

RANDALL L.K.M. ROSENBERG #4847-0
CHARLES E. McKAY #3512-0
MOANA A. YOST #7738-0

ROSENBERG & McKAY
733 Bishop Street
2070 Makai Tower, Pacific Guardian Center
Honolulu, Hawaii 96813
Telephone No.: (808) 536-4270
Facsimile No.: (808) 533-0434
E-Mail: grmlaw@hawaii.rr.com

Attorneys for Plaintiffs

FILED
2014 JAN 22 AM 11:21

D. MORIOKA, CLERK
SECOND CIRCUIT COURT
STATE OF HAWAII

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

STATE OF HAWAII

JACOB HUGGARD and KYLE SPRAY,) CIVIL CASE NO.: 14-1-0028 (2)
) (Other Non-Vehicle Tort)
 Plaintiffs,)
)
 vs.) COMPLAINT; DEMAND FOR JURY TRIAL;
) SUMMONS
)
 THE CORPORATION OF THE)
 PRESIDENT OF THE CHURCH OF)
 JESUS CHRIST OF LATTER- DAY)
 SAINTS, a Utah Corporation; THE)
 CORPORATION OF THE PRESIDING)
 BISHOP OF THE CHURCH OF JESUS)
 CHRIST OF LATTER-DAY SAINTS, a)
 Utah Corporation; MAUI LAND &)
 PINEAPPLE COMPANY, INC., a Hawaii)
 Corporation; YOUTH DEVELOPMENTAL)
 ENTERPRISES, INC., a Utah Corporation;)
 BRIAN R. PICKETT; and JOHN DOES 1-10)
)
 Defendants.)
 _____)

COMPLAINT

COME NOW Plaintiffs Jacob Huggard and Kyle Spray, by and through their attorneys, ROSENBERG & McKAY, and for a Complaint against the above-named Defendants, alleges and avers the following:

I. PARTIES AND FACTUAL ALLEGATIONS

1. At all times material hereto, Plaintiffs Jacob Huggard and Kyle Spray were residing in the State of Hawaii. Plaintiffs currently reside in the State of Utah. Plaintiffs are adult men who, as minors, were subjected to sexual abuse and other harm as a result of the wrongful acts or omissions of the Defendants. Plaintiffs bring these claims pursuant to Hawaii Revised Statutes § 657-1.8 and will file the certification required under said statute under seal as permitted by the Court.

2. Defendant BRIAN R. PICKETT at all times material resided in the State of Hawaii. Upon information and belief, he is currently a resident of the State of Idaho. Personal jurisdiction is established pursuant to HRS §634-35. All acts alleged herein occurred in the County of Maui, State of Hawaii.

3. The Church of Jesus Christ of Latter-day Saints, also known as the Mormon Church, or the LDS Church, is an unincorporated religious association that conducts its world-wide affairs, in part, through various corporate entities. The Mormon Church conducts its affairs, in part, in the State of Hawaii.

4. Defendant CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS is a Utah corporation, and at all material times was doing business in the County of Maui, State of Hawaii.

5. Defendant CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS is a Utah corporation, and at all material times was doing business in the County of Maui, State of Hawaii. This Defendant and the Defendant and religious entity (Mormon Church) described in the above paragraphs shall hereinafter be referred to as the LDS Defendants. All references below to the LDS Church, the Mormon Church or the Church similarly relate to the LDS Defendants.

6. Defendant MAUI LAND & PINEAPPLE COMPANY, INC., is a Hawaii Corporation operating and existing pursuant to the laws of the State of Hawaii and at all material times was doing business in the County of Maui, State of Hawaii. At all material times, Defendant MAUI LAND & PINEAPPLE COMPANY, INC. and/or its subsidiaries (“Defendant ML&P”) was engaged in the business of growing, cultivating, harvesting, processing/packaging and selling pineapples.

7. Defendant YOUTH DEVELOPMENTAL ENTERPRISES, INC. is a Utah Corporation that has been inactive since 1996; at all material times, it was doing business in the County of Maui, State of Hawaii. At all material times, DEFENDANT YOUTH DEVELOPMENTAL ENTERPRISES, INC (“Defendant YDE”) was engaged in the business of recruiting teenage boys to participate in the growing, cultivating and harvesting of pineapples on land owned by Defendant ML&P.

