

4. At all times material, Gospel Crusade Ministerial Fellowship, Inc. was and continues to be a Florida Corporation, authorized to conduct business and conducting business in the State of Florida, with its principal place of business located at 1200 Glory Way Blvd., Bradenton, Florida, 34212.

5. At all times material, Defendant Gerald Derstine, was a resident of Florida with his last known address at: 2111 Upper Manatee River Road Bradenton, Florida, 34201.

JURISDICTION

6. Plaintiff brings her complaint under federal diversity jurisdiction, 28 U.S.C. 1332, as the parties are completely diverse in citizenship and the amount in controversy exceeds \$75,000.

FACTS

7. At all times material, Gerald Derstine (hereinafter "Derstine"), was under the direct supervision, authority, employ and control of Defendants Gospel Crusade Inc. and Gospel Crusade Ministerial Fellowship, Inc. (hereinafter "Gospel Crusade Defendants"). During all times material, Defendant Derstine, at the direction of Gospel Crusade Defendants, was assigned to Strawberry Lake Christian Retreat as a spiritual counselor and religious leader.

8. Plaintiff came to know, trust, admire, respect and revere Derstine as a counselor and spiritual advisor.

9. Beginning in approximately August 2007, when Plaintiff was a minor child of 11 to 13 years of age, Derstine sexually abused Plaintiff until July 2009. This sexual abuse occurred at Strawberry Lake Christian Retreat, a Ministry of Gospel Crusade Inc., and owned and operated by Gospel Crusade Inc. and/or Gospel Crusade Ministerial Fellowship, in Defendant Derstine's office and in a motel room on the Strawberry Lake Christian Retreat property.

10. On information and belief, prior to the wrongful acts committed upon Plaintiff Jane Doe, Gospel Crusade Defendants, knew or should have known that Derstine was engaging in misconduct similar to the misconduct alleged herein.

11. As a direct result of the sexual abuse by Gerald Derstine and Gospel Crusade Defendants' actions, Plaintiff has suffered and continues to suffer severe emotional distress, embarrassment, loss of self-esteem, humiliation and psychological injuries with attendant physical manifestations, was prevented and will continue to be prevented from performing her normal daily activities and obtaining the full enjoyment of life, has sustained and will continue to sustain loss of earning capacity and has incurred and will continue to incur expenses for medical and psychological treatment, therapy and counseling.

COUNT I: SEXUAL BATTERY/SEXUAL ABUSE
(DEFENDANT DERSTINE)

12. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count and further alleges:

13. In and around August 2007 to July 2009, Defendant Derstine repeatedly inflicted unpermitted, harmful, and offensive sexual contact upon the person of Plaintiff.

14. As a direct result of Defendant Derstine's wrongful conduct, Plaintiff has suffered the injuries alleged herein.

COUNT II: NEGLIGENT SUPERVISION
(GOSPEL CRUSADE DEFENDANTS)

15. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this Count and further alleges that: At all times material, Derstine was employed by Gospel Crusade Defendants and/or was under Defendants' direct supervision and control when he committed the wrongful acts alleged herein. Derstine engaged in the wrongful conduct while

acting in the course and scope of his employment with Gospel Crusade Defendants and/or accomplished the sexual abuse by virtue of his job-created authority. Gospel Crusade Defendants failed to exercise ordinary care in supervising Derstine in his assignment and failed to prevent the foreseeable misconduct of Derstine from causing harm to others.

16. As a direct result of Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT III: NEGLIGENCE
(GOSPEL CRUSADE DEFENDANTS)

17. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this Count and further alleges that:

18. Gospel Crusade Defendants, by and through their agents, servants and employees, knew or should reasonably have known of Defendant Derstine's dangerous and exploitative propensities as a child sexual abuser and/or an unfit agent, and despite such knowledge, Gospel Crusade Defendants failed to provide reasonable supervision of Derstine, and failed to remove Derstine from a position of trust and authority over vulnerable children, including Plaintiff.

19. As a direct result of Gospel Crusade Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT IV: NEGLIGENCE
(GOSPEL CRUSADE DEFENDANTS)

20. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this Count and further alleges that:

21. By establishing and operating a church retreat at Strawberry Lake, encouraging the membership and instruction of minor children within their facilities, accepting the membership of minor children, including Plaintiff, and by holding its facilities out to be a safe

environments, Gospel Crusade Defendants entered into an express and/or implied duty to provide a reasonably safe environment to Plaintiff. Gospel Crusade Defendants further assumed this duty by holding Derstine out to the public, including Plaintiff, as a competent and trustworthy agent, one who is safe for children. Gospel Crusade Defendants breached this duty by exposing Plaintiff to Derstine, an unfit agent with dangerous and exploitive propensities.

22. As a direct result of Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT V: VICARIOUS LIABILITY
(GOSPEL CRUSADE DEFENDANTS)

23. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count and further alleges that:

24. At all times material, Derstine was employed by Gospel Crusade Defendants. Derstine was under Gospel Crusade Defendants' direct supervision and control when he committed the wrongful acts described herein. Derstine engaged in this conduct while in the course and scope of his employment with Gospel Crusade Defendants and/or accomplished the sexual abuse by virtue of his job-created authority. Derstine's wrongful acts were foreseeable and Gospel Crusade Defendants knew or should have known of the wrongful acts. Gospel Crusade Defendants are liable for the wrongful conduct of Defendant Derstine under the law of vicarious liability, including the doctrine of respondeat superior.

WHEREFORE, Plaintiff demands judgment against Defendants individually, jointly and severally in an amount in excess of \$75,000 plus costs, disbursements, reasonable attorneys fees, interest, and whatever other relief the Court deems just and equitable.

Dated: July 28, 2010.

JEFF ANDERSON AND ASSOCIATES, P.A.

s/Patrick W. Noaker
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ACKNOWLEDGMENT

The undersigned hereby acknowledges that sanctions, including costs, disbursements, and reasonable attorney fees, may be awarded pursuant to Minn. Stat. § 549.211 to the party against whom the allegations in this pleading are asserted.

s/Patrick W. Noaker