

NO. 2024-16380

JOHN DOE	§	IN THE DISTRICT COURT OF
	§	
v.	§	
	§	
THE GENERAL COUNCIL OF THE	§	
ASSEMBLIES OF GOD; SOUTH	§	HARRIS COUNTY, TEXAS
TEXAS DISTRICT COUNCIL	§	
ASSEMBLIES OF GOD, INC.,	§	
A/K/A SOUTH TEXAS DISTRICT	§	
COUNCIL ASSEMBLIES OF GOD;	§	
CHI ALPHA CAMPUS MINISTRIES,	§	
U.S.A.; AND CHI ALPHA CAMPUS	§	
MINISTRIES HUNTSVILLE	§	234TH JUDICIAL DISTRICT

PLAINTIFF’S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Plaintiff **JOHN DOE** (“Plaintiff”) complaining of Defendants **THE GENERAL COUNCIL OF THE ASSEMBLIES OF GOD; SOUTH TEXAS DISTRICT COUNCIL ASSEMBLIES OF GOD, INC. a/k/a SOUTH TEXAS DISTRICT COUNCIL ASSEMBLIES OF GOD; CHI ALPHA CAMPUS MINISTRIES, U.S.A;** and **CHI ALPHA CAMPUS MINISTRIES HUNTSVILLE**, and for cause of action would respectfully show unto this Honorable Court the following:

I.
DISCOVERY LEVEL

1. Pursuant to the Texas Rules of Civil Procedure, discovery in this case will be conducted according to Rule 190.4, Discovery Control Plan Level Three (3).

II.
PARTIES

2. Plaintiff **John Doe** is a citizen of Montgomery County, Texas, proceeding

pseudonymously.

3. Defendant **The General Council of the Assemblies of God** is a foreign non-profit corporation incorporated in the state of Missouri, with a principal place of business at 1445 N. Boonville Ave., Springfield, Missouri 65802, and does business in a systematic and continuous manner nationwide and in the State of Texas. Defendant may be served with citation by serving its registered agent, Corporation Service Company, at 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218.

4. Defendant **South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God** is a Texas non-profit corporation and may be served with citation by serving its registered agent, Tim R. Barker, at 12106 East Sam Houston Parkway North, Houston, Texas 77044 or wherever it may be found.

5. Defendant **Chi Alpha Campus Ministries, U.S.A.** is a foreign non-profit corporation incorporated in the State of Missouri, with a principal place of business at 1445 N. Boonville Ave., Springfield, Missouri 65802, and does business in a systematic and continuous manner nationwide and in the State of Texas. Defendant engages in business in the State of Texas but does not maintain a regular place of business in this State nor has Defendant designated an agent for service of process in the State of Texas. This suit arises out of Defendant's business in this State. Pursuant to the Texas Civil Practices & Remedies Code section 17.044, Defendant may be served by certified mail, return receipt requested, through the Texas Secretary of State, State of Texas, 1019 Brazos, Room 105, Austin, Texas 78701, as an agent for service of process who shall mail a copy of process to Defendant's office, to the attention of Dennis Gaylord, 1445 Boonville Ave., Springfield, Missouri 65802 or wherever it may be found.

6. Defendant, **Chi Alpha Campus Ministries Huntsville** is a Texas non-profit

corporation and may be served with citation by serving its registered agent, Kenneth E. Gautreaux, at 1010 15th St., Huntsville, Texas 77340-5210 or wherever it may be found.

7. Pursuant to Tex. R. Civ. P. 28, Plaintiff expressly invokes the right to have the true name(s) of the parties substituted at a later time upon the motion of any party or of the Court.

**III.
JURISDICTION & VENUE**

8. Venue is proper in Harris County, Texas, pursuant to Tex. Civ. Prac. & Rem. Code section 15.002(a)(1) because all or a substantial part of the events or omissions giving rise to the claims arose in Harris County, Texas.

9. This Court has jurisdiction over the parties and subject matter hereof. Plaintiff seeks monetary relief in excess of \$1,000,000. The damages sought are within the jurisdiction of this Court.

**IV.
CAUSATION & CONDITIONS PRECEDENT SATISFIED**

10. The referenced acts and/or omissions were proximate and/or producing cause of the occurrence in question and resulted in the injuries and damages sustained by Plaintiff.

