

IN THE STATE COURT OF DEKALB COUNTY

STATE OF GEORGIA

ANTHONY FLAGG,

Plaintiff,

vs.

EDDIE L. LONG;
NEW BIRTH MISSIONARY
BAPTIST CHURCH, INC.; and
THE LONGFELLOWS YOUTH
ACADEMY, INC.,

Defendants.

CIVIL ACTION NO.

10A32029-4

STATE COURT OF
DEKALB COUNTY
SEP 21 AM 10:05
FILED

COMPLAINT

COMES NOW Anthony Flagg, Plaintiff in the above-captioned matter, and respectfully states his Complaint against Defendants Eddie L. Long, New Birth Missionary Baptist Church, Inc., and the Longfellows Youth Academy, Inc. as follows:

JURISDICTION AND VENUE

1.

Defendant EDDIE L. LONG ("Defendant Long") is an individual who resides and can be served at 1267 Greenridge Avenue, Lithonia, Georgia 30058-2220 in DeKalb County.

2.

Defendant New Birth, Inc. ("New Birth") is a non-profit corporation organized under the Laws of the State of Georgia, with its principal office located at 6400 Woodrow Road, Lithonia, Georgia 30038-2437 in DeKalb County.

3.

Service of process may be perfected upon New Birth by serving its registered agent,

Elder Maurice Waddell at 6400 Woodrow Road, Lithonia, Georgia 30038-2437 in DeKalb County.

4.

Defendant Longfellows Youth Academy, Inc. ("Longfellows") is a nonprofit corporation organized under the Laws of the State of Georgia, with its principal office located at 6400 Woodrow Road, Litonia, Georgia 30038-2437 in DeKalb County.

5.

Service of process may be perfected upon Longfellows by serving Defendant's registered agent, Morris Manning & Martin, LLP, 3343 Peachtree Road, Suite 1600, Atlanta, Georgia 30326 in Fulton County.

6.

Jurisdiction is proper in this Court.

7.

Venue is proper in this Court.

FACTUAL ALLEGATIONS

8.

Defendant Long is the Bishop, senior pastor and chief executive officer of Defendant New Birth Missionary Baptist Church, Inc.

9.

New Birth has grown to over 25,000 members since Defendant Long first served as pastor in 1987.

10.

Defendant New Birth's website proclaims, "[A]s a man of vision, Bishop Long is revered

locally, nationally and internationally as a dynamic man of leadership, integrity and compassion.”

11.

In addition to acting as the Bishop, head pastor and chief executive officer of Defendant New Birth, Defendant Long also heads several offshoot ministries, including Defendant Longfellows Youth Academy.

12.

Defendant Longfellows Youth Academy is a tuition based program for young men, aged 13 through 18, which purports to train young men to love, live and lead as they proceed on their “masculine journey.” The Longfellows program reputedly seeks to create committed men of God, and learning life lessons and key leadership principles.

13.

Defendant Long personally participates in the Longfellows program as a pastor, counselor, mentor and confidant to the young men enrolled.

14.

At all times material hereto, Defendant Long has established a confidential relationship with Plaintiff Flagg, while acting as Plaintiff Flagg’s spiritual advisor, Bishop, and leader of the Defendants’ ministries.

15.

Defendant Long has utilized his spiritual authority as Bishop and leader of Defendants’ ministries to coerce certain young male members and employees of Defendant New Birth and pupils of Defendant Longfellows into engaging in sexual acts and relationships for his own personal sexual gratification.

16.

Defendant Long has a pattern and practice of singling out a select group of young male church members and using his authority as Bishop over them to ultimately bring them to a point of engaging in a sexual relationship.

17.

Although the majority of Defendants' congregation is likely unaware of the aforesaid practices, many of Defendant Long's victims are known throughout the Church as the "Spiritual Sons" of Defendant Long.

18.

Defendant Long typically engages in a private spiritual ceremony described as a "covenant" between himself and each young Spiritual Son (the "Covenant Ceremony").

19.

The Covenant Ceremony includes an exchange of vows and assurances by Defendant Long that he will forever protect the young man from harm by anyone.

20.

Defendant Long uses various rituals in the Ceremony including candles, exchange of jewelry, and discussion of Biblical verses that reinforce the spiritual and God-like connection between himself and the young man.

21.

During services to the congregation at large, Defendant Long uses pastoral sessions to discuss Biblical verses that indicate to his "sons" that the Spiritual Son should follow his master. Meanwhile, the congregation at large is mostly unaware of the "Covenant Ceremony" that has already taken place privately between Defendant Long and his "sons".

