

COUNTY OF PICKENS

CLERK OF COURT
PICKENS COUNTY
SOUTH CAROLINA

Haley Ellen Hunt,

Plaintiff,

CIVIL ACTION COVERSHEET

2014 AUG 15

A 11: 4 2014 - CP - 39

997

vs.

Eddie Radwanski, Siri Mullinix, Jeff Robbins, Marvin Carmichael, Terry Don Phillips, Kyle Young, John Does 1-10, Maddie Elder, Heather Marik, Brittany Beaumont, Tabitha Padgett, Maggie Murphy, Lauren Arnold, Erica Kim, Emily Tatum, Deana Sherry, Vanessa Laxgang, Ashlynn Bass, Jessica Stephens, Hailey Karg and Morgan Hert,

Defendants.

(Please Print)

Submitted By: Robert Sumner
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Charleston, SC 29413-2828

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NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

\*If Action is Judgment/Settlement do not complete

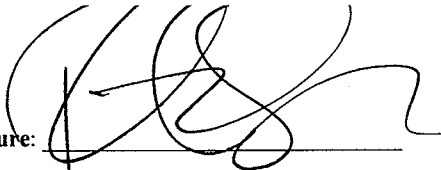
- JURY TRIAL demanded in complaint.
NON-JURY TRIAL demanded in complaint.
This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- Contracts: Constructions (100), Debt Collection (110), Employment (120), General (130), Breach of Contract (140), Other (199)
Torts - Professional Malpractice: Dental Malpractice (200), Legal Malpractice (210), Medical Malpractice (220), Previous Notice of Intent Case # 20 - CP- - , Notice/File Med Mal (230), Other (299)
Torts - Personal Injury: Assault/Slander/Libel (300), Conversion (310), Motor Vehicle Accident (320), Premises Liability (330), Products Liability (340), Personal Injury (350), Wrongful Death (360), Other (399)
Real Property: Claim & Delivery (400), Condemnation (410), Foreclosure (420), Mechanic's Lien (430), Partition (440), Possession (450), Building Code Violation (460), Other (499)

- Inmate Petitions: PCR (500), Mandamus (520), Habeas Corpus (530), Other (599)
Administrative Law/Relief: Reinstate Drv. License (800), Judicial Review (810), Relief (820), Permanent Injunction (830), Forfeiture-Petition (840), Forfeiture-Consent Order (850), Other (899)
Judgments/Settlements: Death Settlement (700), Foreign Judgment (710), Magistrate's Judgment (720), Minor Settlement (730), Transcript of Judgment (740), Lis Pendens (750), Transfer of Structured Settlement Payment Rights Application (760), Confession of Judgment (770), Petition for Workers Compensation Settlement Approval (780), Other (799)
Appeals: Arbitration (900), Magistrate-Civil (910), Magistrate-Criminal (920), Municipal (930), Probate Court (940), SCDOT (950), Worker's Comp (960), Zoning Board (970), Public Service Commission (990), Employment Security Commission (991), Other (999)
Special/Complex/Other: Environmental (600), Automobile Arb. (610), Medical (620), Other (699), Sexual Predator (510), Pharmaceuticals (630), Unfair Trade Practices (640), Out-of-State Depositions, Motion to Quash Subpoena in Out-of-County Action (660)

Submitting Party Signature: \_\_\_\_\_

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Date: \_\_\_\_\_

**Note:** Frivolous civil proceedings may be subject to sanctions pursuant to SCRPC, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

STATE OF SOUTH CAROLINA CLERK OF COURT IN THE COURT OF COMMON PLEAS  
 COUNTY OF PICKENS PICKENS COUNTY FOR THE THIRTEENTH JUDICIAL CIRCUIT  
 SOUTH CAROLINA

2014 AUG 15 ) CASE NO. 2014-CP-~~39~~-997  
 A 11:41

Haley Ellen Hunt, )  
 )  
 Plaintiff, )

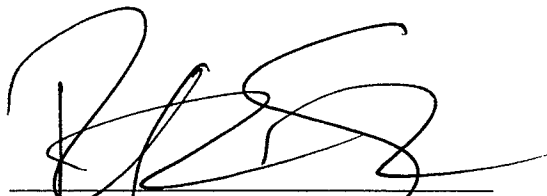
vs. )

Eddie Radwanski, Siri Mullinix, Jeff )  
 Robbins, Marvin Carmichael, Terry Don )  
 Phillips, Kyle Young, John Does 1-10, )  
 Maddy Elder, Heather Marik, Brittany )  
 Beaumont, Tabitha Padgett, Maggie )  
 Murphy, Lauren Arnold, Erica Kim, )  
 Emily Tatum, Deana Sherry, Vanessa )  
 Laxgang, Ashlynne Bass, Jessica )  
 Stephens, Hailey Karg and Morgan Hert, )  
 )  
 Defendants. )

**SUMMONS**

**TO THE DEFENDANTS ABOVE NAMED:**

YOU ARE HEREBY SUMMONED and required to respond to the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your response to said Complaint on the firm of Moore & Van Allen PLLC, 78 Wentworth Street, Charleston, South Carolina 29401, within thirty (30) days after the service hereof, exclusive of the day of service. If you fail to respond to the Complaint within the time prescribed, the Plaintiff in this action will apply to the Court for default judgment against you and for an award of the relief demanded in this Complaint.



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Brandon Gaskins (#73274)  
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Charleston, SC

August 14, 2014

STATE OF SOUTH CAROLINA  
COUNTY OF PICKENS

CLERK OF COURT  
PICKENS COUNTY SOUTH CAROLINA  
IN THE COURT OF COMMON PLEAS  
FOR THE THIRTEENTH JUDICIAL CIRCUIT  
2014 AUG 13 CASE NO. 2014-CP-~~39~~-997

Haley Ellen Hunt, )  
)  
Plaintiff, )  
)  
vs. )  
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Stephens, Hailey Karg and Morgan Hert, )  
)  
Defendants. )  
)

**COMPLAINT AND JURY DEMAND**

**INTRODUCTION:**

1. This case challenges the misconduct committed against Plaintiff Haley Ellen Hunt, during the course of a Clemson University Women's Soccer Team freshman hazing incident on August 18, 2011 (the "Incident"). The purpose of the Incident was to initiate the freshman soccer players into the team by requiring them to perform various demeaning acts before they could join the team. The freshman hazing ritual is a deeply-rooted tradition of the Clemson University Women's Soccer Team. The freshman hazing ritual was established in the early 1990's and has been passed down for many years. As a direct and proximate result of the Defendants' misconduct, Ms. Hunt suffered severe and permanent

personal injuries including a traumatic brain injury. Ms. Hunt brings this civil rights and other tort causes of action to secure fair compensation and to encourage Defendants and others in similar positions of authority to refrain from engaging in such misconduct as complained herein.

