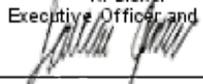


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Superior Court of California
County of Ventura

03/16/2026

K. Bieker
Executive Officer and Clerk

By:  Deputy Clerk
Lauralei Jensen

6 Attorneys for Plaintiffs

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9
10 COUNTY OF VENTURA

11 MICHAEL MATHIS, an individual; and, LISA
12 MATHIS, an individual,

13 PLAINTIFFS,

14 vs.

15 THE THACHER SCHOOL, a California
16 nonprofit corporation; and DOES 1 through 40,

17 DEFENDANTS.

Case No.: 2026CUPP063063

COMPLAINT FOR DAMAGES:

- 1. NEGLIGENCE
- 2. NEGLIGENT SUPERVISION
- 3. WRONGFUL DEATH
- 4. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

DEMAND FOR JURY TRIAL

18
19 PLAINTIFFS, MICHAEL MATHIS AND LISA MATHIS, hereby allege and complain as
20 follows:

21 **VENUE AND JURISDICTION**

22 1. Venue is proper in the Superior Court of the State of California, for the County of Ventura,
23 in that the underlying acts, omissions, injuries, circumstances, and related facts upon which the
24 present action is based occurred in the City of Ojai, County of Ventura, California, within the
25 jurisdictional boundaries of this Superior Court. This Court has jurisdiction over the present matter
26 because, as delineated within this complaint, the nature of the claims and amounts in controversy
27 meet the requirements for unlimited damages jurisdiction in the Superior Court.
28

THE PARTIES

2. At all times mentioned herein, Plaintiff MICHAEL MATHIS (hereinafter “PLAINTIFF M.M.”) was the father of DECEDENT WYATT MATHIS and a resident of the State of Nevada.

3. At all times mentioned herein, Plaintiff LISA MATHIS (hereinafter “PLAINTIFF L.M.”¹ or “LISA”) was the mother of DECEDENT WYATT MATHIS and a resident of the State of Nevada.

4. DECEDENT WYATT MATHIS (hereinafter “WYATT”) was born on June 14, 2005, and at all relevant times was a student enrolled at THE THATCHER SCHOOL.

5. DEFENDANT THE THACHER SCHOOL (hereinafter “THACHER”) is a California nonprofit corporation. Upon information and belief, DEFENDANT THACHER operates a college preparatory, coed boarding school existing under the laws of the State of California. DEFENDANT THACHER is located at 5025 Thacher Road in Ojai, California.

6. DEFENDANTS DOES 1 through 20, inclusive, and each of them, are employees and agents of DEFENDANT THACHER, who had the responsibility of supervising students, including, but not limited to, WYATT.

7. DOES 21 through 40, inclusive, and each of them, are persons, businesses, corporations, or entities who owed a legal duty of care to WYATT and PLAINTIFFS.

8. The true names and capacities of each DEFENDANT designated herein as DOES 1 through 40, whether an individual, business, public entity, or some other entity, are presently unknown to PLAINTIFFS, who therefore sue said DEFENDANTS by such fictitious names, pursuant to *Code of Civil Procedure* § 474. PLAINTIFFS are informed and believe, and thereon allege, that at all times herein mentioned, each of the DEFENDANTS sued herein as DOES 1 through 40, inclusive, was the agent and employee of each of the remaining DEFENDANTS and was at all times acting within the course and scope of such agency and employment with the full knowledge, consent, authority, ratification, and/or permission of each of the remaining DEFENDANTS.

9. Wherever appearing in this complaint, each and every reference to DEFENDANTS, or any of them, is intended to include, and shall be deemed to include, all fictitiously named DEFENDANTS.

¹ Plaintiffs MICHAEL MATHIS and LISA MATHIS will be collectively referred to as “PLAINTIFFS”.

1 Wherever reference is made in this complaint to any act by a DEFENDANT or DEFENDANTS, such
2 allegation and reference shall also be deemed to mean the acts and failures to act of each
3 DEFENDANT, including DOES, acting individually, jointly, and severally. Wherever reference is
4 made in this complaint to individuals who are not named as a DEFENDANT in this complaint, but
5 were the agents, servants, employees, and/or supervisors of DEFENDANTS, such individuals at all
6 relevant times acted on behalf of DEFENDANTS within the course and scope of employment.

7 10. PLAINTIFFS are informed and believe, and thereon allege, that at all times relevant herein,
8 each DEFENDANT was completely dominated and controlled by his/her/its co-DEFENDANT, and
9 each was the alter ego of the other as to the events set forth herein.

10 **BACKGROUND FACTS APPLICABLE TO ALL CAUSES OF ACTION**

11 11. Upon information and belief, THACHER was founded in 1889 in Ojai, California and is one
12 of the oldest co-educational boarding schools in the state of California.

