy Scouts exist pursuant to a Charter issued by the Sixty-Fourth Congress of the United States on or about December 6, 1915.
32. In order to accomplish its purposes and to carry out its programs, the Boy Scouts issue annual charters to local councils, with each council covering a particular geographic area.
33. The Northeast Georgia Council (also referred to as the NGC) was chartered by the Boy Scouts in 1935 to provide Scouting programs in twenty-six counties.
34. The Northeast Georgia Council supports programs in 26 county areas in the northeast corner of Georgia, including Hall County.

35. The Boy Scouts require that local councils become incorporated under the laws of their respective states. Before a local council adopts its corporate articles and bylaws, the local council must submit them to the Boy Scouts for review and approval.
36. Local councils identify charitable organizations in the community – referred to as chartering organizations - to sponsor individual scouting units.
37. The FBC was the chartering organization for the Northeast Georgia Council Troop 26 where Weaver was Scoutmaster from 1969 until 1981.
38. At all times relevant to this action, the Boy Scouts and the NGC operated as a joint enterprise in furtherance of a common objective of recruiting members to join the Boy Scouts by offering programming, facilities, and administrative support to chartering organizations.
39. At all times relevant to this action and in furtherance of their joint enterprise, the Boy Scouts and NGC delegated responsibility for recruiting and selecting individuals to serve as adult volunteer leaders in the Boy Scouts to a committee comprised of members of the chartering organization, including Defendants Brown, Bobo and other church members and officials (“Charter Committee”).
40. At all times relevant to this action and in furtherance of their joint enterprise, the Boy Scouts and NGC delegated responsibility for protecting children involved in Boy Scout activities to adult volunteer leaders and the Charter Committee.
41. At all times relevant to this action, the acts and omissions of adult volunteer leaders were done in the course and scope of their agency/volunteer employee relationship with the Defendants; pursuant to the rules, regulations and procedures promulgated by the Defendants and the authority delegated to them by the Defendants.

42. At least by 1981, the Boy Scouts had begun instituting Scoutmaster rules for the purpose of reducing incidents of sexual abuse perpetrated by adult volunteers on children enrolled in scouting programs.
43. Defendants Brown and Bobo knew or should have known of the rules relating to the Scoutmaster of a Troop for the purpose of preventing sexual abuse.
44. At all times relevant to this action, the Boy Scouts, NGC, and the FBC failed to require that adult volunteer leaders participate in any kind of training to prevent sexual abuse.
45. At all times relevant to this action the Boy Scouts and the NGC recognized that proper implementation of rules and training to prevent sexual abuse at all levels of the organization was essential to ensuring the safety of children enrolled in scouting activities.
46. At all times relevant to this action, the Defendants failed to take steps to ensure that children and parents enrolled in scouting activities were familiar with the rules relating to preventing abuse.
47. The NGC was responsible for ensuring that chartering organizations and adult volunteer leaders exercised ordinary care to protect children under their care custody and control.

**B. WEAVER BECOMES AN ADULT VOLUNTEER LEADER**

48. From at least 1969 to the present, Weaver has been a member of the FBC and is presently a Deacon at the FBC.
49. Bobo, who is now deceased, was a member of the FBC and a close friend of Weaver in 1969.
50. In 1969, Bobo resigned as Scoutmaster of Troop 26 and Weaver was named as Scoutmaster.

51. Bobo continued to participate in the Boy Scouts as an Executive with the NGC and supervised Troop 26 by participating in the Charter Committee at the FBC.
52. Upon information and belief, no one investigated Weaver's background prior to him being named Scoutmaster in 1969.
53. Upon information and belief, Weaver had been involved in scouting for several years and was also a close friend, associate, and assistant scoutmaster of Ernest Boland who was a Boy Scout volunteer in the 1960's and 1970's.
54. Boland was blacklisted from the Boy Scouts in 1977 due to allegations that he had sexually abused boys.
55. Neither the Boy Scouts nor the NGC had a policy or process for confirming that someone within the chartering organization had properly investigated prospective Scoutmasters.
56. The Defendants had no policy or procedure in place to ensure that someone with the chartering agency had interviewed Weaver, followed up on his references, and thoroughly investigated his background.
57. Upon information and belief, NGC received Weaver's application and sent it to the Boy Scouts.
58. The Boy Scouts received and approved Weaver as Scoutmaster of Troop 26.