**THE PARTIES, JURISDICTION, AND VENUE:**

2. Ms. Hunt is a resident of Aiken County, South Carolina.

3. Defendant Eddie Radwanski is a resident of Central, South Carolina. At all relevant times Radwanski was employed by Clemson University (“Clemson”) as the Head Soccer Coach of the Team. He is sued individually and in his official capacity as an employee of Clemson. Clemson is a public university of the State of South Carolina established and existing under the laws of South Carolina. Clemson is located in Pickens County, South Carolina. Clemson funds, organizes, and operates all university-sanctioned sports or athletic programs in place at Clemson, including the Clemson Women’s Soccer Team (the “Team”). Clemson is also responsible for hiring, training, compensating, and supervising all coaches employed by Clemson, including those employed to coach the Team.

4. Defendant Siri Mullinix is a resident of Clemson, South Carolina. At all relevant times Mullinix was employed by Clemson as an Assistant Soccer Coach of the Team. She is sued individually and in her official capacity as an employee of Clemson.

5. Defendant Jeff Robins is a resident of Clemson, South Carolina. At all relevant times Robins was employed by Clemson as an Assistant Soccer Coach of the Team. He is sued individually and in his official capacity as an employee of Clemson.

6. Defendant Marvin Carmichael is a resident of Clemson, South Carolina. At all relevant times Carmichael was employed by Clemson as Assistant to the President and Chief of Staff. He is sued individually and in his official capacity as an employee of Clemson.

7. Defendant Terry Don Phillips is a resident of Seneca, South Carolina. At all relevant times Phillips was employed by Clemson as the Athletic Director. He is sued individually and in his official capacity as an employee of Clemson.

8. Defendant Kyle Young is a resident of Clemson, South Carolina. At all relevant times Young was an employee of Clemson as an Associate Athletic Director and was responsible for supervision of the Team. He is sued individually and in his official capacity as an employee of Clemson.

9. Defendants John Does 1-10 are, upon information and belief, administrative employees of Clemson who knew of the freshman hazing ritual tradition of the Team, were in positions which had authority to prevent and report the freshman hazing ritual tradition, and disregarded their duties to prevent and report the freshman hazing ritual tradition under South Carolina and federal law.

10. Defendant Maddy Elder is a resident of Roanoke, Virginia. At all relevant times Elder was an upperclassman and captain of the Team.

11. Defendant Heather Marik is a resident of Newport Beach, California. At all relevant times Marik was an upperclassman and captain of the Team.

12. Defendant Brittany Beaumont is a resident of Woodstock, Georgia. At all relevant times Beaumont was upperclassman on the Team.

13. Defendant Tabitha Padgett is a United States citizen who currently resides in Sweden. At all relevant times Padgett was an upperclassman on the Team.

14. Defendant Maggie Murphy is a resident of Berlin, Connecticut. At all relevant times Murphy was an upperclassman on the Team.

15. Defendant Lauren Arnold is a resident of Mobile, Alabama. At all relevant times Arnold was an upperclassman on the Team.

16. Defendant Erica Kim is a resident of Los Angeles, California. At all relevant times Kim was an upperclassman on the Team.

17. Defendant Emily Tatum is a resident of Washington, D.C. At all relevant times Tatum was an upperclassman on the Team.

18. Defendant Deana Sherry is a resident of Woodstock, Georgia. At all relevant times Sherry was an upperclassman on the Team

19. Defendant Vanessa Laxgang is a resident of Arlington Heights, Illinois. At all relevant times Laxgang was an upperclassman on the Team.

20. Defendant Ashlynn Bass is a resident of Loganville, Georgia. At all relevant times Bass was an upperclassman on the Team.

21. Defendant Jessica Stephens is a resident of Jacksonville, Florida. At all relevant times Stephens was an upperclassman on the Team.

22. Defendant Hailey Karg is a resident of Salt Lake City, Utah. At all relevant times Karg was an upperclassman on the Team.

23. Defendant Morgan Hert is a resident of Woodstock, Georgia. At all relevant times Hert was an upperclassman on the Team.

24. All of the acts and/or omissions by Defendants alleged herein occurred in Pickens County, South Carolina, and one or more of the Defendants is a resident of Pickens County, South Carolina and/or executes his/her official duties in Pickens County, South Carolina.



25. This Court has jurisdiction over the parties to and the subject matter of this action, and venue in Pickens County is proper under S.C. Code Ann. §§ 15-7-10, et seq., in that all of the alleged acts or omissions giving rise to the causes of action occurred in Pickens County.

**FACTS:**

26. Ms. Hunt was an outstanding high school student and soccer player in her hometown of Aiken, South Carolina. She excelled academically and achieved numerous academic honors, including being selected as a National Merit Scholar. Prestigious universities across the country offered Ms. Hunt scholarships based on her academic achievements and accomplishments on the soccer field.

27. Ms. Hunt was recruited to play soccer at Clemson by Hershey Strosberg, who was the Head Soccer Coach of the Team at that time.

28. Ms. Hunt accepted a scholarship to attend Clemson and a position on the Team.

29. In January of 2011, Eddie Radwanski replaced Strosberg and became the new Head Coach of the Team.

30. Radwanski had not been involved in recruiting Ms. Hunt.

31. Ms. Hunt's first communication with Radwanski occurred over the telephone prior to her arrival at Clemson. Radwanski called Ms. Hunt on a Friday night around 11:00 p.m. During the call, he told her not to come to Clemson, that he would not play her if she came to Clemson, and that if she decided to come Clemson, he would make her time at Clemson miserable. Specifically, Radwanski told Ms. Hunt he knew she was not any good at soccer because she was from South Carolina and that because she was recruited by Strosberg, he had to assume that she was going to fail just like Strosberg did as a coach.

