

persons, agents, servants, contractors, and employees acting in the course and scope of their employment with all acts and omissions thereby imputed as a matter of law to their respective principals, masters and employers.

5. At the time of the incidents giving rise to the Plaintiff's Complaint, Defendant Boathouse acted by and through its agents, servants, contractors, and employees for the purpose of carrying on its business as a watercraft retailer, therefore, it is liable for the negligent acts of its agents, servants, contractors, and employees under the theories of non-delegable duty and *respondeat superior*.

JURISDICTION AND VENUE

6. This Court has personal jurisdiction over Defendants pursuant to S.C. Code § 36-2-802, because Defendant resides in or has enduring relationships with the state of South Carolina.

7. Venue is appropriate pursuant to S.C. Code § 15-7-30 because the most substantial part of the acts giving rise to these claims occurred in Oconee County, South Carolina.

FACTUAL ALLEGATIONS

8. Defendant Boathouse solicited Plaintiff for employment through communication with Plaintiff's Mother in or around April 2024.

9. Upon information and belief, Defendant Boathouse had prior knowledge of Defendant Shope's disposition to take voyeuristic photographs of teenage and young adult women without their knowledge prior to soliciting Plaintiff's employment in April of 2024.

10. Upon information and belief, Plaintiff began working for Defendant Boathouse on or about April 30, 2024. Plaintiff was a teenager at the time her employment began.

11. Upon information and belief, Defendant Shope was Plaintiff's superior. Upon further information and belief, Defendant Shope was entrusted to supervise and assign tasks to Plaintiff without oversight by Defendant Boathouse.

12. Upon information and belief, Defendant Shope and Defendant Boathouse dispatched Plaintiff to view a boat with Defendant Shope on a day Plaintiff was wearing a skirt. Upon further information and belief, Defendant Shope sat in a chair in direct proximity to Plaintiff and pretended to photograph the boat with his cellphone while secretly photographing Plaintiff in a bent over or "upskirt" position.

13. Upon information and belief, Defendant Shope assigned Plaintiff to view the boat with him with the sole intention of photographing Plaintiff for his sexual gratification.

14. Upon information and belief, Defendant Shope's girlfriend discovered the voyeuristic photographs of Plaintiff and other young adult females on Defendant Shope's cellphone.

15. Upon information and belief, Plaintiff was contacted by Defendant Shope's girlfriend on or about November 25, 2024, wherein Plaintiff was informed of the photographs taken of her by Defendant Shope at Defendant Boathouse during her employment. Upon further information and belief, Plaintiff was sent photographs of herself that were taken and maintained by Defendant Shope.

16. Upon information and belief, Plaintiff terminated her employment with Defendant Boathouse upon learning of the photographs taken of her by Defendant Shope at Defendant Boathouse during her employment.

17. Plaintiff engaged in conversations with Defendant Shope's mother and sister regarding terminating her employment and the photographs taken of her by Defendant Shope at Defendant

Boathouse. Defendant Shope's mother and sister were aware of photographs being taken by Defendant Shope of teens and young adult women without their knowledge.

18. Plaintiff, uncertain of the truth of the photographs origin, filed a report with Seneca Police Department on or about December 3, 2024.

19. Seneca Police Department placed a recording device on Plaintiff and instructed her to engage Defendant Shope in a conversation wherein Defendant Shope apologized to Plaintiff for his "mistake."

20. Upon information and belief, an investigator with Seneca Police Department met with Defendant Shope regarding the photographs.

21. Upon information and belief, on December 19, 2024, Defendant Shope provided Seneca Police Department with a written statement admitting to taking the photographs of the Plaintiff, a teenager at the time, and two other females.

22. Upon information and belief, Defendant Boathouse entrusted Defendant Shope to supervise and assign tasks to Plaintiff, a teenager, without supervision and without oversight by Defendant Boathouse.

23. Upon information and belief, Defendant Shope used his superiority over Plaintiff, as well as the circumstances of Plaintiff's employment, to take pictures of Plaintiff for his sexual gratification which is the proximate cause of Plaintiff's damages and suffering.

24. Upon information and belief, Defendant Boathouses' negligent entrustment and negligent hiring, supervising, and/or training by allowing Defendant Shope to take photographs of Plaintiff for his sexual gratification were the proximate cause of Plaintiff's damages and suffering. Specifically, Defendant Boathouse allowed Defendant Shope to supervise a female teenager, without proper supervision or oversight, even though it was fully aware of Defendant Shope's

propensity to take inappropriate photographs for his sexual gratification and to feed his addiction to voyeurism. Defendant Boathouse knew or should have known that doing so posed a risk of serious harm.

