

236-371518-25
CAUSE NO. _____

TIFFANY YOUNG, AS PARENT AND	§	IN THE DISTRICT COURT OF
NEXT FRIEND OF A.Y., A MINOR CHILD,	§	
	§	
PLAINTIFF,	§	
	§	
VS.	§	
	§	TARRANT COUNTY, TEXAS
LIONHEART CHILDREN'S ACADEMY,	§	
INC.; LEWISVILLE NEW HOPE	§	
LEARNING CENTER, INC.; AND	§	
THADDAEUS A. DAVIDSON,	§	
	§	
DEFENDANTS.	§	_____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

Tiffany Young, like many parents across this country and the state of Texas, is a working mom that relied on a daycare to provide a safe, caring, and nurturing environment for her 2-year-old daughter, A.Y. Ms. Young trusted that her daughter would be safe at daycare. Instead, Ms. Young's worst nightmare became a reality when her 2-year-old daughter was sexually abused while under the care and supervision of Lionheart Children's Academy.

This is a story of what happens when those trusted with the most vulnerable group in our community, fail to act. It is the story of what happens when daycares ignore warning signs, red flags, complaints, observations, misconduct, the duty to report abuse, and everything in between. It is the story of the failures of Lionheart Children's Academy and Lewisville New Hope Learning Center. Ms. Young brings this lawsuit on behalf of her daughter, asking that those who failed her daughter take responsibility for what happened and the lifelong impact on A.Y.

STATEMENT OF FACTS

1. In September of 2022, a little girl makes an outcry to her parents – her teacher Thaddaeus A. Davidson, who at the time was an employee of Carpe Diem Private Preschool, had touched her inappropriately. The outcry sparks an investigation that leads to the uncovering of the abuse of several other children at other daycares in the north Texas area, including A.Y.

2. A.Y. was just 2-years old when she was enrolled for daycare at Lionheart in June 2020 and placed in a class of other toddlers about her same age. Six months later, on December 14, 2020, Lionheart hired Thaddaeus A. Davidson, a 32-year-old male, as a lead teacher.¹ Prior to Lionheart, Davidson was an employee of New Hope Learning Center.² Lionheart put Davidson in charge of A.Y. and other 2-year-old children enrolled at the daycare. While under the care and supervision of Lionheart, 2-year-old A.Y. was sexually abused by Davidson.

3. During both a forensic interview and a hospital examination, A.Y. made an outcry of inappropriate touching, telling professionals that “Mr. Thaddaeus touched my privates,” and pointing to her genitalia when asked to identify where. Davidson was subsequently arrested and convicted of multiple counts of indecency with a child, one of which was for the abuse of A.Y.

4. Make no mistake about it – this is not the story of a smart and dubious trickster that charmed his way into the likings of educators and parents, while successfully hiding his true nature from all those around him. This is the story about the choice to ignore warning signs, turn a blind eye to obvious red flags, downplay accounts inappropriate behavior, discourage compliance with the law, and recklessly dismiss child abuse.

¹ This Petition refers to Defendant Lionheart Children’s Academy, Inc. as “Lionheart,” and Defendant Thaddaeus A. Davidson as “Davidson.” Defendant Davidson’s date of birth is December 7, 1988.

² This Petition refers to Defendant Lewisville New Hope Learning Center, Inc., as “New Hope Learning Center.”

THE MANDATORY & NON-DELEGABLE DUTY TO REPORT SUSPECTED CHILD ABUSE

5. To understand what happened to A.Y. and the true gravity of the failures of those entrusted with her care, it is important to have a foundational understanding of the mandatory and non-delegable duty that Texas law puts on caregivers to help keep kids safe from abuse and neglect.

6. Texas Family Code § 261.101(b) makes clear that childcare employees are mandatory reporters with the non-delegable duty to report to the state within 48 hours if they have “reasonable cause” to believe that a child *may* have been abused.³ Under § 261.001(1), “abuse” includes causing or permitting mental, emotional, or physical injury to a child, including by inappropriate sexual contact.⁴ The Code specifically identifies daycare employees – caregivers, teachers, and administrators – of a licensed childcare facility, such as Lionheart and New Hope Learning Center, as “professionals” required by law to report actual and suspected child abuse.⁵ These professionals may report the actual or suspected child abuse to (1) any local or state law enforcement agency; (2) the Texas Department of Family and Protective Services; or (3) the state agency that operates, licenses, certifies, or registers the facility.

³ See Tex. Fam. Code § 261.101(b), “If a professional has reasonable cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has reasonable cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 48th hour after the hour the professional first has reasonable cause to believe that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, “professional” means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers.” (emphasis added).

⁴ See Tex. Fam. Code § 261.001(1)(A)-(M).