32. Radwanski made similar calls to all of the other freshman players that were recruited by Strosberg in an effort to make them quit. He also told those freshman players not to come to Clemson and that he would not play them.

33. Ms. Hunt refused to succumb to Radwanski's verbal hazing tactics. Soon after their initial phone conversation, Ms. Hunt called Radwanski to inform him that she was confident in her soccer skills and that she would be attending and playing soccer at Clemson. In response, Radwanski told Ms. Hunt not to come begging him to be transferred when he did not give her any playing time. Radwanski also remarked, "in two years when I look at you sitting on the bench and you are crying to me because you are not playing, I'm going to laugh and say, I told you so."

34. Ms. Hunt took summer courses at Clemson in the summer of 2011 and began her freshman year at Clemson in the fall semester of 2011.

35. Once she arrived on campus, Radwanski began a campaign of verbally insulting Ms. Hunt on account of her academic achievements and her involvement with the Christian organization, Young Life. Radwanski often insulted Ms. Hunt at practices and forced her to perform demeaning tasks, sometimes risking her personal safety.

36. Hazing had been a longstanding tradition on the Team, and every year the upperclassmen players conducted a hazing ritual to initiate the freshmen players into the Team.

37. Carmichael, of the Clemson Office of the President, Phillips and Young, of the Clemson Athletic Department, and John Does 1-10 (hereinafter, collectively referred to as the "Clemson Administrator Defendants") were aware that the freshman hazing ritual was a tradition of the Team that had been taking place for years. In fact, the Clemson Administrator Defendants encouraged the tradition of hazing as part of the fabric of the Team.

38. While Clemson maintained written hazing policies that forbade players and coaches from hazing activities, such written hazing policies were not enforced and were, therefore, ineffective to deter the tradition of hazing on the Team. Furthermore, Clemson did not provide adequate training to the Team coaches or players to address the seriousness of hazing, how to prevent hazing, and/or reporting of hazing activity.

39. In August of 2011, one or more of the upperclassmen players, including but not limited to Elder, Marik, Beaumont, Padgett, Murphy, Arnold, Kim, Tatum, Sherry, Laxgang, Bass, Stephens, Karg, and Hert (hereinafter referred to collectively as the "Player Defendants") met with Radwanski, Mullinix, and Robbins (hereinafter referred to collectively as the "Clemson Coach Defendants") to discuss and plan a hazing ritual for the freshmen players on the Team. The hazing ritual was a mandatory team activity, which included blindfolding the freshmen players, kidnapping the freshmen players at night, forcing them into the rear compartments of automobiles, driving the freshmen players around, forcing them to participate in embarrassing and humiliating acts, and forcing them to participate in a secret ritual using Team gear on the Team's home soccer field, Riggs Field. The hazing ritual was to be modeled after freshman hazing rituals that had been a tradition of the Team.

40. The Clemson Coach Defendants encouraged the hazing ritual and granted the Player Defendants express permission to conduct the hazing ritual. In fact, the Clemson Coach Defendants provided the Player Defendants with the keys required to access Riggs Field and its facilities at night and gear to conduct the hazing ritual.

41. Further, the Clemson Coach Defendants structured the Team so that the Team coaches, captains, and upperclassmen players had complete authority and control over the freshmen players.

42. On the evening of August 18, 2011, the Player Defendants arrived unexpectedly at Lightsey Bridge, the freshman soccer players' dormitory.

43. After arriving at Lightsey Bridge, the Player Defendants blindfolded Ms. Hunt, who was wearing pajamas, and other freshmen players and forced them into the rear compartments of their automobiles.

44. Ms. Hunt was forced into and held captive in the rear compartment of an automobile. Ms. Hunt laid on her side blindfolded and without a seat belt beside two other freshman players. Ms. Hunt then raised her knees to her chest and curled her body into a protective fetal position.

45. After Ms. Hunt and the other freshmen players were forced into the rear compartment of an automobile, they were driven around to several locations. The Player Defendants in the car played extremely loud music and made multiple turns and stops to confuse and disorient Ms. Hunt and the other freshman players. The Player Defendants who drove the car refused to answer or lied to Ms. Hunt and the freshman players when they asked where they were and where they were going.

46. During the approximate thirty-minute car ride, one or more of the Player Defendants commanded Ms. Hunt to get out of the car and perform humiliating and demeaning acts at several locations.

47. Ultimately, the Player Defendants took Ms. Hunt and the other freshmen players to Riggs Field. The Player Defendants commanded Ms. Hunt to enter a dark room adjacent to the field. While in the room, the Player Defendants shouted at Ms. Hunt and forcibly spun her around in circles to disorient her and impair her balance.

48. The Player Defendants commanded the other freshmen players to perform demeaning acts and calisthenics while still wearing blindfolds.

49. Immediately after spinning Ms. Hunt in circles, the Player Defendants ordered Ms. Hunt out of the room and commanded her to sprint down the field while wearing a blindfold.

50. Dizzy and disoriented, Ms. Hunt took off in a dead sprint running parallel to the field, but no one stopped her. Instead the Player Defendants shouted at her, commanding that she run faster.

51. Ms. Hunt complied with the orders to run faster. Unaware of where she was running because of the blindfold, Ms. Hunt veered away from the field and sprinted directly – face first – into a brick wall.

52. The momentum of Ms. Hunt's collision with the brick wall threw her body backwards, causing her to smash into a nearby table and fall to the ground. The players heard Ms. Hunt scream and observed her clench her bloody face. One player described the sound of Ms. Hunt hitting the brick wall as "metal hitting metal." The impact with the brick wall caused Ms. Hunt to sustain serious injuries to her brain, head, face, and hands. Ms. Hunt was knocked unconscious and had to be physically assisted by the other players.

53. A few players took Ms. Hunt to the locker room, where they called the Clemson Coach Defendants. Mullinix arrived on the scene and called Michelle Bensmen, an athletic trainer for the Team. Some of the players expressed their opinions that an ambulance was necessary; however, Mullinix instructed them not to tell anyone what had happened.

