

IN THE DISTRICT COURT IN AND FOR PITTSBURG COUNTY
STATE OF OKLAHOMA

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DISTRICT COURT
PITTSBURG COUNTY, OKLAHOMA

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WILLIAM SCOTT,)
)
Plaintiff,)
)
vs.)
)
NARCONON OF OKLAHOMA, INC., an)
Oklahoma Corporation d/b/a NARCONON)
ARROWHEAD; NARCONON)
INTERNATIONAL, a Foreign Corporation;)
ASSOCIATION OF BETTER LIVING)
AND EDUCATION INTERNATIONAL, a)
Foreign Corporation; and GERALD D.)
WOOTAN, DO, M.Ed.,)
)
Defendants.)

CINDY SMITH
BY _____
DEPUTY

Case No. CJ-2012-329

ATTORNEY LIEN CLAIMED

JURY TRIAL DEMAND

PETITION

COMES NOW Plaintiff, William Scott, ("Plaintiff"), by and through her Counsel of Record, Richardson Richardson Boudreaux Keesling, PLLC, and hereby states and alleges the following:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff is an individual who recently moved to Denver, Colorado.
2. Defendant, Narconon of Oklahoma, Inc. ("NO"), is an Oklahoma Corporation, doing business in the State of Oklahoma as Narconon Arrowhead ("Arrowhead"), and is located in Pittsburg County.
3. Defendant, Narconon International ("NI"), is a Foreign Corporation, based in the State of California, doing business in Oklahoma.

4. Defendant, Association of Better Living and Education International ("ABLE"), is a Foreign Corporation, based in the State of California, doing business in Oklahoma.

5. Defendant, Gerald D. Wootan, DO, M.Ed. ("Wootan"), is an osteopathic physician, who at all times relevant to the claims herein, practiced medicine in Pittsburg County, but resides in Tulsa County.

6. Jurisdiction is proper in the District Court of Pittsburg County, State of Oklahoma, as the parties are residents of or do business in the State of Oklahoma and the amount in controversy exceeds \$75,000.

7. Venue is proper in the Pittsburg County District Court pursuant to OKLA. STAT. TIT. 12 § 142, as this is a jurisdiction in which one or more of the Defendants reside and/or may be served. In addition, one or more of the acts giving rise to this litigation occurred in Pittsburg County, Oklahoma.

STATEMENT OF OPERATIVE FACTS

Narconon Programs

8. Plaintiff incorporates the paragraphs above as though stated verbatim below.

9. Defendant, NI, is a foreign corporation that licenses, operates and/or otherwise directs drug rehabilitation facilities throughout the United States and around the world. Defendant, NI, is a subsidiary of Defendant, ABLE, an umbrella group that oversees the drug rehabilitation, education, and criminal justice activities of the Church of Scientology, including, but not limited to, NI and NO.

10. Defendant, NO, is a corporate sham and illusion, is merely an adjunct, subsidiary, licensee and/or alter ego of Defendant, NI, and is heavily controlled by Defendant, NI.

11. Defendant, NI, is a corporate sham and illusion, is merely an adjunct, subsidiary, licensee and/or alter ego of Defendant, ABLE, and is heavily controlled by Defendant, ABLE.

12. Defendant, Wootan, is the Medical Director of NO. As the medical director, Wootan approves all treatments, and has the responsibility to monitor and educate NO staff to recognize when a patient needs medical attention.

13. Defendants, NO, NI and ABLE, all rely exclusively upon the written "technology" of L. Ron Hubbard ("Hubbard"), the founder of the Church of Scientology, to address the drug and alcohol rehabilitation needs of students enrolled in Narconon programs.

14. This misplaced reliance is despite the fact that Hubbard had no known training or education in the field of drug and alcohol rehabilitation.

15. Subsidiary programs like NO implement what they advertise as drug prevention and education programs, based upon the texts of Hubbard, and are forbidden to deviate from these texts. However, none of these programs incorporate known acceptable treatment for drug and/or alcohol addiction.

16. In order to use the Hubbard technology, NO must pay a license fee to NI and agree to use the Hubbard technology in a manner that is heavily regulated by NI.

17. Part of the Hubbard technology, as regulated by NI, includes the course materials and purification component used by NO to "rehabilitate" students. However, neither the materials nor the purification component are designed to advance alcohol and/or drug rehabilitation. Instead, the materials are comprised of eight different levels that are virtually identical to the course materials promoted by ABLE, none of which specifically address treatment for drug and/or alcohol addiction.

18. The purification component of this treatment consists of "The Sauna Program," which is virtually identical to a required component of ABLE training for non-addiction individuals.

19. Another significant portion of the program is devoted to requiring students to undergo various "training routines", or "TR's", that focus upon conditioning students to either give or receive orders. The courses are "self taught" by students and overseen by counselors, who have little or no training other than that offered by NO, NI and/or ABLE, in administering the course themselves.

20. NO students receive no counseling or education in drug and/or alcohol rehabilitation per se, and therapeutic discussion of drugs and their effects among students and staff is actually discouraged. Instead, NO's proponents believe that strict adherence to the Hubbard technology will address the rehabilitation needs of its students. NI routinely audits its subsidiaries to insure that the Hubbard technology is being zealously followed.

21. The NO staff is almost exclusively composed of former students of the Hubbard technology program. Students routinely graduate from the program and immediately become paid staff members at a nominal weekly rate.

22. The NO staff of former students lacks training and education in the fields of both drug and alcohol rehabilitation and, therefore, lacked sufficient training to properly evaluate and understand the serious nature of William Scotts' condition.