⁵ *Id.*

7. In addition, all licensed daycare facilities are required to follow the Texas Minimum Standards for Child-Care Centers which also incorporate the Family Code's reporting requirements as well as Chapter 42 of the Texas Human Resources Code. Numerous provisions under the Minimum Standards required that Lionheart and New Hope Learning Center meet the requirements in ensuring that all allegations of abuse, neglect, and exploitation are properly reported.

8. During Davidson's employment at Lionheart and New Hope Learning Center, multiple coworkers, administrators, directors, and/or parents complained about inappropriate and sexually oriented behavior by Davidson. Lionheart and New Hope Learning Center, as well as each of their individual employees, had an independent, non-delegable, and mandatory duty to report the actual or suspected abuse of children in their care.

9. Lionheart and New Hope Learning Center were responsible for training its employees on how to prevent, recognize, respond to, and properly report allegations of actual or suspected child abuse. They were also responsible for supervising their employees to ensure all child safety laws were followed. Simply put, they failed – and kids got hurt.

****LIONHEART'S CULTURE OF NON-ACTION & NON-REPORTING****

Lionheart Ignores Reports of Inappropriate Behavior and Sexually Oriented Touching, Outcries of Abuse, Repeated Violations of Policies and Procedures, and Violations of the Minimum Standards for Childcare

10. Lionheart calls itself "a non-profit Christian organization *committed to excellence* in early childhood education."⁶ Lionheart advertises itself to families and parents as "passionate about equipping kids to be world changers, and supporting working parents who need quality,

⁶ <https://www.lionheartkid.org/why-lionheart/our-story/>, Lionheart Children's Academy Website, last accessed August 19, 2025.

affordable care and education for their children.”⁷ Lionheart touts its selectivity in hiring qualified, passionate, and loving staff, “Our staff selection is based not only on qualifications but also on a passion for teaching and our abiding love for children.”⁸ Ms. Young believed in Lionheart and trusted its management, directors, teachers, and staff to give her daughter a safe place to grow, learn, and play. Ms. Young had no idea trusting Lionheart meant that her child would be walking into the lion’s den.

11. The abuse outcry of September 2022 led to the unearthing of a deeply concerning history of ignored complaints and incidents regarding Davidson and his behavior.

12. When news broke of Davidson’s arrest in October 2022, law enforcement was inundated with calls, emails, tips, concerns, questions, and reports from *both* concerned parents *and* prior coworkers of Davidson’s – leading to an investigation into Davidson’s employment history and allegations of misconduct at Lionheart, Davidson’s employer just prior to Carpe Diem Private Preschool.

UNCOVERING THE COVER-UP

13. Davidson’s last day at Lionheart was July 6, 2022, when according to Sarah Duke Castaneda, Lionheart’s Director, he was fired due to him “not being coachable.”

14. It was on this day, Wednesday, July 6, 2022, at 9:36am that Katherine Zebrosky, one of Lionheart’s Early Preschool Teachers, wrote an email addressed to and received by Lionheart’s Director, Sarah Duke Castaneda, summarizing a history of concerns and observations of Davidson – revealing Lionheart’s prior knowledge of serious allegations of misconduct:

⁷ <https://www.lionheartkid.org/why-lionheart/our-story/>, Lionheart Children’s Academy Website, last accessed August 19, 2025.

⁸ *Id.*

"Dear Sarah,

There are certain things that are **concerning when working with Thaddaeus Davidson**. Things that **if other parents saw, they wouldn't have their children here** at Lionheart. These disturbing actions are actions that do not show the morals of Lionheart.

According to the biblical living statement we are meant to use our bodies as a vessel for Christ. Unfortunately, Thaddaeus has shown up to work like he hasn't showered or brushed his teeth in days. He also does not show concern for his mental health as he has told me several times he has OCD, but he does not take medication for it.

As far as his mental health goes, I am no doctor, **but it's very concerning**. He does **not think of what's best for the children**. He believes that he is stepping into these children's lives as a father role. He believes he is their age at times. He believes he can read the children's minds and my mind. He says things like "that's what I was thinking," to me. He believes every time a child acts out it is for attention... Which I believe is untrue. I believe these children need the words to explain their actions.

There have been multiple times Thaddaeus talks about politics and **buying firearms to "protect us" in the classroom ...**

Thaddaeus also uses passive aggressiveness instead of communication, like he is expecting me to read his mind or something. This is childlike behavior.

Thaddaeus argues with everything I say and the parents say, thinking his words are always right.

There have been times Thaddaeus has had his cell phone out while in the bathroom with little girls on Facebook messenger, it also looked like he was taking pictures. Management and I have addressed this with the no cell phone policy.

He also **touches the little girls in class inappropriately, tickling them underneath their dresses, rubbing up their thighs as we were watching movies on July 1st, and during naps he rubs their backs underneath their shirts and blankets and underneath their pants on their bottoms.**

As much as this has disgusted me, **I have kept my composure and let you and management know my concerns**. If I remember anything else or if I see anything else, I will email you again.

