

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

JOHN DOE #19,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
vs.	)	
	)	Case No. 2015 L 8244
UNITED CONTINENTAL HOLDINGS, INC.,	)	
successor in interest to UAL CORPORATION,	)	Consolidated with:
UNITED AIRLINES, INC., successor in	)	2014 L 3946, 2014 L 6979,
interest to UNITED AIRLINES, INC.,	)	2014 L 6981, 2014 L 6984,
UNITED AIRLINES FOUNDATION,	)	2014 L 6986, 2014 L 6987,
I HAVE A DREAM	)	2014 L 6989, 2014 L 6990,
FOUNDATION-CHICAGO, Inc.,	)	2014 L 6991, 2014 L 6993,
I HAVE A DREAM FOUNDATION-CHICAGO,	)	2014 L 6994, 2014 L 6995,
and the BOARD OF EDUCATION OF THE CITY	)	2014 L 6997, 2014 L 6998,
OF CHICAGO,	)	2014 L 8336, 2014 L 8335,
	)	14 L 12138, 2105 L 3701
<i>Defendants.</i>	)	

**FIRST AMENDED COMPLAINT AT LAW**

**Parties**

1. That prior to 2002, UAL CORPORATION and UNITED AIRLINES, INC., were corporations doing business in Illinois as commercial airline carriers.
2. That prior to 2002, UNITED AIRLINES FOUNDATION was an entity doing business in Illinois as the charitable arm of UAL CORPORATION, UNITED AIRLINES, INC. and certain other corporate affiliates.
3. That on December 9, 2002, UAL CORPORATION, INC., UNITED AIRLINES, INC. and certain other corporate affiliates each filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, and that the bankruptcy cases were jointly administered as Case No. 02 B 48191 and assigned to Judge Eugene R. Wedoff of the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.
4. That, in 2009, the Bankruptcy Court entered a final decree and closed the bankruptcy cases.
5. That subsequent to the closing of the aforementioned bankruptcy cases, UNITED CONTINENTAL HOLDINGS, INC. emerged as the successor in interest to UAL CORPORATION, INC., and UNITED AIRLINES, INC. emerged as the successor in interest to UNITED AIRLINES, INC. (these Defendants and the UNITED AIRLINES FOUNDATION are collectively referred to throughout as "UNITED AIRLINES").

6. That prior to the filing of this lawsuit, the Plaintiff brought a motion to reopen the bankruptcy cases before Judge Wedoff asking for leave to file a cause of action in state court against the successors at interest to the corporate entities that existed prior to the 2002 bankruptcy filing to the extent of any insurance coverage available for the acts alleged herein.
7. That on March 19, 2014, Judge Wedoff denied plaintiff's motion as unnecessary, holding that the Plaintiff was permitted to file a lawsuit in state court against the reorganized United entities to the limit of any insurance coverage that was available to their predecessors in interest for the acts alleged herein; furthermore, that no automatic stay was in place as the bankruptcy cases were closed in 2009.
8. That on or about the year 1987 until February of 1996, I HAVE A DREAM FOUNDATION - CHICAGO, Inc. ("IHADC, Inc.") was incorporated under the laws of the state of Illinois and doing business in Illinois.
9. That on or about the year 1996, IHADC, Inc. allowed its corporate status to lapse but continued to engage in the same or substantially similar business activity under the name "I HAVE A DREAM FOUNDATION - CHICAGO" as an unincorporated entity ("IHADC").
10. That at all times relevant to this cause of action, the Board of Education of the City of Chicago ("CBE") was a government entity doing business in the County of Cook, City of Chicago and State of Illinois.
11. That at all times relevant to this cause of action, the CBE operated, managed, and/or controlled a public school, James Weldon Johnson Elementary School ("JWJE"), in the North Lawndale community of the City of Chicago, County of Cook and the State of Illinois.
12. That at all times relevant to this cause of action, the Plaintiff was a minor and resident of the City of Chicago, County of Cook and the State of Illinois.
13. That simultaneously with the filing of his original complaint, Plaintiff filed a motion to proceed under a fictitious name. This Court granted Plaintiff's motion. (Order attached and incorporated as Exhibit A.)

#### **General Factual Allegations**

14. That at all times relevant to this cause of action, UNITED AIRLINES employed Eileen Sweeney ("Sweeney"), whose conduct alleged herein was done in the scope of her employment with, and as an agent of, UNITED AIRLINES.