25. As a direct and proximate result of the incident, Plaintiff has been damaged. Further, voyeuristic photographs of the Plaintiff have circulated and been used by Defendant Shope for his sexual gratification.

26. Defendant Boathouse did not take action to protect Plaintiff from secretly being photographed by Defendant Shope.

27. Defendant Shope and Defendant Boathouse's actions and/or inactions directly resulted in the damages suffered by Plaintiff.

FOR A FIRST CAUSE OF ACTION
(Negligence as to Defendant Boathouse and Defendant Shope)
(collectively "Defendants")

28. Plaintiff restates paragraphs 1-27 above as if set forth verbatim herein.

29. During all times relevant, Defendants' acts and omissions amounted to negligence, recklessness, and a willful and wanton disregard for the health and well-being of Plaintiff.

30. As a direct and proximate result of the willful and wanton and reckless acts, as well as the gross negligence of Defendants, Plaintiff suffered loss of dignity, mental and emotional pain, mental and emotional anguish, loss of income, emotional distress, and other damages.

31. Plaintiff is entitled to recover actual, compensatory, special, and punitive damages from Defendants in an amount to be proven at trial.

32. As to Defendant Boathouse, following the hiring of Plaintiff, Defendant Boathouse was under a continuing duty both under the statutory and common law of South Carolina to exercise reasonable care in its responsibility of Plaintiff.

33. Defendant was negligent, willful, wanton, reckless and grossly negligent and deviated from the expected standards of employment of Plaintiff in the following particulars:
- a. Failing to maintain a protective and safe environment;
 - b. Failing to provide proper and effective supervision of its employees;
 - c. Failing to establish policies and procedures which protect employees from voyeurism;
 - d. Failing to report criminal acts reported by employees to law enforcement;
 - e. Failing to ensure that the staff of Defendant was competent to supervise employees, trained in the policies and procedures of the Defendants, and was knowledgeable regarding abuse perpetrated by employees and the appropriate response to any such report of voyeurism;
 - f. Failing to supervise staff and employees;
 - g. Failing to protect Plaintiff and keep her safe from loss of dignity, mental abuse, and emotional abuse;
 - h. Failing to comply with State and Federal Laws and applicable standards;
 - i. Failing to provide care and supervision necessary to avoid harm and mental anguish;
 - j. Failing to prevent Plaintiff from be subjected to sexual abuse;
 - k. By other negligent or grossly negligent acts and/or omissions yet to be determined or defined; and,
 - l. In such other particulars as may be ascertained through discovery procedures undertaken pursuant to the South Carolina Rules of Civil Procedure.

FOR A SECOND CAUSE OF ACTION
(Gross Negligence as to Defendants)

34. Plaintiff restates paragraphs 1-33 above as if set forth verbatim herein.
35. During all times material to the claims herein, Defendants' acts and omissions amounted

to gross negligence, recklessness, and a willful and wanton disregard for the safety and wellbeing of Plaintiff. The reckless, willful and wanton acts of Defendants include, but are not limited to those set forth in the foregoing Paragraphs.

36. All conduct of Defendants, as set forth above, is alleged to have amounted to gross negligence.

37. As a direct and proximate result of the willful and wanton acts, as well as the gross negligence of Defendants, Plaintiff suffered loss of dignity, mental and emotional pain, mental and emotional anguish, loss of income, emotional distress, and other damages.

38. Plaintiff is entitled to recover actual, compensatory, special, and punitive damages from Defendants in an amount to be proven at trial.

FOR A THIRD CAUSE OF ACTION
(Negligence Per Se as to Defendants)

39. Plaintiff restates paragraphs 1-38 above as if set forth verbatim herein.

40. In addition to the aforementioned negligent and grossly negligent acts, Defendants violated the laws of the Statutes and Regulations of the State of South Carolina which establish the duty of care which must be exercised towards employees, such as Plaintiff, such violations being negligence, gross negligence, and negligence per se.

41. These legislative and administrative regulations are designed to prevent injury to a class of persons to which Plaintiff belongs.