11. All conditions precedent to Plaintiff's claims for relief have been performed or have occurred.

**V.
FACTUAL SUMMARY**

12. The decades-long history of sexual abuse at this church runs all the way to the top. To illustrate how Defendants operated, below is an organizational chart showing the people at the heart of this terrible cover-up.

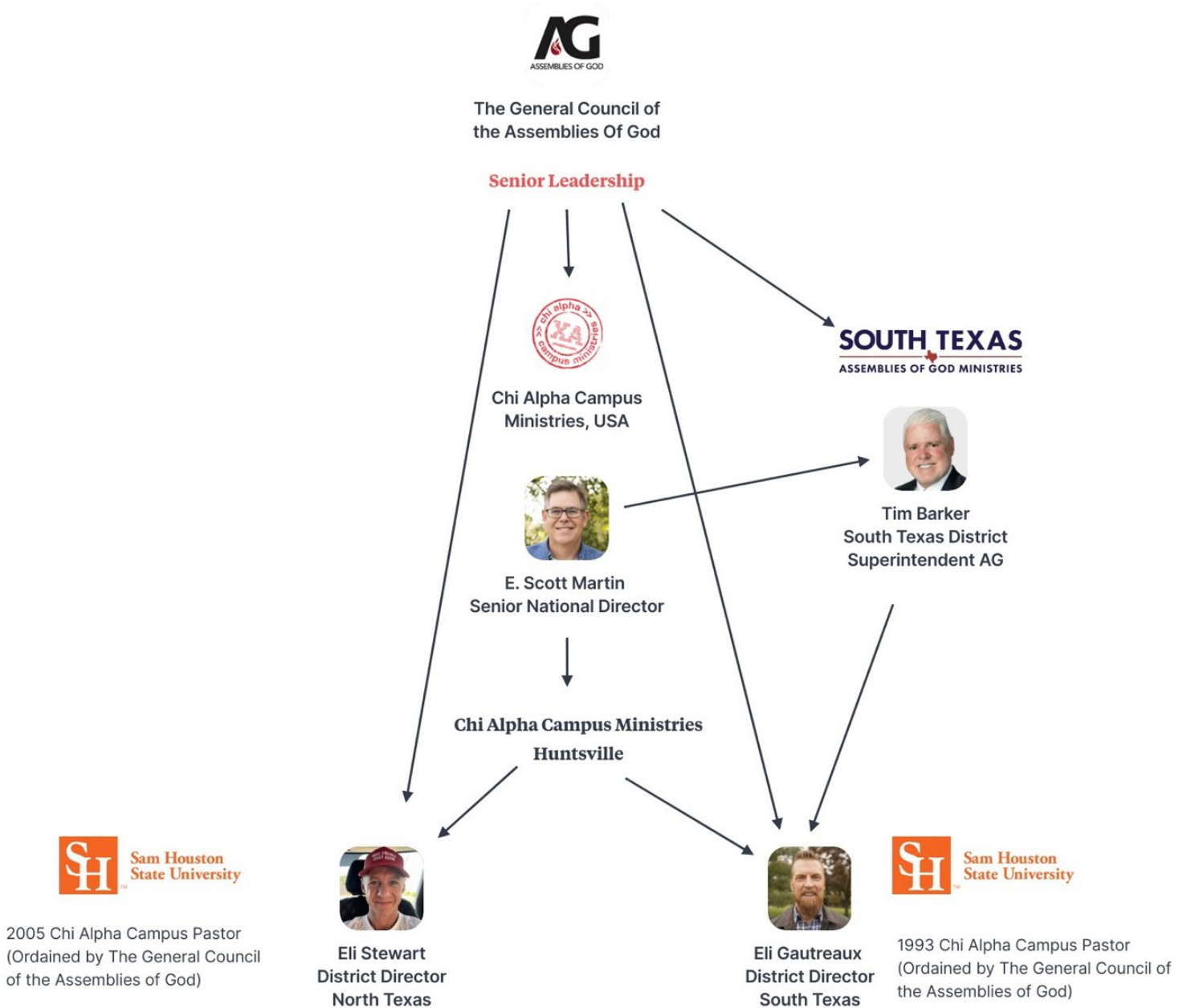


Fig. 1: organizational chart of Defendants and key individuals.