22.

Defendant Long uses monetary funds from the accounts of Defendant New Birth and Defendant Longfellows, among other corporate and non-profit corporate accounts, to entice the chosen Spiritual Sons with cars, clothes, jewelry, and electronics.

23.

Defendant Long's Spiritual Sons are taken on public and private jets to U.S. and international destinations, housed in luxury hotels and given access to numerous celebrities including entertainment stars and politicians.

24.

Defendant Long's Spiritual Sons are placed on the payroll of Defendant New Birth and become paid employees of Defendant New Birth.

25.

Typically, when the young males, confused by the sexual contact with Defendant Long, find girlfriends or engage in sexual contact with females pursuant their own personal desires, Defendant Long initially attempts to block those relationships by increased contact and spiritual talk as to the covenant between the Spiritual Son and himself.

26.

Plaintiff Anthony Alonzo Flagg is one of the young male Spiritual Sons described above.

27.

Anthony Alonzo Flagg ("Plaintiff Flagg") was born March 8, 1989. He currently resides in Lithonia, Georgia.

28.

At all times relevant hereto, Plaintiff Flagg was a member of Defendant New Birth.

29.

When Plaintiff Flagg was sixteen (16) years old he was selected to join Defendant Longfellow Academy.

30.

Shortly after Plaintiff Flagg began to participate in the Longfellows Program, Defendant Eddie Long became personally involved in ministering to Plaintiff Flagg.

31.

Plaintiff Flagg spent significant time alone with the Defendant Long and opened up to Bishop Eddie Long about the difficulties he had without a father in his life.

32.

Defendant Long told Plaintiff Flagg that he was chosen as one of his Spiritual Sons.

33.

Plaintiff Flagg performed devotional readings in the morning with the Bishop.

34.

Defendant Long encouraged Plaintiff Flagg to participate in a Covenant Ceremony with Defendant Long.

35.

In or about May 2007, when Plaintiff Flagg was in the Eleventh (11th) grade and had recently been arrested for simple assault, Defendant Long asked Plaintiff Flagg to move into a home located at 4708 Golod Way, Lithonia Georgia (the "Golod House").

36.

Plaintiff Flagg's mother agreed to allow Plaintiff Flagg to move in the Golod House since Defendant Long suggested it and she believed it would provide Plaintiff Flagg stability and more

opportunity to learn and grow with such an important spiritual mentor in her son's life.

37.

On information and belief, Golod House was owned by Andrew Moman.

38.

Andrew Moman is a Minister at Defendant New Birth Missionary Baptist Church and serves as Athletic Director.

39.

Shortly after moving in the Golod Way House, Defendant Long gave Plaintiff Flagg a 2000 Mustang Convertible to drive (the "Mustang").

40.

The Mustang was registered to Darius Wise.

41.

Darius Wise is an Elder of New Birth and serves as Chief Ministry Officer of New Birth.

42.

At some point, Plaintiff Flagg was placed on the payroll of Defendant New Birth Missionary Church.

43.

Plaintiff Flagg's pay checks were delivered to him personally by Defendant Long.

44.

Plaintiff Flagg would endorse the payroll check and return it to Bishop Eddie Long and in turn Bishop Eddie Long would give Anthony Alonzo Flagg cash roughly equivalent to the amount of the payroll check.

45.

Not long after moving in the Golod House, Defendant Long would come to the Golod House and sleep in the same bed as Plaintiff Flagg.

46.

Defendant Long engaged in sexual massages from and to Plaintiff Flagg.

47.

Defendant Long then increased the sexual contact to include oral sodomy with Plaintiff Flagg.

48.

Defendant Long took Plaintiff Flagg on trips with him around the United States including day trips to Charlotte, North Carolina and Tuskegee, Alabama and overnight trips to New York, New York, Memphis, Tennessee, Las Vegas, Nevada, and Dallas, Texas.

49.

During the overnight trips, Defendant Long shared a bedroom and engaged in intimate sexual contact with Plaintiff Flagg including kissing, massaging, masturbating of Plaintiff Flagg by Defendant Long and oral sexual contact.

50.

Employees and agents of Defendant New Birth, including Andrew Moman, Anthony Render, and April McLaughlin often accompanied Defendant Long and Plaintiff Flagg on the overnight trips and knew that Defendant Long was sharing a bedroom with Plaintiff Flagg.

51.