8. Initially, in 1971, a joint venture existed between the LDS Defendants, the Boy Scouts of America and Defendant ML&P (YDE had not yet been conceived). Upon information and belief, starting in about 1971, LDS Defendants recruited teenage boys from the LDS Church population in Utah and southeastern Idaho, transported these boys to Hawaii, and

supervised them as they worked in Defendant ML&P's pineapple fields. The LDS Defendants acted as a de facto pineapple picking contractor for Defendant ML&P. Upon information and belief, in about 1973, in order to have this pineapple picking program certified by the Federal Government, Defendant YDE joint ventured with Defendant ML&P to carry on these activities. Thereafter, YDE recruited teenage boys, all minors, from Mormon Wards and Mormon scouting organizations primarily from Utah and southeastern Idaho, transported them to Hawaii, and supervised them as they worked the Defendant ML&P pineapple fields. These boys were supervised by LDS men, in their twenties, who qualified for supervisory positions by completing 2 year missions for the LDS Church.

9. Defendant ML&P owned the land where the pineapples were cultivated, Defendant ML&P also owned the housing, cafeteria and other buildings where the boys resided, studied and worshipped. Upon information and belief, the Plaintiffs were paid by Defendant ML&P.

10. Defendant YDE and LDS Defendants provided an education program, similar to a home school program for the boys. These Defendants also provided religious education and Mormon religious services for the boys. There was a building on ML&P's property, next to the dormitories, that was utilized as a cafeteria, school, and an LDS (Mormon) Church. It was mandatory for the boys to participate in the home school type program; it was also mandatory that the boys attend religious services.

11. As part of this religious education, the boys were also required to adhere to strict "Mormon missionary rules" while at the camp and during the entirety of their time on Maui, which included no physical contact with females. It was represented to the boys and their parents/guardians that this experience was, among other things, a training ground for the boys to

become Mormon missionaries when they reached the appropriate age.

12. From time to time, religious leaders from the LDS Defendants headquarters in Salt Lake City would come to visit the boys. Specifically, the Plaintiffs recall President Gordon B. Hinckley, then a member of the “Quorum of the Twelve” (later Hinckley became the President of the Church) meeting with the boys from both of the pineapple camps. President Hinckley explained to the boys that the Church and the Brethren (meaning the President of the Church and the 12 men in the Quorum of the Twelve as explained in more detail in the paragraph below) were well aware of these boys, their hard work, and how this was preparing them to serve Mormon missions. These camps essentially doubled as a Mormon missionary training center.

13. LDS Defendants administer the LDS Church through a multilevel structure that follows a strict hierarchical form. At the local level are wards or branches, consisting of a geographic area administered by a Bishop or Branch President and two counselors, who together comprise the “bishopric” or “branch presidency”. A cluster of eight to twelve Wards and/or Branches is grouped in a Stake which is administered by a Stake President. The Bishop or Branch President answers directly to the Stake President. Stakes, in turn, are grouped into areas, which are administered by an Area President. All Stake Presidents and Area Presidents answer directly or indirectly to the President of the Church of Jesus Christ of Latter Day Saints, otherwise known as the Prophet, Seer and Revelator. The President of the Church is assisted by his Counselors and Apostles, known as the “Quorum of the Twelve,” who govern the affairs of the LDS Church worldwide.

14. Within each Stake of the LDS Church, there exists a Stake High Council, which is a body of Melchizedek Priesthood holders who are called and set apart in each Stake to assist and

advise the Stake President. Under the direction of the Stake President, the Stake High Council has important Church powers and functions and helps oversee the work of the Church within the Stake. A member of the Stake High Council serves as an advisor to the Stake President, provides counsel to the Stake President and carries out specific assignment for the Stake President and the Church.

15. Those who have been baptized into the Mormon faith are known as members. Members are taught that Stake Presidents, Stake High Councilors, Bishops and Branch Presidents are “called by God” to lead in those respective offices. Members are further taught that the decisions of Bishops and Branch Presidents, within their scope of authority, are guided by divine revelation; that these men possess inspired wisdom and understanding to protect and guide members under their stewardship. Specifically, the LDS Defendants teach that a Branch President:

is the shepherd of a branch, presiding in love and kindness over all branch members. He sets an example in offering as a sacrifice unto the Lord a “broken heart and a contrite spirit” (3 Nephi 9:20) and testifies of the divinity of the Lord, Jesus Christ.