### **C. WEAVER SEXUALLY ABUSES NUMEROUS BOYS**

59. From 1969 until 1981, Weaver appointed certain boys as Senior Patrol Leaders.
60. The Senior Patrol Leader was a boy between the ages of 12-14 who served in a supervisory position over the other boys in the Troop.
61. The Senior Patrol Leader would assist Weaver with planning scouting activities and would be alone with Weaver routinely at the Scout Cabin located on the property of the FBC.

62. On numerous instances, Weaver sexually assaulted Senior Patrol Leaders at the Scout Cabin.
63. Weaver would also request Senior Patrol Leaders to come to his home and assist him with duties and, once he had the child alone, he would sexually assault the child.
64. Weaver also sexually assaulted boys in his vehicle when driving alone with the child and would take the boys to other property he owned where he would abuse the boys.
65. On Scouting trips, both in Georgia and outside of Georgia, Weaver would require the Senior Patrol Leader to stay in his tent and would sexually abuse the boys on these Scouting trips.
66. The extent of Weaver's abuse of these children consisted of rape and aggravated sodomy.
67. Prior to 1981, a boy (victim 1) complained to Dr. Steven N. Brown, the Youth and Elderly Pastor of First Baptist Church, multiple times about the sexual abuse he was enduring by Weaver.
68. Brown did not report said abuse nor did he intervene to prevent further abuse of victim 1.
69. Sometime between 1981-1982, a boy (victim 2) who had been Senior Patrol Leader and had been sexually abused by Weaver reported the abuse to his father. Both the son and the father were members of the FBC.
70. [REDACTED]
71. The father contacted Brown, who at the time was the Senior Pastor of the FBC and told him about the sexual abuse committed by Weaver.
72. Brown did not reveal to the father of victim 2 that he had previously been told of allegations of abuse against Weaver.

73. Brown contacted Bobo and an attorney who were members of the FBC. At this time, Bobo was a supervisor with the Boy Scouts and the NGC.
74. A meeting was held with Brown, Bobo, Weaver, the attorney, and other church members and officials.
75. As a result of this meeting, the Defendants agreed to conspire to intentionally conceal knowledge of Weaver's abuse to church members, other Boy Scouts, the community and law enforcement.
76. The Defendants agreed that Weaver would be removed as Scoutmaster of Troop 26.
77. However, the Defendants intentionally concealed knowledge of Weaver's crimes by falsely reporting in a church publication that Weaver had left Troop 26 in order to spend more time with his family.
78. [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
81. Brown, Bobo and other FBC officials published a church bulletin that falsely claimed that Weaver left Troop 26 to spend more time with his family.
82. None of these men ever reported this abuse to law enforcement or the membership of the church.
83. After Weaver left Troop 26, he continued to volunteer with the Boy Scouts and the NGC by serving with the Order of the Arrow, Scouting's National Honor Society.

