

**IN UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

**Amanda Santos and Deryck Santos  
as parents and guardians of A. M., a  
minor under the age of eighteen**

**Plaintiffs,**

**v.**

**Camden Military Academy, Inc.,  
Eric Boland, Brad Lawing, and  
John Heflin.**

**Defendants.**

**AMENDED COMPLAINT**

**Civil Action No.: 3:17-CV-02281-MGL**

The Plaintiffs would respectfully show unto the Court and allege:

**JURISDICTION & VENUE**

1. That the Plaintiffs, Amanda and Deryck Santos, are the parents and guardians of A. M., and are citizens and residents of the State of California.

2. That the Defendant, Camden Military Academy, Inc. (hereinafter “CMA”), is a corporation organized and existing under the laws of the State of South Carolina and its principal place of business is located in Camden, South Carolina.

3. That Defendants Eric Boland, Brad Lawing, and John Heflin, are citizens and residents of the State of South Carolina.

4. That this Court has diversity jurisdiction over the Plaintiffs’ claims pursuant to 28 U.S.C. §1332.

5. That the amount in controversy exceeds the sum of Seventy-Five Thousand (\$75,000.00) Dollars.

6. That venue is proper in this jurisdictional district pursuant to 28 U.S.C.

§1391(c).

**FACTUAL ALLEGATIONS**

7. That the minor child, A. M., enrolled at CMA in or about October of 2014.

8. That the Defendant, John Heflin, is currently and was previously employed at CMA as the Academy's Dean of Students.

9. Defendant Eric Boland has, at all relevant times, been employed at CMA as the Head of School, or "headmaster," and has been responsible for the hiring, supervision, training, and/or retention of Heflin and other employees involved in the alleged acts and/or omissions.

10. Defendant Brad Lawing has, at all relevant times, been employed at CMA as the Commandant of the school, and has been responsible for the hiring, supervision, training, and/or retention of Heflin and other employees involved in the alleged acts and/or omissions.

11. That in or about April of 2016, A. M.'s paternal grandfather was killed, which caused A. M. to be emotionally traumatized and burdened with grief.

12. That prior to Spring of 2016, A. M. had no prior relationship with Defendant Heflin beyond the customary student/teacher contact.

13. That after A. M.'s traumatic loss of his grandfather, Defendant Heflin began an attempt to develop an inappropriate, personal relationship with A. M., including providing gifts to A. M..

14. That subsequent conversations between Defendant Heflin and A. M. were had that went beyond the ordinary course of a teacher/student relationship.

15. That in the fall of 2016, Defendant Heflin began to engage in various forms of sexually inappropriate conversations, innuendos, and conduct with A. M..

16. That further, on two (2) separate occasions the Defendant Heflin transported

A. M. to his place of residence. That while In route to the residence, Defendant Heflin engaged in sexually explicit conversations with A. M..

17. That Defendant Heflin communicated via text message with A. M. hundreds of times at all hours of the day and night.

18. That the Defendant Heflin told A. M. on numerous occasions that as part of their relationship, A. M. was not to discuss the sexually inappropriate activities with any third party.

19. That the Defendant Heflin also engaged in inappropriate conversations with A. M. regarding Defendant Heflin's intent to provide A. M. with inappropriate sexual favors in the future.

20. That the Defendant Heflin had numerous conversations regarding how sexual activity was going to "change" A. M..

21. That the Defendant Heflin used various code words when conversing with A. M. about various types of sex acts.

22. That the Defendant Heflin also had other sexually hostile conversations with A. M. while in the presence of other faculty members of CMA.

23. Defendants Lawing and Boland, in their individual, official, and supervisory capacities, maintained a culture of secrecy by directing faculty and staff to never alert law enforcement under any circumstances if they witnessed any possible criminal activity. Additionally, Lawing and Boland failed to exercise even slight care in the hiring, training, supervision, and/or retention of Heflin, which proximately caused the complained of injuries in whole or in part.

**FIRST CAUSE OF ACTION**  
**(Tort of Outrage as to Heflin)**

24. The prior paragraphs are incorporated into this First Cause of Action as if repeated verbatim herein.

25. That Defendant Heflin intentionally and recklessly inflicted severe emotional distress that resulted or was substantially certain to result in psychological and sexual abuse of A. M..

26. That Defendant Heflin's outrageous conduct was so extreme and outrageous as to exceed all possible bounds of decency and is utterly intolerable in a civilized community.

27. That the Defendant's actions caused A. M. severe and permanent psychological injury.

28. That the injuries inflicted upon the A. M. were so severe that no reasonable person could be expected to endure them.

29. That as a direct and proximate result of the Defendants' outrageous conduct, A. M. suffered and continues to suffer severe and permanent psychological injuries and is therefore entitled to actual and punitive damages in an amount to be determined by a jury.

**SECOND CAUSE OF ACTION**  
**(Negligent Hiring, Training, Supervision, and Retention  
as to CMA, Boland, and Lawing)**

30. That the Plaintiffs reaffirm and reiterate all the allegations in the First Cause of Action as if fully repeated and is incorporated herein verbatim.

