

STATE OF NORTH CAROLINA
MECKLENBURG COUNTY

FILED
IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

2021 JUL -6 P 3:44

21CV010855

MECKLENBURG CO., C.S.C.

GREGORY COHANE,

BY _____

Plaintiff,

v.

THE HOME MISSIONERS OF AMERICA d/b/a
Glenmary Home Missioners, ROMAN CATHOLIC
DIOCESE OF CHARLOTTE, NORTH CAROLINA,
and AL BEHM,

Defendants

COMPLAINT
(Jury Trial Demanded)

NOW COMES the Plaintiff and, upon knowledge and belief, says and alleges as follows:

Parties and Jurisdiction

1. The Plaintiff Gregory Cohane (hereinafter “Greg”) is a resident of the state of New York, and a victim of childhood sexual abuse which was caused by the actions and inactions of the Defendants.

2. The Home Missioners of America d/b/a Glenmary Home Missioners (hereinafter “Glenmary”) at all times mentioned herein was and is a Catholic order and a non-profit corporation with its principal place of business and existence in Ohio. Glenmary was established to conduct, maintain and finance a society of Roman Catholic priests and brothers to labor for the conversion of souls chiefly in the neglected rural districts of the United States.

3. Defendant Glenmary conducts business in North Carolina in the form of unincorporated Catholic missions physically located in rural areas of this state.

4. The Defendant Roman Catholic Diocese of Charlotte, NC (hereinafter “Diocese”) at all times mentioned herein was and is an unincorporated religious association with its principal place of business and existence in Mecklenburg County, North Carolina.

5. Defendant Diocese was established in 1972 and is comprised of all Catholic churches, schools, orders, missions, and other religious entities throughout the western part of the State of North Carolina.

6. Defendant Diocese is headed by a bishop, who holds the most senior position of the association and as such is responsible for supervising, controlling, and managing all Catholic religious and secular activities within the territory of the Diocese, including personnel matters and managing the assets of Defendant Diocese.

7. Defendant Al Behm (hereinafter "Behm") is, upon information and belief, a resident of California and Myanmar. He is being sued for his activities in North Carolina while Greg was a minor child. Starting at the latest in 1968, Behm was an ordained Catholic brother of Glenmary. As a brother of the Glenmary Home Missioners, Behm was at all times under the supervision and control of the bishop of each diocese that was in charge of Roman Catholic activities in the geographic area in which he served.

8. Jurisdiction is proper in the General Court of Justice, Superior Court Division, in the State of North Carolina, Mecklenburg County, by virtue of N.C. Gen. Stat. § 1-75.4 and other provisions of the laws of this state,

9. Venue is appropriate in Mecklenburg County by virtue of N.C. Gen. Stat. § 1-82.

10. The allegations of the Complaint do not involve religious belief, and in this complaint the Court is not called upon to involve itself in or interpret religious beliefs of the Roman Catholic Church, the Glenmary Home Missioners, or any of the defendants, but to assess their actions and inactions against the requirements of North Carolina law, and to enjoin conduct which fails to comply with North Carolina law.

Nature of Wrongdoing

11. This action involves conduct by the defendants through the Glenmary Catholic Mission and Catholic Student Center in Cullowhee, North Carolina, managed, directed and, upon information and belief, funded by Defendant Diocese.

5. Defendant Diocese was established in 1972 and is comprised of all Catholic churches, schools, orders, missions, and other religious entities throughout the western part of the State of North Carolina.

6. Defendant Diocese is headed by a bishop, who holds the most senior position of the association and as such is responsible for supervising, controlling, and managing all Catholic religious and secular activities within the territory of the Diocese, including personnel matters and managing the assets of Defendant Diocese.

7. Defendant Al Behm (hereinafter "Behm") is, upon information and belief, a resident of California and Myanmar. He is being sued for his activities in North Carolina while Greg was a minor child. Starting at the latest in 1968, Behm was an ordained Catholic brother of Glenmary. As a brother of the Glenmary Home Missioners, Behm was at all times under the supervision and control of the bishop of each diocese that was in charge of Roman Catholic activities in the geographic area in which he served.

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Nature of Wrongdoing

11. This action involves conduct by the defendants through the Glenmary Catholic Mission and Catholic Student Center in Cullowhee, North Carolina, managed, directed and, upon information and belief, funded by Defendant Diocese.