42. These violations by Defendants were the proximate cause of Plaintiff's injuries and damages.

43. Defendants are liable for the acts and omissions constituting negligence per se.

FOR A FOURTH CAUSE OF ACTION
(Negligent Hiring, Training, and/or Supervising as to Defendant Boathouse)

44. Plaintiff restates paragraph 1-43 above as if set forth verbatim herein.

45. As a direct and proximate result of Defendant Boathouse's negligent hiring, supervising, and/or training, as well as Defendant Boathouse's negligent entrustment, by knowingly employing certain individuals even though they created an undue risk of harm to the public, Plaintiff has suffered damages. As a result of Defendant Boathouse's conduct, Plaintiff is entitled to recover a sum to compensate her for her loss of dignity, mental and emotional pain, mental and emotional anguish, loss of income, emotional distress, and other damages. Plaintiff also is entitled to recover a sum of punitive damages to punish and deter the Defendant and others like it from similar conduct in the future. All damages should be in an amount determined by a jury in this action.

FOR A FIFTH CAUSE OF ACTION
(Invasion of Privacy as to Defendants)

46. Plaintiff restates paragraphs 1-45 above as if set forth verbatim herein.

47. Defendants had a duty to not invade the privacy of Plaintiff. Defendant Shope intentionally photographed Plaintiff in a vulnerable situation for his sexual gratification. The behavior was highly offensive and likely to cause serious mental injury to any person of ordinary sensibilities. Defendant Boathouse knew or should have known of Defendant Shope's propensity to engage in inappropriate behavior for his sexual gratification and indeed placed Plaintiff under the supervision of Defendant Shope. As a result of Defendants' invasion of privacy, Plaintiff suffered severe temporary and permanent injuries. As a result of Defendants' conduct, Plaintiff is entitled to recover a sum to compensate her for her conscious pain and

suffering, mental anguish, loss of enjoyment of life, and other damages. All damages should be in an amount determined by a jury in this action.

48. As a result of Defendants' invasion of Plaintiff's privacy, they should be appropriately punished with the imposition of punitive damages to deter them and others like them from similar conduct in the future. All damages should be in an amount determined by a jury in this action.

FOR A SIXTH CAUSE OF ACTION
(Intentional Infliction of Emotional Distress as to Defendants)

49. Plaintiff restates paragraphs 1-48 above as if set forth verbatim herein.

50. Defendants had a duty to not inflict intentional emotional distress on the Plaintiff.

Defendant Shope intentionally photographed Plaintiff in a vulnerable situation for his sexual gratification. The conduct was highly offensive, extreme, and outrageous and likely to cause serious mental injury to any person of ordinary sensibilities. Further, Plaintiff did indeed suffer from emotional distress and injury as a result of Defendant Shope's conduct. Defendant Boathouse knew or should have known of Defendant Shope's propensity to engage in inappropriate behavior for his sexual gratification and placed Plaintiff under the supervision of Defendant Shope. Defendant Boathouse's intentional placement of Plaintiff in the direct supervision of Defendant Shope, an agent of Defendant Boathouse, resulted in the intentional infliction of emotional distress on Plaintiff. As a result of Defendants' intentional infliction of emotional distress, Plaintiff suffered severe temporary and permanent injuries. As a result of Defendants' conduct, Plaintiff is entitled to recover a sum to compensate her for her conscious pain and suffering, mental anguish, loss of enjoyment of life, and other damages. All damages should be in an amount determined by a jury in this action.

51. As a result of Defendants' intentional infliction of emotional distress on Plaintiff, they

should be appropriately punished with the imposition of punitive damages to deter them and others like them from similar conduct in the future. All damages should be in an amount determined by a jury in this action.

DAMAGES

52. Plaintiff restates paragraphs 1-51 above as if set forth verbatim herein.

53. As a direct and proximate result of Defendants' negligence, gross negligence, negligence per se, negligent hiring, supervising, and/or training, invasion of privacy, and intentional infliction of emotional distress, Plaintiff has suffered temporary and permanent injuries.

54. Plaintiff has suffered the following damages:

- i. Invasion of privacy resulting in irreparable harm;
- ii. Intentional infliction of emotional distress resulting in irreparable harm;
- iii. Temporary and permanent mental and emotional anguish;
- iv. Temporary and permanent loss of enjoyment of life;
- v. Temporary and permanent mental and emotional pain;
- vi. Temporary and permanent loss of income; and,
- v. In other such particulars that may be demonstrated at trial.

WHEREFORE, Plaintiff respectfully prays for judgment against the Defendants for actual damages, special damages, consequential damages, and punitive damages in an amount to be determined by a jury at the trial of this action, for the costs and disbursements of this action and for such other and further relief as this Court deems just and proper. Plaintiff specifically avers that the damages at issue in this case are more than \$100,000, such averment made to allow all manner of discovery under South Carolina law.

TREVOR WHITE INJURY FIRM, P.A.

/s/ Trevor B. White

Trevor B. White (S.C. Bar No. 100791)

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