15. That at all times relevant to this cause of action, the CBE employed Mattie Tyson (“Tyson”) as the principal of JWJE, whose conduct alleged herein was done in the scope of her employment with, and as the agent of, the CBE.
16. That on or about the year 1995, UNITED AIRLINES started the United Airlines Believers Program at JWJE, a program wherein UNITED AIRLINES contractually agreed to provide the student participants (“*Believers*”) with college scholarships and academic mentoring in exchange for the Believers’ participation in various activities, including afterschool mentoring.
17. That at all times relevant to this cause of action, UNITED AIRLINES created, operated, managed, and controlled the United Airlines Believers Program.
18. That on or about the year 1995 through approximately February of 1996, IHADC, Inc. assisted UNITED AIRLINES in the creation, operation, management, and control of the United Airlines Believers Program.
19. That on or about the early months of 1996, and thereafter at all times relevant to this cause of action, IHADC assisted UNITED AIRLINES in the operation, management, and control of the United Airlines Believers Program.
20. That at all times relevant to this cause of action, the CBE assisted UNITED AIRLINES in the creation, operation, management, and control of the United Airlines Believers Program.
21. That Tyson and Sweeney worked together closely and frequently in the creation, operation, management and control of the United Airlines Believers Program.
22. That Tyson worked closely and frequently with both IHADC, Inc. and IHADC in the creation, operation, management and control of the United Airlines Believers Program.
23. That on or about the year 1995 and, thereafter at all times relevant to this cause of action, Marvin Lovett (“Lovett”) was hired as the Project Coordinator (“PC”) of the United Airlines Believers Program, a role that required frequent interaction with the Believers.
24. That at all times relevant to this cause of action, United Airlines supervised Lovett in his role as PC of the United Airlines Believers Program
25. That until on or about the early months of 1996, IHADC, Inc. assisted United Airlines in the supervision of Lovett in his role as PC of the United Airlines Believers Program.
26. That beginning on or about February of 1996, IHADC assisted United Airlines in the supervision of Lovett in his role as PC of the United Airlines Believers Program.

27. That at all times relevant to this cause of action, the CBE assisted United Airlines in the supervision of Lovett in his role as PC of the United Airlines Believers Program.
28. That, prior to Lovett's appointment to the position of PC, Tyson recommended and/or endorsed Lovett for this role to UNITED AIRLINES.
29. That, prior to Lovett's appointment to the position of PC, Tyson recommended and/or endorsed Lovett for this role to IHADC, Inc.
30. That, prior to Lovett's appointment to the position of PC, Tyson recommended and/or endorsed Lovett for this role to IHADC.
31. That, prior to Lovett's appointment to the position of PC, IHADC, Inc. recommended and/or endorsed Lovett for the role of PC to UNITED AIRLINES.
32. That, prior to Lovett's appointment to the position of PC, IHADC recommended and/or endorsed Lovett for the role of PC to UNITED AIRLINES.
33. That sometime prior to recommending and/or endorsing Lovett for the position of PC, Tyson was advised by the principal of another Chicago public school that Lovett was previously dismissed from volunteering and/or performing work at her school after she received reports of Lovett engaging in sexually inappropriate behavior towards young males in the community.
34. That, during the course of the United Airlines Believers Program, a CBE employee, who was aware of Lovett's role in the Believers Program, overheard male students discuss being sexually abused by Lovett, and that said CBE employee took no action with respect to this information.
35. That, during the course of the United Airlines Believers Program, Tyson was aware that Lovett was taking male students to his apartment, making them pull their pants down and spanking them.
36. That, during the course of the United Airlines Believers Program, the CBE, through its agents and employees, including Tyson, was aware that Lovett had young males in his apartment.
37. That, during the course of the United Airlines Believers Program, Tyson was aware that Lovett possessed keys to JWJE.
38. That, during the course of the United Airlines Believers Program, Tyson was advised that Lovett was observed inside JWJE in the evening alone with young male students.

39. That, during the course of the United Airlines Believers Program, Sweeney received complaints regarding Lovett's interactions with the Believers.
40. That, during the course of the United Airlines Believers Program, Sweeney received a complaint from an Americorps volunteer that Lovett bragged to him about taking a young male student into a bathroom at JWJE and physically punishing him.
41. That, during the course of the United Airlines Believers Program, IHADC, Inc. and/or IHADC received a complaint from an Americorp volunteer that Lovett bragged to him about taking a young male student into a bathroom at JWJE and physically punishing him.
42. That in April of 2000, Lovett was shot and killed.
43. That during the investigation of Lovett's death, the police found videotapes of Lovett engaged in sexual acts with male minors, including Believers.
44. That at all times relevant to this cause of action, the Plaintiff was a participant in the United Airlines Believers Program.
45. That during the Plaintiff's participation in the United Airlines Believers Program, he was sexually abused by Lovett on numerous occasions on or about the years 1995 through 2000, including before, during and after required United Airlines Believers Program activities.
46. That Lovett used his authority as the Project Coordinator for the United Airlines Believers Program, including his perceived control over the allocation of scholarships, to coerce, manipulate and intimidate the Plaintiff to participate in, and remain silent about, the sexual abuse.