12. In or about 1955 the Roman Catholic Diocese of North Carolina, predecessor to Defendant Diocese, through its clergy and agents, established a Catholic parish in Sylva, North Carolina in part to minister to the needs of Catholic students at what is now known as Western Carolina University.¹ In 1959 a “house mother” began the task of looking after the Western Carolina students, under the supervision of the Diocese.

13. In or about 1972 the Diocese of North Carolina purchased a property in Cullowhee that it named the Catholic Student Center. At all relevant times the religious activities and ministry carried out at the Catholic Student Center were and continue to be considered part of St. Mary’s Parish, an unincorporated Catholic entity supervised and controlled by Defendant Diocese through its Bishop and other diocesan leaders under the direction of the Bishop.

14. From at least 1980 until 1984, Defendants Diocese and Glenmary assigned Behm to Western Carolina University (hereinafter “WCU”) as the first full-time Catholic campus minister. While at WCU, Behm was under the joint supervision and control of Defendants Glenmary and the Diocese.

15. During the time period Behm was performing Catholic brotherly functions at WCU, both before and after the sexual abuse and molestation of the Plaintiff occurred, Behm was an employee, agent, apparent agent and/or servant of Defendants Glenmary and the Diocese and/or was under their complete control and/or supervision, employed as a spiritual advisor, counselor, and mentor.

16. At all times relevant to this Complaint, Defendants Glenmary and the Diocese engaged in, joined in, aided and abetted and conspired together and/or with others in carrying out their tortious and unlawful activities described in this Complaint.

¹ Before 1972, the current Charlotte and Raleigh Dioceses were one entity, the Roman Catholic Diocese of North Carolina.

17. At all times relevant to this Complaint, the Plaintiff, his parents, other parishioners of the Defendant Diocese, and the public believed that Defendants Glenmary and the Diocese were compromised of holy men who would not sexually abuse minor children, including the Plaintiff.

18. The Plaintiff Greg Cohane (hereinafter "Greg") grew up in Fairfield, CT to parents who were devout Catholics. He was introduced to Defendant Behm for the first time at his family's home in or about 1972, when he was nine years old.

19. The Catholic community in Fairfield considered Behm to have had a profound impact on the families of the community due to his work at the Glenmary Youth Center, a place where Greg's older siblings had spent significant time. Behm was extremely popular in the community, and he gained the trust and admiration of the local high school faculty, students, and parents, including the Cohane family.

20. Behm began grooming Greg at a very early age. Behm became a regular visitor to the Cohane's home, and Greg began to spend a significant amount of time in the space just outside Behm's office at the Glenmary Youth Center, either doing his homework or volunteering for odd jobs. Greg's parents were emotionally and verbally abusive and his father was an alcoholic. Behm established himself as the closest loving, kind and supportive adult presence in Greg's life.

21. When Greg was approximately ten years old, Behm began inviting Greg to spend the night at the Glenmary clergy residence, justifying it as "more convenient" for missionary services to be performed early the next mornings. These sleepovers occurred from time to time and extended to an overnight trip from Connecticut to Kentucky to visit a youth program in that state when Greg was approximately 11 years old.

22. . Greg's parents agreed to these overnight stays and the trip because they saw the growing relationship between Behm and Greg as healthy and positive and they trusted Behm as a member of the Glenmary clergy.

23. During the overnight stays and the trip to Kentucky, Behm would ask Greg to massage his back, which Greg did, too young to suspect that Behm's intent was to break down

Greg's defenses to later sexually assault him. Over time Behm wore less and less clothing while Greg rubbed his back.

24. Behm began to tell Greg that he loved him, beginning a ritual that lasted well into Greg's years in college. Behm's treatment of him caused Greg to feel wanted, appreciated, and loved by Behm, and to believe that he could trust Behm more than he trusted his own family.

25. In the late fall of 1975, Defendant Glenmary moved Behm from Connecticut and assigned him to Kentucky full-time. Even though he moved to another state, Behm maintained contact with Greg for the following six years through phone calls and mail.

26. Unbeknownst to Greg or his family, while Behm was working for Defendant Glenmary in Kentucky, he was accused of child sexual abuse. Defendant Glenmary and the Diocese of Kentucky, which were jointly responsible for supervising Behm, found the allegations credible.

27. Instead of meeting their moral and legal obligations to protect children, neither Defendant Glenmary nor the Diocese of Kentucky ever reported Behm's child sexual abuse to any law enforcement authority, nor did they remove from Behm any material perquisites of his position as an employee.