Within the branch, the branch president:

- Is the presiding priesthood leader.
- Is the common judge.
- Directs the care for the poor and needy.
- Takes care of the branch finances and records.

Members of the branch presidency watch over and strengthen branch members, conduct the opening exercises of priesthood meetings, preside over the Aaronic Priesthood, and conduct sacrament meetings.

16. Defendant PICKETT at all material times from approximately 1986 – 1989 was employed by Defendants ML&P and YDE. Upon information and belief, there were two pineapple camps on Maui at the relevant times and Defendant PICKETT was the Camp Coordinator for one of these camps. As Camp Coordinator, Defendant PICKETT oversaw the entire operations of the camp, including the supervision of approximately 150-200 boys, including the Plaintiffs. In approximately 1988, Defendant PICKETT was promoted to Vice President of Operations where he supervised both pineapple camps on Maui, and essentially was in a supervisory role of both camp coordinators as well as all the boys (300-400 of them) in both camps.

17. During the time Defendant PICKETT was the Camp Coordinator, there was a Branch of the LDS Church that consisted of the 150-200 boys that worked in Defendant PICKETT's camp. These boys were the only members of this Branch, hereinafter called the "Pineapple Branch." The Pineapple Branch's religious services were held on Defendant ML&P owned property, specifically in the cafeteria building. Upon information and belief, Defendant PICKETT was the Branch President of this Pineapple Branch of the Kahului Hawaii Stake (or another stake that is currently unknown to the Plaintiffs) of the Church of Jesus Christ of Latter Day Saints. Defendant PICKETT's counselors in this Pineapple Branch were the assistant camp coordinators.

18. In approximately 1988, when Defendant PICKETT was promoted to Vice President of Operations, he was similarly promoted by LDS Defendants to be a member of the Stake High Council for the Kahului Hawaii Stake. The Stake President, who appointed Defendant

PICKETT as a Stake High Counselor, assigned Defendant PICKETT a supervisory and leadership role over the two Pineapple Branches, their respective Branch Presidents and all of the boys who were members therein.

19. At all relevant times, Defendant PICKETT, whether he was the Branch President or a member of the Stake High Council, was an agent for the LDS Defendants and was acting in his capacity as Branch President or Stake High Councilman pursuant to the supervision, control and direction of the LDS Defendants.

20. Personal jurisdiction of the Defendants is established pursuant to HRS § 634-35. Jurisdiction over this action rests in the Circuit Court, State of Hawaii, pursuant to Hawaii Revised Statutes (“HRS”) § 603-21.5. Venue for this action properly is in the Circuit Court of the Second Circuit, State of Hawaii, pursuant to HRS § 603-36 as Plaintiffs’ claims for relief arose in said circuit.

21. From approximately 1986 to 1989, Plaintiffs, while being employed by and supervised by Defendants, were sexually abused by Defendant PICKETT. Defendant PICKETT was, at all relevant times, employed by Defendants YDE and ML&P, and acting as an agent and in the leadership roles mentioned above, for and on behalf of the LDS Defendants.

22. Defendant YDE, Defendant PICKETT and the LDS Defendants, had a special relationship with the Plaintiffs. These Defendants each assumed responsibility for the spiritual well-being of Church members, whether as clergy or volunteers appointed by Church officials, or by way of the “Mormon missionary training” that existed. Specifically Defendant PICKETT and other agents of LDS Defendants who are not specifically named in this complaint, while acting in their capacities as Stake President, Branch President, Stake High Counselor, and

counselor in the Branch Presidency, where held out by the Church as its agents and placed in positions of responsibility and authority over Church members, including the Plaintiffs. As a result, they each had a special relationship with members of this Pineapple Branch, including the Plaintiffs. This relationship gave rise to a duty to protect members, including the Plaintiffs, from foreseeable risk of harm from other members of the congregation and from those whom the Church placed in positions of responsibility and/or authority over them.

