

VIRGINIA:
IN THE CIRCUIT COURT FOR PRINCE WILLIAM COUNTY

JNJ,

Plaintiff,

v.

THE LIFE CHURCH DC, et al.

Defendants.

BY _____
Case No. CL18-8520

2018 NOV - 8 AM
CIRCUIT COURT DC
PRINCE WILLIAM CO

FILED

PLEA IN BAR
OF DEFENDANT THE LIFE CHURCH DC

COMES NOW the defendant THE LIFE CHURCH DC (hereinafter Defendant) by undersigned counsel at Kalbaugh, Pfund & Messersmith, P.C. and respectfully pleads that Plaintiff's Complaint and claims against it are barred as The Life Church DC had no legal existence at the time of the alleged incident, actions and events and therefore could not have any legal liability for the alleged actions or conduct of co-defendant Jordan D. Baird and additionally to the extent applicable that Plaintiff's claims are or may be barred by the statute of limitations, stating as follows:

1. This case arises out of claims of sexual assault against the unidentified plaintiff, "JNJ" by the co-defendant Jordan D. Baird while he allegedly was employed as the Worship Director of The Life Church DC dba "The Life Church." (CMPLT. ¶¶ 2, 4, 5 and generally)

2. Plaintiff pleads only that she was sixteen (16) years old between November 1, 2014 and November 30, 2014, without specifying the exact date when Plaintiff turned 18 years old. (CMPLT. ¶ 3)

3. Plaintiff's only claim against The Life Church DC is for *respondeat superior* liability for the alleged actions and conduct of co-defendant Jordan D. Baird. (CMPLT. - *Wherefore Clause*)

4. Plaintiff alleges the events described in her complaint and on which she bases all of her *respondeat superior* claims against The Life Church DC took place between November 1, 2014 and November 30, 2014. (CMPLT. ¶ 1)

5. The Life Church DC was incorporated on August 12, 2015. (Exhibit A – *Certificate of Incorporation*)

6. The Life Church DC was not in existence at the time of the alleged actions and conduct by co-defendant Jordan D. Baird.

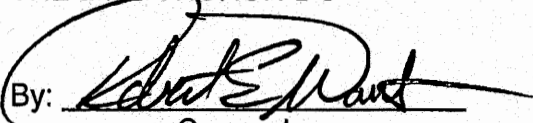
7. Because it had no legal existence in 2014, The Life Church DC did not employ the co-defendant Jordan D. Baird at any time or in any capacity in 2014.

8. Because the Life Church DC had no legal existence at the time of the alleged actions or conduct upon which all of Plaintiff's claims are based, it has no legal liability through *respondeat superior* or under any other theory for the alleged actions or conduct of the co-defendant Jordan D. Baird.

9. Additionally, as Plaintiff has not pled the exact date on which Plaintiff reached the age of majority to allow a determination whether her complaint was timely filed, Defendant respectfully pleads that Plaintiff's complaint and all of her claims against it are or may be barred by Virginia's statutes providing the time period within which Plaintiff must file her complaint.

WHEREFORE, Defendant prays that this Court dismiss the Complaint filed by Plaintiff and all claims asserted against Defendant with prejudice, enter judgment in favor of Defendant and award it all further relief this Court deems appropriate.

THE LIFE CHURCH DC

By: 
Counsel

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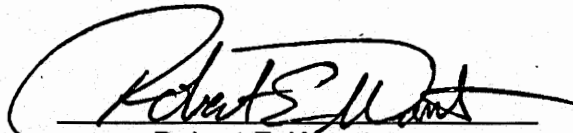
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Defendant's Plea in Bar was sent by first class mail this 8th day of November, 2018 to:

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