84. Mowogo Lodge is the Order of the Arrow Lodge of the NGC located at Camp Rainey Mountain.
85. Weaver's continued participation is evidenced in part by the fact that he was awarded the Distinguished Service Award of the Order of the Arrow in 1983.
86. Brown, Bobo and other Boy Scout officials and FBC officials knew that Weaver was continuing to participate in Scouting activities but took no steps to stop Weaver or warn boys or parents of the boys he was advising about Weaver's admitted child abuse.
87. Weaver participated in Order of the Arrow events at Camp Rainey Mountain each year and it was during these events that Weaver came into contact with Lawson, who attended one of these events on or about 1985 as a representative of Troop 16 sponsored by the First United Methodist Church of Gainesville.
88. While at this event, Lawson complained of stomach problems and under the guise of attending to his stomach pain, Weaver took Lawson into his tent where he raped him.
89. Weaver was not properly supervised while at Camp Rainey Mountain, which led to Lawson being abused on numerous instances over this weekend event in 1985.
90. As a child, Mr. Lawson was traumatized as a result of the abuse and did not notify anyone of the abuse he had sustained.
91. In 1994, victim 1, who was now an adult, reported his abuse to the Hall County Sheriff's Department.
92. This victim was concerned because he believed that Weaver was still abusing other children at the FBC.
93. This victim also reported observing Weaver's vehicle parked at the Troop 26 Scouting Cabin from which he had been allegedly banned years before.

94. During the course of this investigation, Weaver was interviewed on January 25, 1995 and admitted that he had abused boy scouts when he was Scoutmaster of Troop 26.
95. Weaver claimed that he had not abused any children since 1981, stating that he was cured after merely one year of treatment with the therapist he was referred to by Brown.
96. Weaver also admitted that Brown, Bobo, and other church officials had been aware of the sexual abuse and had helped him by not reporting him to law enforcement authorities.
97. Weaver admitted targeting boys who were senior patrol leaders.
98. Weaver admitted that Brown, Bobo, and others knew that he was continuing to be involved with Scouting activities after 1981.
99. Bobo was interviewed on September 9, 1994 and admitted that, despite knowing Weaver had abused boys in 1981, he knew Weaver was continuing to participate in Scouting activities and was a member of the National Executive Board of the Boy Scouts of America.
100. Despite these admissions, the Hall County Sheriff's Department did not bring any charges against Weaver.
101. The Hall County Sheriff investigators claimed that the statute of limitations prevented Weaver from being prosecuted.
102. There is no evidence in the investigative record that the Hall County Sheriff considered prosecuting any of the individuals who had learned of the abuse and failed to report it to law enforcement authorities.
103. As a direct and proximate cause of the Defendants' cover up and failure to provide minimal supervision and security at the Order of the Arrow event, Lawson was sexually assaulted in 1985.

104. Last year, Lawson became aware of the mental and emotional harm that he had suffered as a result of being sexually assaulted by Weaver as a child.
105. He sought counseling for the sexual abuse and disclosed his abuse to his family.
106. Since his disclosure last year, the resulting investigation by Lawson and his attorneys has revealed the cover up by the Defendants that led to Lawson being abused.
107. But for this cover up by Defendants, Weaver would have not been at Camp Rainey Mountain in 1985 and Lawson would not have been abused by Weaver.
108. Since last year, Lawson has learned of numerous other victims of Weaver.
109. Since last year, Lawson has learned that many adults in positions of trust and leadership knew about Weaver's crimes and told no one in law enforcement.

**COUNT ONE**  
**BATTERY**  
(As to Weaver)

110. Plaintiff hereby incorporates Paragraphs 1-109 as if stated verbatim herein.
111. Weaver subjected Lawson to illegal and unwanted sexual acts, which constitute child molestation or aggravated child molestation under the laws of the State of Georgia.
112. The illegal acts perpetrated against Lawson constitute childhood sexual abuse as defined in O.C.G.A. §9-3-33.1.
113. Lawson has suffered damages as a direct and proximate result of Weaver's wrongful acts.
114. Weaver's sexual abuse of Lawson showed willful misconduct, malice, wantonness and an entire want of care that raises the presumption that Weaver was consciously indifferent to the consequences of his actions.

**COUNT TWO**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
(As to Weaver)

115. Plaintiff hereby incorporates Paragraphs 1-114 as if stated verbatim herein.
116. Weaver subjected Lawson to illegal and unwanted sexual acts, which constitute child molestation or aggravated child molestation under the laws of the State of Georgia.
117. The illegal acts perpetrated against Lawson constitute childhood sexual abuse as defined in O.C.G.A. §9-3-33.1.
118. As a result of Weaver's acts, Lawson has suffered and continues to suffer great pain of mind and body, shock, severe emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life.
119. Lawson has suffered damages as a direct and proximate result of Weaver's wrongful acts.