**COUNT I**  
**NEGLIGENCE: UNITED AIRLINES**

NOW COMES the Plaintiff, JOHN DOE #19, ("*Plaintiff*"), by and through his attorneys, THE LAW OFFICE OF LYND SAY A. MARKLEY, LTD., and alleges as follows against UNITED AIRLINES:

1. – 33. That herein Plaintiff readopts and realleges paragraphs (14) – (46) of the General Factual Allegations as paragraphs (1)-(33) of Count I.
34. That at all times relevant to this cause of action, UNITED AIRLINES had a duty to act as a reasonably careful corporation in its creation, operation, management and control of children's programming, specifically, the United Airlines Believers Program, including the hiring,

empowering, appointing, endorsing, approving and/or supervising of a Project Coordinator, a role that required frequent interaction with young children and minors.

35. That, despite this duty, UNITED AIRLINES was negligent in one or more of the following ways:

- (a) Hired a PC who was not qualified for the position;
- (b) Failed to properly screen Lovett for the position of PC, including, failing to conduct any or an effective background check, or contacting job and character references;
- (c) Failed to properly supervise Lovett in his role as PC of the United Airlines Believers Program;
- (d) Allowed Lovett to engage in or failed to prevent him from engaging in unsupervised and/or inadequately supervised interactions with Believers, including interactions at his home;
- (e) Allowed Lovett to engage in or took no action to prevent Lovett from engaging in corporal punishment of children;
- (f) Failed to remove Lovett from his role of PC when various complaints indicated that he was unfit for this role;
- (g) Failed to report allegations of Lovett's use of corporal punishment on children to the proper authorities;
- (h) Allowed Lovett or failed to prevent Lovett from being the only adult present with Believers on school grounds after hours, including at night and on weekends;
- (i) Failed to provide Believers with a direct line of communication to adults other than Lovett and inform them of the same;
- (j) Failed to educate and inform the Believers of Lovett's powers and limitations as the PC, including whether or not he had the discretion to terminate them from the program or if he had control over the allocation of scholarships;
- (k) Allowed Lovett to terminate Believers from the United Airlines Believers Program without conducting its own investigation into the manner or reason for the termination;
- (l) Failed to educate and/or train adults working with the program, including its own employees, with respect to the urgency and necessity of reporting and responding to allegations of abuse or inappropriate conduct towards a minor;
- (m) Failed to educate and/or train all personnel working with Believers on how to identify the behavioral indicators of sexual abuse in children and identify inappropriate behavior by an adult towards a minor, including "grooming behavior";
- (n) Failed to have in place, educate on, and enforce policies and procedures to monitor, oversee, limit and control Lovett's interactions with the Believers;
- (o) Failed to respond and/or investigate or effectively respond and/or investigate complaints about Lovett's interactions with the Believers;
- (p) Failed to monitor or effectively monitor the Believers for behavioral indicators of sexual abuse;

- (q) Allowed Lovett perceived unchecked authority in the allocation of scholarships, discipline and termination of Believers from the United Airlines Believers Program;
- (r) Allowed Sweeney to operate, manage and control the United Airlines Believers Program, including hiring, appointing, empowering, approving and supervising Lovett, despite her lack of training, education and experience in children's programming;
- (s) Failed to establish quality assurance protocols and procedures for monitoring and oversight of the program;
- (t) Failed to establish clear roles and responsibilities with its community partners in the creation, operation, management, and control of the United Airlines Believers Program creating an increased risk of sexual exploitation to the Believers;
- (u) Failed to establish clear roles and responsibilities with its community partners regarding the sharing and reporting of information important to the protection of children,;
- (v) Hired, endorsed, recommended or approved Lovett and/or allowed Lovett to remain PC when it knew or should have known of the allegations made to Tyson regarding Lovett's conduct towards young males in the community that resulted in his dismissal from a different Chicago school and Lovett's corporal punishment of students of JWJE at his home after making them take down their pants; and
- (w) Was otherwise careless and negligent in the creation, operation, management and control of children's programming.

36. That as a proximate result of the aforementioned negligent conduct by UNITED AIRLINES, the Plaintiff was sexually abused by Lovett which caused him great physical harm, severe emotional distress, pain and suffering and the loss of a normal life.