This is me telling you my testimony and letting you know that safety comes first when it comes to these children. I know safety is your number one priority as well.

As written in the biblical living statement, "One way to imitate God's forgiveness is to purpose to live with these actions and attitudes when you forgive someone:

I will not dwell on this incident

I will not revisit this incident or use it against you.

I will not talk to others about this incident.

I will not allow this incident to stand between us or hinder our personal relationship.

Remember that forgiveness is a spiritual process that you cannot fully accomplish on your own. Therefore, as you seek to forgive others, continually as God for grace to enable you to imitate His wonderful forgiveness toward you."

Thank you, Sarah,

Katie Zebrosky"

15. Following the arrest of Davidson, a forensic download of his phone and data was performed by law enforcement, revealing "hundreds of children captured in image/video files within a 'daycare' setting."

16. What was it that led to Ms. Zebrosky writing the July 6th, 2022, email? What happened that caused Ms. Zebrosky to write an email documenting a deeply concerning history of prior observations, including a reference to a previous incident *known* to Lionheart involving Davidson getting caught using his cell phone as though he was taking pictures of little girls in a bathroom?

– It was the inappropriate touching of children that Ms. Zebrosky witnessed and reported several days earlier on July 1, 2022.

17. Lionheart's records reflect that on Friday, July 1, 2022, Ms. Zebrosky made the following report to Lionheart management:

On Friday, July 1st at approximately 5pm, Katie called me to her classroom with a concern. She shared that the class had watched a movie in the small worship center and Thaddaeus had [REDACTED] in his lap and was rubbing her upper, inner thigh during the movie. She asked if we have cameras recording and was very concerned about him inappropriately touching a student. I told her I would follow up with the church on seeing if there was a recording to check. I texted Evan and asked if we could see footage from the small worship center from approximately 4:00-4:20pm on Friday. He said he could show it to me by Tuesday. I called Sarah and told her about the incident and said Evan can follow up with us on Tuesday. Before Katie left at closing time we prayed for Lionheart for protection and for God to give us wisdom and direction on how to proceed.

18. Ms. Zebrosky reported and discussed the allegations and observations with several Lionheart employees, both staff and management: Lionheart's Director Sarah Duke Castaneda, Lionheart's Regional Director Allison Nichols, Lionheart's employee Tara Sanchez, and Lionheart's front desk personnel and teacher Kristian Jaycon.

19. Lionheart took no formal disciplinary action in response to the complaints and decided to continue to employ Davidson. In addition, despite documented reference to reviewed surveillance footage, Lionheart chose not to save the surveillance footage of the July 1, 2022, incident. Even worse, rather than report the July 1, 2022, incident to the state as the law requires, Lionheart decided to stay quiet about it all – until law enforcement and the criminal justice system forced them to address it.

20. Lionheart's Regional Director, Allison Nichols, was made aware of the July 1, 2022, incident. Ms. Nichols has admitted she was aware of the complaints from Ms. Zebrosky and other Lionheart employees regarding Davidson's behavior – including the reports of Davidson kissing children, tickling a girl's private area, hurting a child's vagina by wiping her too hard. Yet, she discouraged the termination of Davidson and reporting the allegations to the state.

21. Ms. Nichols' actions and omissions as Lionheart's Regional Director demonstrate poor leadership and mismanagement that helped create an atmosphere and culture of non-action and non-reporting that rolled down hill, all the way to individual caregivers and staff hired by Lionheart.

22. When Sarah Duke Castaneda, Lionheart's Director and recipient of the email, was questioned by law enforcement regarding the circumstances surrounding Davidson's termination and her knowledge of past incidents involving Davidson – she claimed she did not

remember *any teachers coming to her with concerns about Davidson* and that she fired Davidson due to him not being “coachable.”

23. As Lionheart’s Director, Ms. Castaneda was in charge of the day-to-day management of Lionheart and the supervision of its staff. She was required by law to ensure that the daycare was operating in compliance with the Minimum Standards for Child-Care Centers, including the mandatory reporting of suspected child abuse. The failures of Ms. Castaneda demonstrate poor leadership and mismanagement that helped create an atmosphere and culture of non-action and non-reporting throughout Lionheart.

24. Davidson was arrested during the afternoon of Tuesday, October 11, 2022. Less than 24 hours later at 8:04am on Wednesday, October 12, 2022, Lionheart’s Director, Sarah Duke Castaneda, emailed an ***outright lie*** to the parents of the enrolled children of Lionheart:

“The allegations against the former employee were made from parents at the individual’s current place of employment and were *not behaviors observed or reported at Lionheart Children’s Academy.*”

– Sarah Castaneda, Director

25. Hours later, at 3:20pm, Lionheart’s Regional Director, Allison Nichols, doubled down on Ms. Castaneda’s lie to the parents of Lionheart children:

“While *no incidents were observed here at Lionheart*, we will fully cooperate with any ongoing investigation.”

