

2.02. Plaintiff [REDACTED] (*Plaintiff Doe*), A Minor Child, is a resident of the State of Texas. Plaintiff's identity is known to Defendants.

2.03. Defendant Gateway Church (*Gateway*), is a Texas nonprofit corporation with its primary place of business located in South Lake, Texas. It may be served by serving its registered agent, David O. Middlebrook with citation and copy of this petition at 4501 Merlot Avenue, Grapevine, Texas 76051 or wherever else it may be found.

2.04. Defendant Logan Edwards (*Logan*) is an individual and resident of Tarrant County. Logan may be served with notice wherever he may be found or at his last known address: [REDACTED]

2.05. Defendant Kathryn Edwards (*Kathryn*) is an individual and resident of Tarrant County. Kathryn may be served with notice wherever she may be found or at her last known address: [REDACTED]

2.06. Defendant Samantha Golden (*Samantha*) is an individual and ordained pastor of Defendant Gateway, and resident of Tarrant County. Samantha may be served with notice

[REDACTED],

2.07. Defendant Sion Alford (*Sion*) is an individual and ordained pastor of Defendant Gateway, and resident of Tarrant County. Sion may be served with notice wherever they may be found or at their last known address: [REDACTED]

2.08. Defendant Kelly Jones (*Kelly*) is an individual and ordained pastor of Defendant Gateway, and resident of Tarrant County. Kelly may be served with notice wherever she may be found or at her last known address: [REDACTED]

2.09. Defendant Rebecca Wilson (*Rebecca*) is an ordained pastor of Defendant Gateway, and resident of Tarrant County. Rabecca may be served with notice wherever she may be found or at his last known address: [REDACTED]

2.10. Defendant Mondoe Davis (*Mondoe*) is an ordained pastor of Defendant Gateway, and resident of Tarrant County. Mondoe may be served with notice wherever she may be found or at his last known address: [REDACTED]

III. VENUE AND JURISDICTION

3.01 Venue is proper in Tarrant County, Texas, pursuant to Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because Tarrant County is the county where a substantial part of the events or omissions giving rise to the claim occurred.

3.02 The damages sought in this suit are within the jurisdictional limits of this Court and exceed the minimum required amount in controversy. As required by Rule 47, Texas Rules of Civil Procedure, Plaintiff seeks monetary relief over \$200,000 but not more than \$5,000,000, and exceeds the minimum jurisdictional limits of this Court.

IV. FACTS

4.01 Plaintiffs were members of the Gateway congregation. Both Plaintiffs frequently attended worship services and participated in various ministries and church sponsored/organized functions.

4.02. Plaintiff Doe was sexually assaulted by an unnamed member of Defendant Gateway on or around March 14, 2018 at that individual's personal residence.

4.03. Defendant Logan became aware of the instance of assault through conversations with the alleged perpetrator and other youths that attended Gateway by virtue of his role as a youth leader within the church. On or around March 19, 2018, Logan approached the alleged perpetrator and conversed on the topic of the incidence of sexual assault.

4.04. Defendant Logan shared the information he had been provided by the youths, alleged perpetrator and Plaintiff Doe with Plaintiff Kathryn and various other pastors of Gateway and named Defendants.

4.05. Defendants Samantha, Sion, Kelly, Rebecca, and Mondoe were all informed of the sexual assault accusations to which Plaintiff Doe subjected to as being the central leadership

of Gateway. Although Defendants were made aware of the sexual assault accusations made by Plaintiff Doe, a minor, none filed a formal complaint with the necessary child protective agencies, law enforcement agencies, or even alerted [REDACTED] Plaintiff Doe's mother, to the existence of the alleged assault.

4.06. The named Defendants engaged in many conversations with the alleged perpetrator and their parents after the incident was made known.

4.07. Once Plaintiff [REDACTED] was made aware of the allegations of assault to which her daughter was a victim, she initiated a criminal investigation with the Haltom City Police Department.

4.08. The Defendants who were ordained pastors of Gateway, embarked on a concerted campaign to conceal, misconstrue and discredit the assault accusations while the active criminal investigation was ongoing. Defendants encouraged other members of Gateway to ostracize Plaintiff [REDACTED] and had her removed from the various ministries of which she had served dutifully.

4.09. As a result of the concerted efforts of Defendant Gateway as a collective entity and individual acts of the named Defendants, Plaintiff Doe and [REDACTED] endure immense shame and embarrassment, and emotional distress. The criminal investigation was tainted by the pastor's influence and assistance rendered to perpetrator in shaping the narrative and testimony provided to the investigating authorities.

4.10. Due to the weeks of active concealment by Defendants, significant evidence of the alleged criminal assault was allowed to waste and degrade, further hindering law enforcement's ability to accurately investigate the original assault.

