

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA**

JORDAN HERNANDEZ,
an individual,

Plaintiff,

v.

Case No.:

PALM BEACH COUNTY SCHOOL DISTRICT,
a governmental entity, SUZANNE KING, as an
individual and in her capacity as Principal of Boca
Raton Community High School, TOM WELTER,
as an individual and in his capacity as Assistant
Principal of Boca Raton Community High School,
KRISTIN WASSERMAN, as an individual and
in her capacity as a guidance counselor of
Boca Raton Community High School, and
KIANA MORENO, as an individual.

Defendant(s).

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW, Plaintiff Jordan Hernandez, by and through his undersigned
counsel, hereby files this Complaint and demand for jury trial for the legal and
equitable relief against Defendants, PALM BEACH COUNTY SCHOOL
DISTRICT, SUZANNE KING, TOM WELTER, KRISTIN WASSERMAN, and
KIANA MORENO, and alleges as follows:

NATURE OF THE ACTION

1. This is an action for negligence, intentional infliction of emotional distress, and defamation arising from malicious and false rumors spread by a single student and the subsequent failure from employees of Defendant Palm Beach County School District to properly investigate fictitious allegations of an inappropriate relationship between an educator and his student. Rather than investigating the matter, which would have revealed the accusations were baseless, administration for the school district failed to take any proper action. Instead, defendant Kiana Moreno continually defamed Mr. Hernandez. Mr. Hernandez's reputation has been damaged, and he has suffered severe emotional distress from the event. The defendants have caused Mr. Hernandez to seek routine medical treatment and forced him to be monitored and treated by medical professionals since the events transpired.

PARTIES

2. The Plaintiff, Jordan Hernandez, is an individual residing in Palm Beach County, and at all relevant times was employed as a teacher at Boca Raton Community High School ("BRCHS").
3. The Plaintiff, Jordan Hernandez, is an individual, over the age of eighteen, was an employee of the Palm Beach County School District and a Teacher

employed to perform instructional services at Boca Raton Community High School.

4. Defendant, Palm Beach County School District, was and is an agency of the State of Florida and Palm Beach County.
5. Defendant, Palm Beach County School District, acting by and through the Palm Beach County School Board, oversees the operation of all public schools which exist and operate within Palm Beach County, Florida. This includes the operation of Boca Raton Community High School.
6. Defendant, Suzanne King, is an individual, over the age of eighteen, and at all times material hereto was employed by PALM BEACH COUNTY SCHOOL DISTRICT as Principal of Boca Raton Community High School.
7. Defendant, Tom Welter, is an individual, over the age of eighteen, and at all times material hereto was employed by PALM BEACH COUNTY SCHOOL DISTRICT as Assistant Principal of Boca Raton Community High School.
8. Defendant, Kristin Wasserman, is an individual, over the age of eighteen, and at all times material hereto was employed by PALM BEACH COUNTY SCHOOL DISTRICT as Guidance Counselor of Boca Raton Community High School.

9. Defendant, Kiana Moreno, is an individual residing in Palm Beach County, and at all relevant times was a student at Boca Raton Community High School.

JURISDICTION AND VENUE

10. This Court has jurisdiction over the subject matter of this action pursuant to Florida Statute § 26.012(2)(a), granting this circuit court with jurisdiction in all actions at law not cognizable by the county courts.
11. Venue is proper in this Court pursuant to Florida Statute § 47.011 as the events that occurred which are the subject of this lawsuit occurred in Palm Beach County, Florida.