54. Ms. Hunt was not taken to a hospital. Instead, she was examined by Bensman, who applied a butterfly bandage to her face and sent her to her dorm room without medical attention or any supervision from the Team staff.

55. Despite Ms. Hunt suffering a serious injury caused by their own reckless behavior, the Player Defendants and Mullinix decided to continue with and complete the hazing ritual at Riggs Field.

56. That night, Ms. Hunt suffered excruciating pain and was unable to sleep. In the middle of the night, she called her parents because she believed that she needed immediate medical attention. This was the first time Ms. Hunt's parents learned of the Incident; none of the Clemson Coach Defendants, Clemson Administrator Defendants, or anyone associated with the Team called to inform Ms. Hunt's parents of what happened.

57. Ms. Hunt's parents anxiously called one or more of the Clemson Coach Defendants and demanded that someone check on her. Mullinix eventually agreed to check on Ms. Hunt, and after realizing the severity of Ms. Hunt's injuries, decided to stay with her for the rest of the night.

58. The following day, Ms. Hunt was treated by Team doctors.

59. As a result of the Incident, Ms. Hunt sustained lacerations and abrasions to both hands, serious lacerations and abrasions to her face, a concussion, and a traumatic brain injury. In the days and weeks following the Incident, Ms. Hunt received medical treatment from Team doctors, a neurologist, and a plastic surgeon.

60. As a result of the Incident, Ms. Hunt also developed massive facial bruises and two black eyes that persisted for weeks after the Incident.

61. For a period of time following the Incident, Ms. Hunt was unable to attend class or participate in soccer related activities due to her physical and emotional injuries.

62. Immediately following the Incident and prior to any investigation into the Incident, the Clemson Coach Defendants called a Team meeting and implored the Team that

they must not tell anyone about what happened. Specifically, Radwanski told the players: “if you care about our jobs and our Team, then you will not tell anyone about this. We cannot have anybody finding out about this.”

63. None of the Clemson Coach Defendants reported the Incident to the authorities or anyone at Clemson, despite the fact that hazing and failure to report hazing are crimes in South Carolina.

64. At the time of the Incident, Clemson did not implement or administer an appropriate concussion protocol, and in any event, failed to evaluate Ms. Hunt according to an appropriate concussion protocol.

65. Soon after the Incident, Ms. Hunt was released by Team staff and doctors and Clemson Coach Defendants to return to play soccer without complying with Clemson’s Concussion and Traumatic Brain Injury Protocol.

66. After releasing Ms. Hunt to play, the Clemson Coach Defendants repeatedly minimized Ms. Hunt’s injuries and pressured her to stop complaining about her injuries. In the weeks and months following the Incident, Ms. Hunt did her best to manage school and soccer despite experiencing constant pain and difficulties related to concentration and reading.

67. The Clemson Coach Defendants, including Radwanski, never contacted Ms. Hunt or Ms. Hunt’s family to apologize about the Incident.

68. Following the Incident, Radwanski ignored Ms. Hunt’s serious injuries and continued to belittle Ms. Hunt for her academic achievements and involvement with Young Life. In fact, Radwanski was so reckless with Ms. Hunt’s safety that on one occasion he ordered her to climb a soccer goal to untangle the net, which resulted in the goal tipping over and nearly

crushing Ms. Hunt under its weight. Radwanski made jokes about this and the other occasions in which he forced Ms. Hunt to perform dangerous, demeaning tasks.

69. Through communications with Ms. Hunt's family, the Clemson Administrator Defendants learned of the Incident.

70. Upon information and belief, the Clemson Athletic Department undertook the task of investigating the Incident.

71. The Clemson Administrator Defendants and their agents met with the Clemson Coach Defendants to discuss the Incident.

72. The Clemson Administrator Defendants did not conduct a thorough investigation. The Clemson Administrator Defendants ultimately concluded, despite receiving reports that the Clemson Coach Defendants authorized the hazing ritual and tried to cover up their involvement, that no penalties would be imposed on the Player Defendants or Clemson Coach Defendants as a result of the Incident. Instead, Young informed the Team he knew it was a tradition, but the Team would have to conduct the freshman hazing ritual in a "better way" in following seasons.

73. Under pressure from Ms. Hunt's family to determine what happened, the Clemson Administrator Defendants eventually submitted a report to the Clemson Office of Community & Ethical Standards ("OCES") on August 31, 2011, regarding the Incident.

74. OCES conducted a separate investigation into the Incident. OCES conducted individual interviews with the players about the facts of the Incident. As a result of the interviews, and despite the Clemson Coach Defendants' efforts to silence the Team and cover-up the Incident, OCES determined that the freshman hazing ritual was a tradition that had been occurring for years, the captains were responsible for planning the Incident, the Clemson Coach



Defendants authorized the Incident, and the Team had been prohibited from conducting the freshman hazing ritual in the prior year because the previous coach had forbidden it.

75. OCES held a conference with the Team regarding the Incident. Based on information gathered during their investigation and provided during the conference, OCES found that the actions of the Team resulted in the following violations of the Clemson University Student Regulations: harm to person, hazing, and violations of student organizational conduct.

76. Despite the Clemson Athletic Department's decision to take no action, OCES placed the Team on disciplinary probation through December 31, 2012. Additionally, all Team players were required to attend a "Hazing and Athletic Teams" workshop. OCES recommended that the Clemson Coach Defendants attend the workshop with the players.

77. OCES also required the Player Defendants to prepare a PowerPoint presentation based on what they learned during the workshop and to present it on two separate occasions to other athletes during the Spring 2012 semester.

78. Ms. Hunt and her family never received the results nor were they made aware of the findings of the investigations conducted by the Clemson Athletic Department and OCES.

79. Over the next two years, Ms. Hunt continued to suffer from persistent headaches and difficulties with school. In late fall of 2013, her symptoms started to worsen. Ms. Hunt sought out a concussion specialist, and in November 2013, she began treatment with neurologist David R. Wiercisiewski, M.D. Dr. Wiercisiewski immediately directed Ms. Hunt to stop playing soccer permanently and raised questions about Ms. Hunt being returned to play soccer without a proper evaluation. Testing performed under Dr. Wiercisiewski's direction revealed substantial decreased cognitive function.