28. Instead, defendant Glenmary transferred Behm to Cincinnati to quiet complaints in Kentucky about his conduct and in order to protect the Catholic and Glenmary brands.

29. Glenmary next arranged and paid for Behm to pursue graduate studies in human sexuality at the University of San Francisco beginning in fall 1977. Upon information and belief Behm received his degree in 1979.

30. During Behm's time in California, he invited then 15-year old Greg and a friend of his to fly out for a visit. Behm arranged the trip by convincing Greg's parents that the boys would be completely safe. Not knowing that both Glenmary and the Diocese of Kentucky suspected Behm was a child molester, Greg's parents agreed to the trip. While Greg was in California, Behm behaved toward Greg in a sexually intimate manner.

31. Greg was upset by Behm's conduct but as Behm was the closest adult in his life he could not afford to have a negative thought about Behm. At the same time Greg was coming to recognize what Behm likely had seen for years, that Greg was gay.

32. Following the completion of his graduate studies in San Francisco, Defendants Glenmary and the Diocese assigned Behm to a position newly created by the Diocese -- campus Catholic clergy at Western Carolina University. In this position, Behm would be in charge of ministering to the spiritual needs of all Catholic students and clergy at WCU, and would be in charge of running the Catholic Student Center and supervising its staff, which was provided by Defendant Diocese.

33. Upon information and belief, Defendant Diocese was aware, or should have been aware, that Behm had been credibly accused of child sexual abuse in Kentucky when it participated in assigning Behm to serve in its state.

34. Neither Defendant Glenmary nor Defendant Diocese took any steps to warn anyone at WCU or in St. Mary's parish, with which the Catholic Student Center was affiliated, about Behm's alleged predatory sexual behavior.

35. Beginning when Greg was approximately 16 years old, Behm began in their regular phone calls to talk increasingly about his love for Greg and to say things like he "wanted to be with" Greg. Years later, Greg realized that Behm was likely pleasuring himself during these calls and that Greg had been participating in phone sex.

36. During his last years in high school, Greg developed depression, likely in great part as a result of the conduct of Behm, and which made him more vulnerable to psychological abuse and manipulation perpetrated by Behm.

37. As campus Catholic clergy, once again Behm became a popular figure. He was considered by the Catholic students at WCU to be charismatic, caring, progressive, and cool.

38. Once he began his life in North Carolina, Behm began to entice Greg, age 16 or 17, to join him in this state, where Behm would be able to gain unsupervised access to Greg, who was still a minor.

39. In fall 1980 when Greg was 17 and a senior in high school, Behm invited Greg for a one-week visit to Cullowhee and WCU. Greg's parents, trusting Behm, consented.

40. While Behm drove Greg to Cullowhee, he touched Greg inappropriately and on an overnight stop he convinced Greg to engage in a sexual act. Greg was profoundly confused and scared while engaging in sex with Behm as he thought he could not, under any circumstances, lose Behm's love and support. At the time, his family situation had become nearly unbearable as his parents had discovered he was gay, which they took as a personal affront to their faith and themselves, and which caused them to be more abusive to Greg than ever.

41. Greg's participation, on the drive to North Carolina and thereafter, in sexual acts with Behm was direct the result of years of grooming and conditioning by Behm and actions by Defendants Glenmary and Diocese in placing Glenmary in a position of trust and confidence despite knowing about his history as a credibly accused child molester.

42. Each day of the week of his visit to North Carolina, Behm encouraged Greg to drink alcohol at "cocktail hour", thus planting the seeds for Greg eventually to eventually become an alcoholic. During this same trip Behm also taught Greg to smoke marijuana without getting "too high", and introduced Greg to "poppers", or amyl nitrite.

43. Throughout the one-week North Carolina visit, Behm insisted on sexual activity with Greg every evening. Greg questioned Behm about the legitimacy of this conduct, Behm being Greg's lifelong primary religious instructor, trusted mentor, and father figure. Behm explained that "God was love and that God understood their love for each other". Greg felt confused, guilt-ridden, and ashamed, but without any support system other than Behm.

44. Greg's depression and alcohol use caused him to do poorly in school during his senior year, with his grades placing him in the bottom third of his class his senior year. He was concerned he might not graduate from high school, and did not believe he could get into any college.

45. However, with Behm's encouragement, Greg applied to WCU, and was admitted. Upon information and belief, Greg's graduation from high school and his admission to WCU

were both the result of intervention and persuasion by Al Behm with academic authorities at Greg's high school and WCU. Although Greg's parents were reluctant to allow Greg to attend college in North Carolina, Behm, who they trusted implicitly, convinced them to do so.