At all times relevant and pertinent to the claims alleged herein, Defendant Long was in a confidential relationship with Plaintiff Flagg defined by O.C.G.A. § 24-9-22.

52.

At all times relevant and pertinent to the claims alleged herein, Defendant Long was Plaintiff's spiritual advisor as defined by O.C.G.A. § 24-9-22.

53.

At all times relevant and pertinent to the claims alleged herein, Defendant Long was in a confidential relationship with Plaintiff Flagg and was thereby situated to exercise a controlling influence over the will, conduct, and interest of Plaintiff, as defined by O.C.G.A. § 23-2-58.

54.

At all times relevant and pertinent to the claims alleged herein, Defendant Long was involved in advising and counseling Plaintiff Flagg in areas of Plaintiff's personal life.

55.

Defendant Long, through manipulation, coercion, deception and fraud resulting from the abuse of his confidential relationships with Plaintiff Flagg, convinced Plaintiff Flagg that engaging in a sexual relationship was a healthy component of his spiritual life.

56.

Various individuals working for Defendant Long, Defendant New Birth Baptist Church, and the Longfellows Academy, including but not limited to Andrew Moman and April McLaughlin, knew of Defendant Long's sexually inappropriate conduct and did nothing to warn or protect Plaintiff Flagg.

57.

Defendant New Birth, had a duty to warn and protect Plaintiff Flagg.

58.

Various individuals working for Defendant Long, Defendant New Birth Baptist Church,

and the Longfellows Academy, including but not limited to Andrew Moman and April McLaughlin, knew of Defendant Long's conduct and did nothing to warn or protect Plaintiff Flagg.

59.

At all times material hereto, Defendant Long, Moman, and McLaughlin acted within the course and scope of their employment for Defendants New Birth and Longfellows.

60.

The course of conduct by Defendant Long described herein was known to individuals working for Defendant New Birth Baptist Church, and Defendant Longfellows, including but not limited to Moman and McLaughlin.

COUNT I
BREACH OF FIDUCIARY DUTY

61.

Defendant Long, as Plaintiff Flagg's pastor, counselor, and bishop, was in a position to exercise a controlling influence over the will, conduct, and interest of Plaintiff Flagg.

62.

Defendant Long had a fiduciary duty not to engage in any sexual relations with Plaintiff Flagg.

63.

Defendant Long had a fiduciary duty not to request Plaintiff Flagg to engage in any sexual relations with Defendant Long.

64.

Defendant Long had a fiduciary duty as the spiritual advisor of Plaintiff Flagg not to coerce Plaintiff Flagg to engage in sexual conduct and relationships with Defendant Long.

65.

Defendant Long had a fiduciary duty as the pastor to Plaintiff Flagg not to mislead or advise Plaintiff Flagg that the sexual conduct with Defendant Long was justified by the Holy Scripture and ordained by God.

66.

Defendant Long breached his fiduciary duty to Plaintiff Flagg and abused his confidential clerical and pastoral relationship, by requesting and requiring Plaintiff Flagg to participate in sexual acts with Defendant Long in such a manner as to be adverse to the interests of Plaintiff Flagg.

67.

As a direct and proximate result of Defendant Long's breach of fiduciary duties, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering and adverse physical consequences.

68.

As a direct and proximate result of Defendant Long's breach of fiduciary duties, Plaintiff Flagg has suffered physical pain and suffering.

69.

As a direct and proximate result of Defendant Long's breach of fiduciary duties, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT II
NEGLIGENCE PER SE

70.

Defendant Long had a legal duty as the spiritual advisor of Plaintiff Flagg not to engage in sexual conduct with Plaintiff Flagg pursuant to O.C.G.A. § 23-2-58.

71.

Defendant's breach of said duty constitutes Negligence Per Se.

72.

As a direct and proximate result of Defendant Long's Negligence Per Se, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

73.

As a direct and proximate result of Defendant Long's Negligence Per Se, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT III
NEGLIGENCE

74.

Defendant Long owed a duty to Plaintiff Flagg to exercise ordinary care under the circumstances created by his pastoral relationship with Plaintiff Flagg .

75.

Defendant breached this duty of care.

76.

As a direct and proximate result of Defendant Long's negligence, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

77.

As a direct and proximate result of Defendant Long's negligence, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT IV
FRAUD

78.

Defendant Long knowingly and intentionally made false representations of material fact to Plaintiff Flagg by, among other things:

- (a) Representing that the Longfellows Youth Academy was a benevolent enterprises designed to foster the spiritual growth of young men;
- (b) By representing that sexual contact with Defendant Long was a healthy component of Plaintiff Flagg's worship and affiliation with the Church;
- (c) By representing that sexual relations with Defendant Long were justified by the Holy Scripture and ordained by God.