FACTUAL ALLEGATIONS

12. Plaintiff, Jordan Hernandez, is a highly esteemed educator with over ten years of dedicated service at Boca Raton Community High School. During his tenure, Mr. Hernandez had been a prominent figure in the academic and extracurricular life of the school, constantly dedicating his time to his students and their well-being.
13. In addition to his role as a classroom teacher, Mr. Hernandez served as the coach for both the Boys and Girls Varsity Golf teams and diligently ran a mental health leadership class called, Restoring Culture & We Dine Together, (“WDT,”) which provides crucial support and resources to

students. Mr. Hernandez controlled the course's curriculum, carefully outlined its learning objectives, and planned collaborative activities for the students enrolled. WDT played an important role in promoting mental wellness and providing a safe space for students to be themselves and to manage their mental health struggles. The program has reached millions around the world.¹

14. For his dedication and commitment to bettering his students, Mr. Hernandez was awarded Palm Beach County Coach of the Year, 2020's Teacher of the Year, and A National Life Changer of the Year nominee.²
15. Once an accusation was made by defendant Kiana Moreno that lacked any credibility or reliability, the school district completely turned their back on Mr. Hernandez, created an unsafe, unwelcoming environment for him. Administration would point fingers at him, scold him and ridicule him.
16. This is the same teacher whom they repeatedly awarded and commended for his excellence in the classroom and how he improved the lives of his students. The district abandoned one of their own, giving Mr. Hernandez no due process in the situation, nor investigate such a clearly fictitious rumor by

¹ Alanna Quillen, *Boca Raton High School students featured in popular Super Bowl ad*, WPTV (Feb. 14, 2018, 4:42 a.m.), <https://www.wptv.com/news/region-s-palm-beach-county/boca-raton/boca-hs-club-featured-in-popular-super-bowl-ad>.

² *LifeChanger of the Year Nominee Profile*, NATIONAL LIFE GROUP LIFECHANGER OF THE YEAR, https://app.lifechangeroftheyear.com/nomination_detail.cfm?NominationID=6481&NominationYear=2020&SchoolState=FL.

a malicious teenager. Up until that point, Mr. Hernandez was continually looked at in high regards by educators, faculty, parents, and the community as a whole.³

17. Kiana Moreno (“Moreno”) was a student at BRCHS, and a student enrolled in the WDT leadership class. Moreno was a senior during the relevant time period.

18. Moreno began disseminating false and malevolent rumors about Mr. Hernandez during the 2022-2023 school year. These rumors accused Mr. Hernandez of bullying Moreno, initiating a series of late-night phone calls with her (insinuating an inappropriate student-teacher relationship), consuming alcohol with his underaged high school students, stealing from nonprofit grants and keeping the money, and attempts to schedule plans to get together with Moreno once she got to college. These were just a few of the malicious, completely false, and reckless fallacies that were brought to Mr. Hernandez’s attention.⁴

19. Further, Moreno maliciously told other students that Mr. Hernandez was a sociopath and psychopath who preys on weak and needy students.⁵

³ School District of Palm Beach County, *A Warm Welcome for New Students*, YOUTUBE (Nov. 5, 2019), <https://www.youtube.com/watch?v=icW95d1S6eA&t=6s>.

⁴ See Exhibit 1.

⁵ See Exhibit 2.

20. Moreno was known among her classmates as an unstable student who enjoyed gossiping and spreading rumors.
21. Among her peers, Moreno would call Mr. Hernandez “eye candy” and referred to him as the “hot male teacher.” Several students expressed their uncomfortability with the way Moreno spoke about him.⁶
22. Once these students expressed their concerns to Mr. Hernandez that Moreno was spreading lies about him. In response, and in alliance with his duties as a faculty member, Mr. Hernandez told the students that the appropriate action would be to immediately report it to administration.
23. In November 2022, four students filed complaints with John Michaels, one of the Assistant Principals at BRCHS, against Kiana Moreno for gossiping, spreading rumors, and disseminating malicious statements about Mr. Hernandez. The student statements also reported Moreno’s tendency to speak negatively about other students.
24. The students understood the severity of Moreno’s statements and the harm they could cause if any person believed an ounce of it to be true.
25. Parents with students attending BRCHS went out of their way to contact Mr. Hernandez learning that Moreno was spreading false rumors and making up damaging statements about him. On one occasion when contacted by a

⁶ See Exhibit 3.

parent who was utterly concerned by Moreno's false and harmful statements, Mr. Hernandez immediately told the parent he did not want to know the names of any of the students who made reports to the school. He further instructed the parent to take any concern to administration.