46. Behm's efforts to arrange for Greg to attend WCU were undertaken from his home in North Carolina and were part a scheme to arrange for Greg, then still a minor, to move to this state where he could be sexually abused and exploited. The conduct by Behm was facilitated by the actions and inactions of Defendants Glenmary and the Diocese in placing Behm in a position of authority and trust with respect to the lives of vulnerable young people, some of whom, like Greg, were minors.

47. After Greg graduated from high school, he moved to North Carolina and attended WCU, where he was exploited by Behm for the next three years. The exploitation took the form of regular sex, alcohol use, and trips out of state with Behm so that Behm could meet with a "support group" of other Glenmary brothers and priests who had been credibly accused of child sexual abuse but not terminated by Glenmary from their positions. As a result, Greg experienced increasingly severe depression, alcoholism, and an inability to complete his academic work.

48. In the fall of 1983, Greg's third year of college at WCU, the then-bishop of Defendant Diocese informed Behm he could no longer serve as the campus Catholic clergy at WCU, due to Behm's sexual misconduct in exploiting Greg. Defendant Glenmary again reassigned Behm, this time to Tennessee. However, at Behm's request, the transfer to Tennessee was delayed until the end of the Spring semester, 1984.

49. As a result of the conduct of Defendants Glenmary, the Diocese and Behm, Greg has suffered the effects of severe emotional distress, including depression, anxiety, feelings of worthlessness, and suicidal thoughts. He was unable to graduate from college and experienced a significant delay in entering the workforce at full capacity. He experienced difficulty in managing anger and in forming and maintaining close intimate relationships. Plaintiff required and will continue to require professional counseling and therapy.

50. It was not until 2019 that Defendants Diocese and Glenmary publicly admitted that Behm had been credibly accused of child sexual abuse, in the states of Kentucky, where he served before he was assigned to work at WCU, and Tennessee, where he was assigned by Defendant Glenmary immediately after working at WCU.

Statute of Limitations

51. On November 7, 2019, North Carolina Governor Roy Cooper signed Senate Bill 199 into law, which made major changes to the state's Statute of Limitations (hereinafter "SOL") applicable to childhood sexual abuse. A certified copy of the final bill, as enacted, is attached hereto as Exhibit A.

52. Effective January 1, 2020 and extending until December 31, 2021, Senate Bill 199 opened a two-year "revival window" during which those whose civil claims for childhood sexual abuse were otherwise time-barred can bring lawsuits against the abuse perpetrator and any responsible organizations.

53. If there is a conflict between the General Statutes and a session law, the session law controls, as it satisfies Article II, Section 22 of the North Carolina Constitution.

CLAIMS FOR RELIEF

I: Negligence

(Against Glenmary and the Diocese)

54. Plaintiff realleges and incorporates herein all previous allegations of this Complaint.

55. Defendants Diocese and Glenmary each had a duty of reasonable care to Plaintiff, a minor child, who was invited to participate in the activities of the Defendants, to protect Plaintiff from unreasonable risk in interacting with Behm, their employee and agent.

56. It was foreseeable to Defendants Glenmary and Diocese that Behm posed a threat to the safety of Plaintiff, and other young people, due to Behm's previous history of engaging in

inappropriate conduct with minor children to the point that he was removed from his position in the territory of the Diocese of Kentucky.

57. There was a special relationship between Defendants Glenmary and the Diocese, each with Plaintiff because (a) Defendants, each individually, each individually and both collectively, knew or should have known about Behm's sexually predatory behavior and tendencies; and (b) each defendant individually had the right to control Behm's conduct by not placing him in a position where he could pose harm to Plaintiff and other vulnerable young persons.

58. Plaintiff was sexually assaulted, battered, exploited and emotionally harmed as a proximate result of the Defendants' breach of their duty toward him.

59. Behm would not have had access to Plaintiff had Glenmary and the Diocese not each been negligent, reckless, willful, and wanton in (a) placing and supervising Behm and (b) in failing to educate the Plaintiff about the proper boundaries Behm should observe as to physical touch and overall interaction. Glenmary and the Diocese was grossly negligent in doing so.

60. As a proximate result of the negligence and gross negligence by Glenmary and the Diocese, the Plaintiff suffered damage, is exposed to increased risks of future harm, and faces the anxieties associated with the possibility of future harms.