13. Defendant The General Council of the Assemblies of God (hereinafter the “General Council of the Assemblies of God”) is a national religious organization that describes itself as “the world’s largest Pentecostal denomination.” Defendant General Council of the Assemblies of God is headquartered in Springfield, Missouri, and has active churches across the United States, including Texas. Defendant General Council of the Assemblies of God is organized into various

districts based on geographical locations. According to Defendant General Council of the Assemblies of God's website:



OUR SYSTEM OF LEADERSHIP AND ACCOUNTABILITY

DISTRICT AND GENERAL COUNCIL FUNCTIONS

Each assembly operates its ministries under both a district and national structure. The 66 districts basically follow state boundaries or are set according to specific language groups. Districts oversee the ministries in their areas, such as camps and outreaches, as well as provide ministry opportunities and avenues of fellowship for ministers and constituents. Districts also recommend ministers for national credentialing. They are authorized to lead, solving matters of leadership and direction for local assemblies. They operate as a type of regional leadership between the local church and the national Fellowship.

Fig. 2: screenshot of General Council website describing organizational structure.

14. Texas has three districts: North, South, and West. According to Defendant General Council of the Assemblies of God's constitution and bylaws, each district council shall have supervision over the activities of the Assemblies of God in its prescribed field. Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God (hereinafter "South Texas District Council Assemblies of God") is located in Houston, Harris County, Texas. The districts share equal responsibility for the administration within Texas.

15. The U.S. Missions division forms part of Defendant General Council of the Assemblies of God. As discussed on the U.S. Missions website, it is the stateside part of Defendant General Council of the Assemblies of God. The site goes on to discuss how Defendant Chi Alpha Campus Ministries, USA (hereinafter "Chi Alpha USA") and districts like Defendant South Texas District Council Assemblies of God are a part of U.S. Missions:

ABOUT U.S. MISSIONS

It is estimated that over 10 million people in the United States remain unreached by the message of Jesus. Many of these live in close proximity to churches yet will never go inside. U.S. Missions – the stateside missions organization of the Assemblies of God USA – works to bridge the gap between the Church and the unreached.

WHAT IS U.S. MISSIONS?

U.S. Missions is comprised of seven windows: Adult and Teen Challenge, U.S.A., Chaplaincy Ministries, Chi Alpha Campus Ministries, U.S.A., Church Mobilization, Intercultural Ministries, U.S. Specialized, and Youth Alive.

Each of these areas focuses strategically to bring the hope of Jesus to various relational, ethnic, cultural, and needs groups in the United States. The men and women of U.S. Missions also partner with AG churches and districts to extend their reaches and connect with people outside their circles of influence.

Fig. 3: screenshot of U.S. Missions website describing its “windows,” i.e. divisions.

16. Defendant Chi Alpha USA is a fraternal organization with over 300 chapters “on university campuses all over the world” including Sam Houston State University in Huntsville, Texas. Defendant Chi Alpha Campus Ministries Huntsville (hereinafter “Chi Alpha Huntsville”) is located at Sam Houston State University and is a local offshoot of Chi Alpha USA.

17. Defendant Chi Alpha Huntsville’s chapter was the largest in the country and was lauded as a model for growth; it launched 30 new campus plants under the direction of its longtime leader Eli Gautreaux (“Gautreaux”), the district director of Defendant South Texas District Council Assemblies of God. Gautreaux helped start the Sam Houston State University Chi Alpha chapter.

18. Defendant Chi Alpha USA is directly connected with Defendant General Council of the Assemblies of God and Defendant South Texas District Council Assemblies of God. Moreover, Defendant General Council of the Assemblies of God and Defendant South Texas District Council Assemblies of God in conjunction with Defendant Chi Alpha USA and Defendant Chi Alpha Huntsville, trains, hires, and fires all the pastors involved with college students.

19. Defendant General Council of the Assemblies of God, Defendant South Texas District Council Assemblies of God, Defendant Chi Alpha USA, and Defendant Chi Alpha Huntsville actively sought out the students at Sam Houston State University, including Plaintiff John Doe, because such recruiting benefitted all Defendants. Defendants actively sought out these students because they knowingly benefitted not just financial benefit, but also because the students increased the church's membership base and increased the ability to conduct mission work. These students helped increase the Defendants' influence across the country; this influence is something highly desired by and beneficial to the Defendants.

20. Daniel Savala ("Savala") has a long history of involvement with Defendants General Council of the Assemblies of God, South Texas District Council Assemblies of God, Chi Alpha USA, and Chi Alpha Huntsville. As early as 1980 (and again in 1991–1992), Savala served as a counselor at Defendant General Council of the Assemblies of God and Defendant South Texas District Council Assemblies of God's camp in Kerrville, Texas. In 1989, the University of Louisiana–Lafayette yearbook identified Savala as a Chi Alpha staff member.

