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 State Bar of MT No. 42337024/4791

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By Tom Aswers, Clerk
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Attorneys for Plaintiff

IN THE MONTANA SECOND JUDICIAL DISTRICT COURT
 STATE OF MONTANA, IN AND FOR THE COUNTY OF SILVER BOW

JOHN and HEATHER STENSON,)
 on behalf of minor child, R.L.S. and)
 Minor Children 1 – 5 and John Does 1-5,)
 Plaintiffs,)

vs.)

BUTTE CENTRAL HIGH SCHOOL,)
 BUTTE CENTRAL SCHOOLS,)
 MONTANA CATHOLIC CONFERENCE,)
 ROMAN CATHOLIC DIOCESE OF)
 HELENA, ROMAN CATHOLIC BISHOP)
 of HELENA and AMY J. KADRMAS)
 Defendants.)

Cause No. DN-20-252

ROBERT J WHELAN
 JUDGE DEPT. II

COMPLAINT AND DEMAND
 FOR JURY TRIAL

SUMMONS ISSUED

COMES NOW the Plaintiffs, John and Heather Stenson, by and through his counsel,
 Lawrence E. Henke, and for their complaint against Defendants, asserts and alleges as follows:

I.
Parties

1. Plaintiffs John and Heather Stenson are and were residents of Butte, Silver Bow County, Montana, at all times pertinent hereto.
2. R.L.S. is a minor child and is and was a resident of Butte, Silver Bow County, Montana, at all

times pertinent hereto.

3. Minor Male Child #1 is a resident of Butte, Silver Bow County, Montana, at all times pertinent hereto.
4. Minor Female Child #2 is a resident of Butte, Silver Bow County, Montana, at all times pertinent hereto.
5. Minor Female Child #3 is a resident of Butte, Silver Bow County, Montana, at all times pertinent hereto.
6. Minor Female Child #4 is a resident of Butte, Silver Bow County, Montana, at all times pertinent hereto.
7. Minor Female Child #5 is a resident of Butte, Silver Bow County, Montana, at all times pertinent hereto.
8. Defendant Butte Central High School is a private, Roman Catholic high school located at 9 South Idaho St., Butte, MT 59701 is an entity and resident of Butte, Silver Bow County, Montana.
9. Defendant Butte Central Schools is the private school district entity which operates Butte Central High School, along with an elementary school and middle school is a resident of Butte, Silver Bow County, Montana.
10. Defendant Montana Catholic Conference is an entity that is tasked with the supervision of Catholic school districts within Montana and a resident of Helena, Lewis & Clark County, Montana.
11. Defendant Roman Catholic Diocese of Helena is an entity that has the ultimate authority over all Catholic schools and school districts in Montana and a resident of Helena, Lewis & Clark County, Montana.

12. Defendant Roman Catholic Bishop of Helena is the owner of the real property upon which the Catholic schools premises are located in Butte, Montana and is a resident of Helena, Lewis & Clark County, Montana.
13. Defendant Amy J. Kadrmas is an individual residing in Butte, Silver Bow County, Montana.

II.

Venue and Jurisdiction

14. Venue is proper in Silver Bow County pursuant to MCA Title 25, Chapter 2, §§ 25-2-122(1)(b), 25-2-122(2)(a) and (b), and/or 25-2-121(1)(b)(ii).
15. This Court has jurisdiction over the parties to this lawsuit because all Defendants conduct their business in the State of Montana or reside in Montana.

III.

Summary of the Lawsuit

16. On November 19, 2019, Butte Central student RLS was found in possession of alcohol on the Butte Central campus. Alcohol use, and certainly the brazen act of bringing it to school, were atypical behaviors for RLS and the investigation into this incident was the thread that unraveled this tragedy.
17. Over at least the past two years, minor children and students of Butte Central were targeted and groomed for abuse through the introduction of alcohol, providing cigarettes as a gate-way to marijuana use, and this lead to drug addiction and sexual exploitation of minors by a Butte Central teacher and his wife – on the campus of Butte Central High School.
18. Brad and Amy Kadrmas are the predators; Butte Central High School, and its corporate leadership, are the facilitators.
19. Brad was able to identify candidates for grooming, and he picked the vulnerable. He traded improved grades for silence from the minor children who were chosen and underwent the

grooming, drug exposure and sexual abuse.