61. As a proximate result of the grossly negligent actions and inactions by Glenmary and the Diocese, the Plaintiff was harmed, and is entitled to actual and punitive damages in an amount in excess of Twenty-five Thousand Dollars (\$25,000.00) as shall be determined by the finder of fact.

II: Negligent Assignment, Supervision and Retention

(Against Glenmary and the Diocese)

62. Plaintiff realleges and incorporates herein all previous allegations of this Complaint.

63. The Defendant Glenmary had a duty, as employer and a religious organization, to provide a reasonably safe and secure environment for parishioners, including the Plaintiff Greg Cohane, whom it invited into religious parishes staffed by clergy they employed and/or placed,

including Behm, to provide ordinary, prudent, and reasonable placement and supervision of these priests, including Behm

64. The Defendant Diocese, as employer and a religious organization, had a duty to all parishioners, including Plaintiff Greg Cohane, whom it invited into church parishes and Diocesan properties staffed by its clergy, including Behm, to provide ordinary, prudent, and reasonable placement and supervision of these priests, including Behm.

65. The Defendants Glenmary and Diocese specifically had a duty to take all reasonable and necessary steps to protect minor parishioners participating in church parishes and activities staffed by their clergy from sexual abuse and exploitation by church employees and agents, including Glenmarian brothers, and to take steps to remedy any harm that might have occurred under their watch or as a result of their acts or failure to act.

66. At all times relevant to this Complaint, the Defendants Glenmary and Diocese knew of the potential and actual dangers to children, especially boys, in their church parishes and organizations from clergy who might abuse their trust and sexually exploit, abuse, and assault these minors and young people, including the Plaintiff. Accordingly, the Defendants Diocese and Glenmary each had a heightened duty of care to children, including the Plaintiff.

67. The Defendants Glenmary and Diocese knew or should have known of Behm's problems and conduct and his unfitness to be a Catholic brother to be placed at the WCU Catholic Student Center. Defendants Glenmary and the Diocese knew of the need to place Behm appropriately and to closely supervise his behavior.

68. Defendants Glenmary and the Diocese knew or should have known they should never allow Behm to be alone with young males. Defendants Glenmary and the Diocese knew or should have known, due to the problems described herein, that Behm had likely sexually abused other children before he abused the Plaintiff, and he had abused the Plaintiff before he was assigned to be the Catholic Campus Minister at WCU.

69. Defendants Glenmary and the Diocese knew or should have known that Behm sought out opportunities to spend time alone with young children, including having children as young as 10 years old spend the night with him.

70. Despite this knowledge, Defendants Glenmary and the Diocese failed to take any steps to change their placement, supervision and retention of Behm or to keep him from spending time alone with male children. This occurred at or during a time when Defendants Glenmary and the Diocese could have prevented some or all the sexual abuse endured by the Plaintiff and other potential victims.

71. Defendants Glenmary and the Diocese were also negligent in its supervision of Behm in that they failed to take any steps to minimize the damages caused by Behm's sexual abuse of the Plaintiff.

72. Defendant Glenmary and Defendant Diocese continued to assign Behm to serve in positions at parishes, including as the Campus Catholic Minister at WCU located in the territory of the Diocese, although they had knowledge of Behm's problems and conduct as described herein.

73. Defendants Glenmary and the Diocese also intentionally failed to investigate allegations that Behm had abused children when they knew or should have known that such conduct by Behm was occurring. If Defendants Glenmary or the Diocese had conducted a proper investigation aimed at protecting children instead of protecting clergy, they would have learned about Plaintiff Greg Cohane, who could have received timely intervention and treatment to mitigate the severe damage caused by Behm.

74. As a proximate result of the grossly negligent actions and inactions by Glenmary and the Diocese, the Plaintiff was harmed, and is entitled to actual and punitive damages in an amount in excess of Twenty-five Thousand Dollars (\$25,000.00) as shall be determined by the finder of fact.

III: Battery

(Against Behm)

75. Plaintiff realleges and incorporates herein all previous allegations of this Complaint.

76. Behm intentionally engaged in repeated harmful or offensive contacts with the Plaintiff, either actually intending to cause harm or constructively intending to do so.

77. The contact was a sexual assault and offended the Plaintiff's reasonable sense of his personal dignity.

78. Behm had no privilege to do so.

79. This contact was unwanted by the Plaintiff, and the Plaintiff did not consent to the contact.

80. The contact by Behm has caused damage to the Plaintiff.

81. As a proximate result of the conduct of Defendant Behm, the Plaintiff was harmed, and is entitled to actual and punitive damages against Behm in an amount in excess of Twenty-five Thousand Dollars (\$25,000.00) as shall be determined by the finder of fact..

