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Molestation victim gets \$25.3 million verdict

A Los Angeles County jury has found an after-school supervisor and the school that employed him jointly liable in a child molestation case to the tune of a \$25.3 million verdict, agreeing with the plaintiff's attorneys who say the school missed signs of sexual abuse.

According to attorneys for the plaintiff, at least one employee at Westerly School of Long Beach suspected a "sexual relationship" between the plaintiff, who was 15 at the time, and after-school program director Scott Durza, who was 43. She did not alert any authorities, the lawsuit alleged.

The plaintiff was not enrolled at Westerly, a kindergarten through 8th grade school, but was completing high school courses online. He acted as an assistant to Durza and was allowed to work in Westerly's library during the day largely unsupervised, his attorneys said.

"If a school has a kid on campus all day, they have basic supervision duty to watch that person and make sure they're safe. They didn't have any idea and created a perfect environment for the perpetrator to abuse," said Natalie Weatherford of Taylor & Ring, who represented the plaintiff.

The jury agreed and returned the verdict late last Wednesday after five hours of deliberation. None of the alleged abuse took place at the school, but due to its negligence, the school carries 35 percent liability, the jury found.

Durza was found 62 percent liable with the last three percent attributable to the alleged victim's parents. *Stephen W v. Westerly School of Long Beach et al.*, BC615649 (L.A. Super. Ct., filed April 4, 2016).

Mark Lowary of Berman Berman Berman Schneider & Lowary LLP represented the school and said the plaintiff initially requested a \$50 million verdict and 80 percent liability for the school.

Lead plaintiff's counsel John C. Taylor added that the school's employees were not properly trained to spot warning signs of abuse between Durza and the plaintiff.

"I think that the school hadn't properly trained people on what to be aware of about sex abuse, and when they learned about stuff that was troubling they did nothing," he said.

According to a Taylor & Ring press release, the abuse was not discovered until the plaintiff came forward in his early 20s. Both Weatherford and Taylor said the verdict represents validation for their client and a beacon for other victims to come forward.

“I think it’s encouraging that a victim like Stephen is brave enough to come forward, and go to the police, and go through both the criminal process and this civil process against the school and his abuser,” said Taylor. “I think it’s encouragement for other victims to come forward and to not be afraid,”

“I think [the plaintiff] has carried a lot of shame about what happened and this represents that he was a victim and that people understand the effect of abuse,” Weatherford said of the verdict.

“People right now are pretty sympathetic and understanding, and they get it,” Taylor added.