13 12. According to THACHER’S website, its mission is as follows: “[THACHER] trains young
14 people in the art of living for their own greatest good and for the greatest good of their fellow citizens
15 in a diverse and changing world. To that end, the School augments its highly challenging academic
16 program with profound lessons learned from the care of a horse, regular chores around the School,
17 teamwork on playing fields, outstanding instruction in the arts, the give and take of everyday life with
18 schoolmates and teachers, and adventures shared in the wilderness. The aim is to inspire and
19 encourage hard work, integrity, self-reliance, a lifelong love of learning and truth, self-knowledge, and
20 a deep concern for the world in which we live.”

21 13. WYATT entered THACHER in ninth grade for the 2020-2021 school year as a residential
22 boarding student.

23 14. Upon his return to campus for his senior year, on or around August 24, 2023, WYATT made
24 a wellness referral on his own behalf identifying multiple areas of concern, including the following:
25 Depression, Anxiety, Alcohol, Use of marijuana and/or other drugs, Isolation/Withdrawal, Loneliness,
26 Peer/Friend relationships, Gender Identity, Sexual Orientation, Unhealthy/Lack of Coping Skills,
27 Body Image, Relationships with food, Race and/or Ethnicity, and Vaping.

28 //

1 15. In response to his wellness referral, THACHER assigned and otherwise authorized Sepideah
2 Mohsenian-Rahman, an unlicensed Associate Clinical Social Worker serving as Director of Diversity,
3 Equity, and Inclusion, to provide care to WYATT.

4 16. Upon information and belief, THACHER made or otherwise authorized this assignment to its
5 employee, Ms. Mohsenian-Rahman, even though she lacked specific experience in drug counseling or
6 treating adolescents with substance abuse issues.

7 17. Upon information and belief, at the time she started to treat WYATT in the fall of 2023, Ms.
8 Mohsenian-Rahman was required under relevant regulations to be supervised by a Licensed Clinical
9 Social Worker (“LCSW”) for certain hours to count towards her licensure with the Behavioral Board
10 of Science (“BBS”).

11 18. Upon information and belief, Ms. Mohsenian-Rahman first met with WYATT on or around
12 September 6, 2023, and at this time he was noted to have been experiencing transitional issues
13 concerning returning to school for his senior year.

14 19. Upon information and belief, between September 6 and September 19, 2023, WYATT
15 continued to meet with Ms. Mohsenian-Rahman and disclosed various concerns related to self-
16 isolation, anxiety, and the impact of his medication.

17 20. Upon information and belief, on or around September 19, 2023, WYATT reported to Ms.
18 Mohsenian-Rahman that his mental health struggles were so severe, that he needed to take a personal
19 day, which meant he would not attend classes.

20 21. Upon information and belief, following WYATT’S disclosure of his mental health problems
21 and struggles to Ms. Mohsenian-Rahman on or around September 19, 2023, Ms. Mohsenian-Rahman
22 had WYATT sign a Release of Information Form authorizing her to share relevant information to his
23 parents.

24 22. On September 19, Ms. Mohsenian-Rahman’s colleague, Kendrea Hart, Director of
25 Counseling and Wellness at THACHER, reached out to PLAINTIFFS, regarding WYATT’S well-
26 being following his request for a personal day. At this time, Ms. Hart conveyed to PLAINTIFFS that
27 she, Ms. Mohsenian-Rahman, and all those at THACHER were focused on supporting WYATT and
28

1 reassured PLAINTIFFS that there was a whole team of people at THACHER who were looking after,
2 caring for, and otherwise supporting their son.

3 23. Upon information and belief by the end of September 2023, WYATT had disclosed illicit
4 substance use to Ms. Mohsenian-Rahman.

5 24. Upon information and belief, later in October 2023, WYATT expressed increased anxiety and
6 suicidal ideation to Ms. Mohsenian-Rahman. Soon after this disclosure from WYATT, Ms. Mohsenian-
7 Rahman spoke to PLAINTIFF L.M. regarding WYATT'S suicidal ideation and reassured her that this
8 was "normal and common in teenage years" and told her not to worry. When PLAINTIFF L.M. asked if
9 she should come visit, Ms. Mohsenian-Rahman told her that it was not necessary. Despite having an
10 authorization from WYATT to disclose relevant information to his parents, at no time during these
11 communications did Ms. Mohsenian-Rahman inform PLAINTIFFS that WYATT had disclosed illicit
12 substance use.