21. From approximately 1995 to 1997, Savala served as youth pastor at Clover Pass Community Church in Ketchikan, Alaska. Eli Stewart ("Stewart")—who graduated from Ketchikan High School in 1998—was a regular attendee of Clover Pass Community Church and a member of Savala's youth group.

22. In January 2012, Savala was indicted on eleven (11) counts of sexual abuse in Alaska after former male members of Savala's youth group at Clover Pass Community Church reported he sexually abused them during his tenure as youth pastor at Clover Pass Community Church. In July 2012, Savala was convicted of one count of third-degree sexual abuse and was released after serving ninety (90) days in prison. Savala was and is required to register annually as

a sex offender.

23. Defendant General Council of the Assemblies of God ordained both Stewart and Gautreaux as pastors. Both had approval from Defendant Chi Alpha USA to be pastors at Defendant Chi Alpha Huntsville, which was a part of Defendant South Texas District Council Assemblies of God. Defendant General Council of the Assemblies of God also promoted Stewart and Gautreaux to district directors of Defendant Chi Alpha Huntsville.

24. In 2012, Gautreaux and Stewart were defending Savala and asking others to send letters in support of leniency in sentencing Savala, who was facing sexual abuse charges in Alaska: “Judge Carey needs to see character in terms of positive influence he has on others and the sacrificial way he pours his life out as an offering . . .” Savala pleaded guilty to the charges of sexual abuse in Alaska.

25. Tim Barker (“Barker”) was the Superintendent of Defendant South Texas District Council Assemblies of God. Upon information and belief, Barker was aware of Savala’s sexual abuse as late as 2013. But Barker’s connection to Savala goes as far back as the early nineties, when Barker was taking youth groups to Assemblies of God camps during Savala’s time as a camp counselor.

26. Scott Martin (“Martin”) was the Executive Director of Defendant Chi Alpha USA. Upon information and belief, in 2018 Martin was aware of a Title IX investigation at Sam Houston State University regarding Savala and sexual abuse. Martin chose not to take any action to protect students like Plaintiff John Doe.

27. On information and belief, Defendants General Council of the Assemblies of God, South Texas District Council, Chi Alpha USA, and Chi Alpha Huntsville were made aware of Savala’s history of sexual abuse shortly after his conviction. Despite this knowledge, after his

release, Savala moved to Texas and became involved with Defendant Chi Alpha Huntsville (and other Texas Chi Alpha chapters), where both Gautreaux and Stewart were serving as part of Defendants Chi Alpha USA and Chi Alpha Huntsville’s pastoral team. Barker was Superintendent of Defendant South Texas District Council Assemblies of God.

28. Savala had been a registered sex offender since January 2013.



Fig. 4: screenshot of Daniel Savala’s sex offender registration on the Texas registry website.

29. Around 2013, John Doe began attending Sam Houston State University. After graduating, he continued to attend Sam Houston State University receiving a graduate degree. He has been legally blind since birth. Due to the newness of this environment and the large population, Plaintiff John Doe sought out an organization that would help nurture his growth during his young adulthood. He found Defendant Chi Alpha Huntsville. During that time, Stewart and Gautreaux were the campus pastors. They would lead worship and guide the students, including Plaintiff John Doe.

30. Part of the guidance included touting Savala as a “prophet” and a religious leader who would guide Plaintiff John Doe’s religious journey. Discussing Savala was a talking point for

Stewart and Gautreaux; consistently asking Plaintiff when the last time was that he saw Savala while discussing the importance of spending time with this important religious leader. Stewart and Gautreaux, under the protection and authority of the Defendants, knowingly sent Plaintiff John Doe to a sexual predator.

31. Under the guise of doing mission work and under directives from Stewart and Gautreaux, members of Defendant Chi Alpha Huntsville would go to Savala's house in Houston, Texas. This mission work included completing various home repairs at Savala's home. Due to Plaintiff Doe's blindness, he does not drive; instead members of Defendant Chi Alpha Huntsville would drive him to Savala's home. At times, Savala would pick up Plaintiff Doe and take him back to his home.

32. In the fall of 2017, during these mission trips at Savala's home, Savala's sexual abuse of Plaintiff began. Using language from the Bible, Savala lured the Plaintiff into a sense of goodwill and cooperation that was sexually motivated. Due to Savala's extensive and decades-long relationship with Defendants, Savala easily created a relationship based on a façade of good intentions.