23. The NO program operates under strict rules related to the discipline, structure, hierarchy, and training of ABLE and its subsidiaries, none of which are, within themselves,

known treatments for drug and/or alcohol addictions.

24. Defendants, NO, NI and ABLE, fraudulently misrepresented and falsely advertised the Narconon Program as one in which students suffering from alcohol and/or drug addiction would be provided substantive education and rehabilitation in the fields of drug and alcohol abuse. However, instead of providing drug rehabilitation, Defendants concealed, and continue to conceal, the Narconon Program's true relationship with ABLE, by teaching the Hubbard technology and not abuse related education.

25. NO fraudulently misrepresents to potential students that a physician is on staff twenty-four hours a day. Instead, a physician is present only once a week.

William Scott's Narconon Experience

26. On or about November 8, 2010, Plaintiff was a patient of the Defendants. Plaintiff suffered with AHP and requires daily medication. As such, Plaintiff's mother, who assisted in his admission to the facility, was insured that on site medical care was available 24 hours a day and that the Defendants were totally prepared for Plaintiff and his medical situation. All of these allegations, which were made to lure the patient into the facility for money, were known to the Defendants to be completely and totally false. Thereafter, upon William's admission to the facility, he was not provided his medication and was therefore, rushed to the hospital on three separate occasions, twice by ambulance. During his stay at the facility William lost 20 pounds, was extremely ill and was totally and completely ignored and mistreated. Even at the insistence of Plaintiff's mother, as well as his physician, Defendants failed and refused to provide Plaintiff herein with his medication. Finally, on approximately November 26, 2010,

William was able to escape the facility by calling a friend, who picked him up, while William left all his personal belongings behind.

**FIRST CAUSE OF ACTION:
NEGLIGENCE**

26. Plaintiff incorporates the above paragraphs as though stated below verbatim.

27. Defendants had a duty to William Scott to exercise proper national standards of care to ensure that William was provided safe, scientifically and medically based, reasonably supervised rehabilitation treatment services.

28. Defendants, NO, NI and ABLE, failed to exercise proper care and breached the national standards of care that were required, in order to avoid injury to students of NO, including, but not limited to, William Scott, by:

- a. failing to provide reasonable and adequate supervision of NO's patients, including William Scott;
- b. failing to exercise proper care in the selection, hiring and retention of its employees; and
- c. failing to provide adequate care and treatment to NO's patients, including William Scott.

29. Defendant, Wootan, failed to exercise appropriate care and breached the national standards of care that were required by members of his profession in good standing, in order to avoid injury to students of NO, including, but not limited to, William Scott, by:

- a. failing to adequately monitor the treatment provided to NO patients,

including, but not limited to, the use of high doses of Niacin; and

b. failing to properly train and educate NO medical staff.

30. As a direct and proximate result of Defendants' willful, wanton and gross negligence and disregard for William Scott, he suffered serious personal injuries, other personal and financial damages, pain and suffering, and loss of enjoyment of life, for which Plaintiff seeks damages in an amount in excess of Seventy-Five Thousand Dollars. (\$75,000.00).

SECOND CAUSE OF ACTION:

VIOLATION OF THE OKLAHOMA CONSUMER PROTECTION ACT, 15 O.S. §§ 751-765

31. Plaintiff incorporates the above paragraphs as if fully set forth verbatim.

32. Defendants, NO, NI and ABLE, by and through their agents, servants, contractors and/or employees, solicited Plaintiff with false, fraudulent and misleading representations and/or assurances and/or promises which are contrary to and in violation of Oklahoma's Consumer Protection Act, 15 O.S. §§ 751-765.

33. As a direct result of the false, fraudulent, and misleading solicitation of Defendants, NO, NI and ABLE, by and through their agents, servants, contractors and/or employees, Plaintiff suffered damages in excess of \$75,000.

VICARIOUS LIABILITY & CIVIL CONSPIRACY

34. Plaintiff incorporates the above paragraphs as if fully set forth verbatim.

35. Defendants, NO, NI and ABLE, are corporations and can act only through their officers and employees. Any action or omissions of an officer or employee while acting within

the scope of his or her employment and/or authority is the act or omission of Defendants, NI, NO and ABLE.

36. Defendants, NO, NI and ABLE, collectively constituted two or more persons who combined to act together.

37. Defendants, NO, NI and ABLE, acted together in concert to unlawfully and tortuously operate a dangerous, unsafe and unsupervised drug and alcohol rehabilitation program at NO, as alleged within the First Cause of Action, *supra*.

38. Defendants, NO, NI and ABLE, acted together in concert to unlawfully and fraudulently mislead William Scott into the care of NO, as alleged within the Third Cause of Action, *supra*.

PUNITIVE AND EXEMPLARY DAMAGES

39. Plaintiff incorporates the above paragraphs herein as if fully set forth verbatim.

40. The acts and omissions of Defendants, as set forth within the preceding paragraphs, demonstrate that Defendants engaged in conduct evincing a gross and reckless indifference to Plaintiffs' rights.

41. As a direct result of Defendants' gross and reckless disregard for Plaintiff's rights, Plaintiff is entitled to exemplary and punitive damages in an amount to be determined by a jury, commensurate with the financial resources available to Defendants and sufficient to deter others who are similarly situated from like behavior.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, William Scott, requests that this Court grant to her relief in the form of monetary damages in excess of the amount required for diversity jurisdiction pursuant to

28 U.S.C. §1332, and grant her any and all further relief that this Court deems appropriate, including interest, attorneys' fees and costs. Plaintiff further requests punitive damages in an amount sufficient to punish the Defendants and deter such reckless conduct in the future.

Respectfully submitted,

**RICHARDSON RICHARDSON
BOUDREAUX KEESLING, PLLC**



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