13 25. Despite a clear escalation in the severity of his mental health and substance abuse issues,
14 THACHER continued to authorize an unlicensed, inexperienced trainee to treat WYATT and failed to
15 communicate the full extent of WYATT'S issues to his parents, including any details concerning his
16 history of substance abuse. Based upon the representations and reassurance from THACHER and its
17 employees as outlined in paragraph 24, PLAINTIFFS relying upon said representations and
18 assurances, did not visit WYATT at this time, but they did coordinate with one of WYATT'S
19 providers to adjust his medication.

20 26. Upon information and belief, during his sessions with Ms. Mohsenian-Rahman from October
21 through December 2023, WYATT continued to express he was experiencing anxiety, difficulty
22 focusing, and difficulty controlling risky/prohibited behavior, none of which was disclosed to
23 PLAINTIFFS at any time prior to WYATT'S death.

24 27. Upon information and belief, on or around December 15, 2023, WYATT self-reported to Ms.
25 Mohsenian-Rahman that he had taken several doses of NyQuil the prior night of December 14, 2023
26 because he was anxious and wanted to sleep before early college decisions came out on December 15.

27 28. Upon information and belief, the NyQuil doses WYATT took on or around December 14,
28 were provided to him by THACHER on or around December 10, 2023 when he had COVID. Upon

1 information and belief, despite THACHER’S knowledge regarding WYATT’S substance abuse and
2 mental health issues, they did not monitor his usage of the NyQuil they provided to him. Upon
3 information and belief, WYATT’S self-disclosure of the NyQuil incident prompted THACHER to
4 communicate with PLAINTIFFS and to establish specific requirements for WYATT’S return to
5 campus in January 2024.

6 29. THACHER’S specific mandatory requirements for WYATT to return to school in January
7 2024 were: (1) connection with outpatient substance abuse services, (2) commitment to remaining
8 substance-free with mandatory confidential drug testing, and (3) continued regular therapy. As a part
9 of the mandatory requirements, Ms. Hart told PLAINTIFFS, “To help ensure that he meets this
10 commitment I will coordinate with Thacher’s Health Center to determine a schedule of confidential
11 drug testing that Wyatt will adhere to.” However, no testing was ever administered prior to WYATT’S
12 death in May 2024.

13 30. Throughout the 2023-2024 winter break, Ms. Mohsenian-Rahman and Ms. Hart continued to
14 communicate with PLAINTIFFS regarding WYATT’S return to campus and the mandatory
15 requirements it created. THACHER, through Ms. Mohsenian-Rahman and Ms. Hart, led PLAINTIFFS
16 to believe that the requirements, including mandatory confidential drug testing, were being
17 implemented as a result of the NyQuil incident. At no time prior to WYATT’S death did any
18 THACHER employee or administrator ever inform PLAINTIFFS of the full and complete extent of
19 WYATT’S serious mental health and substance use issues.

20 31. At no time did THACHER reveal to PLAINTIFFS nor WYATT that the school was not
21 capable of treating WYATT or that his problems were too serious and complex for their team to
22 address and treat. Instead, by and through communications with the PLAINTIFFS, THACHER
23 unmistakably conveyed that they were competent and capable of providing adequate care for their son.

24 32. WYATT returned to THACHER for the conclusion of the school year in January 2024.

25 33. During the spring semester of the 2023-2024 school year, WYATT and/or PLAINTIFFS
26 requested reasonable academic accommodations in the form of extra time for assignments based upon
27 WYATT’S issues, including his anxiety. In response, THACHER declined the request for extra time
28 and did so with full knowledge of WYATT’S mental health and substance use issues.

1 34. Despite setting and otherwise promulgating mandatory conditions for WYATT to return to
2 campus, including mandatory confidential drug testing, at no time prior to his death did THACHER
3 implement any of the drug testing it asserted it would do.

4 35. THACHER, through its employees, recommended and approved of both the outpatient
5 substance abuse service program WYATT agreed to attend and the therapist WYATT treated with
6 upon his return to school in January 2024. However, THACHER, through its employees, never
7 undertook any actions to ensure that WYATT consistently attended and participated in outpatient
8 substance abuse services nor the regular therapy, as required in the mandatory conditions for his return
9 to campus.

10 36. Upon information and belief, between January and his death in May 2024, THACHER did
11 not make any effort to ensure WYATT did not have any substances in his possession on campus and
12 did not conduct any searches of WYATT'S dorm room.

13 37. Upon information and belief, the dorm head, which is the faculty member that resides in each
14 dormitory, was not told by anyone at THACHER of WYATT'S challenges and did not provide regular
15 check-ins or monitoring of WYATT.