– Allison Nichols, Regional Director

26. As the investigation into the statements made in Ms. Zebroky’s email and others came to light, it became obvious that over the course of the employment of Davidson, Lionheart ignored *countless* complaints, reports of violations of policies, and reports of disturbing behavior including sexually oriented touching of children.

27. Unfortunately, the July 1, 2022, report of inappropriate behavior and sexually oriented touching was *just the tip of the iceberg*.

COUNTLESS RED FLAGS IGNORED BY LIONHEART

28. Over the course of just the first year of Lionheart's employment of Davidson, *numerous employees reported Lionheart management* that they saw Davidson kiss children on the head and lips.

29. One Lionheart employee reported walking into a classroom and upon entering the bathroom area, seeing Davidson on his knees facing a 2-year-old little girl, possibly kissing her on the lips. The Lionheart employee immediately confronted Davidson who denied that he was kissing the little girl. Startled by what she saw, the Lionheart employee reported what she witnessed to Brooke Doby, Lionheart Director during the early portion of Davidson's employment. Rather than investigate and report the incident to the state, Doby advised she would "keep an eye on him." Lionheart did absolutely nothing to follow-up on this report – the incident was not reported to the state, investigated, or directly addressed by Lionheart with Davidson.

30. Multiple employees witnessed Davidson inappropriately picking children up by the crotch instead of under their arms. One Lionheart employee witnessed Davidson put a 2-year-old girl on his lap and use his hand to rub the girl's inner thigh. Immediately taken aback by the inappropriate touching, she reported what she saw to Lionheart management – Director Sarah Duke Castaneda and employee Tara Sanchez. Another reported incident involved a Lionheart employee walking in on Davidson while he had a little girl lying naked across his lap and being uncomfortable with the way Davidson was wiping the girl between his legs. Lionheart took no

action whatsoever to investigate the allegations, choosing to leave Davidson in charge of classrooms of 2-year-old children.

31. On another occasion, during the time period of December 2020 through January 2021, a little girl and the daughter of Lionheart administrator and front desk personnel, Kristian Jaycon, reported that Davidson “hurt her down there.” Ms. Jaycon reported the incident to Lionheart Regional Director, Allison Nichols, who was dismissive of the complaint and discouraged Ms. Jaycon from reporting the incident to the state. This was confirmed by another Lionheart employee, Tara Sanchez, who admitted that Ms. Nichols encouraged Ms. Jaycon to confront Davidson directly regarding her daughter’s complaint, *instead* of reporting the incident to the state. Ms. Jaycon was later given a promotion from administrator and front desk personnel to Assistant Director of Lionheart.

32. It was common knowledge amongst Lionheart employees that Davidson would “hate” having a co-teacher assigned to his classroom. Davidson would “always have a little girl on his lap, or facing forward, with the legs wrapped around him,” according to one Lionheart employee report. Numerous employees witnessed Davidson suspiciously “volunteer” to take specific girls to the bathroom or take children in to change their diapers while the rest of the groups were out at recess. It was also common knowledge amongst Lionheart employees and management that when Davidson would bring the female children into the bathroom, he would close the door, which was a clear bathroom policy violation. Not only did Lionheart fail to investigate these allegations, but they also chose to retain him as an employee and continued to put him in charge of classrooms of 2-year-old children, oftentimes alone.

33. Two of the most disturbing incidents Lionheart chose to ignore involved concerning reports relating diaper changing. On two different occasions, two different co-teachers reported

that Davidson had told them that a girl in the class had a diaper rash. However, upon changing the girl's diaper, the diaper rash was not immediately apparent. On both occasions, the suspicious behavior was reported to Lionheart management due to the concerning nature of the type of touching that would have been necessary to observe the rash/bumps on the child. On both occasions, Davidson's response was that the rash/bumps were inside the vagina – a location that could only be seen if the person changing the diaper was touching the child in a manner they should not have been. Lionheart did not document the reports or initiate a directive with regard to type of touching and inspecting permitted during diaper changes. Neither of these incidents were investigated by Lionheart or reported to the state, despite their obviously concerning and suspicious nature.

34. In addition to allegations of inappropriate and sexually oriented touching, Lionheart also had knowledge of other policy violations and failures to adhere to the minimum standards for childcare.

35. In 2021, Lionheart became aware of Davidson providing childcare to a Lionheart parent and their child outside of school hours. Davidson and his wife had moved in with the parent and child while Davidson was actively working at Lionheart. At some point thereafter, Davidson and the parent he was living with had a falling out and Davidson was evicted from the residence. The falling out related to Davidson and his wife spraying pesticide all over the home, leading to the parent/homeowner pursuing criminal charges against Davidson's wife. Following the incident, the parent disenrolled their child from Lionheart. Moreover, at the time, Davidson's wife was actively being considered for employment by Lionheart. Several Lionheart employees were made aware of this incident and Lionheart's Director at the time, Brooke Doby, was instructed to further investigate the incident and the details of the rumored criminal charges. However, no

action was taken by Lionheart's Director, nor management, thereafter. Despite the situation expressly violating Lionheart's policies, Lionheart chose to keep Davidson as an employee without any formal disciplinary action – or further investigation and research.

