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VIRGINIA

IN THE ARLINGTON COUNTY CIRCUIT COURT

KIRK A. JACKSON,)
Plaintiff)

v.)

Case No. C/10-1533

CARL E. TANNER,)
Defendant)

Serve: Carl E. Tanner)
410 N. Lombardy Street)
Arlington, Virginia 22203)

COMPLAINT

COMES NOW your Plaintiff, Kirk A. Jackson, by counsel, and respectfully requests that this Court enter judgment against the Defendant, Carl E. Tanner, for the Defendant's tortious acts in the above-styled action and in support of his Complaint, states as follows:

PARTIES AND JURISDICTION

1. Kirk A. Jackson ["Mr. Jackson"] was, at the times relevant to this action, a resident of the Commonwealth of Virginia. Mr. Jackson currently resides in the State of California.
2. On information and belief, Carl E. Tanner ["Mr. Tanner"] is, and at all times relevant to this action was, a resident of the Commonwealth of Virginia and of Arlington County. His residence is at 410 N. Lombardy Street, Arlington, Virginia 22203.
3. The events which gave rise to this lawsuit occurred in the Commonwealth of Virginia, in Arlington County.

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4. This Court has original jurisdiction over this action pursuant to Virginia Code § 17.1-513 (1950, as amended). Venue is proper pursuant to Virginia Code § 8.01-262(4) (1950 as amended).

FACTS

5. Paragraphs 1-4 of this Complaint are re-alleged and incorporated in this section.
6. Mr. Tanner approached Mr. Jackson in the second half of 1987, knowing Mr. Jackson to be a minor, and deliberately groomed Mr. Jackson for the purpose of performing sexual acts on Mr. Jackson, taking advantage of Mr. Jackson's age and personal vulnerabilities which Mr. Tanner sought and identified.
7. Mr. Tanner's grooming of Mr. Jackson to lure him into sexual acts included but was not limited to the following:
 - a. claiming that Mr. Tanner was dying to induce empathy and immediacy,
 - b. claiming to be in the process of purchasing a Chevrolet Corvette for Mr. Jackson to induce continuation of contact,
 - c. taking Mr. Jackson to a rock concert,
 - d. purchasing significant quantities of alcohol for the underage Mr. Jackson to remove Mr. Jackson's inhibitions,
 - e. encouraging Mr. Jackson to discuss his sexual interests with Mr. Tanner,
 - f. pointing out when Mr. Tanner had erections, and
 - g. encouraging Mr. Jackson to touch Mr. Tanner's penis when such erections occurred.
8. Mr. Tanner committed sexual acts on Mr. Jackson at or about that time, including orally sodomizing Mr. Jackson while Mr. Jackson was still a minor.

9. Mr. Tanner's acts directly and proximately caused harm to Mr. Jackson.
10. Mr. Jackson has suffered injury, including physical and psychological pain, bodily injury, medical expenses, inconvenience, shame, humiliation, embarrassment, and indignity and has required and will require in the future, medical and mental health treatment, and has led to significant consequential losses, including loss of earnings.

COUNT I – BATTERY

11. Paragraphs 1-10 of this Complaint are re-alleged and incorporated in this section.
12. Mr. Tanner intentionally touched Mr. Jackson in a sexual and offensive way.
13. Mr. Tanner's intentional touching of Mr. Jackson was unwanted.
14. Mr. Tanner's intentional touching of Mr. Jackson was without justification or excuse.
15. Mr. Jackson has suffered significant injury as a proximate result of Mr. Tanner's actions, including financial losses, medical and mental health injury, shame, humiliation, embarrassment, and indignity in the amount of \$10,000,000.00.
16. Mr. Tanner's actions demonstrate a callous and intentional disregard for the rights of Mr. Jackson, and punitive damages in the amount of \$20,000,000.00 are appropriate.

COUNT II – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

17. Paragraphs 1-16 of this Complaint are re-alleged and incorporated in this section.
18. Mr. Tanner intended his conduct in engaging in a sexual relationship with Mr. Jackson while Mr. Jackson was a minor.

19. Mr. Tanner knew or should have known that his conduct would likely result in emotional distress.
20. Mr. Tanner's conduct was outrageous and intolerable, offending against the generally accepted standards of decency and morality.
21. Mr. Jackson did indeed suffer severe emotional distress that no reasonable person could be expected to endure, rendering him, *inter alia*, unable to interact normally with society, finish high school, or maintain consistent employment.
22. Mr. Jackson's severe emotional distress was proximately caused by Mr. Tanner's actions in seducing Mr. Jackson.
23. Mr. Jackson has suffered significant injury as a proximate result of Mr. Tanner's actions, including financial losses, medical and mental health injury, shame, humiliation, embarrassment, and indignity in the amount of \$10,000,000.00.

ALTERNATIVE COUNT III – NEGLIGENCE

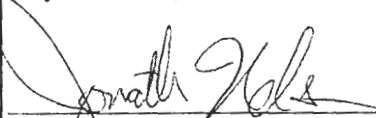
24. Paragraphs 1-23 of this Complaint are re-alleged and incorporated in this section.
25. Mr. Tanner had a duty to Mr. Jackson to exercise ordinary care not to cause unnecessary risk to the health and safety of Mr. Jackson in Mr. Tanner's personal interactions with Mr. Jackson.
26. Mr. Tanner breached this duty by engaging in a coercive sexual relationship which he knew or should have known would injure Mr. Jackson.
27. Mr. Tanner's breach directly and proximately caused injury to Mr. Jackson.
28. Mr. Jackson's injury includes financial losses, medical and mental health injury, shame, humiliation, embarrassment, and indignity in the amount of \$10,000,000.00.

Plaintiff hereby requests a trial by jury.

WHEREFORE, in consideration of the allegations outlined above, your Plaintiff, Kirk A. Jackson, requests that this Court enter in his favor a judgment of \$10,000,000.00 against the Defendant for compensatory damages, \$20,000,000.00 for punitive damages, award reasonable attorneys' fees and costs, and any other relief this Court deems proper.

Respectfully Submitted,
KIRK A. JACKSON
By counsel

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