16 38. During the 2023-2024 school year, WYATT with the approval and endorsement of
17 THACHER was appointed to the leadership role of prefect in the junior and senior boys' dormitory
18 where he was responsible for helping to care for a number of his peers. Upon information and belief, it
19 was commonly known amongst students at THACHER that during the 2023-2024 school year,
20 WYATT was often alone behind his locked dorm room and was generally inaccessible to the students
21 he was responsible for caring for. Notwithstanding his self-reported mental health and substance abuse
22 issues and his general unavailability to support students he was responsible for, THACHER permitted
23 and otherwise authorized WYATT to continue in this leadership role until his death.

24 39. Upon information and belief, THACHER, through WYATT'S dorm head knew or should
25 have known that WYATT was often alone behind his locked dorm room, was generally inaccessible,
26 and self-isolating since one of the obligations of a dorm head during the 2023-2024 school year
27 pursuant to THACHER'S policies and procedures was to check for excessive door locking by a
28 student and to confront the student and advise the student's parents. Upon information and belief,

1 WYATT'S dorm head never confronted WYATT for his excessive door locking. At no time prior to
2 WYATT'S death did anyone from THACHER, including WYATT'S dorm head, advise PLAINTIFFS
3 of WYATT'S excessive door locking.

4 40. Based upon representations from THACHER through its employees and/or agents,
5 PLAINTIFFS were unmistakably led to believe the drug testing, outpatient services, and therapy
6 requirements established by THACHER were related to the NyQuil incident. Furthermore, THACHER
7 provided no information to PLAINTIFFS concerning the school's knowledge of any substance abuse
8 issues. Relying upon the representations from THACHER through its employees and/or agents,
9 PLAINTIFFS did not insist on drug testing, therapy, or outpatient substance abuse services beyond
10 what THACHER required and ensured they were overseeing.

11 41. Because PLAINTIFFS were aware of THACHER'S policy that students could not even have
12 more than a week's worth of prescription medication in their own dorm room at any time, and they
13 had no knowledge of any substance use issues beyond the NyQuil incident, they did not insist on any
14 additional protocol beyond what THACHER put in place.

15 42. When PLAINTIFFS were in the process of applying for WYATT to attend THACHER,
16 THACHER represented that they had an open-door policy and there were no locks on any of the dorm
17 rooms. PLAINTIFFS relied upon this representation in making the decision to send WYATT to
18 THACHER. Upon information and belief, at some point between WYATT entering THACHER in the
19 fall of 2020 and the start of his senior year in the fall of 2023, THACHER installed locks on the
20 students' dorm room doors. PLAINTIFFS did not learn that the dorm rooms had locks until after
21 WYATT'S death. Had PLAINTIFFS known the full extent of WYATT'S mental health and substance
22 abuse issues that were known to THACHER, and had they known WYATT had a lock on his dorm
23 room door and was routinely alone in his room with a locked door, at an absolute minimum,
24 PLAINTIFFS would have insisted on regular checks of his room.

25 43. On May 6, 2024, WYATT missed both a mandatory community dinner and guest lecture,
26 which started at 6:00PM. Upon information and belief, despite DEFENDANT THACHER'S
27 knowledge of WYATT'S mental health and substance abuse issues, DEFENDANT never searched for
28

1 him to see if he was safe. Upon information and belief, WYATT was not seen alive after classes ended
2 at 3:00 p.m. that day.

3 44. Although WYATT missed the mandatory dinner and event, no THACHER employee or
4 administrator went to look for him. WYATT was not discovered until he failed to open his door
5 during the routine nighttime dorm checks. At 10:05 PM during dorm checks, WYATT was found
6 unresponsive in his room with drug paraphernalia visible. At the time he was found, WYATT'S dorm
7 room door was locked from the inside, and another student was instructed to crawl into his dorm room
8 from an outside window to unlock the door and allow THACHER staff inside. Despite emergency
9 response efforts, WYATT was pronounced dead at 10:29 PM.

10 45. Upon information and belief, by the time WYATT was found that evening, there were signs
11 of lividity to his face, and he was noted to have obvious signs of rigor.

12 46. Upon information and belief, the illicit substances, which caused WYATT'S death came
13 through THACHER'S mailroom. Despite THACHER'S knowledge of WYATT'S mental health and
14 substance abuse issues, THACHER failed to monitor WYATT, including monitoring deliveries he
15 received on campus.

16 47. THACHER failed to inform PLAINTIFFS that the December NyQuil incident was part of a
17 continuing pattern of substance abuse discussions dating back to September 2023. Aside from the
18 NyQuil incident, PLAINTIFFS did not learn of any matters of WYATT'S substance abuse of any kind
19 until after his death.

20 48. As a student of THACHER, who was living on campus, WYATT was under THACHER'S
21 direct supervision, care, custody, and control, thus creating a special relationship with
22 DEFENDANTS which imposed on them an affirmative duty to take all reasonable steps to protect its
23 students from foreseeable harm, including WYATT.