36. On another occasion in 2021, a parent notified Lionheart of their child coming home with unexplained scratches and bruises on his chest, armpit, and shoulders. The parent was concerned with the injuries because the child was dropped off in perfect condition and picked up with obvious injuries to their upper body without any explanation or incident report documenting what happened. Lionheart failed to respond to the report and never followed-up with Davidson as to what happened and why he failed to document the injuries or incident – a failure that is in direct conflict with Lionheart's policies on incidents of injury and the state regulations on providing documentation to parents. Instead, Lionheart chose to keep Davidson as an employee without any formal disciplinary action or retraining on proper documentation of incidents of injuries to children at the daycare.

LIONHEART IGNORES OUTCRIES OF ABUSE FROM CHILDREN

37. On March 17, 2022, parents of a 2-year-old little girl reported to Lionheart management that their daughter made an outcry about Davidson tickling her and another little girl in their "private area." The parents emailed Lionheart's chief operations officer directly confirming that their daughter identified Davidson specifically and provided the name of the other child involved, as identified by their daughter.

38. Lionheart management spoke to Davidson about the reported touching as evidenced by a follow-up note authored by a Lionheart administrator, noting a meeting with Davidson occurred "to discuss the situation." Adding that Davidson agreed that there will be "no more

tickling.” The note reveals that Lionheart excused the conduct, stating “males are looked at differently in this industry,” dismissing the concerning allegations without further inquiry or investigation.

39. Lionheart’s Director then downplayed the seriousness of allegations as just a misunderstanding but told the parents that Davidson would be kept away from their child as a precaution. However, Lionheart in fact continued to allow Davidson to oversee the little girl’s class, often having him step in to cover the class at the end of the day when the opening teacher left for the day.

40. In addition, Lionheart’s Regional Director, Allison Nichols, admitted to receiving a complaint from a female student who said to her that Davidson touched her vagina – an outcry of conduct that qualifies as suspected child abuse and absolutely should have been reported to the state, investigated, documented, and acted upon by Ms. Nichols and Lionheart.

41. Lionheart made a deliberate decision to look the other way. Lionheart failed to report the outcry to the state, failed to take disciplinary action against Davidson, and chose to downplay the outcry of abuse at the expense of the safety and wellbeing of the children they were trusted to care for.

42. Davidson later moved on to Carpe Diem Private Preschool where he was finally caught, arrested, charged, and later convicted for multiple counts of indecency with a child. The incident that finally led to his capture involved him being caught touching a little girl under her dress. When confronted with video surveillance of this inappropriate touching, Davidson tried to downplay the conduct as “just tickling,” – just as was done by both Davidson *and* Lionheart in March of 2022.

THIS WASN'T A DAYCARE – IT WAS A LION'S DEN

43. Lionheart was advertised as a safe and educational space for children to learn and grow with the principles of Christianity as the guiding light. This is **not** a story of a smart and dubious trickster that charmed his way into the likings of educators and parents, while successfully hiding his true nature from all those around him. The truth of the matter is, Lionheart was not a safe space – it was a systematic failure from the top to the bottom.



44. There is always going to be bad guys out there – which is why it is so important for daycares to follow the safety rules. Lionheart is required to follow strict minimum guidelines and laws set forth by the State of Texas through the Department of Family and Protective Services ("DFPS") and the Texas Health and Human Services Commission ("THHS").

45. DFPS and THHS conducted an independent investigation into the numerous reports, complaints, and allegations and found that Lionheart violated multiple rules and regulations regarding the duty to report suspected child abuse. The resulting report noted that during their investigation they found that:

1) Lionheart violated Rule 746.1201(5) when *at least two* **Lionheart caregivers witnessed questionable sexually oriented behavior by Davidson** and failed to report the incidents;

2) Lionheart violated Rule 746.201(5) when the **Lionheart Director and upper management failed to report allegations of suspected child abuse, neglect, and exploitation;** and

3) Lionheart violated Rule 746.1003(1) when Lionheart Director, Sarah Duke Castaneda, failed in her responsibility in ensuring the center was following the minimum standards for childcare when she allowed Davidson to remain in the class, with access to children, after becoming aware of the allegations of inappropriate touching and behavior.

46. One by one, every red flag, complaint, observation, suspicion, and outcry was ignored by Lionheart – as day after day, A.Y. was left in the Lion’s den.

****NEW HOPE LEARNING CENTER****

47. During employment with New Hope Learning Center, Davidson was observed interacting, holding, and touching children inappropriately. New Hope Learning Center failed to report these instances of inappropriate touching and conduct and then endorsed Davidson to Lionheart following his resignation.