V. CAUSES OF ACTION

DEFENDANT GATEWAY

Failure to Use Reasonable Care

5.01. Defendant Gateway had a duty to use reasonable care toward Plaintiff Doe. Gateway breached its duty of care when it facilitated and furthered the alleged instance of sexual assault of Plaintiff Doe.

5.02. Specifically, Gateway engaged in a practice of concealing knowledge and facts of the alleged instance from Plaintiff [REDACTED] after it had appraised of the incident. No formal complaint was made to an appropriate agency to safeguard Plaintiff Doe or see to the proper investigation and potential prosecution of the alleged perpetrator who was a member of the congregation in spite of having full knowledge of the incident in question and the identities of all individuals involved.

5.03. Gateway had a duty to report the alleged perpetrator's conduct to law enforcement imposed by Texas law and principles of common decency in the interest of minors. By failing to do so, Gateway further enhanced the damage done to Plaintiff Doe and significantly hindered the exercise of justice in her criminal proceeding.

Gross Negligence

5.04. Gateways actions and inactions amounting to negligence were of such character to make Gateway guilty of gross negligence. When viewed objectively from the standpoint of Defendant, Defendant Gateway's acts of negligence involve an extreme degree of risk, considering the probability and magnitude of the potential harm to others. Gateway had actual, subjective awareness that failing to report sexual assault and continuing to allow the alleged perpetrator to remain active in the church could result in further assault, but nevertheless proceeded with conscious indifference to the rights, safety, and welfare of Plaintiff Doe. The grossly negligent acts of Defendant Gateway were the proximate cause of Plaintiff Doe's unimaginable injuries, entitling Plaintiff Doe an award of exemplary damages.

Breach of Fiduciary Duty

5.05. Gateway breached a fiduciary duty it owed to its attendee Plaintiff Doe. Gateway and Plaintiff Doe had a fiduciary relationship that arose from Plaintiff Doe's morally and socially created trust and confidence in Gateway's influence and dominance. As a church, Plaintiffs

depended on Gateway for protection and became accustomed to being guided by its advice and judgment.

5.06. Defendant Gateway breached its fiduciary duty owed to Plaintiffs in the following respects:

- a. Failing to refrain from self-dealing by concealing the abuse to protect its reputation;
- b. Failing to fully disclose its knowledge of sexual assault to Plaintiff [REDACTED]
- c. Failing to report the abuse to authorities to protect Plaintiff Doe from further abuse; and,
- d. Failing to act with integrity of the strictest kind.

Intentional Infliction of Emotional Distress

5.07. In addition to other counts, Defendants are liable to Plaintiff Doe for Intentional Infliction of Emotional Distress. Given Defendants' standing within the church and adopted trust of Plaintiff Doe, the concealment and of sexual assault and battery of the Plaintiff constitute extreme and outrageous conduct. Therefore, Defendants caused severe emotional distress to the minor Plaintiff.

5.08. Plaintiff has suffered mental and physical injuries as a direct and proximate result of the Defendants' conduct.

DEFENDANTS KATHRYN EDWARDS, LOGAN EDWARDS, KELLY JONES, DOUG VAUGHN, REBECCA WILSON, SAMANTHA GOLDEN, MONDO DAVIS, and SION ALFORD

Negligence

5.09. Defendants, as ordained pastors and appointed ministry leaders, had a duty to use reasonable care towards Plaintiff Doe and other members of the congregation in reporting instances of criminal activity to the appropriate law enforcement entities.

5.10. Defendants breached this duty by engaging in the following actions:

- a. Failing to contribute to a safe environment for children and members of the church;
- b. Failing to report the abuse to authorities to protect Plaintiff Doe from further abuse; and
- b. Failing to fully disclose its knowledge of sexual assault to Plaintiffs;

Gross Negligence

5.11. The above-mentioned acts of negligence on the part of Defendants were of such character as to make Defendants guilty of gross negligence. Defendants' acts of negligence when viewed objectively from the standpoint of Defendants involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others. Defendants had actual, subjective awareness of this risk, but nevertheless proceeded with conscious indifference to the rights, safety, and welfare of Plaintiffs. As a result of Defendants' gross negligence, Plaintiffs seek and are entitled to an award of exemplary damages.

Intentional Infliction of Emotional Distress

5.12. In addition to other counts, Defendants are liable to Plaintiff Doe for Intentional Infliction of Emotional Distress. Given Defendants' standing within the church and adopted trust of Plaintiff Doe, the concealment and of sexual assault and battery of the Plaintiff constitute

extreme and outrageous conduct. Therefore, Defendants caused severe emotional distress to the minor Plaintiff.