WHEREFORE, Plaintiff, JOHN DOE #19, by and through his attorney, The Law Office of Lyndsay A. Markley, Ltd., asks for a judgment against UNITED AIRLINES in an amount in excess of \$50,000.00, plus costs, reasonable attorney's fees, interest and any and all other relief that this Court deems equitable and just.

**COUNT II**  
**NEGLIGENCE: I HAVE A DREAM FOUNDATION – CHICAGO, INC.**

NOW COMES the Plaintiff, JOHN DOE #19, by and through his attorney, THE LAW OFFICE OF LYND SAY A. MARKLEY, LTD., and alleges as follows against IHADC, Inc.

1. – 33. That herein Plaintiff readopts and realleges paragraphs (14) – (46) of the General Factual Allegations as paragraphs (1)-(33) of Count II.

34. That at all times relevant to this cause of action, IHADC, Inc. had a duty to act as a reasonably careful corporation in the creation, operation, management and control of children's programming, specifically, the United Airlines Believers Program, including the hiring,

empowering, appointing, endorsing, approving and/or supervising of a Project Coordinator, a role that required frequent interaction with young children and minors.

35. That, despite this duty, IHADC, Inc. was negligent in one or more of the following ways:

- (a) Assisted UNITED AIRLINES in the hiring of a PC, Lovett, that did not conform to its own objective criteria for this role and/or was otherwise unqualified for this role;
- (b) Failed to properly supervise, or to provide assistance to United Airlines in their supervision, of Lovett in his role as PC;
- (c) Failed to properly screen Lovett for the position of PC, including, failing to conduct any or an effective background check, or contacting job and character references;
- (d) Allowed Lovett to engage in or failed to prevent him from engaging in unsupervised and/or inadequately supervised interactions with Believers, including interactions at his home;
- (e) Allowed Lovett to engage in or took no action to prevent Lovett from engaging in corporal punishment of children;
- (f) Failed to remove Lovett from his role of PC in response to complaints, including that Lovett used corporal punishment on a young boy at JWJE.
- (g) Failed to report allegations of Lovett's use of corporal punishment on children to the proper authorities;
- (h) Allowed Lovett or failed to prevent Lovett from being the only adult present with Believers on school grounds after hours, including at night and on weekends;
- (i) Failed to provide Believers with a direct line of communication to adults other than Lovett and inform them of the same;
- (j) Failed to educate and inform the Believers of Lovett's powers and limitations as the PC, including whether or not he had the discretion to terminate them from the program or if he had control over the allocation of scholarships;
- (k) Allowed Lovett to terminate Believers from the United Airlines Believers Program without conducting its own investigation into the manner or reason for the termination;
- (l) Failed to educate and/or train adults working with the program, including its own employees, with respect to the urgency and necessity of reporting and responding to allegations of abuse or inappropriate conduct towards a minor;
- (m) Failed to educate and/or train its employees, mentors, and volunteers who worked with the United Airlines Believers Program, how to identify sexual abuse or inappropriate behavior by an adult towards a minor, including "grooming behavior" such as purchasing male Believers clothing and shoes or giving them cash and how to report and respond to the same;
- (n) Failed to have in place, educate and enforce policies and procedures to monitor, oversee, limit and control Lovett's interactions with the Believers;
- (o) Failed to respond and/or investigate or effectively respond and/or investigate complaints about Lovett's interactions with the Believers;
- (p) Failed to monitor or effectively monitor the Believers for behavioral indicators of sexual abuse;

- (q) Allowed Lovett perceived unchecked authority in the allocation of scholarships, discipline and termination of Believers from the United Airlines Believers Program;
- (r) Failed to establish quality assurance protocols and procedures for monitoring and oversight of the program;
- (s) Failed to establish clear roles and responsibilities with its community partners in the creation, operation, management, and control of the United Airlines Believers Program creating an increased risk of sexual exploitation to the Believers;
- (t) Failed to establish clear roles and responsibilities with its community partners, including UNITED AIRLINES, regarding the sharing and reporting of information and allegations of any inappropriate or disconcerting behavior done by any adult affiliated or involved with the United Airlines Believers Program,
- (u) Hired, endorsed, recommended or approved Lovett and/or allowed Lovett to remain PC when it knew or should have known of the allegations made to Tyson regarding Lovett's conduct towards young males in the community that resulted in his dismissal from a different Chicago school and Lovett's corporal punishment of students of JWJE at his home after making them take down their pants; and
- (v) Was otherwise careless and negligent in the creation, operation, management and control of children's programming.