48. When law enforcement reached out to New Hope Learning Center regarding Davidson, New Hope Learning Center’s response was jarring. According to the investigating detective from Southlake Police Department, he called New Hope’s Director Kristina Griffin, introduced himself and explained he was calling to speak with her regarding “Thaddaeus Dav – ,” but before he

could finish stating the entire name, Ms. Griffin interjected to finish his sentence, stating “*Davidson*. I knew you were going to say that.”

49. Ms. Griffin proceeded to tell the detective about Davidson’s inappropriate behavior during his employment at New Hope Learning Center, which was just before he was hired by Lionheart in December of 2020. She explained that Davidson always made her “uncomfortable” by regularly having little girls on his lap all day, and despite this discomfort, she never reported anything to the state. Ms. Griffin explained that when Davidson resigned, New Hope Learning Center happily accepted.

50. Did New Hope Learning Center share any of this with Lionheart when his references and employment verification was checked? – No.

51. According to Lionheart Human Resources Director, Ashley Sink, Davidson “had great references.” When Lionheart contacted New Hope Learning Center employees to verify Davidson’s qualifications for employment, New Hope Learning Center gave positive reviews and indicated that Davidson was qualified and fit for employment.

52. The failure to report suspicious, uncomfortable, and inappropriate behavior and the endorsement of Davidson for employment put countless children, including A.Y., at risk of harm at all subsequent daycares, including Lionheart.

WHAT HAPPENED TO A.Y. WAS PREVENTABLE

53. As a direct result of the actions and omissions of Lionheart and New Hope Learning Center, A.Y. suffered life-long physical, emotional, mental, and psychological injuries.

54. A.Y. has endured an abuse that no child should ever be subjected to. As a result, her family is continuing to do everything they can to ensure she receives the care, treatment, and counseling she needs to cope with the trauma.

55. What happened to A.Y. was 100 percent preventable. Lionheart and New Hope Learning Center could have prevented this tragedy. Parents have the right to expect that daycares will not turn a blind eye to witnessed, observed, and reported incidents of inappropriate, sexually oriented touching and behavior against children. There is no excuse for the failure to report suspected child abuse.

PARTIES

56. Tiffany Young is the biological mother of Plaintiff A.Y., a minor child, and are citizens and residents of Tarrant County, Texas.

57. Defendant Lionheart Children's Academy, Inc. (herein referred to as "Lionheart Children's Academy" and/or "Lionheart") is a corporation organized under the laws of the State of Texas with its principal place of business located at 801 Boxwood Ct., Euless, Texas 76039 that operates a licensed childcare/daycare facility located at the "121 Community Church" at 2701 Ira E. Woods Ave., in Grapevine, Texas 76051 under license number 1654283. Defendant Lionheart Children's Academy, Inc. may be served with process by serving its registered agent, Stan Dobbs, 801 Boxwood Ct., Euless, Texas 76039. Service of process is requested.

58. Defendant Lewisville New Hope Learning Center, Inc. (herein referred to as "New Hope") is a corporation organized under the laws of the State of Texas with its principal place of business located at 6021 Morriss Rd., Suite 104, Flower Mound, Texas 75028 that operated a licensed childcare/daycare facility located at 907 W. Main St., Lewisville, Texas 75067, that has since shut

down and closed. Defendant Lewisville New Hope Learning Center, Inc. may be served with process by serving its registered agent, Scott Bodkin, 6021 Morriss Rd., Suite 104, Flower Mound, Texas 75028. Service of process is requested.

59. Defendant Thaddaeus A. Davidson (herein referred to as "Davidson") is an individual citizen and resident of Smith County, Texas. Defendant Thaddaeus A. Davidson may be served with process at 12660 Pioneer Drive, Tyler, Texas 75704, or wherever else he may be found. Service of process is requested.

JURISDICTION & VENUE

60. The Court has subject matter jurisdiction over this lawsuit because the amount in controversy exceeds this Court's minimum jurisdictional requirements.

61. Venue is proper in Tarrant County, Texas, under Texas Civil Practices and Remedies Code Section 15.002(a) because this is the county in which a substantial part of the events or omissions giving rise to the claims occurred.

DISCOVERY CONTROL PLAN & CLAIM FOR RELIEF

62. Plaintiff intends to conduct discovery under a Level III Discovery Control Plan as provided by Texas Rule of Civil Procedure 190.4.

63. As required by the Texas Rules of Civil Procedure 47(c), Plaintiff seeks monetary relief over \$1,000,000.00; however, the amount of monetary relief awarded will ultimately be determined by a jury.

