

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY
CIVIL DIVISION**

JANE DOE 1, JANE DOE 2, and
JANE DOE 3, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

LEHIGH VALLEY ADULT
EDUCATION SERVICES d/b/a
EMPOWER LIFE COACHING &
COUNSELING CENTERS, and
JONATHAN ELLIOT MOYER,

Defendants.

Case No.

JURY TRIAL DEMANDED

Type of Pleading:
COMPLAINT

CLASS ACTION COMPLAINT

Plaintiffs Jane Doe 1, Jane Doe 2, and Jane Doe 3, individually and on behalf of all others similarly situated, bring this action against Defendants Lehigh Valley Adult Education Services d/b/a Empower Life Coaching & Counseling Centers (“Empower” or “Lehigh Valley”) and Jonathan Elliot Moyer (“Defendant Moyer”), by and through their attorneys, and allege as follows based on information and belief and the investigation by their attorneys, except as to allegations specifically pertaining to Plaintiffs, which are made upon personal knowledge:

INTRODUCTION

1. On March 6, 2025, Defendant Jonathan Elliot Moyer was arrested for secretly placing covert cameras disguised as charging blocks to secretly record patients and staff using the bathroom at the Empower Life Coaching & Counseling Center office in Quakertown, Pennsylvania.

2. Moyer was charged with one count each of interception of oral communications, possession of a device for interception of oral communications and possession of an instrument of crime, and six counts of invasion of privacy.¹

3. Following Moyer's arrest, multiple former patients have come forward with allegations of inappropriate and unethical conduct by Moyer, including coercive therapeutic practices, improper collection of bodily fluids, and unprofessional personal inquiries.

4. Upon information and belief, Plaintiffs were recorded without their consent and without their knowledge while patients of Moyer at Lehigh Valley's Empower Life Coaching & Counseling Center in Quakertown.

5. Plaintiffs and the Class have all been damaged by Defendant Moyer as well as Defendant Lehigh Valley's failure to monitor, train, and supervise Defendant Moyer to prevent his conduct from occurring in the first place.

¹ <https://ujportal.pacourts.us/Report/MdjDocketSheet?docketNumber=MJ-07205-CR-0000096-2025&dnh=kFq%2FBIHYNePTP0oXMVrXTA%3D%3D> (last visited March 24, 2025).

JURISDICTION AND VENUE

6. This Court has personal jurisdiction over Defendant pursuant to 42 Pa. Cons. Stat. § 5301, because Defendant Jonathan Elliot Moyer is a citizen of Pennsylvania, and Defendant Lehigh Valley is incorporated and headquartered in the Commonwealth of Pennsylvania and has conducted substantial business and intentionally and purposefully offered services within the Commonwealth of Pennsylvania.

7. This Court has subject matter jurisdiction over this action pursuant to 42 Pa. Cons. Stat. § 931.

8. Venue is proper in this Court pursuant to 231 Pa. Code § 2179, because Defendants Moyer and Lehigh Valley transact business in this district, is subject to personal jurisdiction in this district, and therefore is deemed to be a citizen of this district, and because a substantial part of the events or omissions giving rise to the claims occurred in this District.

PARTIES

Plaintiff Jane Doe 1

9. Plaintiff Jane Doe 1 (“Jane Doe 1”) is a citizen and resident of Pennsylvania.

10. Jane Doe 1 sought mental health treatment from Defendants in or around late 2021 or early 2022 and received treatment for approximately one year.

11. During her treatment, Defendant Moyer subjected Jane Doe 1 to multiple forms of misconduct, including but not limited to: (1) random drug tests, (2) sexual harassment, and, upon information and belief, (3) video and/or audio surveillance.

12. **Random Drug Tests.** Jane Doe 1 does not, nor has she ever had challenges with drugs or alcohol, nor did she ever report such problems or sought treatment from Defendants related to drugs. Defendants never informed Jane Doe 1 that she would be subjected to drug tests by seeking treatment. Indeed, none of the intake forms Jane Doe 1 signed mention or disclose circumstances upon which Defendants could perform drug tests. As such, Jane Doe 1 never authorized or gave informed consent for such tests.

13. Jane Doe 1 was subjected to random drug tests. During her treatment, Jane Doe 1 was required to undergo random drug tests at the start of her therapy sessions. Defendant Moyer instructed Jane Doe 1 to use the bathroom in Defendant Moyer's office. Defendant Moyer provided Jane Doe 1 with a dixie cup and instructed her to urinate in the cup and place the cup on his desk. Defendants never provided Jane Doe 1 with a copy of her drug test results. Plaintiff also fears she was recorded by Defendant Moyer while she used the bathroom in his Quakertown office.

14. **Sexual Harassment.** Defendant Moyer frequently made comments to Jane Doe about patients that allegedly wanted sexual relations with Defendant Moyer. On at least one occasion, Defendant Moyer complimented Jane Doe 1 for her “maturity for her age.” Additionally, during a conversation about OnlyFans, a content creation website that predominately features pornography, Defendant Moyer provided Jane Doe 1 with his business card and told her to refer him to women who used OnlyFans so that he could be their financial advisor. Upon information and belief, neither Defendant Moyer nor Defendant Lehigh Valley have certifications in financial advising.