36. That as a proximate result of the aforementioned negligent conduct by IHADC, Inc., the Plaintiff was sexually abused by Lovett which caused him great physical harm, severe emotional distress, pain and suffering and the loss of a normal life.

WHEREFORE, Plaintiff, JOHN DOE #19, by and through his attorney, The Law Office of Lyndsay A. Markley, Ltd., asks for a judgment against IHADC, Inc. in an amount in excess of \$50,000.00, plus costs, reasonable attorney's fees, interest and any and all other relief that this Court deems equitable and just.

**COUNT III**  
**NEGLIGENCE: IHADC**

NOW COMES the Plaintiff, JOHN DOE #19, by and through his attorney, THE LAW OFFICE OF LYNDSAY A. MARKLEY, LTD., and alleges as follows against the defendant, IHADC:

1. – 33. That herein Plaintiff readopts and realleges paragraphs (14) – (46) of the General Factual Allegations as paragraphs (1)-(33) of Count III.

34. That at all times relevant to this cause of action, the defendant, IHADC, had a duty to act as a reasonably careful organization engaging in its creation, operation, management and control of the United Airlines Believers Program including the hiring, empowering, appointing, endorsing,

approving and/or supervising of a Project Coordinator, a role that required frequent interaction with young children and minors.

35. That, despite this duty, IHADC was negligent in one or more of the following ways:

- (a) Assisted UNITED AIRLINES in the hiring of a PC, Lovett, that did not conform to its own objective criteria for this role and/or was otherwise unqualified for this role;
- (b) Failed to properly supervise, or to provide assistance to United Airlines in their supervision, of Lovett in his role as PC;
- (c) Failed to properly screen Lovett for the position of PC, including, failing to conduct any or an effective background check, or contacting job and character references;
- (d) Allowed Lovett to engage in or failed to prevent him from engaging in unsupervised and/or inadequately supervised interactions with Believers, including interactions at his home;
- (e) Allowed Lovett to engage in or took no action to prevent Lovett from engaging in corporal punishment of children;
- (f) Failed to remove Lovett from his role of PC in response to complaints, including that Lovett used corporal punishment on a young boy at JWJE.
- (g) Failed to report allegations of Lovett's use of corporal punishment on children to the proper authorities;
- (h) Allowed Lovett or failed to prevent Lovett from being the only adult present with Believers on school grounds after hours, including at night and on weekends;
- (i) Failed to provide Believers with a direct line of communication to adults other than Lovett and inform them of the same;
- (j) Failed to educate and inform the Believers of Lovett's powers and limitations as the PC, including whether or not he had the discretion to terminate them from the program or if he had control over the allocation of scholarships;
- (k) Allowed Lovett to terminate Believers from the United Airlines Believers Program without conducting its own investigation into the manner or reason for the termination;
- (l) Failed to educate and/or train adults working with the program, including its own employees, with respect to the urgency and necessity of reporting and responding to allegations of abuse or inappropriate conduct towards a minor;
- (m) Failed to educate and/or train its employees, mentors, and volunteers who worked with the United Airlines Believers Program, how to identify sexual abuse or inappropriate behavior by an adult towards a minor, including "grooming behavior" such as purchasing male Believers clothing and shoes or giving them cash and how to report and respond to the same;
- (n) Failed to have in place, educate and enforce policies and procedures to monitor, oversee, limit and control Lovett's interactions with the Believers;
- (o) Failed to respond and/or investigate or effectively respond and/or investigate complaints about Lovett's interactions with the Believers;
- (p) Failed to monitor or effectively monitor the Believers for behavioral indicators of sexual abuse;

- (q) Allowed Lovett perceived unchecked authority in the allocation of scholarships, discipline and termination of Believers from the United Airlines Believers Program;
- (r) Failed to establish a quality assurance protocols and procedures for monitoring and oversight of the program;
- (s) Failed to establish clear roles and responsibilities with its community partners in the creation, operation, management, and control of the United Airlines Believers Program creating an increased risk of sexual exploitation to the Believers;
- (t) Failed to establish clear roles and responsibilities with its community partners, including UNITED AIRLINES, regarding the sharing and reporting of information and allegations of any inappropriate or disconcerting behavior done by any adult affiliated or involved with the United Airlines Believers Program,
- (u) Hired, endorsed, recommended or approved Lovett and/or allowed Lovett to remain PC when it knew or should have known of the allegations made to Tyson regarding Lovett's conduct towards young males in the community that resulted in his dismissal from a different Chicago school and Lovett's corporal punishment of students of JWJE at his home after making them take down their pants; and
- (v) Was otherwise careless and negligent in the creation, operation, management and control of children's programming.