24 49. DEFENDANTS failed to take reasonable steps and to implement reasonable safeguards to
25 prevent WYATT from obtaining and ingesting illicit substances. This includes, but is not limited to,
26 the following: failing to implement mandatory drug testing, failing to ensure that WYATT consistently
27 participated in outpatient substance abuse services, failing to ensure that WYATT did not possess any
28 illicit substances or drug paraphernalia on campus, failing to search WYATT'S room for illicit

1 substances or drug paraphernalia, and failing to inform PLAINTIFFS of their son's substance abuse
2 issues.

3 50. DEFENDANTS breached their duty to properly and adequately supervise, monitor, and
4 protect WYATT by, in part, ignoring clear and obvious signs that WYATT was in the midst of a
5 mental health crisis; allowing WYATT to obtain and abuse illicit controlled substances; allowing
6 WYATT to have illicit controlled substances and drug paraphernalia in his dorm room; by authorizing
7 an unlicensed, inexperienced trainee to treat WYATT; failing to communicate the full extent of
8 WYATT'S issues to his parents, including his issues with illegal substances; and by failing to search
9 for WYATT when he failed to show for both the mandatory community dinner and guest lecture on
10 the day of his death.

11 51. As is set forth herein, DEFENDANTS have failed to uphold duties imposed on them by law
12 and through written policies and procedures applicable to DEFENDANTS including, but not limited
13 to, the following:

- 14 a. Duty to use reasonable care to protect students from known or foreseeable dangers;
- 15 b. Duty to properly train teachers, administrators, counselors, staff, and contractors of
16 their responsibility for creating and maintaining a safe environment for students;
- 17 c. Duty to supervise faculty and staff and enforce rules and regulations prescribed for
18 schools;
- 19 d. Duty to provide sufficient supervision for students;
- 20 e. Duty to act promptly and diligently to protect students, and not minimize problems;
- 21 f. Duty to supervise faculty and students and enforce rules and regulations prescribed for
22 schools, to exercise reasonable control over students as is reasonably necessary to
23 maintain order, to protect the health and safety of faculty and students, or to maintain
24 proper and appropriate conditions conducive to learning;
- 25 g. Duty to adequately and properly investigate, hire, train, and supervise their agents and
26 employees who would be working with students to protect the students from harm
27 caused by unfit employees; and
28

1 h. Duty to properly monitor students, prevent or correct harmful situations or call for help
2 when a situation is beyond their control.

3 52. Under California law, a special relationship exists between students and DEFENDANTS.
4 Students, including WYATT are entitled to a safe and nurturing school environment per *Education*
5 *Code* § 32100.

6 53. Upon information and belief, since WYATT was a residential boarding student living on
7 campus, at all relevant times, DEFENDANTS had a duty of care under *in loco parentis*.

8 54. DEFENDANTS failed to provide safe conditions for WYATT resulting in his death.

9 55. DEFENDANTS failed to ensure that WYATT was properly supervised in all aspects of his
10 life at THACHER resulting in his death.

11 56. DEFENDANTS had a duty to and failed to maintain a learning environment free of
12 dangerous drugs such as cocaine, especially where DEFENDANTS had prior notice that students
13 including WYATT used such substances and had the ability to bring them on to campus despite
14 having policies prohibiting the use of any illicit substances.

15 **FIRST CAUSE OF ACTION**

16 **NEGLIGENCE**

17 **(Against DEFENDANTS THACHER and DOES 1 through 40)**

18 57. PLAINTIFFS hereby incorporate by reference all previous paragraphs as if fully set forth
19 herein.

20 58. DEFENDANTS owed a duty of care to WYATT and PLAINTIFFS. They owed
21 PLAINTIFFS a duty to keep WYATT safe at school from all forms of harm pursuant to their special
22 relationship with WYATT.

23 59. As a result of their special relationship with WYATT, DEFENDANTS had a duty to protect
24 WYATT from foreseeable harm.

25 60. At all relevant times, DEFENDANTS owed a duty of care to their residential boarding
26 students, including WYATT, under *in loco parentis*.

27 61. DEFENDANTS knew that WYATT had experimented with various substances.

28 62. DEFENDANTS knew that WYATT had experienced suicidal ideation.

1 63. DEFENDANTS knew or should have known that WYATT had a substance abuse problem.

2 64. DEFENDANTS had policies prohibiting the use of any illicit substances on campus.

3 65. DEFENDANTS knew or should have known that students, including WYATT, had
4 possessed illicit substances to campus despite the policies prohibiting it.

5 66. DEFENDANTS knew or should have known that students, including WYATT, who had
6 possessed illicit substances on campus could overdose as a result of ingesting an illicit substance.