**COUNT THREE**  
**FRAUD**  
(As to all Defendants)

120. Plaintiff hereby incorporates Paragraphs 1-119 as if stated verbatim herein.
121. Defendants conspired to conceal knowledge of Weaver's past crimes and the risk he posed to Lawson by fraudulently misrepresenting the reason for Weaver's departure from Troop 26.
122. But for Defendants active concealment of Weaver's crimes and the risk he posed to children, the rape of Lawson by Weaver would not have occurred.
123. As a result of the Defendants' fraud and conspiracy to conceal knowledge of Weaver's crimes and the risk he posed, Lawson was raped by Weaver.

124. As a result of Defendants' fraud and conspiracy to conceal Weaver's crimes and the risk he posed to children, Lawson has suffered great pain of mind and body, shock, severe emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation and loss of enjoyment of life.

**COUNT FOUR**  
**FAILURE TO PROVIDE ADEQUATE SECURITY**

(As To Boy Scouts of America, Northeast Georgia Council, First Baptist Church of Gainesville, Brown, and the Estate of Bobo)

125. Plaintiff hereby incorporates Paragraphs 1-124 as if stated verbatim herein.

126. Weaver sexually abused Lawson during a scouting activity at Camp Rainey Mountain, property owned by the NGC for the express purpose of holding Scouting events.

127. The Defendants had prior knowledge that Weaver had sexually abused scouts during scouting events.

128. The Defendants had a duty of ordinary care to prevent Weaver from continuing to be involved in scouting activities where he would have access to other boys.

129. The Defendants had a duty of ordinary care to adopt adequate security measures on the premises of facilities holding scouting events in order to protect children under their care, custody, and control from sexual abuse by Weaver.

130. The Defendants failed to implement basic security measures to protect Lawson and other children under their care, custody, and control from Weaver.

131. The Defendants knew or should have known that allowing Weaver to continue to have access to children would expose these children to a foreseeable risk of sexual abuse.

132. The Defendants knew or should have known that failing to adopt adequate security measures on the premises of facilities holding scouting events would expose children participating in scouting activities to a foreseeable risk of sexual abuse by Weaver.

133. As a direct and proximate cause of the Defendants failure to report Weaver to law enforcement authorities, covering up his admitted abuse, and failing to prevent other children from coming into contact with Weaver, Lawson was abused by Weaver.
134. As a direct and proximate cause of the Defendants failure provide adequate security and protection to children under their care, custody, and control, Weaver sexually abused Lawson on the premises of facilities owned, leased, or donated to the Defendants for the express purpose of holding a scouting activities, entitling him to an award of economic, compensatory, and punitive damages as more fully set forth herein.

#### **COUNT FIVE**

#### **FAILURE TO TRAIN, SUPERVISE & MONITOR**

(As To Boy Scouts of America, Northeast Georgia Council, First Baptist Church of Gainesville, Brown and the Estate of Bobo)

135. Plaintiff hereby incorporates Paragraphs 1-134 as if stated verbatim herein.
136. At all times relevant to this action, the Defendants were responsible for protecting children involved in scouting activities.
137. The Defendants owed a duty of ordinary care to Plaintiff to institute necessary policies, procedures, training, oversight, and monitoring of scouting activities, to protect Lawson and other boys involved in Boy Scout activities from Weaver's abuse.
138. By lying for Weaver, the Defendants failed to provide adequate protocols and knowledge to parents and other adult volunteer leaders responsible for protecting children involved in Boy Scout activities from Weaver.
139. At all times relevant to this action, the Defendants did not properly train, monitor, audit, or supervise adult volunteer leaders and the Charter committee to ensure that parents, volunteers, and scouts understood how to protect children from pedophiles like Weaver.