36. That as a proximate result of the aforementioned negligent conduct by IHADC, the Plaintiff was sexually abused by Lovett which caused him great physical harm, severe emotional distress, pain and suffering and the loss of a normal life.

WHEREFORE, Plaintiff, JOHN DOE #19, by and through his attorney, The Law Office of Lyndsay A. Markley, Ltd., asks for a judgment against the defendant, IHADC, an amount in excess of \$50,000.00, plus costs, reasonable attorney's fees, interest and any and all other relief that this Court deems equitable and just.

**COUNT IV**  
**WILLFUL AND WANTON: CBE**

NOW COMES the Plaintiff, JOHN DOE #19, ("*Plaintiff*"), by and through his attorneys, THE LAW OFFICE OF LYND SAY A. MARKLEY, LTD., and alleges as follows against the defendant, CBE:

1. – 33. That herein Plaintiff readopts and realleges paragraphs (14) – (46) of the General Factual Allegations as paragraphs (1)-(33) of Count IV.

34. That at all times relevant to this cause of action, the CBE had a duty to refrain from conduct that showed an utter indifference to or conscious disregard for the safety of others.

35. That despite this duty at law, the CBE engaged in the following willful and wanton conduct:

- (a) Recommended Lovett to UNITED AIRLINES, IHADC, Inc. and/or IHADC for the position of PC, despite its knowledge that Lovett was terminated from a different Chicago public school for engaging in sexually inappropriate conduct towards young males;
- (b) Recommended Lovett to UNITED AIRLINES, IHADC, Inc. and/or IHADC for the position of PC despite its knowledge that Lovett was having young males, including Believers, to his home;
- (c) Failed to advise UNITED AIRLINES, IHADC, Inc. and/or IHADC that Lovett was having young males, including Believers, to his home;
- (d) Failed to advise UNITED AIRLINES, IHADC, Inc. and/or IHADC that Lovett was terminated from another Chicago school for engaging in sexually inappropriate conduct towards young males;
- (e) Allowed Lovett to use or, failed to prevent him from using, corporal punishment on minors, including Believers;
- (f) Failed to report Lovett's use of corporal punishment on minors to the appropriate authorities;
- (g) Provided Lovett with keys to the school;
- (h) Allowed Lovett to utilize the school after hours and on weekends with minors as the only adult present;
- (i) Took no action or ineffective action to enforce policies and procedures to address, prevent and report allegations of abuse of minors, thereby endangering the safety of children, including the Believers;
- (j) Failed to report allegations of sexual abuse of children by Lovett, despite knowledge of his role in children's programming, to the required authorities;
- (k) Failed to educate and/or train its employees with respect to the urgency and necessity of reporting allegations of sexual abuse of a minor to the appropriate state and federal agencies; and
- (l) Was otherwise negligent in its participation in the creation, operation, management and control of the United Airlines Believers Program.

36. That as a proximate result of the aforementioned willful and wanton conduct by the CBE, the Plaintiff was sexually abused by Lovett which caused him great physical harm, severe emotional distress, pain and suffering and the loss of a normal life.

WHEREFORE, JOHN DOE #19, by and through his attorney, THE LAW OFFICE OF LYNDSEY A. MARKLEY, LTD., asks for a judgment against the CBE in an amount in excess of \$50,000.00, plus costs, reasonable attorney's fees, interest and any and all other relief that this Court deems equitable and just.

**COUNT V**  
**WILLFUL AND WANTON: UNITED AIRLINES**

NOW COMES the Plaintiff, JOHN DOE #19, (“*Plaintiff*”), by and through his attorneys, THE LAW OFFICE OF LYND SAY A. MARKLEY, LTD., and alleges as follows against UNITED AIRLINES:

1. – 33. That herein Plaintiff readopts and realleges paragraphs (14) – (46) of the General Factual Allegations as paragraphs (1)-(33) of Count V.

34. That at all times relevant to this cause of action, UNITED AIRLINES had a duty to refrain from conduct that showed an utter indifference to or conscious disregard for the safety of others.