7 67. DEFENDANTS failed to take reasonable steps to ensure students, including WYATT were
8 not able to possess illicit substances on campus pursuant to its own policy.

9 68. At the time of WYATT'S death, it was or should have been reasonably foreseeable that
10 WYATT represented a danger to himself, including as a result of his history with substance abuse.
11 DEFENDANTS were duty bound to take reasonable steps and to implement reasonable safeguards to
12 protect WYATT. DEFENDANTS failed to take steps necessary to protect WYATT from harm,
13 including, but not limited to, the following:

- 14 a. Mandatory confidential drug testing;
- 15 b. Ensuring WYATT'S consistent attendance at outpatient substance abuse services;
- 16 c. Preventing WYATT from obtaining and abusing illicit controlled substances in his on-
17 campus dorm room;
- 18 d. Preventing WYATT from obtaining and keeping drug paraphernalia in his on-campus
19 dorm room;
- 20 e. Searching WYATT'S on-campus dorm room for illicit substances;
- 21 f. Requiring WYATT attend counseling and/or therapy with a fully licensed,
22 independent, and trained care provider;
- 23 g. Informing PLAINTIFFS of WYATT'S substance abuse;
- 24 h. Searching for WYATT when he was first reported missing; and
- 25 i. Providing WYATT with timely emergency medical care.

26 69. As a result of DEFENDANTS' outrageous conduct, WYATT overdosed on a fatal amount of
27 cocaine in his dorm room on THACHER'S campus while under DEFENDANTS' supervision.

1 70. Had DEFENDANTS taken reasonable steps and implemented reasonable safeguards to
2 protect WYATT as outlined in paragraph 68, he would not have died on May 6, 2024.

3 71. DEFENDANT THACHER is vicariously liable for the conduct and liabilities of its
4 employees, including their failures to take reasonable steps and to implement reasonable safeguards
5 to protect WYATT.

6 72. As a direct and proximate result of DEFENDANTS' acts and omissions, WYATT died, and
7 PLAINTIFFS have suffered and will continue to suffer from the loss of his love, companionship,
8 comfort, care, assistance, protection, affection, society, and moral support.

9 73. As a direct and proximate result of DEFENDANTS' acts and omissions PLAINTIFFS
10 suffered injuries and damages including, but not limited to, mental pain and suffering, emotional
11 distress, and other economic and non-economic damages, in an amount not yet ascertained but which
12 exceed the minimum jurisdictional limits of this Court.

13 **SECOND CAUSE OF ACTION**

14 **NEGLIGENT SUPERVISION**

15 **(Against DEFENDANTS THACHER and DOES 1 through 40)**

16 74. PLAINTIFFS hereby incorporate by reference all previous paragraphs as if fully set forth
17 herein.

18 75. DEFENDANTS owed a duty of care to WYATT and PLAINTIFFS. DEFENDANTS owed a
19 duty of care to properly supervise their residential boarding students, including WYATT, under *in loco*
20 *parentis*.

21 76. DEFENDANTS had and continue to have a duty to properly supervise and provide for the
22 safety of their students, including WYATT, pursuant to their special relationship with their students,
23 including WYATT.

24 77. As a result of their special relationship with WYATT, DEFENDANTS had a duty to protect
25 WYATT from foreseeable harm.

26 78. DEFENDANTS recklessly and negligently failed to implement and/or enforce policies and
27 procedures that were aimed at supervising students, including policies prohibiting students from
28 possessing illicit substances on campus.

1 79. DEFENDANTS knew and were otherwise informed by WYATT that WYATT had ingested
2 various illegal substances.

3 80. DEFENDANTS knew that WYATT had experienced suicidal ideation.

4 81. DEFENDANTS knew or should have known that WYATT had a substance abuse problem.

5 82. At the time of WYATT'S death, it was or should have been reasonably foreseeable that
6 WYATT represented a danger to himself. DEFENDANTS were duty bound to take reasonable steps
7 and implement reasonable safeguards to supervise WYATT.

8 83. DEFENDANTS failed to take reasonable steps and to implement reasonable safeguards to
9 supervise WYATT to prevent him from obtaining and ingesting illicit substances. This includes, but is
10 not limited to, the following: failing to implement mandatory drug testing, failing to ensure that
11 WYATT did not bring any illicit substances on campus, and failing to ensure that WYATT
12 consistently participated in outpatient substance abuse services.

13 84. DEFENDANTS breached their duty to properly and adequately supervise, monitor, and
14 protect WYATT by, in part, ignoring clear and obvious signs that WYATT was in the midst of a
15 mental health crisis; allowing WYATT to obtain and abuse illicit controlled substances; allowing
16 WYATT to have illicit controlled substances and drug paraphernalia in his dorm room; by authorizing
17 an unlicensed, inexperienced trainee to treat WYATT; failing to communicate the full extent of
18 WYATT'S issues to his parents, including his issues with illegal substances; and by failing to search
19 for WYATT when he failed to show for both the mandatory community dinner and guest lecture on
20 the day of his death.