79.

As a follower of Bishop Long, Plaintiff Flagg justifiably relied on Defendant Long's false representations and was thereby coerced into participating in sexual acts and sexual relationships with Defendant Long.

80.

As a direct and proximate result of Defendant Long's fraudulent representations, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

81.

As a direct and proximate result of Defendant Long's fraudulent representations, Plaintiff Flagg has suffered physical pain and suffering.

82.

As a direct and proximate result of Defendant Long's fraudulent representations, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT V
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

(Defendant Long)

83.

Defendant Long intentionally exercised undue influence and abused his position of power as Plaintiff Flagg's spiritual counselor, advisor and pastor to induce and coerce Plaintiff Flagg into engaging in sexual relations and prolonged sexual relationships with Defendant Long.

84.

Defendant Long physically impacted Plaintiff Flagg by inducing and coercing him into engaging in sexual acts with Defendant Long.

85.

The sexual abuse, coercion and inducement perpetrated by Defendant Long against Plaintiff Flagg was extreme and outrageous.

86.

As a direct and proximate result of Defendant Long's conduct, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

87.

As a direct and proximate result of Defendant Long's conduct, Plaintiff Flagg has suffered physical pain and suffering.

88.

As a direct and proximate result of Defendant Long's conduct, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT VI
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

(All Defendants)

89.

Defendants were negligent as described above and below in exercising undue influence or allowing Defendant Long to exercise undue influence to coerce Plaintiff Flagg into engaging in sexual relations and prolonged sexual relationships with Defendant Long.

90.

Defendants' conduct was extreme and outrageous and directly caused Plaintiff Flagg to suffer severe psychological and emotional distress.

91.

Plaintiff Flagg suffered and continues to suffer damages as a result of Defendants' conduct.

92.

As a direct and proximate result of Defendants' actions, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

93.

As a direct and proximate result of Defendants' actions, Plaintiff Flagg has suffered physical pain and suffering.

94.

As a direct and proximate result of Defendants' actions, Plaintiff Flagg has been

subjected to public scorn and ridicule.

COUNT VII
NEGLIGENT FAILURE TO WARN

(Defendants New Birth Missionary Baptist Church, and Longfellows Youth Academy)

95.

Defendants New Birth and Longfellows Youth Academy, by and through their agents, servants, and employees, knew or should have known of Defendant Long's dangerous and exploitative propensities as a sexual predator and unfit agent.

96.

Despite knowledge of Defendant Long's dangerous and exploitative propensities as a sexual predator and unfit agent, Defendants New Birth and Longfellows Youth Academy failed to warn those, including Plaintiff Flagg and his family, who came in contact with Defendant Long.

97.

Defendants New Birth and Longfellows Youth Academy's failure to warn Plaintiff Flagg and his family of Defendant Long's propensities allowed Defendant Long to assume an unfettered position of trust and authority as Plaintiff Flagg's spiritual counselor and pastor.

98.

Defendants New Birth and Longfellows Youth Academy's failure to warn Plaintiff Flagg of Defendant Long's propensities allowed Defendant to coerce and induce Plaintiff into engaging in sexual relationships with him.

99.

As a direct and proximate result of Defendants' failure to warn, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical

consequences.

100.

As a direct and proximate result of Defendants' failure to warn, Plaintiff Flagg has suffered physical pain and suffering.

101.

As a direct and proximate result of Defendants' failure to warn, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT VIII
NEGLIGENT FAILURE TO INTERVENE

102.

Agents and employees of Defendant New Birth and Longfellows knew or should have known that Defendant Long acted negligently and/or coercively as the spiritual advisor to young male church members such as the Plaintiff Flagg and negligently failed to intervene to prevent said conduct.

103.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

104.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has suffered physical pain and suffering.

105.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT IX
NEGLIGENT FAILURE TO PROTECT

(Defendants New Birth Missionary Baptist Church, Longfellows Youth Academy)

106.

Defendants New Birth and Longfellow undertook the spiritual care and protection for Plaintiff Flagg within its church and ministries.

107.

Defendants New Birth and Longfellow failed to protect the Plaintiff Flagg from Defendant Long's known propensity to coerce young male church members to engage in sexual acts with him.

108.

As a direct and proximate result of Defendants' failure to protect Plaintiff Flagg, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

109.