33. Defendants placed Savala in a powerful religious position by describing him as a savior and angel, forging a structure of access and control over Plaintiff. Savala continued this grooming with religion to force Plaintiff into performing sexual acts.

34. These acts included acts defined under the Texas Penal Code sections 21.02 *et al.*, 22.011 *et al.* (and any other analogous provision of any other potentially applicable law). These acts include the continuous sexual abuse of a disabled person, including, but not limited to:

- a. making inappropriate sexual comments regarding nudity, masturbation, Plaintiff's penis and testicles, and other inappropriate comments;
- b. masturbation;

- c. oral sex; and
- d. penetrative sex.

35. This sexual abuse continued through 2022. Over the years, the sexual abuse became worse and worse.

36. For years, each of the Defendants failed Plaintiff while receiving benefit. But Plaintiff John Doe was not the only one Defendants failed to protect. Reports of Savala's sexual abuse of numerous others has been known since at least 2011. Under the protection of Defendants, Savala continued to sexually abuse minors and college students across Texas. Rather than stop this known sexual abuse, Defendants created a perfect haven for Savala to sexual abuse people, including Plaintiff John Doe.

VI.

CAUSES OF ACTION AGAINST DEFENDANT THE GENERAL COUNCIL OF THE ASSEMBLIES OF GOD

A. Negligence

37. Defendant The General Council of the Assemblies of God was negligent in the following:

- a. failing to properly monitor and supervise the activities of Defendants South Texas District Council Assemblies of God, Defendant Chi Alpha USA, and Defendant Chi Alpha Huntsville;
- b. failing to properly investigate Savala's criminal background when it knew or should have known Savala was a convicted sex offender;
- c. failing to warn of the dangers posed by Savala—dangers of which Defendant The General Council of the Assemblies of God knew or should have known;
- d. allowing people within its organization and under its control to be exposed to Savala;
- e. allowing Savala access to people within its organization; and
- f. allowing Savala to have a leadership role within its organization.

38. These acts and omissions, taken by themselves or in combination, were a proximate cause of Plaintiff's injuries and damages.

B. Vicarious Liability

39. Because Defendants South Texas District Council Assemblies of God, Defendant Chi Alpha USA, and Defendant Chi Alpha Huntsville are agents of Defendant The General Council of the Assemblies of God, Defendant The General Council of the Assemblies of God is vicariously liable for the acts and omissions of Defendants South Texas District Council Assemblies of God, Defendant Chi Alpha USA, and Defendant Chi Alpha Huntsville.

40. These acts and omissions, taken by themselves or in combination, were a proximate cause of Plaintiff's injuries and damages.

VII.

CAUSES OF ACTION AGAINST DEFENDANT SOUTH TEXAS DISTRICT COUNCIL-ASSEMBLIES OF GOD, INC. A/K/A SOUTH TEXAS DISTRICT COUNCIL ASSEMBLIES OF GOD

A. Negligence

41. Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God was negligent in the following:

- a. failing to properly monitor and supervise the activities of Defendants Chi Alpha USA and Chi Alpha Huntsville;
- b. failing to properly investigate Savala's criminal background when it knew or should have known Savala was a convicted sex offender;
- c. failing to warn of the dangers posed by Savala—dangers of which Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God knew or should have known;
- d. allowing people within its organization and under its control to be exposed to Savala;
- e. allowing Savala access to people within its organization; and
- f. allowing Savala to have a leadership role within its organization.

42. These acts and omissions, taken by themselves or in combination, were a proximate cause of Plaintiff's injuries and damages.

B. Vicarious Liability

43. Because Defendants Chi Alpha USA and Chi Alpha Huntsville are agents of Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God, Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God is vicariously liable for the acts and omissions of Defendants Chi Alpha USA and Chi Alpha Huntsville.

44. Likewise, because Gautreaux is an agent of Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God, Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God is also vicariously liable for the acts and omissions of Gautreaux.

45. Likewise, because Barker is an agent of Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God, Defendant South Texas District Council-Assemblies of God, Inc. a/k/a South Texas District Council Assemblies of God is also vicariously liable for the acts and omissions of Barker.

46. These acts and omissions taken by themselves or in combination, were a proximate cause of Plaintiff's injuries and damages.

VIII.