23. When Defendant PICKETT was the Camp Coordinator and the Branch President he lived on site at the pineapple camp. At that time, the sexual abuse of Plaintiffs occurred at the pineapple camp where Plaintiffs lived, worked, studied and worshiped. When Defendant PICKETT was promoted to Vice President of Operations and Stake High Counselor over both pineapple camps, he moved to a private residence in the upcountry. Thereafter, the sexual abuse also took place at his residence.

24. On multiple occasions, Defendant PICKETT while in his capacity as Vice President of Operations and as Stake High Counselor, would request help at his private residence from certain boys, including Plaintiff Huggard. The boys would be transported to and from the camp to Defendant PICKETT's private residence in the upcountry (approximately an hour and a half drive from the camp) by the then acting Camp Coordinator/Branch President or by an Assistant Camp Coordinator/Counselor in the Branch Presidency. Plaintiff Huggard was sexually abused on multiple occasions at Defendant PICKETT's private residence after being transported there as stated above.

25. At times material hereto, Defendants YDE and ML&P and LDS Defendants, by and through its employees and agents, had either actual or constructive notice that Defendant

PICKETT was sexual molesting PLAINTIFFS. However, despite having knowledge of the pedophilic sexual violence perpetrated by Defendant PICKETT, these other Defendants did not report him to the authorities or take any action to protect PLAINTIFFS from further molestation, which did occur.

26. Prevention of child abuse is of paramount importance to all members of society regardless of political or religious affiliation. Subjecting minors to sexual abuse is not conduct protected by the First Amendment or separation of church and state.

II. FIRST CAUSE OF ACTION - EQUITABLE RELIEF

27. PLAINTIFFS incorporate by reference all other paragraphs of this Complaint as if fully set forth herein.

28. Plaintiffs are entitled to equitable relief from this Court, for non-monetary redress and the protection of Plaintiffs and other similarly situated members of the public and children, as follows:

a. That LDS Defendants change its current corporate policies regarding reporting of suspected child sexual abuse. Upon information and belief the current policy is set forth in *2013 Handbook 2: Administering the Church, Section 13.6.18* which provides that “If a leader becomes aware of physical, sexual or emotional abuse of someone during a Church activity, he or she should contact the bishop immediately. Instructions for bishops are provided in *Handbook 1:17.3.2,*” which provides in pertinent part, “In the United States and Canada, the Church has established a help line to assist stake presidents and bishops in cases of abuse ... When calling the help line, leaders will be able to consult with professional counselors and legal specialists who can help answer questions and formulate steps to take ... If confidential

information indicates that a member's abusive activities have violated applicable law, the branch president, bishop or stake president should urge the member to report these activities to the appropriate government authorities. Leaders can obtain information about local reporting requirements through the help line. Where reporting is required by law, the leader encourages the member to secure qualified legal advice. To avoid implicating the Church in legal matters to which it is not a party, Church leaders should avoid testifying in civil or criminal cases or other proceedings involving abuse." *Handbook 1, State Presidents and Bishops 2010, Section 17.3.2.*

b. Because the current policies do not adequately protect children, rather aim to protect the LDS Defendants, these policies should be changed and include the following:

i. Where a charge of sexual abuse of a child has been made against any agent, leader, or member of the Church, he or she shall be immediately removed from exposure to children and all appropriate safeguards be made to keep him or her away from children pending investigation.

ii. Whenever any leader or member in the Church has reasonable suspicion of child sexual abuse, whether the abuse happened during a "Church activity" or not, this leader or member shall report the abuse first to the police and child protective services.

iii. Every Church leader shall be a mandatory reporter of child sexual abuse, regardless of whether mandatory reporting is required by law.

iv. There shall be an affirmative statement in both *Handbook 1 and Handbook 2* that leaders and members shall cooperate with civil and criminal authorities in cases involving child sexual abuse; this includes truthfully testifying at depositions, hearings, trials and other proceedings, regardless of whether such testimony would implicate the Church or not.