140. As a direct and proximate cause of the Defendants failure to institute necessary policies, procedures, training, oversight, and monitoring of scouting activities, Weaver gained access to and sexually abused Lawson entitling him to an award of economic, compensatory, and punitive damages as more fully set forth herein.

**COUNT SIX**  
**FAILURE TO ADEQUATELY SCREEN**

(As To Boy Scouts of America, Northeast Georgia Council, First Baptist Church of Gainesville,  
Brown and the Estate of Bobo)

141. Plaintiff hereby incorporates Paragraphs 1-140 as if stated verbatim herein.

142. At all times relevant hereto, Defendants owed a duty of ordinary care to Lawson to adequately screen prospective adult volunteer leaders.

143. Defendants did not train scoutmasters, parents, and/or chartering organizations to check references and other background information or conduct interviews of prospective volunteers using open ended questions and other established techniques recommended by experts in child abuse prevention.

144. Had Defendants done so, upon information and belief, Defendants would have learned that Weaver had a desire to sexually abuse young boys in his care.

145. Defendants did not take steps to ensure that scoutmasters, parents, and the FBC were conducting thorough interviews and background checks.

146. As a direct and proximate cause of the Defendants' failure to adequately supervise and report Weaver's previous abuse to law enforcement authorities, Weaver, acting within the course and scope of his agency/volunteer employee relationship with Defendants, molested and sexually abused Lawson, entitling him to an award of economic, compensatory, and punitive damages as more fully set forth herein.

**COUNT SEVEN**

**NEGLIGENT SUPERVISION & FAILURE TO WARN**

(As To Boy Scouts of America, Northeast Georgia Council, First Baptist Church of Gainesville, Brown and the Estate of Bobo)

147. Plaintiff hereby incorporates Paragraphs 1-146 as if stated verbatim herein.
148. Defendants owed a duty to exercise ordinary care in supervising Weaver and preventing him from having access to children after the Defendants learned that Weaver was an admitted pedophile and to provide adequate warning to Lawson, his family, and other minor scouts of Weaver's dangerous and exploitative propensities.
149. Defendants breached their duty to Lawson by failing to supervise Weaver's interactions with minor scouts, including Plaintiff, and failed to warn Plaintiff, the Plaintiff's family, and minor scouts of Weaver's dangerous and exploitative propensities.
150. As the direct and proximate result of Defendants' breach of their duty, Plaintiff suffered damages for which he is entitled to recover as provided by law.

**COUNT EIGHT**

**NEGLIGENT RETENTION**

(As To Boy Scouts of America, Northeast Georgia Council and First Baptist Church of Gainesville)

151. Plaintiff hereby incorporates Paragraphs 1-150 as if stated verbatim herein.
152. Defendants owed a duty of ordinary care to Lawson to remove Weaver from his position as a Boy Scout volunteer after receiving notice that he posed a risk of harm to boys, including Lawson, because of his dangerous and exploitative propensities towards children.
153. The individual Defendants knew of Weaver's dangerous and exploitative propensities prior to 1985, when Lawson was abused.

154. The Boy Scouts, NGC, and the FBC knew or should have known of Weaver's dangerous and exploitative propensities prior to 1985 when Lawson was abused.
155. Defendants had actual knowledge of Weaver's dangerous and exploitative propensities in 1981 when a victim of Weaver told his father about the abuse and this information was given directly to Defendants.
156. Defendants breached their duty of ordinary care by failing to report Weaver to authorities and allowing him to continue to volunteer with the Boy Scouts, NGC and the FBC, knowing of his dangerous and exploitative propensity to commit acts of the type he perpetrated upon Plaintiff.
157. As the direct and proximate result of Defendants' breach of their duty, Plaintiff suffered damages for which he is entitled to recover as provided by law.