80. Ms. Hunt is continuing neurological treatment that requires daily medications and regular follow-up office visits. She also sees a physical therapist for vestibular rehabilitation therapy and a licensed professional counselor for mental and psychological health care services. Her prognosis is uncertain at this time.

81. Ms. Hunt's vision was permanently damaged as a result of the Incident. She began treatment with an ophthalmologist and was prescribed corrective lenses to treat her vision problems.

82. As a result of the actions of Defendants, Ms. Hunt suffered significant and severe physical, psychological, and emotional injuries including a traumatic brain injury. Ms. Hunt's injuries are permanent and will require additional and costly long-term medical care and treatment. Also as a direct and proximate result of her injuries, Ms. Hunt has severe difficulties in school and cannot participate in sports or enjoy many activities of daily life.

**FIRST CAUSE OF ACTION**  
Negligence/Gross Negligence  
(Against the Player Defendants)

83. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 82 of this Complaint.

84. Player Defendants had a duty to Ms. Hunt not to subject her to the danger of physical injury and harm and a duty not to actually injure and harm Ms. Hunt.

85. Player Defendants breached this duty to Ms. Hunt and acted willfully, wantonly, and in reckless disregard for the safety of Ms. Hunt in one or more of the following ways:

- a. Planned and conducted a premeditated hazing ritual that subjected Ms. Hunt to the danger of physical injury or harm and which actually caused harm;
- b. Blindfolded Ms. Hunt;
- c. Kidnapped Ms. Hunt from her dormitory;

- d. Forced Ms. Hunt into the rear compartment of an automobile;
- e. Drove Ms. Hunt around, blindfolded and in the rear compartment of an automobile, in an effort to confuse, disorient, and frighten Ms. Hunt;
- f. Forced Ms. Hunt to participate in embarrassing and humiliating physical acts;
- g. Forced Ms. Hunt into a dark room in an effort to confuse, disorient, and frighten Ms. Hunt;
- h. Spun Ms. Hunt around in circles to impair her awareness and sense of balance;
- i. Ordered Ms. Hunt to sprint as fast as she could while wearing a blindfold and next to a brick wall and table immediately after spinning her around in circles;
- j. Shouted orders to Ms. Hunt to sprint faster while wearing a blindfold and next to a brick wall and table immediately after spinning her around in circles;
- k. Caused Ms. Hunt to sprint directly into a brick wall and table; and
- l. In other such ways as shall be proved at trial.

(Hereinafter, subparagraphs “a.” through “l.” are referred to collectively as the “Hazing Misconduct”).

86. As a direct and proximate result of the Player Defendants’ negligence and gross negligence, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;

- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**SECOND CAUSE OF ACTION**

Intentional Infliction of Emotional Distress/Outrage  
(Against the Player Defendants)

87. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 86 of this Complaint.

88. The Player Defendants were in a position of superiority and power over Ms. Hunt and the freshmen players on the Team.

89. The Player Defendants intentionally or recklessly inflicted severe emotional distress or were certain or substantially certain that such distress would result from their Hazing Misconduct.

90. The Player Defendants' Hazing Misconduct was directed at Ms. Hunt and the freshmen players.

91. The Player Defendants' Hazing Misconduct was so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized society.

92. Player Defendants' Hazing Misconduct caused Ms. Hunt's severe emotional distress and mental anguish.

93. Ms. Hunt's emotional distress and mental anguish was so severe that no reasonable person could be expected to endure it.

94. As a direct and proximate result of the Player Defendants' intentional infliction of emotional distress, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**THIRD CAUSE OF ACTION**

Assault

(Against the Player Defendants)

95. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 94 of this Complaint.

96. The Player Defendants' Hazing Misconduct, as set forth herein, placed Ms. Hunt in reasonable fear of bodily harm and therefore constitutes assault of Ms. Hunt.

97. The Player Defendants, in fact, intended to cause fear of bodily harm and actual bodily harm to Ms. Hunt.

98. In light of the Player Defendants' position of superiority and power on the Team, Ms. Hunt and the freshmen players were peculiarly susceptible to fear of bodily harm, and the Player Defendants knew and took advantage of this fact.

99. As a direct and proximate result of the Player Defendants' assault of Ms. Hunt, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**FOURTH CAUSE OF ACTION**

Battery

(Against the Player Defendants)

100. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 99 of this Complaint.

101. The Player Defendants inflicted forcible contact on the person of Ms. Hunt in a manner that constituted unlawful, unauthorized violence against Ms. Hunt in one or more of the following ways:

- a. The Player Defendants physically kidnapped Ms. Hunt;
- b. The Player Defendants physically blindfolded Ms. Hunt;
- c. The Player Defendants physically forced Ms. Hunt into the rear compartment of an automobile;
- d. The Player Defendants physically forced Ms. Hunt into a dark room;
- e. The Player Defendants physically forced Ms. Hunt to spin around in circles;
- f. The Player Defendants physically forced Ms. Hunt to sprint while wearing a blindfold;

- g. The Player Defendants physically directed Ms. Hunt to sprint directly into a brick wall and table;
- h. And in such other ways as shall be proved at trial.

(Hereinafter, subparagraphs “a.” through “f.” are referred to collectively as the “Forcible Contact”).

102. The Forcible Contact by the Player Defendants constitutes battery of Ms. Hunt.

103. The Player Defendants’ battery of Ms. Hunt, in fact, caused Ms. Hunt to suffer severe injuries.

104. As a direct and proximate result of the Player Defendants’ battery of Ms. Hunt, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys’ fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**FIFTH CAUSE OF ACTION**  
False Imprisonment  
(Against the Player Defendants)

105. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 104 of this Complaint.

106. The Player Defendants kidnapped Ms. Hunt and restrained her, as a part of the Hazing Misconduct, in the rear compartment of an automobile, in a dark room, and at Riggs Field.