26. On December 19, 2022, in response to the student statements, Assistant Principal John Michaels called a meeting with defendant Tom Welter, and Moreno regarding Moreno spreading rumors and tarnishing Mr. Hernandez's reputation.⁷
27. Moreno was questioned about each of the student statements and denied all of them.⁸
28. John Michaels and defendant Tom Welter informed Moreno's mother (Mrs. Moreno) about the situation. In response, Mrs. Moreno requested a meeting.⁹
29. On January 4, 2023, Mr. Michaels, defendant Tom Welter, Mr. Hernandez and Moreno's parents had a meeting to discuss the serious allegations Moreno was spreading to her classmates and peers.¹⁰
30. At the meeting, Mr. Michaels read each of the statements to Mr. Hernandez. Shocked and disheartened by the damage caused by one of his own students, Mr. Hernandez promptly requested that Moreno be removed from his class.

⁷ See Exhibit 4.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

Mr. Hernandez and his wife, (whom was also a teacher at BRCHS, and had Moreno as a student in one of her classes), were uncomfortable and felt immensely uneasy about the student after this occurred.

31. Despite the serious statements that their daughter was making, Moreno's parents requested that Moreno be kept in Mr. Hernandez' class. Rather, they wanted an investigation into the four anonymous students who submitted statements, for "bullying."¹¹

32. Mr. Michaels ("Michaels") and defendant Tom Welter ("Welter") interviewed all four students regarding their statements to investigate if there was any bullying, or the statements were well-founded. Mr. Michaels and defendant Tom Welter concluded that there was no bullying, and the student statements refuting Moreno's rumors were made with a solid foundation.

33. Defendant Tom Welter and John Michaels made this determination by comparing Moreno's words against the four students' statements.¹²

34. On January 13, 2023, Welter scheduled a meeting between Mr. Hernandez and Moreno to ensure both the teacher and student were comfortable returning to class. This meeting was cancelled as Moreno lied and stated Mr. Hernandez held her back, making her feel uncomfortable.¹³ Once the

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

meeting was rescheduled Moreno expressed that she wanted to stay in Mr. Hernandez's class.

35. That same day, Welter contacted Moreno's parents about the situation.

Moreno's parents did not want Moreno removed from the class, worried about her college admissions. Welter and Mrs. Wasserman (Moreno's guidance counselor at the time) assured Moreno's parents if she was removed from the class, her college admissions would not be impacted.¹⁴

36. Once again, Moreno's parents asked that despite their own daughter's allegations of Mr. Hernandez committing different forms of misconduct and inappropriate behavior, that Moreno stay in Mr. Hernandez's classroom.¹⁵

37. On January 18, 2023, Welter, Mr. Hernandez, Mrs. Wasserman, and Moreno had a meeting. The meeting concluded with the parties agreeing to bring any private discussions to administration, and refrain from one-on-one conversations.¹⁶

38. Mr. Hernandez suggested that Moreno be placed back in student government instead of his WDT leadership class. Michaels and Welter, in fear of retaliation from Moreno's parents, told Mr. Hernandez the student would remain in his class. Mr. Hernandez was instructed to not speak with

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

the student privately and to avoid any one-on-one conversations. Mr.

Hernandez was uncomfortable with this order, as Moreno would continue to be in his class daily. Mr. Hernandez made Michaels and Welter aware of his discomfort with Moreno remaining in his class, but Michaels and Welter neglected to take his feelings into consideration.

39. On April 18, 2023, Moreno falsely reported to Dr. Welter that Mr. Hernandez pulled her in the hallway to have a private one-on-one conversation.