c. That for a period of not less than ten (10) years from entry of judgment, LDS Defendants post on the home page of their websites that Defendant PICKETT is a credibly accused pedophile and post his last known address as well in order to alert people of this danger;

d. That the person(s) with authority to act on behalf of the LDS Defendants request in writing that the Attorney General of the State of Hawaii form a Joint Task Force on Child Protection to annually investigate and monitor the LDS Defendants and all institutions under the auspices of the LDS Defendants;

e. That Defendants never seek to direct, pay, or hire any agent or employee or third party to retract, oppose, or challenge the constitutionality or legitimacy of any reform of a civil or criminal statute of limitations, mandatory child abuse reporting clergy exemptions, or repeal of the clergy's-penitent privilege or other laws which serve to shield child sexual abusers from investigation, apprehension, prosecution, and conviction in Hawaii or similar legislation or law in any other state or jurisdiction;

f. That LDS Defendants establish "age appropriate" sex abuse training and educational program for children ages 3-18. That this program shall include a "safe haven" for children to report sexual abuse; that this "safe haven" include three persons in each "Ward" that are designated to speak with children about sexual abuse; that the children are taught they can go to any of the three that they feel most comfortable with; that if one of these designated persons has reasonable suspicion of child sexual abuse, whether the abuse happened during a "Church activity" or not, this designated person shall report the abuse first to the police and child protective service.

g. That LDS Defendants adopt a whistleblower policy concerning the method by which a report concerning abuse within LDS defendants can be made and expressly providing that LDS Defendants will not take any retaliatory actions against persons who report such information in good faith.

h. That annually, the President of The Church of Jesus Christ of Latter-Day Saints or a person authorized to act on his behalf, make a written statement that there exists no undisclosed knowledge that any leader, or member of LDS Defendants has sexually abused any person in Hawaii, or that if they have such knowledge of any abuse it has been reported to Office of the Attorney General of the State of Hawaii. Each statement shall be signed and dated under penalty of perjury. A copy of this signed and dated statement shall be retained in an appropriate file in perpetuity;

i. That within thirty (30) days after entry of Judgment, Defendants send letters of apology to Plaintiffs. Letters of apology will state that Plaintiffs were not at fault for the abuse and that Defendants take responsibility for the abuse.

j. That LDS Defendants publish on their web site the identity of all Church leaders and members who have been credibly accused of sexual molestation of a child in Hawaii.

III. SECOND CAUSE OF ACTION - DEFENDANT PICKETT - SEXUAL ABUSE and BATTERY

30. PLAINTIFFS incorporate by reference all other paragraphs of this Complaint as if fully set forth herein.

31. While residing in Hawaii, Defendant PICKETT made sexual and physical contact with the Plaintiffs, who were both minors at the time.

32. All sexual and physical contact by Defendant PICKETT was unwanted, harmful and damaging to the Plaintiffs.

33. Defendant PICKETT knew or should have known that this sexual and physical conduct was unwanted, harmful and damaging the Plaintiffs, who were minors at the time of the wrongful conduct.

34. This wrongful conduct of Defendant PICKETT was the proximate cause and/or substantial factor of severe and permanent emotional, mental, and pecuniary damages to Plaintiffs as further alleged herein.

IV. THIRD CAUSE OF ACTION – DEFENDANT PICKETT - INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS

35. PLAINTIFFS incorporate by reference all other paragraphs of this Complaint as if fully set forth herein.

36. The conduct of the Defendant PICKETT as described above was extreme and outrageous, exceeding all bounds usually tolerated by decent society.

37. The conduct of Defendant PICKETT as described above was of the kind designed to cause severe emotional distress.

38. The conduct of Defendant PICKETT was the proximate cause of severe emotional distress to Plaintiffs, and this distress was inflicted intentionally and/or with reckless disregard of the probability of causing such distress.

V. FOURTH CAUSE OF ACTION – GROSS NEGLIGENCE OF DEFENDANTS ML& P, YDE, and LDS DEFENDANTS

39. PLAINTIFFS incorporate by reference all other paragraphs of this Complaint as if fully set forth herein.

40. At all times material hereto, these Defendants had certain duties and obligations imposed upon them and owed to Plaintiffs and other minors to protect them against harm, injury, exploitation, and sexual abuse from the perpetrator (in the instant case that perpetrator being Defendant PICKETT). Said duties and obligations include, but may not be limited to:

a. The duty and obligation to protect the minors entrusted to them from harm, injury, exploitation, and sexual abuse and to ensure the general safety and well-being of Plaintiffs;

b. The duty and obligation to warn the minors entrusted to them against harm, injury, exploitation, and sexual abuse and to warn against dangers to the general safety and well-being of Plaintiffs;