CAUSES OF ACTION

Count One: Negligence **Against Defendants Lionheart & New Hope Learning Center**

64. Plaintiff's negligence claim is based on the facts set out in this Petition.

65. The occurrence made the basis of this suit, reflected in the above paragraphs, and the resulting injuries and damages of Plaintiff were proximately caused by the negligent conduct of Defendants. Defendants owed Plaintiff a duty of care to act as a reasonable childcare facility would act under the same or similar circumstances. Defendants were negligent by breaching the duty that was owed to Plaintiff to exercise ordinary care in one or more of the following acts or omissions, constituting negligence:

- a. Failing to exercise the care that was necessary under the circumstances.
- b. Failing to do what a reasonable daycare would have done under the circumstances.
- c. Failing to maintain a safe environment for children.
- d. Failing to ensure no child is abused, neglected, or exploited.
- e. Failing to report suspected child abuse and neglect.
- f. Failing to properly hire, qualify, train, and supervises its employees on safe childcare practices and protocols to identify and prevent the abuse of children.
- g. Failing to properly hire, qualify, train, and supervise its employees on proper care for children and reporting suspected abuse and neglect.
- h. Failing to comply with state and industry standards pertaining to hiring, qualifying, training, supervision, and oversight of employees interacting with children.
- i. Failing to do what a reasonable daycare would have done in regard to hiring, qualifying, training, supervising, overseeing, and retaining employees interacting with children.
- j. Failing to act as a reasonable daycare would in regard to performing proper investigation and reference checks on its new hire employees.

- k. Failing to act as a reasonable daycare would in regard to responding to investigation and reference checks on its former employees.
- l. Failing to properly supervise children in its care.
- m. Failing to take appropriate action in response to suspected and/or actual child abuse allegations purportedly committed by its employee.
- n. Failing to do what a reasonable daycare would have done in response to allegations of suspected and/or actual child abuse purportedly committed by its employee.
- o. Choosing to hire and retain staff whom it knew or should have known were reckless, incompetent, or dangerous for the children placed in their care.
- p. Failing to adhere to the Texas Minimum Standards for Childcare.

66. The standard of care violations of Defendants by their own acts and omissions, as well as the acts and omissions of its employees for whom it is vicariously liable, directly and proximately caused injury to Plaintiff, which resulted in significant damages. Plaintiff seeks damages for Defendants' negligence.

Count Two: Negligence Per Se
Against Defendants Lionheart & New Hope Learning Center

67. Plaintiff incorporates by reference the preceding paragraphs as if stated fully herein.

68. Defendants failed to exercise the mandatory standard of care in violation of the Texas Department of Family and Protective Services, Minimum Standards for Child-Care.

69. Plaintiff was at all times members of the class that the statutes the Defendants violated were designed to protect. Defendants' violation of the statutes was the proximate cause of the incident in question.

70. As a result of Defendants' acts and omissions in violating the statutes, Plaintiff sustained damages.

Count Three: Negligent Activity
Against Defendant Lionheart

71. Plaintiff incorporates by reference the preceding paragraphs as if stated fully herein.

72. Defendant Lionheart is the owner, operator, and/or possessor of the daycare premises located at 2701 Ira E. Woods Ave., in Grapevine, Texas.

73. At the time of the incident, A.Y. was a minor child placed in the care of Defendant Lionheart and thus were "invitees" to whom Defendant Lionheart owed a duty to exercise ordinary care.

74. Plaintiff's injuries were the direct and contemporaneous result of Defendant Lionheart's ongoing negligent activity on the premises at the time of the injuries and damages sustained.

75. Defendant Lionheart owed A.Y. a legal duty to ensure A.Y.'s safety in maintaining proper care over the children, ensuring proper supervision, ensuring implementation of proper protocols and policies to prevent child abuse, ensuring that employees are necessarily hired, trained, supervised, and terminated in order to maintain a safe environment for children, and ensuring that incidents of suspected and actual child abuse are recorded, investigated, and reported. Defendant Lionheart breached these duties by failing to maintain a safe environment for A.Y., failing to train and supervise its caregiver employees on how to supervise children, failing to implement proper protocols and policies to prevent child abuse, failing to necessarily hire, train, supervise, and terminate employees in order to maintain a safe environment, and failing to ensure all incidents of suspected and actual child abuse are recorded, investigated, and reported.

76. Such negligent activity on the part of Defendant Lionheart proximately caused the injuries and other damages suffered by Plaintiff.

Count Four: Negligence
Against Defendant Davidson

77. Plaintiff's negligence claim is based on the facts set out in this Petition.

78. Defendant Davidson was acting in the course and scope of his employment with Defendants at all times material to this lawsuit. The occurrence made the basis of this suit, reflected in the above paragraphs, and the resulting injuries and damages of Plaintiff was proximately caused by the negligent conduct of Defendant Davidson. Defendant Davidson owed Plaintiff a duty of ordinary care. Defendant Davidson was negligent by breaching the duty that was owed to Plaintiff to exercise ordinary care in one or more of the following acts or omissions, constituting negligence:

- a. Failing to provide a safe environment for the children placed in his care, such as A.Y., a minor child.
- b. Failing to do what a reasonable caregiver would do in regard to interacting, supervising, and caring for children placed in his care.
- c. Failing to comply with local and state laws and regulations pertaining to the care, interaction, and supervision of children.
- d. Failing to adhere to the Texas Minimum Standards for Childcare.
- e. Choosing to subject A.Y., a minor child, to inappropriate touching of a sexually oriented nature.