40. On April 19, 2023, after Tom Welter requested notes and documents on the matter, Mrs. Wasserman, who had been covering for Mrs. Carlo as Moreno's guidance counselor, told Tom Welter, that she had given any notes and documentation she had regarding Moreno and Mr. Hernandez to Mrs. Carlo. Mrs. Carlo denied receiving any documentation.¹⁷

41. Mrs. Wasserman failed to properly document her interactions and conversations, breaching her duties as a guidance counselor.

42. On May 15, 2023. Tom Welter once again requested documentation from Mrs. Carlo and Mrs. Wasserman. Mrs. Carlo did not respond.¹⁸

¹⁷ *Id.*

¹⁸ *Id.*

43. On May 16, 2023, Tom Welter went to Mrs. Carlo's office to request documentation in reference to Moreno and Mr. Hernandez. Mrs. Carlo, as a guidance counselor, responded that she "does not keep notes."¹⁹
44. No administration employee advised Mrs. Carlo or Mrs. Wasserman that they needed to keep notes and documents of their meetings/conversations with their students. Administration did not reprimand or discipline either of the guidance counselors for breaching their duties. Administration did not remind guidance counselors of their duties to keep clear records of meeting/conversations or other correspondence as it relates to a student's well-being.
45. Mrs. Carlo told Mr. Hernandez that Mrs. Wasserman and Tom Welter left her in the dark, and she had not received any notes from Mrs. Wasserman.
46. Mrs. Wasserman, failed to inform Mrs. Carlo, upon her return, about the situation, transfer any documentation, or catch her up to speed on a highly sensitive matter.
47. Mrs. Wasserman breached her duty as a guidance counselor covering for Mrs. Carlo, to effectively communicate with her co-workers, which could have allowed Mrs. Carlo to investigate the matter herself, uncover the falsity

¹⁹ *Id.*

in Moreno's statements, and save Mr. Hernandez from the pain and suffering he endured.

48. Mrs. Wasserman's breach of her duties along with a lack of oversight from Tom Welter, caused severe emotional distress to Mr. Hernandez.
49. Over the course of the 2022 – 2023 school year, Mr. Hernandez repeatedly made formal requests to administration to remove Moreno from his class.
50. After repeatedly requesting Moreno be removed from his class, administration blatantly ignored Mr. Hernandez's request and told him to not talk to Moreno. John Michaels and Tom Welter (Moreno's dean) told Mr. Hernandez that it will cause problems with Moreno's parents to remove her.
51. On May 16, 2023 Moreno's parents wrote an extensive email to BRCHS' Head Principal Susie King requesting the school initiate a comprehensive investigation into this matter out of fear for their daughter's wellbeing.
52. The timing is unknown, as Moreno's parents had been aware of the daughter's accusations since November of 2022 (7 months prior), but despite their daughter's false and defamatory statements, continually asked administration to keep their daughter in Mr. Hernandez' classroom.
53. On May 19, 2023, Mr. Hernandez received a formal notice of investigation that he allegedly violated multiple school policies.²⁰

²⁰ See Exhibit 5.

54. Despite Mr. Hernandez's longstanding reputation for integrity and commitment to his student's welfare, the unfounded accusations propagated by Kiana Moreno were publicly shared within the school community, causing substantial harm to Mr. Hernandez's personal and professional reputation.
55. Without any due diligence into investigating the matter, Tom Welter continually scolded and belittled Mr. Hernandez during meetings.
56. Tom Welter inflicted emotional distress upon Mr. Hernandez by continually ridiculing and scolding him in response to no wrongdoing on the part of Mr. Hernandez.
57. Mr. Hernandez requested a union representative to be at the meetings because he felt unsafe in private settings with Tom Welter who was not handling the situation appropriately or fairly.
58. Union representative, Ray Crowell, requested that Tom Welter allow himself and Mr. Hernandez to be given a copy of Moreno's complaint, because during the meeting Moreno's statement was difficult to follow by any party and lacked plausibility. Crowell felt that without a copy, it would be very difficult for Mr. Hernandez to respond to a statement that clearly lacked any factual foundation.

