

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

DATE: 02/21/2012

TIME: 02:56:00 PM

DEPT: C-73

JUDICIAL OFFICER PRESIDING: Steven R. Denton

CLERK: Yvette Terronez

REPORTER/ERM: not reported

BAILIFF/COURT ATTENDANT:

CASE NO: **37-2010-00092450-CU-PO-CTL** CASE INIT.DATE: 05/20/2010

CASE TITLE: **Dorman vs. La Jolla Church**

CASE CATEGORY: Civil - Unlimited CASE TYPE: PI/PD/WD - Other

EVENT TYPE: Summary Judgment / Summary Adjudication (Civil)

APPEARANCES

The Court, having taken the above-entitled matter under submission on 12/16/11 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The Court confirms its rulings on defendants' motions for summary judgment/summary adjudication. The discussion that follows is intended to supplement, but not replace the original rulings.

Defendant Linda Vista church argues it is not responsible for a sexual assault occurring off church property and not during a church sanctioned event. However, these factors are not necessarily determinative. It could be liable if its negligent hiring or negligent failure to warn facilitated defendant Campos' conduct. See *Evan F. v. Hughson United Methodist Church* (1992) 8 Cal.App.4th 828 (negligent hiring of pastor who sexually assaulted child at his home).

In addition, the disputed facts demonstrate defendant Linda Vista church's potential liability for the abuse of plaintiff Gamboa. The statute of limitations continues to run beyond plaintiff's twenty-sixth birthday to the extent defendant was on notice of defendant Campos' past "sexual conduct." C.C.P. § 340.1(b)(2). Also, defendant Linda Vista church is potentially liable to the extent it permitted Campos to relocate congregations without notifying or warning responsible officials within the new congregation.

Finally, the Court stresses that application of the Rowland factors is predicated upon the unique facts of this action, which include defendants' knowledge of defendant Campos' previous attempted sexual abuse.

IT IS SO ORDERED.



Judge Steven R. Denton