79. The standard of care violations of Defendant Davidson by his own acts and omissions, as directly and proximately caused injury to Plaintiff, which resulted in significant damages. Plaintiff seeks damages for Defendant's negligence.

Count Five: Gross Negligence
Against All Defendants

80. Plaintiff incorporates by reference the preceding paragraphs as if stated fully herein.

81. Defendants' conduct was more than momentary thoughtlessness or inadvertence. Rather, the acts and/or omissions by Defendants in the preceding paragraphs constitute gross negligence as that term is defined in Texas Civil Practices and Remedies Code §41.001(11).

82. Defendants' conduct involved an extreme degree of risk, considering the probability and magnitude of potential harm to the Plaintiff. Defendants had actual, subjective awareness of the risk involved, but, nevertheless, proceeded in conscious indifference to the rights, safety, or welfare of Plaintiff or of others similarly situated.

83. The above acts and/or omissions were singularly and cumulatively the proximate cause of the occurrence in question and the resulting injuries and damage sustained by Plaintiff.

RESPONDEAT SUPERIOR

84. Plaintiff incorporates by reference the preceding paragraphs as if stated fully herein.

85. The negligence, carelessness, and callousness of Defendant Lionheart's and Defendant New Hope Learning Center's employees proximately caused the damage and losses suffered by Plaintiff as a result of the injury. At all times material to this action, Defendants' employees were acting in the course and scope of their employment. Accordingly, Defendants may be held responsible for their employees' negligence under the doctrine of respondeat superior.

DAMAGES

86. Plaintiff incorporates by reference the preceding paragraphs as if stated fully herein.

87. As a direct and proximate cause of Defendants' negligent acts and/or omissions, Plaintiff suffered damages and injuries that include, but are not limited to:

- a. Physical pain and suffering in the past;
- b. Physical pain and suffering, in reasonable probability, sustained in the future;

- c. Mental anguish in the past;
- d. Mental anguish, in reasonable probability, sustained in the future;
- e. Disfigurement, in reasonable probability, sustained in the past;
- f. Disfigurement, in reasonable probability, sustained in the future;
- g. Reasonable and necessary medical expenses in the past;
- h. Reasonable and necessary medical expenses, in reasonable probability, sustained in the future;
- i. Loss of wages in the past;
- j. Loss of wages, in reasonable probability, sustained in the future;
- k. Loss of wage-earning capacity in the past;
- l. Loss of wage-earning capacity, in reasonable probability, sustained in the future;
- m. Physical impairment in the past;
- n. Physical impairment, in reasonable probability, sustained in the future;
- o. Loss of the normal enjoyment of the pleasure of life in the past;
- p. Loss of the normal enjoyment of the pleasure of life, in reasonable probability, sustained in the future;
- q. Costs of suit; and
- r. All other relief, in law and equity, to which Plaintiff may be entitled.

88. Plaintiff's damages clearly exceed the minimum jurisdictional requirements for this Court. Plaintiff, therefore, seeks compensation by the Court and jury for their damages, in an amount to be determined by the jury.

EXEMPLARY DAMAGES

89. Plaintiff incorporates by reference the preceding paragraphs as if stated fully herein.

90. Plaintiff would further show that the acts and/or omissions of the Defendants complained of herein were committed knowingly, willfully, intentionally, with actual awareness, and with the specific and predetermined intention of enriching said Defendants at the expense of Plaintiff.

91. The grossly negligent conduct of Defendants, as described herein, constitutes conduct for which the law allows the imposition of exemplary damages. Accordingly, Plaintiff seeks the award of exemplary damages against Defendants pursuant to Chapter 41 of the Texas Civil Practices and Remedies Code.

JURY TRIAL

92. Plaintiff demands a jury trial and have tendered the appropriate fee with the filing of this Original Petition.

U.S. LIFE TABLES

93. Notice is hereby given that Plaintiff intends to use the U.S. Life Tables as prepared by the Department of Health and Human Services.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited to appear and answer herein and upon final hearing hereof, they take, have and recover, of and from said Defendants, the above damages, exemplary damages, costs of court, pre-judgment

interest, post-judgment interest, and for such other and further relief to which they may show themselves justly entitled.

Dated: October 28, 2025.

Respectfully submitted,

THE BUTTON LAW FIRM

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Russell Button on behalf of Russell Button

Bar No. 24077428

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Envelope ID: 107358105

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Status as of 10/28/2025 9:19 AM CST

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