

# MCCATHERN

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## **FOR IMMEDIATE RELEASE**

Re: *Sandy Rougely individually and as next friends of minor K.P. v. Live Oak Classical School and Lawrence L. Germer*, currently pending in the 250<sup>th</sup> District Court in Travis County, Texas.

On Monday, May 2, 2016, our office got a call from a concerned mother who was afraid her daughter may have been the victim of an attack by her peers while on an overnight field trip with the Live Oak Classical School (or “Live Oak”). When we received the photographs of the incident, we were horrified at the level of brutality that appears to have been inflicted on such a young girl, when a long, nylon rope attached to a tree was wrapped around her neck, and she was slammed to the ground while under Live Oak’s supervision. However, when we looked deeper into what happened, we were even more shocked at Live Oak’s utter failure to acknowledge or adequately respond to the documented pattern of behavior leading up to the incident, in addition to their active attempts to cover it all up. Specifically, Live Oak and its administrators documented (1) their first-hand knowledge of a history of violence toward the victim by one of the individuals alleged to have been involved in the incident, as well as (2) their acknowledgement of his independently aggressive tendencies. Yet, Live Oak failed to take a single, significant action calculated to stop the abuse until it culminated in the incident at the center of this suit. Further, without a single justification, Live Oak suspiciously denied requests by the victim’s mother to chaperone for the field trip on which her daughter was harmed and did not even attempt to inform her of her daughter’s injuries until she saw them with her own two eyes when she picked her daughter up the following day.

Since this lawsuit was filed, the evidence discovered overwhelmingly indicates that this case is not one of mere negligent supervision, but of a systematic and organizational failure in leadership and accountability by those in charge of Live Oak Classical School. We hope that in this lawsuit, we can shine a light on an important issue that has thus far gone unaddressed: how the bullying and victimization of the less fortunate are dealt with in private schools across the country. Because these schools are tuition based, they have an incentive not to impose the disciplinary actions necessary to curtail bullying and protect the victims of such bullying—especially where, as here, the victim is an individual on scholarship and the bullies and their siblings pay the full fee in cash. We sincerely hope that our efforts here send a message that this type of behavior and administration will no longer be tolerated.

This case is currently set for trial on Monday, October 22, at 9:00AM in Travis County. With the resolution of this matter, we aim not only to compensate the victims in this case for the tremendous suffering they have endured, but to deter this type of egregious conduct from others in the future, and serve as an example to all educational institutions that if they do not proactively take steps to ensure the resolution of these issues for their less fortunate and victimized students, they will be held accountable.

- Levi G. McCathern, II