CAUSES OF ACTION AGAINST DEFENDANT CHI ALPHA CAMPUS MINISTRIES, USA

A. Negligence

47. Defendant Chi Alpha Campus Ministries, USA was negligent in the following:

- a. failing to properly monitor and supervise the activities of Defendant Chi Alpha Huntsville;

- b. failing to properly investigate Savala’s criminal background when it knew or should have known Savala was a convicted sex offender;
- c. failing to warn of the dangers posed by Savala—dangers of which Defendant Chi Alpha Campus Ministries, USA knew or should have known;
- d. allowing people within its organization and under its control to be exposed to Savala;
- e. allowing Savala access to people within its organization; and
- f. allowing Savala to have a leadership role within its organization.

48. These acts and omissions, taken by themselves or in combination, were a proximate cause of Plaintiff’s injuries and damages.

B. Vicarious Liability

49. Because Defendant Chi Alpha Huntsville is an agent of Defendant Chi Alpha Campus Ministries, USA, Defendant Chi Alpha Campus Ministries, USA is vicariously liable for the acts and omissions of Defendant Chi Alpha Huntsville.

50. Likewise, because Martin is an agent of Defendant Chi Alpha Campus Ministries, USA, Defendant Chi Alpha Campus Ministries, USA is also vicariously liable for the acts and omissions of Martin.

51. These acts and omissions, taken by themselves or in combination, were a proximate cause of Plaintiff’s injuries and damages.

IX.

CAUSES OF ACTION AGAINST DEFENDANT CHI ALPHA CAMPUS MINISTRIES HUNTSVILLE

A. Negligence

52. Defendant Chi Alpha Campus Ministries Huntsville was negligent in the following:
- a. failing to properly monitor and supervise the activities of Gautreaux and Stewart;
 - b. failing to properly investigate Savala’s criminal background when it knew

or should have known Savala was a convicted sex offender;

- c. failing to warn of the dangers posed by Savala—dangers of which Defendant Chi Alpha Campus Ministries Huntsville knew or should have known;
- d. allowing people within its organization and under its control to be exposed to Savala;
- e. allowing Savala access to people within its organization; and
- f. allowing Savala to have a leadership role within its organization.

53. These acts and omissions, taken by themselves or in combination, were a proximate cause of Plaintiff's injuries and damages.

B. Vicarious Liability

54. Because Gautreaux and Stewart were agents of Defendant Chi Alpha Campus Ministries Huntsville, Defendant Chi Alpha Campus Ministries Huntsville is vicariously liable for the acts and omissions of Gautreaux and Stewart.

55. These acts and omissions, taken by themselves or in combination, were a proximate cause of Plaintiff's injuries and damages.

X.

RESPONDEAT SUPERIOR

56. Defendants are also jointly and severally liable and vicariously liable for the wrongdoing of their shareholders, officers, directors, affiliates, owners, agents, servants, and employees under the principle of agency and/or *respondeat superior*. Accordingly, all of the Defendants are jointly and severally liable to Plaintiff for all damages sought by the Plaintiff herein.

XI.

CAUSES OF ACTION AGAINST ALL THE DEFENDANTS: VIOLATION OF THE TEXAS CIVIL PRACTICE & REMEDIES CODE SECTION 98.002

57. Each and every one of the Defendants' acts, omissions, and commissions, described above, taken separately and/or together, constitute a violation of the Texas Civil Practice & Remedies Code section 98.002. Specifically, each and every Defendant knowingly benefitted from a sex trafficking venture of Plaintiff John Doe. At all relevant times, the Defendants benefitted from the facilitation of trafficking victims, including Plaintiff John Doe, by acts and omissions including, but not limited to:

- a. financial gain;
- b. increased membership;
- c. increased monetary gain as a result of presenting larger numbers of followers leading to a greater population joining the Defendants; and
- d. other direct and indirect benefits of both a financial and non-financial nature to be proven at trial.

58. As described above, each and every Defendant knew it was benefiting from a venture involving the trafficking in exchange for benefits, in violation of Texas law. Each of the venturers shared a common purpose: the increase in membership and expansion of the church. Defendants knowingly benefitted from participating in a sex trafficking venture that resulted in the trafficking of Plaintiff John Doe on numerous occasions. Therefore, Defendants are in violation of Texas Civil Practice & Remedies Code section 98.002.

59. As a result, each of the Defendants is jointly and severally liable for the entire amount of damages awarded by a jury in this case under Texas Civil Practice & Remedies Code section 98.005.