31. That the Defendant, John Heflin, intentionally harmed the A. M. as an employee of Defendant CMA, while on the Defendant CMA's premises.

32. Defendants CMA, Boland, and Lawing had a duty to act in a reasonably prudent manner when hiring, training, retaining, and/or supervising employees of CMA,

including Heflin. These Defendants breached this duty in a number of ways as to Heflin and other involved employees, including failing to properly vet them prior to hiring them, failing to properly train, retaining them after the point at which their employment should have been terminated, and failing to properly supervise.

33. Defendants CMA, Boland, and Lawing also violated internal policies and procedures in place at CMA, and allowed others to do the same, including Heflin, and as such, they were negligent per se. They also failed to put in place additional policies which would have prevent the alleged acts and omissions, and the harm to the Plaintiffs.

34. Defendants CMA, Boland, and Lawing knew or had reason to know that they had the ability to control Defendant Heflin's conduct as an employee on its premises.

35. That the Defendant CMA, Boland, and Lawing knew of or had reason to know of the accessibility and opportunity to exercise such control on the Defendant Heflin and failed to do so.

36. That conduct of these defendants, in failing to exercise even slight care, was wanton, reckless, negligent, and grossly negligent.

37. That as a direct and proximate cause of these Defendants' breaches of duty described above, Plaintiff A. M. has suffered and continues to suffer severe and permanent psychological injuries and is entitled to actual and punitive damages for an amount to be determined by a jury.

**FOR A THIRD CAUSE OF ACTION**  
**(Civil Conspiracy as to All Defendants)**

38. The relevant and consistent allegations contained in the above Paragraphs are incorporated by reference as if stated verbatim herein.

39. This cause of action is pled in the alternative in the event that it is determined

that the involved employees were acting outside the course and scope of their employment at relevant times.

40. That Defendant CMA, its faculty and/or employees, at the direction of Lawing and Boland, entered into an agreement or understanding, explicitly or implicitly, for the purpose of injuring the Plaintiffs by:

- a. directing TAC officers and/or other faculty and staff that they were not to report criminal acts observed on campus to any local law enforcement;
- b. engaging in a conspiracy of silence to protect the reputation of Defendant CMA while endangering the safety and welfare of students under its care;
- c. failing to inform Defendant CMA parents, who had entrusted Defendant CMA with their children's care and protection, about criminal activity on Defendant CMA's campus, and more specifically Defendant John Heflin's conduct; and
- d. such other particulars as the evidence may show.

41. That Defendant CMA, its faculty and/or staff, and more specifically Commandant Lawing's conspiracy of silence, directly and proximately caused injury to the Plaintiffs.

42. That as a direct and proximate result of these Defendants' conduct, the Plaintiffs are entitled to all general and special damages, including but not limited to medical expenses, pain and suffering, and any and all additional damages that likely resulted from the Defendants' acts or omissions committed in furtherance of the conspiracy.

**FOR A FOURTH CAUSE OF ACTION**  
**(Unfair Trade Practices as to all Defendants)**

43. The relevant and consistent allegations contained in the above Paragraphs are incorporated by reference as if stated verbatim herein.

44. The Defendants have employed unfair methods of competition and unfair or deceptive acts or practice in the conduct of trade or commerce in the following particulars:

- a. Failing to disclose the information available to them regarding the culture and

practices at CMA which fostered and encouraged sexual misconduct;

- b. In misrepresenting the level of safety at CMA such that parents were misled into believing that their children would be safe from harm at the school;
- c. Engaging in deceptive and unfair methods of competition;
- d. Implementing deceptive and unfair standards and practices to the detriment of Plaintiff;
- e. Providing misleading and inaccurate information and assurances regarding the level of safety at CMA to the detriment of Plaintiff;
- f. By other acts and/or omissions yet to be determined or defined; and
- g. In such other particulars as may be ascertained through discovery procedures undertaken pursuant to the Federal Rules of Civil Procedure.

45. The Defendants' unfair or deceptive conduct affects the public interest in the following particulars:

- a. It results in individuals paying to have their children placed in a dangerous and unsafe environment;
- b. It encourages predators employed by CMA to engage in inappropriate and illegal conduct to further their interests;

46. As a result of CMA's unfair trade practices, Plaintiff has suffered ascertainable loss of money and other losses.

47. The CMA's unfair trade practices are capable of repetition and affect the public interest.

48. CMA knew or should have known that its conduct was a violation of S.C. Code Ann. § 39-5-20. For this reason and others, CMA's use or employment of the unfair or deceptive method, act or practice was a willful or knowing violation of S.C. Code Ann. § 39-5-20. Accordingly, the Court should award three times the actual damages sustained and provide such other relief as it deems necessary or proper. The Court should also award to Plaintiffs reasonable attorney's fees and costs.

**WHEREFORE**, the Plaintiffs seek a judgment against the Defendants in an amount to be determined by a jury, for actual and punitive damages and for such other and further relief as this Court deems just and proper.

**Plaintiffs demand a jury trial.**

s/Kyle J. White  
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Dated: June 28, 2018  
Anderson, South Carolina