21 85. Had DEFENDANTS adequately and properly supervised, monitored, and protected its
22 students, including WYATT, WYATT would not have been harmed.

23 86. DEFENDANTS were negligent when they allowed WYATT to procure illicit controlled
24 substances and drug paraphernalia and store them in his on-campus dorm room. DEFENDANTS were
25 negligent when they allowed WYATT to ingest cocaine in his room.

26 87. DEFENDANTS were negligent when they failed to conduct dormitory sweeps for illicit
27 controlled substances and drug paraphernalia at any time prior to WYATT'S death.

28

1 88. DEFENDANTS were negligent when they failed to have WYATT submit to mandatory drug
2 testing as was required in their own specific mandatory requirements for WYATT to return to school.

3 89. DEFENDANTS were negligent when they failed to ensure that WYATT consistently attend
4 outpatient substance abuse services as was required in their own specific mandatory requirements for
5 WYATT to return to school.

6 90. As a direct and proximate result of DEFENDANTS' acts and omissions, WYATT was able
7 to obtain and abuse illicit controlled substances in his dorm room, which resulted in his death, and
8 PLAINTIFFS have suffered and will continue to suffer from the loss of his love, companionship,
9 comfort, care, assistance, protection, affection, society, and moral support.

10 91. As a direct and proximate result of DEFENDANTS' acts and omissions PLAINTIFFS
11 suffered injuries and damages including, but not limited to, mental pain and suffering, emotional
12 distress, and other economic and non-economic damages, in an amount not yet ascertained but which
13 exceed the minimum jurisdictional limits of this Court.

14 **THIRD CAUSE OF ACTION**

15 **WRONGFUL DEATH**

16 **(Against DEFENDANTS THACHER and DOES 1 through 40)**

17 92. PLAINTIFFS hereby incorporate by reference all previous paragraphs as if fully set forth
18 herein.

19 93. The present action is brought for WYATT'S wrongful death which was caused by
20 DEFENDANTS' willful, reckless, and negligent acts and omissions.

21 94. At all relevant times, DEFENDANTS owed a duty of care to their residential boarding
22 students, including WYATT, under *in loco parentis*.

23 95. As a result of their special relationship with WYATT, DEFENDANTS had a duty to protect
24 WYATT from foreseeable harm.

25 96. DEFENDANTS owed its students, including WYATT, a duty of reasonable care in the
26 hiring, training, and supervision of its staff, administrators, and/or counselors.

1 97. DEFENDANTS had a duty to reasonably respond and/or intervene in response to students,
2 including WYATT, expressing signs of distress and crisis, as established by DEFENDANT
3 THACHER'S own policies and safety rules.

4 98. DEFENDANT voluntarily rendered services to WYATT.

5 99. DEFENDANTS negligently, carelessly, recklessly, maliciously, and/or unlawfully breached
6 their duties of care to WYATT including, but not limited to, in the following ways: ignoring clear and
7 obvious signs that WYATT was in the midst of a mental health crisis; allowing WYATT to obtain
8 and abuse illicit controlled substances on campus; allowing WYATT to have illicit controlled
9 substances and drug paraphernalia in his dorm room; by authorizing an unlicensed, inexperienced
10 trainee to treat WYATT; failing to communicate the full extent of WYATT'S issues to his parents,
11 including his issues with illegal substances; and by failing to search for WYATT when he failed to
12 show for both the mandatory community dinner and guest lecture on the day of his death.

13 100. DEFENDANT THACHER is vicariously liable for injuries caused by the negligence of its
14 employees, agents, and/or independent contractors who are acting in the course and scope of their
15 employment.

16 101. The death of WYATT occurred as a direct and proximate cause of DEFENDANTS'
17 breaches of its duty of care owed to WYATT, resulting in his tragic and untimely death.

18 102. DEFENDANTS' negligent, reckless, and/or incompetent acts proximately caused
19 WYATT'S death.

20 103. DEFENDANTS' failure to exercise reasonable care, including in its negligent, voluntary
21 rendering of services to students, including WYATT, its failure to adequately supervise WYATT, and
22 in its failure to reasonably intervene or otherwise respond to WYATT'S distress, was a substantial
23 factor in causing WYATT'S death.

24 104. As a direct and proximate result of DEFENDANTS' acts and omissions, WYATT died, and
25 PLAINTIFFS have suffered and will continue to suffer from the loss of his love, companionship,
26 comfort, care, assistance, protection, affection, society, and moral support.