59. In one meeting where CTA Union Representative Ray Crowell was present, Tom Welter scolded Mr. Hernandez to an extent that would be highly inappropriate in any setting.
60. In turn, Ray Crowell went out of his way to call Mr. Hernandez that weekend and told him how poorly he felt regarding Tom Welter's treatment of Mr. Hernandez. Ray Crowell told Mr. Hernandez he would like to report the occurrence to Dr. King.
61. The next school day, Ray Crowell went to Dr. King to report Welter's behavior, and his mismanagement of the situation, along with his unprofessionalism and inappropriate conduct. Ray Crowell reported Tom Welter to Dr. King in the presence of Mr. Hernandez and Stephanie Lent, an employee of the administration at BRCHS.
62. This behavior towards Mr. Hernandez was repeated many times by Tom Welter, outside the presence of third parties.
63. As a result of these false allegations, a formal complaint was filed against Mr. Hernandez, initiating an extensive investigation that was both accusatorial and damaging. Mr. Hernandez was accused of 1) Inappropriate Interaction with a student during the 2022-23 School Year 2) Ethical Misconduct/ Failure to Use Professional Judgment during the 2022-23

School year beginning Aug. 1, 2022 and 3) Insubordination/ Failure to follow Directive/ School Board Policy.

64. On August 6, 2024, Mr. Hernandez and school administration had a pre-determination meeting.²¹

65. On August 8, 2024, Suzanne King, on behalf of the Boca Raton Community High School, ultimately found no reason or evidence to penalize Mr. Hernandez.²²

66. The investigation showed that Moreno's claims to be "unsubstantiated."²³

67. The false accusations and subsequent investigation have had severe and detrimental effects on Mr. Hernandez's mental and emotional health. He has experienced a significant decline in his emotional well-being, manifested post-traumatic stress disorder (PTSD), depression, and seasonal affective disorder. The trauma inflicted by these events has led to substantial and sustained psychological distress.

68. Mr. Hernandez has also experienced a noticeable weight loss, a direct consequence of the emotional and psychological strain caused by the defamation and public scrutiny.

²¹ See Exhibit 6.

²² *Id.*

²³ *Id.*

69. All of the pain and suffering as well as the damage to Mr. Hernandez's reputation could have been avoided had the defendants properly investigated the serious allegations made by Moreno. An early investigation would have found her statements to be unsubstantiated, baseless, false, and nothing short of evil.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

70. Plaintiff has fully pursued all available administrative avenues before filing this lawsuit.

71. On September 9, 2024, pursuant to Florida Statute § 768.28, a formal notice of intent to sue was mailed to The School District of Palm Beach County's Legal Services – Office of General Counsel.²⁴

72. After not receiving a reply, direct contact was made to the Office of General Counsel. An employee stated they had not received the formal notice but would accept notice via electronic mail. In reply, formal notice of intent to sue along with the receipt of priority mailing were sent to the Office of General Counsel.²⁵

²⁴ See Exhibit 7.

²⁵ See Exhibit 8.

73. In compliance with Florida Statute § 768.28(6)(c), the formal notice of intent to sue includes Mr. Hernandez's date and place of birth and last four digits of his social security number.²⁶
74. In further compliance with Florida Statute § 768.28, the formal notice of intent to sue included the events that formed the basis for the suit, the type of case that would be brought, the defendants to be named, the specific causes of action, the damage plaintiff suffered, and the amount Mr. Hernandez sought for relief.²⁷
75. The matter was turned over to Davies North America, the third party adjuster that works claims, on behalf of the Palm Beach School District.²⁸
76. After months of correspondence and exchange of documents, a denial of coverage letter was sent on behalf of Palm Beach County Schools.²⁹
77. Plaintiff hereby asserts that all necessary steps have been taken to exhaust administrative remedies before seeking judicial review.