**COUNT NINE  
RESPONDEAT SUPERIOR**

(As to Boy Scouts of America, the Northeast Georgia Council and the  
First Baptist Church of Gainesville)

158. Plaintiff hereby incorporates Paragraphs 1-157 as if stated verbatim herein.
159. Weaver used his position with the Order of the Arrow to accomplish his acts of sexual abuse of Plaintiff. The caregiving he gave to an ill child at a scouting event was committed in direct connection to, and in furtherance of, fulfilling his agency/volunteer relationship with Defendants and committed within the time and space limits of his agency/volunteer relationship as an adult scout volunteer. Weaver's participation at the scouting event where Plaintiff was abused was done initially and, at least in part, from his desire to serve the interest of Defendants, and done directly in the performance of his duties as Defendants' volunteer, consisting generally of actions of a kind and nature that Weaver was required to

perform as a scout volunteer, at the direction of and pursuant to the power vested in him by Defendants.

160. At all times relevant herein, Weaver was a volunteer of the Boy Scouts and the NGC and was acting within the course and scope of his volunteer employment with Defendants; therefore, Defendants are liable for his negligent acts under a theory of respondeat superior and/or agency.

161. At all times relevant herein, Bobo was a volunteer of the Boy Scouts and the NGC and was acting within the course and scope of his volunteer employment with Defendants; therefore, Defendants are liable for his negligent acts under a theory of respondeat superior and/or agency.

162. At all times relevant herein, Brown was a volunteer of the Boy Scouts and the NGC and was acting within the course and scope of his volunteer employment with Defendants; therefore, Defendants are liable for his negligent acts under a theory of respondeat superior and/or agency.

163. At all times relevant herein, Brown was an employee and/or volunteer of the FBC and was acting within the course and scope of his employment with the FBC; therefore, the FBC is liable for his negligent acts under a theory of respondeat superior and/or agency.

**COUNT TEN  
DAMAGES & PRAYER FOR RELIEF**

164. Plaintiff hereby incorporates Paragraphs 1-163 as if stated verbatim herein.

165. As a direct result of the acts and omissions of the Defendants, their employees and volunteers, and particularly the acts of their volunteer employee/agent Bobo and Brown, Plaintiff has suffered economic, physical and emotional injuries.

166. Plaintiff seeks damages from Defendants, jointly and severally, in an amount to be determined by the enlightened conscience of the jury and as demonstrated by the evidence, for all elements of compensatory damages allowed by Georgia law. Plaintiff's injuries are significant, and damages sought include the following:
- (a) all components of the mental and physical pain and suffering Plaintiff endured from the beginning of Weaver's sexual molestation of Plaintiff to present;
  - (b) all components of the mental and physical pain and suffering Plaintiff will endure in the future;
  - (c) past and future loss of enjoyment of life; and
  - (d) all past and future economic losses, including medical bills, medical expenses, other necessary expenses, lost wages and benefits, and diminished future income and earning capacity.
167. Plaintiff seeks punitive damages, pursuant to O.C.G.A. § 51-12-5.1, from Defendants in an amount to be determined by the enlightened conscience of the jury to be sufficient to punish Defendants for the harm caused to Plaintiff and to deter Defendants from similar conduct.

**WHEREFORE**, Plaintiff prays for the following relief:

- (a) That summons issue and service be perfected upon Defendants requiring them to appear before this Court and answer this Complaint for Damages & Demand for Jury Trial;
- (b) That Plaintiff has a trial by jury;
- (c) That judgment be entered against Defendants jointly and severally;
- (d) That Plaintiff recover all elements of compensatory damages, including general and special damages, against both Defendants;
- (e) That Plaintiff recover punitive damages against Defendants; and
- (f) That Plaintiff has such other and further relief as this Court deems just and proper.

This \_\_\_\_ day of March, 2016.

BY: \_\_\_\_\_  
NATALIE S. WOODWARD  
GA BAR NO. 773827  
Shamp Speed Jordan Woodward, LLC



*Attorney for Plaintiff*

BY: \_\_\_\_\_  
ESTHER PANITCH  
GA BAR NO. 143197  
The Panitch Law Group, PC



*Attorney for Plaintiff*