5.13. Plaintiff has suffered mental and physical injuries as a direct and proximate result of the Defendants' conduct.

Conspiracy

5.14. Defendants collectively and independently engaged in a concerted effort to conceal the sexual assault accusations in an agreed upon undertaking to subvert the accusations and avoid criminal investigation which would put their congregation in a precarious position with the community in which it exists.

5.15. This effort was agreed upon after a meeting of minds, and many of the Defendants made overt acts to see that criminal prosecution would be precluded or substantially hindered.

5.16. Plaintiffs have suffered immensely from the aforementioned concerted effort.

VI. DAMAGES

6.01. Defendants' misconduct resulted in and proximately caused injury to the minor Plaintiff. Plaintiff's damages include, but are not limited to, the following:

- a. Physical pain sustained in the past;
- b. Severe psychological pain and mental anguish;
- c. Severe psychological pain and mental anguish that, in reasonable probability, will be sustained in the future;
- d. Emotional distress sustained in the past;
- e. Emotional distress that, in reasonable probability, will be sustained in the future; and,
- f. Medical expenses that, in reasonable probability, will be sustained in the future.

VII. Exemplary Damages

7.01. As mentioned in the proceeding paragraphs, Defendants' actions and refusal to act were done in a blatant manner, grossly disregarding the welfare of minor Plaintiff Doe and Plaintiff [REDACTED]. For this reason, Plaintiffs seek exemplary damages as the court sees fit to award.

VII. Interest

Plaintiff seek prejudgment and post-judgment interest at the maximum legal rate on all damage awards.

VIII. Attorney's Fees and Costs

Plaintiff seek judgment for all reasonable and necessary attorney's fees and costs, pursuant to Chapter 38 of the Texas Civil Practice and Remedies Code, which will be incurred in the prosecution of this action, including conditional awards in the event of new trial or any appeals.

IX. Conditions Precedent

Plaintiff has met all conditions precedent for the plead claims in this petition.

X. Alternative Pleadings

As provided in Rule 48 of the Texas Rules of Civil Procedure, claims for relief made in this Petition are presented in the alternative when necessary to preserve such claim.

XI. Request for Disclosure

Pursuant to Texas Rule of Civil Procedure 194, Plaintiffs request Defendants to disclose, within fifty (50) days of service of this request, all of the information or material described in Rule 194.2 (a) - (l) of the Texas Rules of Civil Procedure.

PLAINTIFFS HEREBY DEMANDS TRIAL BY JURY

Plaintiff demands a jury trial and tender the appropriate fee.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that citation be issued commanding Defendants to appear and answer herein and that Plaintiffs be awarded judgment against Defendants for the relief requested herein and for all other relief to which Plaintiff are entitled both in equity and at law.

Respectfully submitted,
Steven W. Wright, PLLC
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Plano, TX 75074



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CAUSE NO. 348-318681-20

██████████ AS NEXT FRIEND
██████████ A MINOR CHILD,
Plaintiffs

IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

v.

GATEWAY CHURCH,
Defendants

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348TH JUDICIAL DISTRICT

FINAL SUMMARY JUDGMENT

CAME ON THIS DATE, January 5, 2023 to be heard Defendant Gateway Church's No Evidence and Traditional Motions for Summary Judgment. The parties appeared before the Court for the hearing on the motion. After considering the pleadings, motion, response, if any, evidence on file, and the arguments of counsel and the parties, the Court **GRANTS** the motions in their entirety.

The Court here **RENDERS** judgment in favor of Gateway Church.

Accordingly, the Court **ORDERS** that the plaintiff take nothing and that the defendant recover court costs from the plaintiff.

This judgment finally disposes of all claims and parties and is appealable.

The Court orders execution to issue for this judgment.

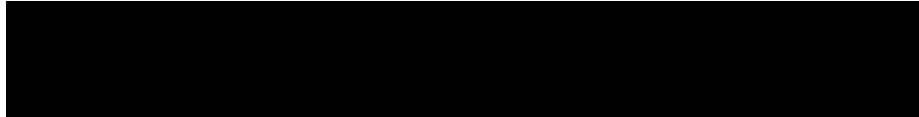
Signed on January 5, 2023

Megan Fahey
Hon. Megan Fahey, Judge Presiding.

FILED
TARRANT COUNTY
2023 JAN -6 AM 9:35
THOMAS A. WILDER
DISTRICT CLERK

✉
VB
E-MAILED
1-6-2023

From:
To:



Subject: 348-318681-20
Date: Friday, January 6, 2023 1:38:00 PM
Attachments: [34831868120000104.PDF](#)

Please see the attached signed Final Summary Judgment.

Thanks!

Kathy Ballard
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Tarrant County District Clerk
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