²⁶ See Exhibit 7.

²⁷ *Id.* ("My Client is preparing to bring a Civil action in the circuit court of the fifteenth judicial circuit for Palm Beach County, Florida against the PALM BEACH COUNTY SCHOOL DISTRICT, SUZANNE KING, TOM WELTER, and KIMBERLY CARLO for negligence and intentional infliction of emotional distress. My client is seeking \$200,000 in damages, attorneys' fees, costs and further relief that the Court may deem just and proper.").

²⁸ See Exhibit 9.

²⁹ See Exhibit 10.

COUNT 1: NEGLIGENCE

(Against All Defendants)

78. Plaintiff adopts and realleges the allegations in paragraphs 12 through 69 and incorporates them by reference as if fully set forth herein.
79. Defendant BRCHS owed Plaintiff a duty to investigate any and all allegations of misconduct thoroughly and fairly to ensure such egregious allegations were substantiated.
80. Educators, school counselors, and administrators have a duty to document what occurs at meetings involving highly sensitive subject matters, such as inappropriate relationships between a faculty member and a minor student.
81. The administration of BRCHS breached this duty by failing to properly investigate the matter and failing to take appropriate action in response to Moreno's malicious and defamatory accusations. First, Defendant Moreno should have been immediately removed from Hernandez's class if she reported her that he was inappropriately contacting her late at night, threatening her, among other serious accusations. Second, after Mr. Hernandez learned of this behavior, he requested on multiple occasions for the student to be removed from his class, which the school failed to do.

82. Kimberly Carlo breached her duty as school counselor by not keeping a documented record of the meetings that involved the ongoing matter between Mr. Hernandez and Moreno. She further breached this duty by failing to communicate with administration when requested, which could have resolved this issue before it escalated to such detrimental heights.
83. BRCHS was indifferent towards Mr. Hernandez and silenced his repeated communications that he felt uncomfortable with Moreno as a student in his class. Out of fear of retaliation from Moreno's family, BRCHS disregarded Mr. Hernandez' requests and instead, left Moreno in his class after he expressed his desire to have her removed multiple times.
84. It is of the most severe breach as public school educators to allow a minor female student to remain in a classroom with an adult male educator whom she reported was inappropriate and made her feel uncomfortable, whether or not these claims have any merit to them.
85. Allowing and insisting Moreno to remain in his class, was the direct cause of the physical, emotional, and mental damage Mr. Hernandez suffered.

COUNT 2: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Against All Defendants)

86. Plaintiff adopts and realleges the allegations in paragraphs 12 through 69 and incorporates them by reference as if fully set forth herein.

87. Moreno's conduct was intentional and reckless, and she knew or should have known that emotional distress would likely result.
88. Mr. Hernandez led a mental health club that has changed students' lives, is increasingly popular, and his teaching career has been driven by his desire to make everyone feel welcome, mitigate social isolationism and to combat bullying.³⁰
89. Moreno's constant accusations were an egregious attack on Hernandez's character, and she should have known severe emotional distress would develop by publishing her false statements.
90. Moreno continually, intentionally, and recklessly spread lies about Mr. Hernandez, none of which had any basis. Every student knows of the severity and impact that claims of inappropriate conduct, theft, etc. would have on an educator's life.
91. Even after administration had meetings to mediate the situation, Moreno intentionally went out of her way to spread rumors and lies about Mr. Hernandez which were made recklessly, without any truth.
92. Moreno's conduct was outrageous and to be regarded as utterly intolerable in a civilized community. Not only were Moreno's actions morally

³⁰ Shelly Gigante, *The Unsung and the ripple effect of kindness*, MASSMUTUAL (Sept. 03, 2020), <https://blog.massmutual.com/about-massmutual/ripple-effect-of-kindness>.

reprehensible, they also have severe real-world consequences for individuals like Mr. Hernandez. These false accusations can and have caused irreparable harm to the accused individual, his reputation and professional circle.