35. That despite this duty at law, UNITED AIRLINES engaged in the following willful and wanton conduct:

- (a) Hired, endorsed, recommended and/or approved Lovett, and/or allowed Lovett to remain PC, when it knew or should have known of the allegations made to Tyson regarding Lovett’s sexually inappropriate conduct towards young males in the community that resulted in his dismissal from a different Chicago school and of Lovett’s corporal punishment of students of JWJE at his home after making them take down their pants;
- (b) Allowed Lovett to continue working as the PC after receiving complaints that he used corporal punishment on a child;
- (c) Allowed Lovett to continue working as the PC after receiving complaints about his interactions with Believers that indicated that he was unfit for this role;
- (d) Took no action or ineffective action to limit, oversee or monitor Lovett’s interactions with Believers, at-risk children;
- (e) Took no action or ineffective action to limit, oversee, monitor or supervise Lovett’s interactions with children after receiving complaints about his behavior, including the use of corporal punishment;
- (f) Took no action or ineffective action to supervise, limit, oversee and/or or monitor Lovett as the PC despite requiring minors to interact with him on a regular basis in order to secure scholarships;
- (g) Hired, endorsed, and/or approved of Lovett as the PC without taking any action to verify his fitness for the role, including conducting a criminal background check or speaking to character references;
- (h) Required children to engage in activities with Lovett, a person it knew or had reason to know was unfit to work with children; and
- (i) Failed to report allegations of abuse of a minor to the appropriate state and federal agencies in contradiction of the law.

36. That as a proximate result of the aforementioned willful and wanton conduct by UNITED AIRLINES, the Plaintiff was sexually abused by Lovett which caused and continues to cause

him great physical harm, severe emotional distress, pain and suffering and the loss of a normal life.

WHEREFORE, JOHN DOE #19, by and through his attorney, THE LAW OFFICE OF LYNDASAY A. MARKLEY, LTD., asks for a judgment against UNITED AIRLINES in an amount in excess of \$50,000.00, plus costs, reasonable attorney's fees, interest and any and all other relief that this Court deems equitable and just.

**COUNT VI**  
**WILLFUL AND WANTON: IHADC, Inc.,**

NOW COMES the Plaintiff, JOHN DOE #19, by and through his attorney, THE LAW OFFICE OF LYNDASAY A. MARKLEY, LTD., and alleges as follows against the defendant, IHADC, Inc.:

1. – 33. That herein Plaintiff readopts and realleges paragraphs (14) – (46) of the General Factual Allegations as paragraphs (1)-(33) of Count VI.

34. That at all times relevant to this cause of action, IHADC, Inc. had a duty to refrain from conduct that showed an utter indifference to or conscious disregard for the safety of others.

35. Despite this duty at law, the Defendant, IHADC, Inc., engaged in the following willful and wanton conduct:

- (a) Hired, endorsed, recommended or approved Lovett and/or allowed Lovett to remain PC when it knew or should have known of the allegations made to Tyson regarding Lovett's sexually inappropriate conduct towards young males in the community that resulted in his dismissal from a different Chicago school and of Lovett's corporal punishment of students of JWJE at his home after making them take down their pants;
- (b) Allowed Lovett to continue working as the PC after receiving complaints that he used corporal punishment on a child;
- (c) Allowed Lovett to continue working as the PC after receiving complaints about his interactions with Believers that indicated that he was unfit for this role;
- (d) Took no action or ineffective action to limit, oversee or monitor Lovett's interactions with Believers, at-risk children;
- (e) Took no action to limit, oversee or monitor Lovett's interactions after receiving complaints about his conduct towards children, including the use of corporal punishment;
- (f) Took no action or ineffective action to limit, oversee or monitor Lovett as the PC despite requiring minors to interact with him on a regular basis in order to secure their scholarships;
- (g) Hired, endorsed, and/or approved of Lovett as the PC without taking any action to verify his fitness for the role, including conducting a criminal background check or speaking to character references;

- (h) Required children to engage in regular activities with a person it knew or had reason to know was unfit to work with children; and
- (i) Failed to report allegations of abuse of a minor to the appropriate state and federal agencies in contradiction of the law.

36. That as a proximate result of the aforementioned willful and wanton conduct by IHADC, Inc., the Plaintiff was sexually abused by Lovett which caused and continues to cause him great physical harm, severe emotional distress, pain and suffering and the loss of a normal life.

WHEREFORE, Plaintiff, JOHN DOE #19, by and through his attorney, The Law Office of Lyndsay A. Markley, Ltd., asks for a judgment against the defendant, I HAVE A DREAM FOUNDATION-CHICAGO, INC., in an amount in excess of \$50,000.00, plus costs, reasonable attorney's fees, interest and any and all other relief that this Court deems equitable and just.

**COUNT VII**  
**WILLFUL AND WANTON: I HAVE A DREAM FOUNDATION – CHICAGO**

NOW COMES the Plaintiff, JOHN DOE #19, by and through his attorney, THE LAW OFFICE OF LYND SAY A. MARKLEY, LTD., and alleges as follows against the defendant, IHADC:

1. – 33. That herein Plaintiff readopts and realleges paragraphs (14) – (46) of the General Factual Allegations as paragraphs (1)-(33) of Count VII.