c. The duty and obligation to realize the extreme harm in exposing Plaintiffs and other children to the perpetrator, and to affirmatively prevent or avoid such exposure to harm, injury, exploitation, and sexual abuse, even though the conduct of the perpetrator was intentional and/or criminal;

d. The duties and obligations not to hire, retain, or promote; and the duties and obligations to investigate, supervise, and oversee the perpetrator, so as not to expose Plaintiffs and other minors to harm, injury, exploitation, and sexual abuse; and

e. The duty and obligation not to place the perpetrator in a position that, by virtue of his position, enabled the perpetrator to harm, injure, exploit, and sexually abuse Plaintiffs.

41. These Defendants had a duty to protect Plaintiffs from the foreseeable harm of sexual abuse by Defendant PICKETT. These Defendants had actual knowledge through their

agent, Defendant PICKETT, who at all relevant times, while sexually abusing the Plaintiffs, was acting as an agent in a leadership and/or supervisory role of some capacity for each of these Defendants.

42. Defendants breached said duties by, inter alia, acting or failing to act under circumstances or conditions likely to produce great harm to Plaintiffs and other minors; causing or permitting Plaintiffs and other minors to suffer unjustifiable pain and/or mental suffering, or while having the care or custody of Plaintiffs, causing or permitting Plaintiffs to be injured, or causing or permitting Plaintiffs to be placed in situations where harm would likely occur, or as these breaches of duty are further explained in the above paragraphs of this complaint. Such acts or omissions of these Defendants were grossly negligent.

43. The wrongful conduct of these Defendants was the proximate cause and/or substantial factor of severe and permanent emotional, mental, and pecuniary damages to Plaintiffs as further alleged herein.

VI. FIFTH CAUSE OF ACTION – GROSS NEGLIGENCE OF DEFENDANT PICKETT, DEFENDANT YDE, and LDS DEFENDANTS BASED ON SPECIAL RELATIONSHIP

44. PLAINTIFFS incorporate by reference all other paragraphs of this Complaint as if fully set forth herein.

45. In their capacities as agents and representatives of the LDS Defendants, Defendant YDE and Defendant PICKETT, individually, directly or through their agents and appointees, undertook a protective custodial relationship and otherwise had a special relationship with the Plaintiffs, who were then minors. As a result, they had an affirmative duty to protect the minor Plaintiffs from the known and reasonably foreseeable risk that they would be sexually abused by Defendant PICKETT.

46. These Defendants breached their duties by:

a. Bringing the minor Plaintiffs into contact or association with Defendant PICKETT. Defendant PICKETT knew that he was grooming and sexually abusing minors, including these PLAINTIFFS. The LDS Defendants and Defendant YDE knew or should have known of Defendant PICKETT'S wrongful acts.

b. Exposing the minor Plaintiffs to Defendant PICKETT and creating opportunity for Defendant PICKETT to abuse the minor Plaintiffs.

c. Failing to warn the minor Plaintiffs and/or their families that they knew or had reasonable cause to suspect and/or should have known that Defendant PICKETT sexually abused minors.

d. Engaging in the other acts and omissions described elsewhere in this complaint.

47. The wrongful conduct of these Defendants was the proximate cause and/or substantial factor of severe and permanent emotional, mental, and pecuniary damages to Plaintiffs as further alleged herein.

48. Plaintiffs are entitled to compensation for past and future medical expenses, wage loss, other out-of-pocket expenses, pain and suffering, severe emotional distress and mental anguish, the loss of future enjoyment of life, and other special, general, and punitive damages allowed by law.

49. To the extent that one or more of Defendants constitute Plaintiffs' employer, the conduct described above, and committed by Plaintiffs' co-employees constitutes "sexual harassment or sexual assault and infliction of emotional distress" excepted from workers'

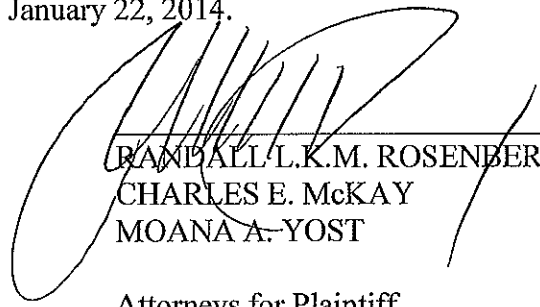
compensation exclusivity pursuant to Hawaii Revised Statutes §386-5 and “willful and wanton misconduct” excepted from workers’ compensation exclusivity pursuant to Hawaii Revised Statutes §386-8.