Further, accusations of a teacher like this could lead to criminal investigations for several felonies, prohibited by Florida law.

93. Moreno's conduct caused Mr. Hernandez severe emotional distress. Her actions caused Plaintiff significant anxiety, depression, inability to sleep, rapid weight loss and heightened stress, which directly impacted his physical and mental health.
94. Despite Mr. Hernandez not having done anything defendant Moreno alleged, he was subjected to a years' worth of inappropriate meetings, scolding and screaming by Tom Welter.
95. Further, despite bringing to the administration's attention his discomfort and pain, administration intentionally left Moreno in Mr. Hernandez' class.
96. As stated above, leaving a minor female student in an adult male educator's class when she reported that he was being inappropriate towards her, is conduct that goes beyond all bounds of decency and should be intolerable in any civilized community where parents send their children to school. This is true even if the student's statements lack any merit (as is the case here).

97. The screaming and yelling Mr. Hernandez endured by Tom Welter, accompanied by the absence of Suzanne King, Kimberly Carlo or any other educator to intervene and mediate the situation made the working environment deeply uncomfortable for Mr. Hernandez, so much so that he is unable to return to teaching and can no longer be an educator who devotes his time bettering the lives of his students because of the sweeping emotional distress he has suffered over these last two (2) years.

COUNT 3: DEFAMATION
(Against Defendant Kiana Moreno)

98. Plaintiff adopts and realleges the allegations in paragraphs 12 through 69 and incorporates them by reference as if fully set forth herein.

99. During the 2022-2023 school year at BRCHS, Defendant Moreno disseminated several defamatory statements about Plaintiff to peers, her family and the school administration. The statements tarnished Plaintiff's reputation, diminishing his standing in the community and jeopardized his employment.

100. After she graduated, Moreno visited BRCHS on her holiday break where she visited her former teachers. She told these teachers that Mr. Hernandez "drinks and parties" with his students and is "incredibly inappropriate" towards his students.

101. As referenced above, Moreno fabricated each and every statement about Mr. Hernandez with malicious intent.
102. Each of Moreno's statements were false. Moreno was fully aware her statements were false when she made them.
103. Moreno acted with both knowledge and reckless disregard as to the falsity of the statements.
104. As a direct result of Defendant's actions, Mr. Hernandez has endured significant mental and emotional distress, as well as damage to his reputation and character.
105. None of Moreno's statements are protected under the First Amendment's freedom of speech provision.
106. A publication is defamatory per se "if when considered alone without innuendo...(3) it tends to subject one to hatred, distrust, ridicule, contempt, or disgrace; or (4) it tends to injure one in his trade or profession." *Blake v. Ann-Marie Giustibelli, P.A.*, 182 So. 3d 881, 884 (Fla. 4th DCA 2016), quoting *Richard v. Gray*, 62 So. 2d 597, 598 (Fla. 1953).
107. Moreno's accusations without innuendo are the type that would lead to a teacher's dismissal, damage their career, and subject them to criminal charges. The statements, if true, would also subject Mr. Hernandez to distrust, hatred and disgrace.

108. Moreno acted with no regard as to the type of damage her fabricated statements would cause. For months on end, she accused Mr. Hernandez of terrible, unconscionable acts.

109. Consequently, the school placed Mr. Hernandez under investigation, putting his character in question and his reputation and job at risk. As a direct cause of Defendant's actions, Mr. Hernandez endured significant mental and emotional distress.

WHEREFORE, the Plaintiff, Jordan Hernandez, demands that judgment be entered against Defendants Palm Beach County School District, Suzanne King, Tom Welter, Kristin Wasserman, and Defendant Kiana Moreno awarding the Plaintiff compensatory and punitive damages in the amount of two hundred thousand dollars (\$200,000.00), attorneys' fees, costs and such further relief as the Court may deem just and proper. The Plaintiff further demands a jury trial.

DATED: December 26, 2024

Respectfully Submitted,



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