XII.
GROSS NEGLIGENCE AGAINST ALL DEFENDANTS

60. Sexual abuse is utterly reprehensible. Defendants, at the times and on the occasions in question, acted with heedless and reckless disregard for the safety of Plaintiff and other vulnerable, unsuspecting students. This callous disregard was the result of conscious indifference to the rights, welfare, and safety of Plaintiff.

61. Plaintiff incorporates by reference the facts and allegations asserted above regarding Defendants' negligence. Each and all of the foregoing negligent acts and omissions, taken singularly or in combination, constitute grossly negligent conduct on the part of Defendants in that such conduct, when viewed objectively from the standpoint of Defendants at the time of its occurrence, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others and of which Defendants had actual, subjective awareness of risk involved, yet nevertheless proceeded with conscious indifference to the rights, safety, and welfare of Plaintiff.

62. As a direct and proximate result of the gross negligence of Defendants, Plaintiff suffered harm, injuries, losses, and damages.

XIII.
DAMAGES

63. Upon trial of this case, it will be shown that Plaintiff was caused to sustain injuries and damages as a proximate result of Defendants' negligence and gross negligence, jointly and severally. Plaintiff will request the Court and jury to determine the amount of loss Plaintiff has incurred in the past and will incur in the future, not only from a financial standpoint, but also in terms of good health and freedom from pain and worry. Plaintiff is entitled to have the jury in this case separately consider certain elements of damages provided by law, to determine the sum of money

for each element that will fairly and reasonably compensate Plaintiff for injuries, damages and losses incurred and to be incurred. Elements of damages from the date of the incident in question until the time of trial of this case are as follows:

- a. physical pain that Plaintiff John Doe suffered from the date of the incident in question to the time of trial;
- b. mental anguish that Plaintiff John Doe suffered from the date of the incident in question to the time of trial;
- c. reasonable and necessary medical expenses incurred in the treatment of Plaintiff John Doe's injuries from the date of the incident in question to the time of trial and those medical expenses Plaintiff John Doe will, in reasonable medical probability, be charged or incurred in the future beyond the time of trial;
- d. lost wages and/or loss of wage-earning capacity sustained by Plaintiff John Doe from the date of the incident in question to the time of trial and in the future beyond the time of trial;
- e. disfigurement suffered by Plaintiff John Doe from the date of the incident in question to the time of trial and in the future beyond the time of trial;
- f. loss of enjoyment of life from the date of the incident in question to the time of trial and in the future beyond the time of trial;
- g. attorney's fees; and
- h. exemplary damages.

64. Plaintiff would further show that, in the event Plaintiff had pre-existing conditions prior to this incident, such conditions were exacerbated.

65. Plaintiff seeks these damages only in an amount determined to be reasonable and fair by the jury, which evaluates this case, after a full impartial review of all the evidence presented.

XIV. RESERVATION OF RIGHTS

66. Plaintiff respectfully reserves the right to amend and plead for such other and further acts and/or omissions as may develop and to amend and plead such other and further damages known at the time of trial of this cause.

XV.
PRE-JUDGMENT AND POST JUDGMENT INTEREST

67. Plaintiff hereby requests an award of both pre-judgment and post-judgment interest at the highest rate allowed by law as provided by the Texas Supreme Court and the legislature of the State of Texas.

XVI.
DEMAND FOR JURY

68. Plaintiff further hereby formally requests a trial by Jury and as such requests that this cause be placed upon this Court's Jury Docket.

XVII.
PRAYER

WHEREFORE, Plaintiff prays that Defendants be cited to appear and answer these allegations and that upon final hearing of this matter, Plaintiff has judgment of and from Defendants as follows:

- a. for an award of all actual, compensatory, exemplary, consequential, direct and/or indirect past and future damages in an amount to be determined as fair and reasonable by the jury which evaluates this case after a review of all of the evidence presented.
- b. for all costs of court and/or expenses allowed by the Texas Rules of Civil Procedure and/or deemed appropriate by the Court.
- c. for pre-judgment interest at the highest applicable legal rate for the time period allowed by Texas law.
- d. for interest at the highest legal rate per annum from date of judgment until collected.
- e. for such other and further relief, both general and special, at law and/or equity, to which Plaintiff may show he is entitled.

Respectfully submitted,

THE NIGAM LAW FIRM, PLLC

/s/ Anjali Nigam

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