IV: Assault

(Against Behm)

82. Plaintiff realleges and incorporates herein all previous allegations of this Complaint

83. Behm's conduct gave the Plaintiff repeated instances of reasonable apprehension of harmful or offensive contact.

84. Behm's actions were intentional and a display of force, either by actual intent or constructive intent.

85. The conduct by Behm has caused damage to the Plaintiff.

86. As a proximate result of the actions and inactions by Glenmary and the Diocese, the Plaintiff was harmed, and is entitled to actual and punitive damages against Behm in an amount in excess of Twenty-five Thousand Dollars (\$25,000.00) as shall be determined by the finder of fact.

V: Negligent Infliction of Emotional Distress

(Against Behm)

87. Plaintiff realleges and incorporates herein all previous allegations of this Complaint.

88. Allegations above are incorporated into this cause of actions as if fully stated herein.

89. Defendant Behm had a duty to exercise ordinary care in his dealings with Plaintiff and a duty to avoid imposing emotional distress on the Plaintiff Greg Cohane.

90. It was reasonably foreseeable to Behm that his conduct would cause severe emotional distress to the Plaintiff.

91. The conduct of Behm was grossly negligent.

92. The conduct of Behm, as referred to in this Complaint, did in fact cause severe emotional distress to the Plaintiff.

93. As a direct and proximate result of the negligent infliction of emotional distress by Defendant Behm, the Plaintiff has sustained substantial injuries, damages, harms and losses. Accordingly, the Plaintiff is entitled to actual and punitive damages in an amount in excess of Twenty-five Thousand Dollars (\$25,000.00) as shall be determined by the finder of fact..

VI: Intentional Infliction of Emotional Distress

(Against Behm)

94. Plaintiff realleges and incorporates herein all previous allegations of this Complaint.

95. The conduct of Defendant Behm, as described in this Complaint, was extreme and outrageous.

96. The extreme and outrageous conduct of the Defendant Behm indicated a reckless indifference to the likelihood that such conduct would cause severe emotional distress.

97. The conduct described in this Complaint, on the part of Defendant Behm, did in fact cause severe emotional distress to the Plaintiff Greg Cohane.

98. As a direct result of the intentional infliction of emotional distress by Defendant Behm, the Plaintiff has sustained substantial injuries, damages, harms and losses. Accordingly, the Plaintiff is entitled to actual and punitive damages in an amount in excess of Twenty-five Thousand Dollars (\$25,000.00) as shall be determined by the finder of fact.

VI: Punitive Damages

99. The allegations above are incorporated into this cause of action as if fully stated herein.

100. Pursuant to Chapter 1D of the North Carolina General Statutes, the conduct of Defendants was willful, wanton, oppressive, reckless, and in callous disregard for the rights and safety of the Plaintiff. As a result of this conduct, the Defendants are each liable to the Plaintiff for punitive damages. The aggravating factors underlying Plaintiff's claim for punitive damages will be established by clear and convincing evidence at trial.

101. There is a need to punish Defendants for their egregiously wrongful acts described above and to deter them and others from committing similar wrongful acts. Plaintiff is therefore entitled to recover such punitive damages as may be awarded, which bear a rational relationship to the sum reasonably needed to punish Defendants or to deter them and others from committing similar wrongful acts in the future.

102. As a result of actions willful, wanton, oppressive, reckless, and in callous disregard for the rights and safety of others, particularly the Plaintiff, the Defendants are liable to the Plaintiff for punitive damages in an amount in excess of Twenty-five Thousand Dollars (\$25,000.00) as shall be determined by the finder of fact.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays the Court for the following relief:

103. That this matter be tried by a jury;

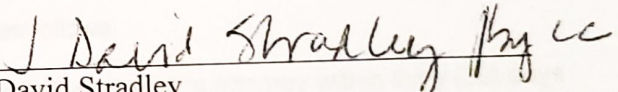
104. That Plaintiff be awarded judgment against Defendants, jointly and severally, in an amount in excess of \$25,000.00 for each of the various causes of action set forth above;

105. That Plaintiff be awarded punitive damages in an amount to be determined by the jury;
106. That the costs of this action be taxed against Defendants;
107. That Plaintiff be awarded interest as provided by law; and
108. For such other and further relief as the Court deems just and proper.

Respectfully submitted,



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