PRAYER FOR JUDGMENT

WHEREFORE, PLAINTIFFS demand judgment against each DEFENDANT, jointly and severally, as follows:

- A. For an award of special damages, in an amount to be proven at trial;
- B. For an award of general damages, in an amount to be proven at trial;
- C. For an award of punitive or exemplary damages, in an amount sufficient to punish Defendants and to serve as a warning and example to others;
- D. For an award of reasonable attorneys’ fees and costs, prejudgment interest, and post-judgment interest, as permitted by law; and
- E. For such other and further relief as the Court deems just and equitable under the relevant circumstances.

DATED: Honolulu, Hawaii, January 22, 2014.



RANDALL L.K.M. ROSENBERG
CHARLES E. McKAY
MOANA A. YOST
Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

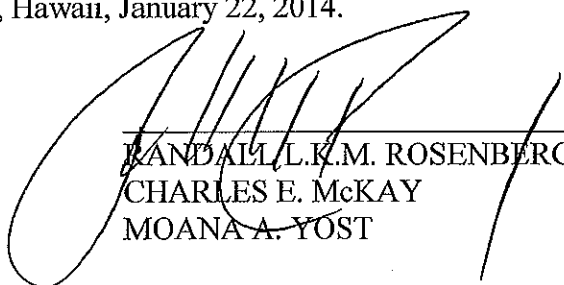
STATE OF HAWAII

JACOB HUGGARD and KYLE SPRAY,)	CIVIL CASE NO.: _____
)	(Other Non-Vehicle Tort)
Plaintiffs,)	
)	DEMAND FOR JURY TRIAL
vs.)	
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PRESIDENT OF THE CHURCH OF)	
JESUS CHRIST OF LATTER- DAY)	
SAINTS, a Utah Corporation; THE)	
CORPORATION OF THE PRESIDING)	
BISHOP OF THE CHURCH OF JESUS)	
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Utah Corporation; MAUI LAND &)	
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Corporation; YOUTH DEVELOPMENTAL)	
ENTERPRISES, INC., a Utah Corporation;)	
BRIAN R. PICKETT; and JOHN DOES 1-10)	
)	
Defendants.)	
_____)	

DEMAND FOR JURY TRIAL

Plaintiffs hereby demands a trial by jury on all issues presented by the Complaint so triable.

DATED: Honolulu, Hawaii, January 22, 2014.



RANDALL L.K.M. ROSENBERG
CHARLES E. McKAY
MOANA A. YOST

Attorneys for Plaintiffs

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

STATE OF HAWAII

JACOB HUGGARD and KYLE SPRAY,) CIVIL CASE NO.: _____
) (Other Non-Vehicle Tort)
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 BRIAN R. PICKETT; and JOHN DOES 1-10)
)
 Defendants.)
 _____)

SUMMONS

TO ALL DEFENDANT(S)

You are hereby summoned and required to file with the court and serve upon ROSENBERG & McKAY, plaintiff's attorney, whose address is 733 Bishop Street, Suite 2070, Makai Tower, Honolulu, Hawaii 96813, an answer to the Complaint which is herewith served upon you, within 20 (twenty) days after service of the Summons upon you, exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded

in the Complaint.

THIS SUMMONS SHALL NOT BE PERSONALLY DELIVERED BETWEEN 10:00 PM AND 6:00 AM ON PREMISES NOT OPEN TO THE GENERAL PUBLIC, UNLESS A JUDGE OF THE ABOVE-ENTITLED COURT PERMITS, IN WRITING ON THIS SUMMONS, PERSONAL DELIVERY DURING THOSE HOURS.

A FAILURE TO OBEY THIS SUMMONS MAY RESULT IN AN ENTRY OF DEFAULT AND DEFAULT JUDGMENT AGAINST DISOBEYING PERSON OR PARTY.

DATED: Wailuku, Maui, JAN 22 2014

/sgd/ D. MORIOKA (seal)

Clerk of the Second Circuit Court