20. Brad and Amy skillfully increased the minor's exposure from tobacco leading to alcohol and graduating to marijuana – ALL illegal substances for the minor children.
21. Brad and Amy lured these minor children to their Employer-provided residence on the Butte Central campus, without any supervision or oversight from the Employer, and engaged in the grooming activity with intentional ignorance, or negligent acquiescence, from the Employer, Butte Central, and its corporate administration and ownership.
22. RLS was undergoing "juvenile grooming" by Butte Central employee (Brad) and Butte Central permitted invitee (Amy) on the Butte Central campus in the Butte Central provided residence.
23. RLS was introduced to cigarettes by Brad and Amy; Minor Male Child #1 and RLS were provided cigarettes, alcohol, and marijuana by Brad and Amy; RLS and Minor Female Child #4 and Minor Female Child #5 were provided marijuana and alcohol by Amy.
24. Brad was provided ready access to minor children from which he preyed, and he was skillful in identifying the vulnerable.
25. Brad capitalized on his position, and ready access to the vulnerable, whereby he engaged in unauthorized sexual contact with Minor Female Child #2 and an unwanted and illegal sexual relationship with Minor Female Child #3.
26. Brad was able to keep the minors silent through intimidation and a scheme of trading grades for silence as to his conduct.
27. Amy was provided unfettered access to the student body and educational portion of the campus.
28. Minor children were allowed unrestricted access to Brad and Amy, in the Butte Central provided den of iniquity where Brad and Amy groomed Minor Child #1 and RLS, while also providing marijuana, alcohol and cigarettes to Minor Child #4 and Minor Child #5.

29. Minor children were accessible to Brad as tutor, and Brad engaged in sexual misconduct with Minor Female Child #2 and he had an illegal sexual relationship with Minor Female Child #3, who were both tutees sent to Brad by Butte Central.
30. Butte Central High School was complicit in these abuses and it was negligent by act or omission, including but not limited to, hiring Brad, failing to supervise Brad, and breaching the duties of care owed to students.
31. Butte Central Schools was negligent in supervision of Butte Central, it was negligent in providing residency to the known or knowable predators, and it breached the duties of care owed to students.
32. Montana Catholic Conference and the Roman Catholic Diocese of Helena were negligent in the supervision and administration of the school and its personnel, and they breached the duties of care owed to students.

IV. Background Facts

33. On January 9, 2020, Amy Kadrmās was arrested and charged with four criminal counts (two felony complaints of distribution of dangerous drugs on or near school property and two misdemeanor counts of endangering the welfare of a child).



That complaint does say that Kadrmās is charged with two felony complaints of distribution of dangerous drugs on or near school property for giving marijuana to two juvenile males. Each charge carries a maximum three-year prison term and fine up to \$50,000.

She is also charged with two misdemeanor counts of endangering the welfare of a child by encouraging two juveniles to use cigarettes or alcohol. Those are each punishable by up to six months in jail and fine up to \$500.

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34. Amy Kadrmās' predatory actions led to the discovery of additional predatory acts and

juvenile grooming conduct by Brad Kadrmas while employed by Butte Central Schools, and while housed on the Butte Central campus.

Butte Central brings the predator to the prey

35. Bradley Kadrmas (“Brad”) was hired to work at Butte Central High School as a math teacher in 2011.
36. Prior to employment with Butte Central High School, Brad left employment with Churchill County School District, in Fallon, Nevada, suspiciously taking a significant pay cut and long-range relocation to Sheridan, MT.
37. Prior to employing Brad, Butte Central High School was obligated to conduct a reasonable background check and to verify his competency.
38. A reasonable background check of Brad Kadrmas would have revealed:
 - a. Brad had a history of poor performance at his prior employment in NV.
 - b. Amy Kadrmas was also a teacher in NV, and she was forced to resign in lieu of termination for illegal drug use on campus, near students, and being under the influence of illegal drugs in the classroom.
39. In approximately December 2018, Brad and his wife, Amy J. Kadrmas (“Amy”) found themselves without housing; Butte Central provided them on-campus housing without conducting reasonable background checks or making a reasonable determination of safety for the campus and its students created by this residency permission.
40. Prior to allowing Brad and Amy residency on the Butte Central campus, Butte Central High School failed to take appropriate action to ensure the safety of the campus, and the students, by placing and permitting the Kadrmas residency.
41. A reasonable background check of Brad Kadrmas would have revealed:

- a. In 2011 – Civil Action 11- CV – 00011 – New River Township, Nevada
 - b. February 3, 2011 – Bankruptcy filing
 - c. In 2012 – Traffic violation against Brad
 - d. April 25, 2014 – Civil judgment filed against Brad
 - e. January 7, 2018 – Criminal Charge – Driving under the influence of alcohol
 - f. January 7, 2018 – Criminal Charge – Negligent Endangerment (Substantial Risk – Death/Serious Bodily Injury)
 - g. June 28, 2019 – Bankruptcy filing
42. A reasonable background check of Amy Kadrmas would have revealed:
- a. In 2009 – Criminal conviction for DUI
 - b. In 2009 – Civil case filed against Amy
 - c. March 10, 2010 – Civil Judgment Against
 - d. May 10, 2011 – Bankruptcy filing
 - e. June 1, 2017 – Criminal Charge DC-17-3779 – Attempted Fraudulently Obtaining Dangerous Drugs
 - f. June 9, 2017 – Criminal Charge – Criminal Contempt
 - g. June 28, 2019 – Bankruptcy filing
43. Butte Central¹ did neither a proper background check nor verification of the Kadrmas' fitness for residency on the Butte Central High School campus; or, if they did conduct a background check, they negligently evaluated the Kadrmas' fitness for residency on the Butte Central High School campus that provided ready access to minor children.
44. Butte Central gave unfettered access to Brad and Amy on the Butte Central campus with ready access to students and the vulnerable minor children targets.

¹ Butte Central is referring to the Employer, and its corporate administration, owners, and responsible corporate entities.

45. Butte Central Schools knowingly permitted Butte Central to house the known or knowable predators on the Butte Central campus without providing for the safety and security of the campus and/or students.
46. Montana Catholic Conference and the Roman Catholic Diocese of Helena knowingly permitted Butte Central to house the known or knowable predators on the Butte Central campus without providing for the safety and security of the campus and/or students, and they failed to oversee and provide the proper corporate management of Butte Central Schools. More specifically, Montana Catholic Conference and the Roman Catholic Diocese of Helena permitted the Butte Central campus to be used as an on-campus housing option without providing the proper policies, controls, or safety regulations.

Butte Central High School houses the predators on the school campus.

47. The Kadrmases were allowed to occupy a dormitory within the Butte Central High School campus despite both having a criminal history and historical conduct demonstrating a foreseeability of student/minor child abuse risks.
48. The Kadrmases were allowed to occupy a dormitory within the Butte Central High School campus despite a criminal history involving abuse of alcohol, and Brad's negligent endangerment criminal history.
49. The Kadrmases were allowed to occupy a dormitory within the Butte Central High School campus despite a criminal history involving Amy's history of abuse of alcohol and dangerous drugs, and Amy's criminal history.
50. No student safety restrictions were instituted by Butte Central High, or its corporate administration, for non-educator residency on the school campus.
51. The Defendants, individually and in concert, abdicated their duty to provide a safe

environment for students and minor children by, including but not limited to, not addressing by policy or procedure or in actuality:

- a. ensuring separation of students and non-students,
- b. preventing access by non-educators to the student body,
- c. providing segregation of students from non-educators,
- d. restricting access to non-educator residents by students,
- e. restricting access to non-educational premises by students,
- f. restricting access to non-education premises after school hours,
- g. prohibiting illegal substances to be held on campus,
- h. prohibiting the provision of cigarettes to minor students on campus by Butte Central High approved and permitted residents,
- i. prohibiting the provision of alcohol to minor students on campus by Butte Central High approved and permitted residents,
- j. prohibiting the provision of marijuana to minor students on campus by Butte Central High approved and permitted residents,
- k. prohibiting the provision of narcotics to minor students on campus by Butte Central High approved and permitted residents,
- l. prohibiting sexual misconduct by a tutor-teacher with a minor student,
- m. prohibiting sexual relationship(s) by a tutor-teacher with a minor student,
- n. prohibiting sexual misconduct by a Butte Central High approved and permitted adult resident with a minor student(s), and/or
- o. prohibiting sexual relationship(s) a Butte Central High approved and permitted adult resident with a minor student(s).