27 105. As a direct and proximate result of DEFENDANTS' acts and omissions PLAINTIFFS
28 suffered injuries and damages including, but not limited to, mental pain and suffering, emotional

1 distress, and other economic and non-economic damages, in an amount not yet ascertained but which
2 exceed the minimum jurisdictional limits of this Court.

3 106. DEFENDANTS' negligence, misconduct, and malicious actions caused, or were a
4 substantial contributing factor in causing WYATT'S tragic, untimely death.

5 **FOURTH CAUSE OF ACTION**

6 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

7 **(Against DEFENDANTS THACHER)**

8 107. PLAINTIFFS hereby incorporate by reference all previous paragraphs as if fully set forth
9 herein.

10 108. On or about May 6-7, 2024, THACHER, through its Head of School, Jeff Hooper,
11 telephoned PLAINTIFFS to inform them of their son's death and represented that THACHER was
12 not aware of any potential cause of death or the presence of drugs or anything indicating self-harm.

13 109. Thereafter, and before PLAINTIFFS were informed by THACHER that the school
14 suspected illegal drugs contributed to WYATT'S death, THACHER held a Community Meeting with
15 the entire student body and advised students that THACHER believed fentanyl and illegal drugs
16 contributed to WYATT'S death.

17 110. While PLAINTIFFS were in transit to THACHER to collect WYATT'S remains,
18 PLAINTIFFS learned from a friend and fellow THACHER parent that the student body had been told
19 that THACHER suspected fentanyl and illegal drugs contributed to WYATT'S death before
20 PLAINTIFFS were told.

21 111. Upon PLAINTIFFS arrival at the school, and before they received further communication
22 and discussion regarding WYATT'S death from any employee or agent of THACHER, PLAINTIFFS
23 received an email sent by THACHER to the general parent distribution email list stating that "as part
24 of the investigatory process we have received information to suggest that illegal drugs may have been
25 involved."

26 112. Following the receipt of the above-referenced parent email, PLAINTIFF M.M.
27 immediately contacted Jeff Hooper to express his extreme pain and outrage to have received that
28 information from the school by email, and not personally, and for the rest of the school to have

1 received it in advance of and/or at the same time as PLAINTIFFS. PLAINTIFF M.M. further
2 expressed PLAINTIFFS objection to the school sharing confidential information regarding WYATT
3 and their family to the public. In response, Mr. Hooper apologized for the manner and form of the
4 message and agreed to provide PLAINTIFFS advance notice and a chance to comment on any further
5 communications regarding WYATT'S death.

6 113. THACHER'S conduct as alleged above, misrepresenting or minimizing suspected drug
7 involvement to PLAINTIFFS, then disclosing suspected drug involvement to the entire student body
8 and parent community before providing PLAINTIFFS a private, personal disclosure, and
9 disseminating sensitive information about WYATT and PLAINTIFFS to the broader community was
10 extreme and outrageous and exceeded all bounds of decency tolerated in a civilized community.

11 114. THACHER, through its employees and/or agents, intended to cause PLAINTIFFS
12 emotional distress or acted with reckless disregard of the probability of causing PLAINTIFFS
13 emotional distress, in that THACHER knew PLAINTIFFS were WYATT'S parents and would
14 inevitably learn of the content and manner of THACHER'S disclosures yet proceeded as alleged.

15 115. As a direct and proximate result of DEFENDANT'S acts and omissions PLAINTIFFS
16 suffered injuries and damages including, but not limited to, mental pain and suffering, emotional
17 distress, and other economic and non-economic damages, in an amount not yet ascertained but which
18 exceed the minimum jurisdictional limits of this Court.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, PLAINTIFFS pray for judgment against DEFENDANTS THE
21 THACHER SCHOOL, and DOES 1 through 40, and each of them, as follows:

- 22 1. For past, present, and future general damages according to proof at trial;
- 23 2. For past, present, and future economic, and special damages, including for funeral and
24 burial expenses, according to proof at trial;
- 25 3. For past, present, and future non-economic damages, including for the loss of love of
26 their son, and the loss of the companionship, care, comfort, assistance, protection,
27 affection, society, and moral support of their son, WYATT;
- 28 4. For costs of suit incurred herein; and

1 5. For such other and further relief as the Court deems just and proper.

2
3 Dated: March 16, 2026

PAUL MONES, P.C.

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5 By: 
6 Paul Mones, Esq.
7 Courtney Kiehl, Esq.
8 Attorneys for Plaintiffs
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DEMAND FOR JURY TRIAL

PLAINTIFFS requests that this action be determined by trial by jury.

Dated: March 16, 2026

PAUL MONES, P.C.

By: 
Paul Mones, Esq.
Courtney Kiehl, Esq.
Attorneys for Plaintiffs

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