15. **Surveillance.** Upon information and belief, Jane Doe 1 was illegally surveilled by Defendant Moyer while using the restroom in his Quakertown office during the course of her treatment.

16. Upon information and belief, Jane Doe 1 believes that Moyer used the random drug tests as a foil to get Jane Doe 1 into the bathroom with the recording device so that Moyer could film her without her knowledge or consent.

17. During her treatment, Defendants represented to Jane Doe 1 that the above activities and incidents were necessary for her treatment.

18. During her treatment, she believed that Defendants were adhering to all professional standards of counseling.

19. Jane Doe 1 paid out of pocket for treatment. She paid between \$100 and \$180 per session.

20. Jane Doe 1 had already experienced trauma before seeking treatment from Defendants. Defendants were supposed to provide a therapeutic environment for Jane Doe 1. Instead, Defendants subjected Jane Doe 1 to further trauma. As a result, Jane Doe 1 has and continues to suffer from fear, anxiety, stress, trust issues, and more due to Defendants' misconduct.

21. At no point during treatment did Jane Doe 1 give informed consent to Defendants' misconduct.

Jane Doe 2

22. Plaintiff Jane Doe 2 ("Jane Doe 2") is a citizen and resident of Pennsylvania.

23. Jane Doe 2 sought mental health treatment from Defendants in or around 2021 or 2022 and received treatment until August 2024.

24. Jane Doe 2 was between the ages of 15 to 18 during her treatment with Defendants.

25. During the course of her treatment, Defendant Moyer subjected Jane Doe 2 to multiple forms of misconduct, including but not limited to: (1) sexual harassment, (2) invasion of privacy, and (3) upon information and belief video and/or audio surveillance.

26. **Sexual Harassment.** Defendant Moyer frequently made sexual comments to Jane Doe 2 while she was a minor. In at least one session, Defendant Moyer stated that he did not believe that Jane Doe 2 had never kissed a boy and that she needed to “get out there more.” In multiple sessions, Defendant Moyer mentioned that he could not touch Jane Doe 2. Plaintiff understood these comments to mean that Defendant Moyer did want to touch her, but that he was restraining himself from doing so.

27. Additionally, Defendant Moyer asked Jane Doe 2 to stand on a swivel chair to check the smoke alarm while she was wearing a skirt. Jane Doe 2 reported this incident to her mother, Jane Doe 3, who confronted Defendant Moyer. Defendant Moyer stated he was “testing” Jane Doe 2 to see if she would act presumptuous.

28. **Invasion of Therapy.** During her treatment at Defendant Lehigh Valley, Jane Doe 2 sought treatment through another provider. During those sessions, Defendant Moyer would often walk in during sessions to disrupt the therapy session and watch Jane Doe 2. Jane Doe 2 never consented to Defendant Moyer’s misconduct.

29. **Surveillance.** Upon information and belief, Jane Doe 2 was illegally surveilled by Defendant Moyer while using the restroom in his Quakertown office during the course of her treatment.

30. When Jane Doe 2 went to therapy sessions, a sign on the door instructed all patients to use the bathroom five minutes before a session and five minutes after the session. During her treatment, Jane Doe 2 used the restroom numerous times at the Quakertown office.

31. Jane Doe 2 recalls seeing a charger block in the bathroom. At the time, Jane Doe 2 had no reason to suspect that the charger block was a covert recording device.

32. During her treatment, Defendants represented to Jane Doe 2 that the above activities and incidents were necessary for her treatment.

33. During her treatment, she believed that Defendants were adhering to all professional standards of counseling.

34. Jane Doe 3 paid out of pocket for Jane Doe 2's treatment. She paid between \$30 and \$40 per session.

35. Jane Doe 2 had already experienced trauma before seeking treatment from Defendants. Defendants were supposed to provide a therapeutic environment for Jane Doe 2. Instead, Defendants subjected Jane Doe 2 to further trauma. As a result, Jane Doe 2 has and continues to suffer from fear, anxiety, stress, trust issues, and more due to Defendants' misconduct.

36. At no point during treatment did Jane Doe 2 give informed consent to Defendants' misconduct.

Jane Doe 3

37. Plaintiff Jane Doe 3 (“Jane Doe 3”) is a citizen and resident of Pennsylvania.

38. Jane Doe 3 sought mental health treatment from Defendants in 2020 and received treatment until August 2024.

39. Jane Doe 3 received treatment from Defendant Moyer before transitioning to another therapist at the practice.

40. During her treatment, Defendant Moyer subjected Jane Doe 3 to multiple forms of misconduct, including but not limited to: (1) video and/or audio surveillance.

41. **Surveillance.** Upon information and belief, Jane Doe 3 was illegally surveilled by Defendant Moyer while using the restroom in his Quakertown office during the course of her treatment.

42. When Jane Doe 3 went to therapy sessions, a sign on the door instructed all patients to use the bathroom five minutes before a session and five minutes after the session. During her treatment, Jane Doe 3 used the restroom numerous times. Jane Doe 3 recalls seeing a heater and several power cords in the bathroom. At the time, