

ASSAULT**Incarcerated Teacher Liable for Molesting Two Former Students****DECISION:** \$2,150,000**CASE** John Doe 1 and John Doe 2 v. Rodolfo Charles Demordaigle and Los Angeles Unified School District, BC 191 007**COURT** Superior Court of Los Angeles County, Central**JUDGE** Jon M. Mayeda**DATE** 10/29/01**PLAINTIFF****ATTORNEY(S)** Lawrence R. Booth; Booth & Koskoff; Torrance, CA**DEFENSE ATTORNEY(S)**

FACTS A former junior high school teacher, now incarcerated, must pay a \$2.15 million default judgment to two former students whom he molested during various field trips.

On numerous occasions between 1992 and 1995, the defendant, Rodolfo Charles Demordaigle, who was a teacher at a junior high school in Los Angeles, took a number of male students on various science trips in the desert regions of Southern California as well as trips to Wyoming, Nevada and Utah.

During these trips, the two plaintiffs, teens at the time, claimed that they were sexually abused by Demordaigle.

John Doe 1 claimed that he was abused 50 to 100 times over a three- to six-month period while John Doe 2 claimed that he was abused on one particular trip.

The case originally proceeded against the Los Angeles Unified School District and Demordaigle. The school district was dismissed from the action based on the statute of limitations.

Demordaigle was convicted of various felonies involving lewd acts on children and sent to state prison for an extended term. Demordaigle, who originally denied the allegations, pleaded guilty in the criminal proceedings.

INJURIES The plaintiffs suffered from emotional distress, but did not seek any particular psychological treatment.

DECISION A default judgment in the sum of \$2.15 million (\$1.4 million to John Doe 1 and \$750,000 to John Doe 2) was entered against the defendant. The plaintiffs are pursuing the defendant's assets, which include substantial properties in California and Wyoming. The school district's dismissal from the action was appealed, with the plaintiffs' counsel arguing late discovery as a reason for filing a late claim with this governmental entity. The appeal was not successful.

**PLAINTIFF
EXPERT(S)** Priscilla Barnes; child psychotherapy; Los Angeles, CA

**DEFENSE
EXPERT(S)** None

INSURER(S) Self-insured