52. By action, inaction, negligence or gross negligence, Butte Central High School, and its corporate administration, were negligent by allowing, permitting, or failing to detect, including but not limited to, incidents of:

- a. non-students interacting with students on campus for the purpose of engaging in illegal activities,
- b. providing access by non-educators to the student body during school hours,
- c. providing access by non-educators to the student body after school hours on school campus,
- d. providing non-educator residents of Butte Central High School access to minor students,
- e. providing unrestricted access to non-educational Butte Central High School premises by students,
- f. providing unrestricted access to non-education Butte Central High School premises after school hours,
- g. allowing the possession of illegal substances to be held on campus by Butte Central High School approved and permitted non-educator residents,
- h. allowing the possession of illegal substances to be held on campus by Butte Central High School employees,
- i. allowing the provision of cigarettes to minor students on campus by Butte Central High School approved and permitted non-educator residents,
- j. allowing the provision of cigarettes to minor students on campus by Butte Central High School employees,
- k. allowing the provision of alcohol to minor students on campus by Butte Central

High School approved and permitted non-educator residents,

- l. allowing the provision of alcohol to minor students on campus by Butte Central High School employees,
 - m. allowing the provision of marijuana to minor students on campus by Butte Central High School approved and permitted non-educator residents,
 - n. allowing the provision of marijuana to minor students on campus by Butte Central High School employees,
 - o. allowing the provision of narcotics to minor students on campus by Butte Central High School approved and permitted non-educator residents,
 - p. allowing sexual misconduct and inappropriate sexual contact by a teacher-tutor with a minor student,
 - q. allowing a sexual relationship(s) by a teacher-tutor with a minor student,
 - r. allowing sexual misconduct by a Butte Central High School approved and permitted adult resident with a minor student(s), and/or
 - s. allowing sexual relationship(s) a Butte Central High School approved and permitted adult resident with a minor student(s).
53. Access to the Kadrmas' dormitory residence is via a hallway and stairway at Butte Central High School that is reportedly under video surveillance by Butte Central High School.
54. Butte Central High School knew, or should have known, of the minor student access to the adults in the Butte Central High School approved and permitted residence during school hours.
55. Butte Central High School knew, or should have known, of the minor student access to the adults in the Butte Central High School approved and permitted residence after school hours.

Butte Central Schools permitted Butte Central HS to subject minor children to the predators

56. The dorms are owned by Roman Catholic Bishop of Helena and administered by Butte Central Catholic Schools and used, with the owner's permission and approval, by Butte Central High School.
57. Roman Catholic Bishop of Helena and Butte Central Schools permitted Butte Central High School to make a decision which allowed the Kadrmases to reside on campus without reasonable protections or a reasonable inquiry into the propriety of such an arrangement.
58. As temporary guardians of minor children while at school, Butte Central Schools had a duty to promulgate, administer and maintain policies and procedures that placed the safety of minor school children above fiscal considerations, school administration, or personal actions by the school administrators.
59. As temporary guardians of minor children while at school, Butte Central High School had a duty to promulgate, administer and maintain policies and procedures that placed the safety of minor school children above fiscal considerations, school administration, or personal actions by the school administrators.
60. As temporary guardians of minor children while at school, Butte Central Schools had a duty to properly oversee, supervise and review the actions of Butte Central High School, including but not limited to the placing of teachers and families in the school campus dormitories.
61. As temporary guardians of minor children while at school, Butte Central High School had a duty to properly oversee, supervise and review the actions of its administrators and teachers, including but not limited to the decision to permit the residency of the Kadrmases in the school campus dormitories.

Butte Central High School dormitory Brad occupied. During the evening, Brad offered alcohol to RLS, a minor child, in exchange for a monetary payment of \$3.00. RLS made the monetary payment; Brad provided the alcohol.

- e. Later in November 2019, Brad and Amy were in their dormitory at Butte Central facility when they provided marijuana to Minor Male Child #1. The use of marijuana by Brad and Amy was not authorized by medical providers, nor was the use by anyone else authorized by medical providers. Brad engaged in the smoking of marijuana with the minor child, and he provided the minor child access to the marijuana in his residence.
- f. In November 2019, RLS, Minor Female Child #4 and Minor Female Child #5 were in the Kadrmas residence in the Butte Central High School dormitory wherein RLS, Minor Female Child #4 and Minor Female Child #5 were provided alcohol by Amy.
- g. In mid to late November 2019, Amy provided marijuana to RLS, Minor Female Child #4 and Minor Female Child #5 while at the Kadrmas occupied residence on the Butte Central High School campus.
- h. In mid-November 2019, Minor Male Child #1 was in the Kadrmas residence at the Butte Central dormitory wherein Minor Male Child #1 was provided marijuana by Amy.
- i. In November 2019, Minor Male Child #1 and RLS were in the Kadrmas residence at the Butte Central Dormitory facility when Minor Male Child #1 and RLS were given marijuana. Both Brad and Amy were present; both

Brad and Amy participated in the smoking of marijuana with Minor Male Child #1 and RLS.

- j. In December 2019, Brad oversaw RLS after RLS was placed in detention for school discipline. Butte Central High School failed to protect RLS from Brad's intimidation and harassment, as RLS' conduct resulted in a criminal investigation of Amy. Brad attempted to intimidate RLS into keeping secret the interactions with Brad and RLS, and other minor children, wherein Brad supplied cigarettes, alcohol and marijuana to minors while on Butte Central's campus.

65. The grade exchange scheme was a *quid pro quo* exchange that capitalized on Brad's supervisory status (as an adult and a teacher) over Minor Female Child #2, Minor Female Child #3, RLS and other students.
66. The *quid pro quo* exchange was made possible by the inaction of Butte Central High School in reacting to other teachers' reports of poor performance by students who were getting unreasonably high grades from Brad.
67. The school and its administration failed to exercise proper supervisory control over Brad and allowed him unfettered access to a minor child accuser during the pendency of a known criminal investigation involving him and his wife, Amy.
68. The school and its administration failed to exercise proper supervisory control over its facilities and allowed Brad's wife, Amy, access to the school and students after she became the subject of a criminal investigation related to her provision of cigarettes, alcohol, and marijuana to minor children while on the Butte Central campus.
69. In December 2019, Amy went onto the Butte Central High School property after she has

become the subject of a criminal investigation premised upon minor children's accusations of criminal behavior.

70. Amy was permitted access to the school, to the students, and to Brad's classroom, both prior to, but also, significantly, after the initiation of the criminal investigation involving the illegal interactions with minor students.
71. In December 2019, after the initiation of the criminal investigation of the Kadrmas family's activity by Butte Silver Bow County law enforcement, Butte Central High School Principal J.P. Williams and Brad were in attendance at the Butte Central – Butte High basketball game.
72. Despite the pending criminal charges, despite the detrimental harm inflicted upon RLS and other minor children by the Kadrmas' activity, and despite the extreme emotional distress caused by the public interaction, Williams figuratively embraced Kadrmas in a means and manner that brought severe emotional distress to RLS and the other minor children victims of the Kadrmas' criminal activity.

V.

Claims and Causes of Action

COUNT 1

NEGLIGENCE – NEGLIGENT HIRING BY BUTTE CENTRAL HIGH SCHOOL

73. Plaintiffs herein reallege paragraphs 1 through 72 above as though fully set forth herein.
74. Every employer owes a common law duty to exercise due care in the employment of employees.
75. Schools, particularly, must take reasonable care in hiring and supervising teachers and this duty necessarily includes the conduct of background checks and reference checks prior to employment.
76. When Butte Central High School hired Brad, it had a duty to its students to ensure that hiring

Brad would still allow the school to keep the students safe and free from harm.

77. Butte Central High School breached that duty by failing to conduct a proper background check, or if it did conduct a background check, it failed to discover or properly interpret Brad's background prior to hire.
78. Butte Central High School's breach has caused damage and injury to Plaintiffs.

COUNT 2

NEGLIGENCE – FAILURE TO SUPERVISE BY BUTTE CENTRAL HIGH SCHOOL

79. Plaintiffs herein reallege paragraphs 1 through 78 above as though fully set forth herein.
80. Butte Central High School had a duty to its students to supervise the activities of Brad, its employee, to make sure his interactions with students were appropriate and his conduct in align with school policies and procedures.
81. Butte Central High School breached its duty to supervise Brand and keep its students safe when it failed to supervise the activities of Brad while performing grading, tutoring, and teaching activities.
82. Specifically, the school failed to supervise Brad on the occasions identified in paragraph 64 a–j, *supra*.
83. Butte Central High School's breach of its duty to supervise Brad and protect its students has a causal link to the harm suffered by the minor children and Plaintiffs.
84. Had the school properly supervised Brad while working and living on school property, it would have been able to prevent the students that were given alcohol, cigarettes, and drugs.
85. Due to Butte Central High School's breach of its duty to protect its students, RLS and Does #1-5 have suffered damages.

COUNT 3

NEGLIGENCE – FAILURE TO SUPERVISE BY BUTTE CENTRAL SCHOOLS

86. Plaintiffs herein reallege paragraphs 1 through 85 above as though fully set forth herein.
87. Butte Central Schools has a duty to the students in its school district provide a safe educational environment by supervising the administration of each school within its organization.
88. Butte Central Schools oversees three schools, including Butte Central High School.
89. Butte Central Schools breached its duty to the Plaintiffs by allowing Butte Central High School to provide hire an unqualified and/or inappropriate teacher, Brad.
90. Butte Central Schools breached its duty to Plaintiffs by allowing Butte Central High School to provide housing to a teacher without properly supervising the teacher's activities while on the school campus and/or interacting with minor children.
91. The failure of Butte Central Schools to supervise decisions made by, and the actions taken and/or condoned by, Butte Central High School created an environment where a teacher, Brad, had free reign to provide alcohol, cigarettes, and drugs to students while on campus.
92. Due to Butte Central Schools' breach of its duty to protect its students, RLS and Does #1-5 have suffered damages and injuries.

COUNT 4

NEGLIGENCE – FAILURE TO SUPERVISE BY BUTTE CENTRAL SCHOOLS

93. Plaintiffs herein reallege paragraphs 1 through 92 above as though fully set forth herein.
94. Butte Central Schools has a duty to the students in its school district provide a safe educational environment by supervising the administration of each school within its organization.
95. Butte Central Schools oversees three schools, including Butte Central High School.
96. Butte Central Schools breached its duty to the Plaintiffs by allowing Butte Central High School to provide housing to a teacher, Brad, and his wife, Amy, who was subsequently charged with criminal conduct committed on the Butte Central High School campus.
97. Butte Central Schools breached its duty to Plaintiffs by allowing Butte Central High School to

provide housing to a teacher and his wife without properly supervising the residents' activities, including Amy, while on the school campus and/or interacting with minor children.

98. The failure of Butte Central Schools to supervise decisions made by, and the actions taken and/or condoned by, Butte Central High School created an environment where a teacher's wife, Amy, had free reign to provide alcohol, cigarettes, and drugs to students while on campus.
99. Due to Butte Central Schools' breach of its duty to protect its students, RLS and Does #1-5 have suffered damages.

COUNT 5

NEGLIGENCE – FAILURE TO SUPERVISE BY MONTANA CATHOLIC CONFERENCE

100. Plaintiffs herein reallege paragraphs 1 through 99 above as though fully set forth herein.
101. Montana Catholic Conference is responsible for supervising the Catholic school districts in Montana.
102. Montana Catholic Conference has a duty to supervise the school administrators and schools to protect the students attending Catholic schools in Montana.
103. Montana Catholic Conference breached its duty to supervise the school administrators and the schools by by allowing Butte Central High School to provide housing to a teacher without properly supervising the teacher's activities.
104. The failure of Montana Catholic Conference to supervise decisions made by Butte Central High School created an environment where a teacher, Brad, had free reign to provide alcohol, cigarettes, and drugs to students while on campus.
105. The failure of Montana Catholic Conference to supervise decisions made by Butte Central High School created an environment where a teacher's wife and resident on school property, Amy, had free reign to provide alcohol, cigarettes, and drugs to students while on campus.
106. Due to Butte Central Schools' breach of its duty to protect its students, RLS and Does #1-5 have

suffered damages.

COUNT 6
NEGLIGENCE – FAILURE TO SUPERVISE BY DIOCESE

107. Plaintiffs herein reallege paragraphs 1 through 106 above as though fully set forth herein.
108. Roman Catholic Diocese of Helena has the ultimate authority over all Catholic schools and school districts in Montana.
109. The Diocese has a duty to supervise the school administrators and schools in order to protect the students attending Catholic schools in Montana.
110. The Diocese breached its duty to supervise the school administrators and schools by allowing Butte Central High School to provide housing to a teacher without properly supervising the teacher's activities.
111. The failure of the Diocese to supervise decisions made by Butte Central High School created an environment where a teacher, Brad, had free reign to provide alcohol, cigarettes, and drugs to students while on campus.
112. The failure of the Diocese to supervise decisions made by Butte Central High School created an environment where a teacher's wife, Amy, had free reign to provide alcohol, cigarettes, and drugs to students while on campus.
113. Due to the diocese's breach of its duty to protect its students, RLS and Does #1-5 have suffered damages.

COUNT 7
NEGLIGENCE – FAILURE TO PROTECT STUDENTS BY BUTTE CENTRAL HIGH SCHOOL

114. Plaintiffs herein reallege paragraphs 1 through 113 above as though fully set forth herein.

115. As a matter of law, the School had a duty to use ordinary care in maintaining the school in a reasonably safe condition for students.
116. In permitting non-educator access to students, Butte Central High School breached the duty of care.
117. In failing to prevent educator sexual contact with minor students, Butte Central High School breached the duty of care.
118. In failing to keep students from the non-educational premises of the dormitory, Butte Central High School breached the duty of care.
119. Due to the School's breach of its duty to protect its students, RLS and Does #1-5 have suffered damages.

COUNT 8

NEGLIGENCE – FAILURE TO PROTECT STUDENTS BY BUTTE CENTRAL SCHOOLS

120. Plaintiffs herein reallege paragraphs 1 through 119 above as though fully set forth herein.
121. The possessor of a premises has a duty to maintaining the premises in a reasonably safe condition and to warn of any dangers.
122. Butte Central Schools is the possessor of the premises where Amy Kadrmias was permitted to access students.
123. Butte Central Schools is the possessor of the premises where the Kadrmases were permitted to live in 2018.
124. In permitting non-educator access to students, Butte Central High School breached the duty of care.
125. In failing to prevent educator sexual contact with minor students, Butte Central High School breached the duty of care.
126. In failing to keep students from the non-educational premises of the dormitory, Butte Central

High School breached the duty of care.

127. Due to the School's breach of its duty to protect its students, RLS and Does #1-5 have suffered damages.

COUNT 9

NEGLIGENCE – FAILURE TO SUPERVISE BY MONTANA CATHOLIC CONFERENCE

128. Plaintiffs herein reallege paragraphs 1 through 127 above as though fully set forth herein.

129. As a matter of law, Montana Catholic Conference had a duty to ensure that the schools under its administration were maintained in a reasonably safe condition for students.

130. In not preventing, or causing Butte Central High School to prevent, non-educator access to students, Montana Catholic Conference breached the duty of care.

131. In not preventing, or causing Butte Central High School to prevent, educator sexual contact with minor students, Montana Catholic Conference breached the duty of care.

132. In not preventing, or causing Butte Central High School to prevent, students from the non-educational premises of the dormitory, Montana Catholic Conference breached the duty of care.

133. Due to the Conference's breach of its duty to protect its students, RLS and Does #1-5 have suffered damages.

COUNT 10

NEGLIGENCE – FAILURE TO PROTECT STUDENTS BY ROMAN CATHOLIC DIOCESE OF HELENA

134. Plaintiff herein realleges paragraphs 1 through 133 above as though fully set forth herein.

135. As a matter of law, Catholic Diocese had a duty to ensure that the schools under its administration were maintained in a reasonably safe condition for students.

136. In not preventing, or causing Butte Central High School to prevent, non-educator access to students, Catholic Diocese breached the duty of care.

137. In not preventing, or causing Butte Central High School to prevent, educator sexual contact with

minor students, Catholic Diocese breached the duty of care.

138. In not preventing, or causing Butte Central High School to prevent, students from the non-educational premises of the dormitory, Catholic Diocese breached the duty of care.

139. Due to the Diocese's breach of its duty to protect its students, RLS and Does #1-5 have suffered damages.

COUNT 11

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS BY ALL DEFENDANTS

140. Plaintiffs herein reallege paragraphs 1 through 139 above as though fully set forth herein.

141. Defendants acts and/or omissions were negligent acts.

142. Defendants acts and/or omissions were significant enough to make reasonably foreseeable the emotional distress caused by this conduct.

143. As a direct result of Defendants' conduct, RLS has suffered serious or severe emotional distress manifesting itself by, among other things, suicide attempts, self-inflicted cutting wounds, depression, and severe anxiety.

VI.

Exemplary Damages

144. Plaintiff herein realleges paragraphs 1 through 143 above as though fully set forth herein.

145. Defendants, individually, in concert, or in combination, have acted with actual malice and/or actual fraud in breaching their duties to students and parents, entitling the Plaintiffs to punitive damages under M.C.A. § 27-1-220.

Prayer for Relief

WHEREFORE, Plaintiffs pray for relief as follows:

1. An award of the economic damages incurred as a result of the negligence of Butte Central High School;

2. An award of the economic damages incurred as a result of the negligence of Butte Central Schools;
3. An award of the economic damages incurred as a result of the negligence of Montana Catholic Conference;
4. An award of the economic damages incurred as a result of the negligence of Catholic Diocese of Montana;
5. An award of the special damages incurred as a result of the negligence of Butte Central High School;
6. An award of the special damages incurred as a result of the negligence of Butte Central Schools;
7. An award of the special damages incurred as a result of the negligence of Montana Catholic Conference;
8. An award of the special damages incurred as a result of the negligence of Catholic Diocese of Montana;
9. An award of past emotional distress damages;
10. An award of future emotional distress damages;
11. An award of past medical expenses;
12. An award of future medical expenses;
13. An award of costs and attorney's fees;
14. An award of punitive damages; and
15. For any other relief the Court deems just under the circumstances.

DATED this 27th day of July, 2020.



LAWRENCE E. HENKE
Attorney for the Plaintiff

DEMAND FOR JURY TRIAL

COMES NOW the Plaintiffs, by and through their counsel, and hereby demand a jury trial.

DATED this 27th day of July, 2020.



LAWRENCE E. HENKE
Attorney for the Plaintiff

VERIFICATION

STATE OF MT)

County of Silver Bow)

:ss

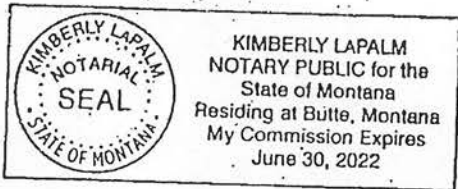
The undersigned, being first duly sworn upon her oath, deposes and says:

That I have read the foregoing COMPLAINT AND DEMAND FOR JURY TRIAL and hereby verify that the facts and information contained therein is true and correct to the best of my knowledge and belief.

DATED this 22 day of July, 2020.

By Heather Stenson
Heather Stenson

Subscribed and sworn to before me this 22 day of July, 2020.



Kimberly LaPalm
Notary Public for the State of MT
Printed Name: Kimberly LaPalm
Residing at: Butte
My Commission Expires: 06/30/2022