107. The Player Defendants restrained Ms. Hunt through words, acts, use of force, and by personal violence.

108. The Player Defendants' restraint was intentional.

109. The Player Defendants' restraint was unlawful.

110. Ms. Hunt was consciously aware of the restraint.

111. Ms. Hunt did not consent to the restraint.

112. The Player Defendants' intentional, unlawful restraint of Ms. Hunt constituted false imprisonment.

113. As a direct and proximate result of the Player Defendants' false imprisonment of Ms. Hunt, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;



- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**SIXTH CAUSE OF ACTION**  
Negligence/Gross Negligence  
(Against the Clemson Coach Defendants Individually)

114. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 113 of this Complaint.

115. The Clemson Coach Defendants had a duty to Ms. Hunt not to create or subject her to the danger of physical injury and harm and a duty not to actually injure and harm Ms. Hunt.

116. The Clemson Coach Defendants acted outside of the scope of their official duties and in a manner that constituted actual malice toward Ms. Hunt; intent to harm Ms. Hunt; and a crime of moral turpitude by intentionally and recklessly engaging in acts which had a foreseeable potential for causing harm to Ms. Hunt and the other freshmen players for the purpose of initiation or admission onto the Team; knowingly permitting and assisting the Player Defendants in committing the Hazing Misconduct; failing to report promptly any information within their knowledge of the Hazing Misconduct to the chief executive officer of Clemson; and fraudulently concealing information within their knowledge of the Hazing Misconduct from the chief executive officer of Clemson in an attempt to cover-up the Incident. *See* S.C. Code Ann. §§ 16-3-510, et al. (2002).

117. The Clemson Coach Defendants breached their duty to Ms. Hunt and acted willfully, wantonly, and in reckless disregard for the safety of Ms. Hunt and the freshmen players

in meeting with the Player Defendants to discuss the hazing ritual; encouraging, authorizing, and enabling the hazing ritual and the Hazing Misconduct; attempting to fraudulently cover-up the Incident; failing to implement or administer the appropriate concussion and traumatic brain injury protocol in relation to Ms. Hunt's traumatic brain injury; and releasing Ms. Hunt to return to play soccer without adequately assessing her medical condition.

118. The Clemson Coach Defendants willfully, wantonly, recklessly, and/or negligently instituted, permitted, endorsed, encouraged, facilitated, and condoned the hazing ritual by meeting with one or more of the Player Defendants to plan the hazing ritual that included the Hazing Misconduct and attempting to fraudulently cover-up the hazing ritual after Ms. Hunt's injuries were reported.

119. The Clemson Coach Defendants, in an attempt to minimize and/or fraudulently cover-up the Incident, willfully, wantonly, recklessly, and/or negligently underreported and downplayed Ms. Hunt's injuries and returned Ms. Hunt to play soccer without administering the appropriate concussion and traumatic brain injury protocol.

120. The Clemson Coach Defendants' negligence and gross negligence directly and proximately caused great injuries and damage to Ms. Hunt, for which she is entitled to compensatory and exemplary damages.

121. As a direct and proximate result of the Clemson Coach Defendants' negligence and gross negligence, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;

- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**SEVENTH CAUSE OF ACTION**

Intentional Infliction of Emotional Distress  
(Against the Clemson Coach Defendants Individually)

122. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 121 of this Complaint.

123. The Clemson Coach Defendants were in a position of superiority and power over Ms. Hunt and the freshmen players on the Team.

124. The Clemson Coach Defendants acted outside of the scope of their official duties and in a manner that constituted actual malice toward Ms. Hunt; intent to harm Ms. Hunt; and a crime of moral turpitude by intentionally and recklessly engaging in acts which had a foreseeable potential for causing harm to Ms. Hunt and the other freshmen players for the purpose of initiation or admission onto the Team; knowingly permitting and assisting the Player Defendants in committing the Hazing Misconduct; failing to report promptly any information within their knowledge of the Hazing Misconduct to the chief executive officer of Clemson; and fraudulently concealing information within their knowledge of the Hazing Misconduct from the chief executive officer of Clemson in an attempt to cover-up the Incident. *See* S.C. Code Ann. §§ 16-3-510, et al. (2002).

125. The Clemson Coach Defendants intentionally or recklessly inflicted severe emotional distress or were certain or substantially certain that such distress would result from

their conduct in meeting with the Player Defendants to discuss the hazing ritual, encouraging, authorizing, and enabling the hazing ritual, which included the Hazing Misconduct.

126. The Clemson Coach Defendants intentionally or recklessly inflicted severe emotional distress or were certain or substantially certain that such distress would result from their conduct by instituting, permitting, endorsing, encouraging, facilitating, and condoning the hazing ritual by meeting with one or more of the Player Defendants to plan the hazing ritual that included: blindfolding, kidnapping, and subjecting the freshmen players to harm; providing express encouragement and permission to conduct the hazing ritual; providing a location for the hazing ritual at Riggs Field; providing the Player Defendants with the keys to Riggs Field; encouraging or permitting the use of Team gear during the hazing ritual; providing Team gear to conduct the hazing ritual; and attempting to fraudulently cover-up the hazing ritual after Ms. Hunt's injuries were reported.

127. The Clemson Coach Defendants' conduct was directed at Ms. Hunt and the freshmen players.

128. The Clemson Coach Defendants' conduct was so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized society.

129. The Clemson Coach Defendants' conduct caused Ms. Hunt's severe emotional distress and mental anguish.

130. Ms. Hunt's emotional distress was so severe so that no reasonable person could be expected to endure it.

131. As a direct and proximate result of the Clemson Coach Defendants' intentional infliction of emotional distress, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**EIGHTH CAUSE OF ACTION**  
42 U.S.C. § 1983 Deprivation of  
Constitutional Right to Bodily Integrity  
(Against the Clemson Coach Defendants)

132. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 131 of this Complaint.

133. The Clemson Coach Defendants were at all relevant times acting under color of state law through their positions of authority as coaches of the Team.

134. The Clemson Coach Defendants instituted, permitted, endorsed, encouraged, facilitated, and condoned the hazing ritual by meeting with one or more of the Player Defendants to plan the hazing ritual that included: blindfolding, kidnapping, and subjecting the freshmen players to harm; providing express encouragement and permission to conduct the hazing ritual; providing a location for the hazing ritual at Riggs Field; providing the Player Defendants with

the keys to Riggs Field; encouraging or permitting the use of Team gear during the hazing ritual; providing Team gear to conduct the hazing ritual; attempting to fraudulently cover-up the hazing ritual after Ms. Hunt's injuries were reported; and failing to implement or administer an appropriate concussion protocol in relation to Ms. Hunt's traumatic brain injury.