As a direct and proximate result of Defendants' failure to protect Plaintiff Flagg, Plaintiff Flagg has suffered physical pain and suffering.

110.

As a direct and proximate result of Defendants' failure to protect Plaintiff Flagg, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT X
NEGLIGENT RETENTION

(Defendants New Birth Missionary Baptist Church and Longfellows Youth Academy)

111.

Defendants New Birth and Longfellows knew, or should have known, that Defendant Long had a propensity to sexually contact and exploit young male members of the New Birth congregation and Longfellow Academy.

112.

Defendant Long, at all times pertinent and relevant to this Count of the Complaint, was acting under color of employment as an employee and officer of Defendant New Birth, and an employee of Defendant Longfellows Youth Academy.

113.

Defendants New Birth and Longfellows were negligent in retaining Defendant Long as an employee and officer of New Birth and employee of Longfellows, as said Defendants knew or should have known that Defendant Long was incompetent or otherwise unable to perform his job duties in an ordinary, reasonable, and lawful manner.

114.

Defendants New Birth and Longfellows were negligent in retaining Defendant Long as an employee and officer of New Birth and an employee of Longfellows, as said Defendants knew or should have known that Defendant Long was engaged in sexually inappropriate conduct with New Birth parishioners and employees, and pupils of the Longfellows Academy, including but not limited to the Plaintiff Flagg.

115.

Defendants New Birth and Longfellows were negligent in retaining Defendant Long as

an employee and officer of New Birth and an employee of Longfellows, since said Defendants knew or should have known that Defendant Long had a propensity to engage in sexually inappropriate conduct with congregants, employees and pupils he counseled.

116.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

117.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has suffered physical pain and suffering.

118.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has been subjected to public scorn and ridicule.

COUNT XI
NEGLIGENT FAILURE TO SUPERVISE

(Defendants New Birth Missionary Baptist Church, Longfellows Youth Academy)

119.

Defendants New Birth, and/or Longfellows negligently failed to supervise Defendant Long as an employee and officer of New Birth and an employee of Longfellows, as said Defendants knew or should have known that Defendant Long was incompetent or otherwise unable to perform his job duties in an ordinary, reasonable, and lawful manner.

120.

Defendants New Birth and Longfellows negligently failed to supervise Defendant Long as an employee and officer of New Birth and employee of Longfellows, as said Defendants knew or should have known that Defendant Long was engaged in sexually inappropriate conduct with

New Birth parishioners and employees such as Plaintiff Flagg, and pupils of the Longfellows Academy such as Plaintiff Flagg.

121.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has suffered severe emotional distress, mental pain and suffering, and adverse physical consequences.

122.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has suffered physical pain and suffering.

123.

As a direct and proximate result of Defendants' negligence, Plaintiff Flagg has been subjected to public scorn and ridicule.

PUNITIVE DAMAGES

124.

The purpose of punitive damages is to punish and deter the Defendants from engaging in harmful conduct to others both now and in the future.

125.

The Defendants acted with willful misconduct, malice, fraud, oppression, wantonness and an entire want of care raising the presumption of conscience indifference to the consequences. Defendants by and through their conduct, have acted willfully, with malice, intending and achieving fraud such that Plaintiff is entitled to an award of punitive damages in accordance with the enlightened conscience of an impartial jury.

126.

The conduct of the Defendants amounts to a specific intent to cause harm as that term is

defined by O.C.G.A. § 51-12-5.1 et seq.

WHEREFORE, Plaintiff Flagg prays for the following relief:

- (a) That process and summons issue against Defendants;
- (b) For trial by jury of twelve (12);
- (c) That judgment for compensatory and special damages be entered against Defendants in an amount to be decided by a fair and impartial jury;
- (d) That Plaintiff be awarded all attorney's fees;
- (e) That Plaintiff be awarded all costs of Court;
- (f) That Plaintiff be awarded punitive damages in an amount to be determined by the enlightened conscience of a fair and impartial jury; and
- (g) That Plaintiff recover such other relief as may be just and proper under the facts

and circumstances of this case.

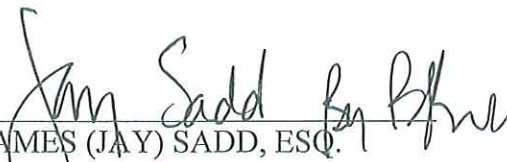
Respectfully submitted this 21 day of September, 2010.



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A handwritten signature in cursive script, reading "Katherine Ventulett Hernacki".

KATHERINE VENTULETT HERNACKI

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