34. That at all times relevant to this cause of action, IHADC had a duty to refrain from conduct that showed an utter indifference to or conscious disregard for the safety of others.

35. Despite this duty at law, the Defendant, IHADC, engaged in the following willful and wanton conduct:

- (a) Hired, endorsed, recommended or approved Lovett and/or allowed Lovett to remain PC when it knew or should have known of the allegations made to Tyson regarding Lovett's sexually inappropriate conduct towards young males in the community that resulted in his dismissal from a different Chicago school and Lovett's corporal punishment of students of JWJE at his home after making them take down their pants;
- (b) Allowed Lovett to continue working as the PC after receiving complaints that he used corporal punishment on a child;
- (c) Allowed Lovett to continue working as the PC after receiving complaints about his interactions with Believers that indicated that he was unfit for this role;
- (d) Took no action or ineffective action to limit, oversee or monitor Lovett's interactions with Believers, at-risk children;
- (e) Took no action to limit, oversee or monitor Lovett's interactions after receiving complaints about his conduct towards children, including the use of corporal punishment;

- (f) Took no action or ineffective action to limit, oversee or monitor Lovett as the PC despite requiring minors to interact with him on a regular basis in order to secure their scholarships;
- (g) Hired, endorsed, and/or approved of Lovett as the PC without taking any action to verify his fitness for the role, including conducting a criminal background check or speaking to character references;
- (h) Required children to engage in regular activities with a person it knew or had reason to know was unfit to work with children; and
- (i) Failed to report allegations of abuse of a minor to the appropriate state and federal agencies in contradiction of the law.

36. That as a proximate result of the aforementioned willful and wanton conduct by IHADC, the Plaintiff was sexually abused by Lovett which caused him great physical harm, severe emotional distress, pain and suffering and the loss of a normal life.

WHEREFORE, Plaintiff, JOHN DOE #19, by and through his attorney, The Law Office of Lyndsay A. Markley, Ltd., asks for a judgment against the defendant, IHADC, in an amount in excess of \$50,000.00, plus costs, reasonable attorney's fees, interest and any and all other relief that this Court deems equitable and just.

Respectfully Submitted,

By: \_\_\_\_\_  
Attorney for the Plaintiff  
Lyndsay A. Markley, Esq. -- #57758  
The Law Office of Lyndsay A. Markley, Ltd.  
161 N. Clark St. Suite 4700  
Chicago, Illinois 60601  
(312) 523-2158 (t.)  
(312) 284-4498 (f.)  
lyndsay@lmarkleylaw.com (e.)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

JOHN DOE #19,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
vs.	)	
	)	Case No. 2015 L 8244
UNITED CONTINENTAL HOLDINGS, INC.,	)	
successor in interest to UAL CORPORATION,	)	Consolidated with:
UNITED AIRLINES, INC., successor in	)	2014 L 3946, 2014 L 6979,
interest to UNITED AIRLINES, INC.,	)	2014 L 6981, 2014 L 6984,
UNITED AIRLINES FOUNDATION,	)	2014 L 6986, 2014 L 6987,
I HAVE A DREAM	)	2014 L 6989, 2014 L 6990,
FOUNDATION-CHICAGO, Inc.,	)	2014 L 6991, 2014 L 6993,
I HAVE A DREAM FOUNDATION-CHICAGO,	)	2014 L 6994, 2014 L 6995,
and the BOARD OF EDUCATION OF THE CITY	)	2014 L 6997, 2014 L 6998,
OF CHICAGO,	)	2014 L 8336, 2014 L 8335,
	)	14 L 12138, 2105 L 3701
<i>Defendants.</i>	)	

**RULE 222 AFFIDAVIT**

NOW COMES the affiant, Lyndsay A. Markley, an attorney, and upon oath says:

- 1) That affiant is testifying to matters on affiant’s own personal knowledge and is competent to testify to the same if called upon to do so.
- 2) That she is the attorney for the Plaintiff, licensed to practice law in the State of Illinois.
- 3) That affiant is the duly authorized agent for the Plaintiff for purposes of making this affidavit.
- 4) That the damages sought herein are in excess of \$50,000.00.

Respectfully Submitted,

By: \_\_\_\_\_  
An Attorney for the Plaintiff  
Lyndsay A. Markley, Esq. -- #57758  
The Law Office of Lyndsay A. Markley, Ltd.  
161 N. Clark St. Suite 4700  
Chicago, Illinois 60601  
(312) 523-2158 (t.)  
(312) 284-4498 (f.)  
lyndsay@lmarkleylaw.com (e.)