135. The Clemson Coach Defendants employed the hazing ritual as a Team initiation and mandatory activity for Ms. Hunt and the freshmen players.

136. The Clemson Coach Defendants employed the Player Defendants to serve as their instruments to haze Ms. Hunt and the freshmen players and to attempt to force the freshman players to quit the Team.

137. The Clemson Coach Defendants' actions of instituting, permitting, endorsing, encouraging, facilitating, and condoning the hazing ritual denied Ms. Hunt's constitutional right to bodily integrity.

138. The Clemson Coach Defendants had knowledge at the time of the Incident that their misconduct was unlawful and violated a clearly established constitutional right.

139. The Clemson Coach Defendants' violation of Ms. Hunt's right to bodily integrity violated her substantive due process rights under the Fourteenth Amendment to the United States Constitution, and directly and proximately caused great injuries and damage to these rights and liberty interests, for which she is entitled to compensatory and punitive damages.

140. As a direct and proximate result of Clemson Coach Defendants' unconstitutional misconduct, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;

- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**NINTH CAUSE OF ACTION**

42 U.S.C. § 1983 Deprivation of

Constitutional Right to Bodily Integrity – Special Relationship

(Against the Clemson Coach Defendants and Clemson Administrator Defendants)

141. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 140 of this Complaint.

142. The Clemson Coach Defendants and Clemson Administrator Defendants were at all relevant times employees of Clemson, acting under color of state law, empowered and required by the State of South Carolina to, among other things, ensure an open and safe environment for student-athletes.

143. The Clemson Coach Defendants and Clemson Administrator Defendants created a danger through their adoption and perpetuation of a practice and *de facto* policy that permitted the Clemson Coach Defendants, under color of state law, by and through the Player Defendants, to conduct a hazing ritual, which resulted in serious injuries to Ms. Hunt.

144. When the Clemson Coach Defendants, by and through the Player Defendants, who were acting as instruments of the Clemson Coach Defendants, blindfolded and kidnapped Ms. Hunt and the other freshmen players, Ms. Hunt and the freshmen players were in the custody and complete control of the Player Defendants acting at the instruction of the Clemson Coach Defendants.

145. This custody and control was created because the Clemson Coach Defendants, by and through the Player Defendants, communicated to Ms. Hunt and the other freshmen players that the freshman hazing ritual was a mandatory Team function.

146. This practice and *de facto* policy rendered Ms. Hunt and the other freshmen players unable to care for themselves.

147. The custody and control that the Clemson Coach Defendants, by and through Player Defendants, exercised over Ms. Hunt and the other freshmen players by virtue of the practice and *de facto* policy adopted and perpetuated by the Clemson Coach Defendants and Clemson Administrator Defendants created a special relationship whereby the Clemson Coach Defendants and Clemson Administrator Defendants were required to protect Ms. Hunt and the other freshmen players and provide for their basic human needs and safety.

148. The Clemson Coach Defendants and Clemson Administrator Defendants deliberately failed to provide basic human needs and safety for Ms. Hunt and the other freshmen players by adopting and perpetuating practices and *de facto* policies that permitted the Clemson Coach Defendants, by and through the Player Defendants, to blindfold and kidnap Ms. Hunt and the other freshmen players and institute the Hazing Misconduct, which resulted in serious injuries to Ms. Hunt, thus denying Ms. Hunt's constitutional right to bodily integrity.

149. The acts by the Clemson Coach Defendants and Clemson Administrator Defendants violated Ms. Hunt's constitutionally protected right to bodily integrity.

150. The Clemson Coach Defendants and Clemson Administrator Defendants' denial of Ms. Hunt's right to bodily integrity violated her substantive due process rights under the Fourteenth Amendment to the United States Constitution and directly and proximately caused



great injuries and damage to these rights and liberty interests, for which she is entitled to compensatory and punitive damages.

151. The Clemson Coach Defendants and Clemson Administrator Defendants had knowledge at the time of the Incident that their misconduct was unlawful and violated a clearly established constitutional right.

152. As a direct and proximate result of the Clemson Coach Defendants and Clemson Administrator Defendants' misconduct, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**TENTH CAUSE OF ACTION**

42 U.S.C. § 1983 Deprivation of

Constitutional Right to Bodily Integrity – State-Created Danger

(Against the Clemson Coach Defendants and Clemson Administrator Defendants)

153. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 152 of this Complaint.

154. The Clemson Coach Defendants' and Clemson Administrator Defendants' actions of adopting and perpetuating a practice and *de facto* policy that permitted Clemson Coach

Defendants, by and through the Player Defendants, to plan and conduct a hazing ritual, which included kidnapping and blindfolding Ms. Hunt and the other freshmen players; forcing Ms. Hunt into the rear compartment of an automobile; forcing her to enact embarrassing and humiliating stunts; forcing Ms. Hunt into a dark room; spinning her around in circles; forcing her to run while still wearing a blindfold after being spun around in circles; and screaming at Ms. Hunt to run faster, created a foreseeable and fairly direct risk of injury that a reasonable individual knowing of such hazing ritual could have foreseen an injury to such a freshman as Ms. Hunt.

155. The Clemson Coach Defendants' and Clemson Administrator Defendants' adoption and perpetuation of a practice and *de facto* policy that permitted the Clemson Coach Defendants, under color of state law, by and through the Player Defendants, to conduct a hazing ritual, created a dangerous environment, and that the Clemson Coach Defendants and Clemson Administrator Defendants knew of the danger and were nevertheless deliberately indifferent to it.

156. That a special relationship between the Clemson Coach Defendants and Clemson Administrator Defendants and Ms. Hunt existed because Ms. Hunt was a member of a class made vulnerable to severe, foreseeable injuries by the practice and *de facto* policy maintained and condoned by the Clemson Coach Defendants and Clemson Administrator Defendants.

157. The Clemson Coach Defendants and Clemson Administrator Defendants, by creating, maintaining, and condoning a hazing ritual, used their authority to create an opportunity for the Player Defendants to harm Ms. Hunt that would not have otherwise existed.

158. The Clemson Coach Defendants and Clemson Administrator Defendants deliberately failed to provide for Ms. Hunt's and the other freshmen players' basic human needs and safety by adopting and perpetuating practices and *de facto* policies that permitted the

Clemson Coach Defendants and Clemson Administrator Defendants, by and through the Player Defendants, to blindfold and kidnap Ms. Hunt and the other freshmen players, which resulted in serious injuries to Ms. Hunt, thus denying her constitutional right to bodily integrity.

159. The acts by the Clemson Coach Defendants and Clemson Administrator Defendants violated Ms. Hunt's constitutionally protected right to bodily integrity.

160. The Clemson Coach Defendants and Clemson Administrator Defendants knew at the time of the Incident that their misconduct was unlawful and violated a clearly established constitutional right.

161. The Clemson Coach Defendants and Clemson Administrator Defendants' denial of Ms. Hunt's right to bodily integrity violated her substantive due process rights under the Fourteenth Amendment to the United States Constitution and directly and proximately caused great injuries and damage to these rights and liberty interests, for which she is entitled to compensatory and punitive damages.

162. As a direct and proximate result of the Clemson Coach Defendants and Clemson Administrator Defendants' misconduct, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and

g. Such other and further relief that this Court deems just and proper.

**ELEVENTH CAUSE OF ACTION**

42 U.S.C. § 1983 Deprivation of  
Constitutional Right to Bodily Integrity –Failure to Train  
(Against the Clemson Administrator Defendants)

163. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 162 of this Complaint.

164. The Clemson Administrator Defendants were at all relevant times employees of Clemson, acting under color of state law, empowered and required by the State of South Carolina to, among other things, ensure an open and safe environment for student-athletes and to prevent and report hazing.

165. At all relevant times the Clemson Administrator Defendants were policy makers and had a duty to train the Clemson Coach Defendants concerning the school practices, policies, and laws relating to hazing, reporting hazing of student-athletes like Ms. Hunt, and concussions/brain injuries.

166. The Clemson Administrator Defendants failed to adequately train the Clemson Coach Defendants regarding hazing and concussions/brain injuries.

167. The Clemson Administrator Defendants' failure to train effectively denied Ms. Hunt's constitutionally protected right to bodily integrity.

168. The Clemson Administrator Defendants' failure to train demonstrated their disregard for, and deliberate indifference to, Ms. Hunt's well-being and her constitutionally protected right to bodily integrity under the Fourteenth Amendment to the United States Constitution.

169. The Clemson Administrator Defendants' denial of Ms. Hunt's right to bodily integrity violated her substantive due process rights under the Fourteenth Amendment to the United States Constitution, and directly and proximately caused great injury and damage to these rights and liberty interests, for which she is entitled to compensatory and punitive damages.

170. The Clemson Coach Defendants and Clemson Administrator Defendants knew at the time of the Incident that their misconduct was unlawful and violated a clearly established constitutional right.

171. As a direct and proximate result of the Clemson Administrator Defendants' misconduct, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

**TWELFTH CAUSE OF ACTION**

42 U.S.C. § 1983 Deprivation of  
Constitutional Right to Bodily Integrity –Supervisory Liability  
(Against Radwanski and Clemson Administrator Defendants)

172. Plaintiff hereby incorporates by reference and re-alleges every allegation of paragraphs 1 through 171 of this Complaint.

173. The Clemson Administrator Defendants and Radwanski were at all relevant times employees of Clemson, acting under color of state law, empowered and required by the State of South Carolina to ensure an open and safe environment for student-athletes and to prevent and report hazing.

174. The Clemson Administrator Defendants and Radwanski had actual or constructive knowledge, for several years, that their subordinates, including Defendants Mullinix and Robbins and other coaches of the Team, had instituted, permitted, endorsed, encouraged, facilitated, and condoned the hazing ritual, which posed a pervasive and unreasonable risk of constitutional injury to freshman on the Team, like Ms. Hunt.

175. The Clemson Administrator Defendants and Radwanski did nothing to prevent the hazing ritual and instead encouraged it as a tradition of the Team, thereby showing deliberate indifference to and tacit authorization of the hazing ritual.

176. The deprivation of Ms. Hunt's constitutional right to bodily integrity was affirmatively caused by the deliberate indifference to and tacit authorization of the hazing ritual by the Clemson Administrator Defendants and Radwanski, who were in positions to prevent the hazing ritual, did nothing to prevent it, and instead encouraged, facilitated, and condoned it.

177. The Clemson Administrator Defendants' and Radwanski's inadequate response to, deliberate indifference to, and tacit authorization of the hazing ritual violated Ms. Hunt's constitutionally protected right to bodily integrity.

178. The Clemson Administrator Defendants' and Radwanski's denial of Ms. Hunt's right to bodily integrity violated her substantive due process rights under the Fourteenth Amendment to the United States Constitution and directly and proximately caused great injuries

and damage to these rights and liberty interests, for which she is entitled to compensatory and punitive damages.

179. The Clemson Coach Defendants and Clemson Administrator Defendants knew at the time of the Incident that their misconduct was unlawful and violated a clearly established constitutional right.

180. As a direct and proximate result of the Clemson Administrator Defendants' and Radwanski's misconduct, Ms. Hunt sustained and will continue to sustain injuries for which she is entitled to be compensated, including but not limited to:

- a. Past, present, and future physical and psychological pain, suffering, and impairment;
- b. Medical bills, counsel, and other costs and expenses for past and future medical and psychological care;
- c. Impaired educational/vocational capacity;
- d. Loss of enjoyment of life;
- e. Punitive damages;
- f. Attorneys' fees and costs; and
- g. Such other and further relief that this Court deems just and proper.

WHEREFORE, Plaintiff prays for Judgment against the Defendants individually, jointly, and severally for all actual damages, for an appropriate amount in punitive damages in an amount to be determined by the jury at the trial of this action, those attorneys' fees and costs incurred by this action, and for such other further relief as the court deems just and proper.

A jury trial is demanded on all issues triable by jury.



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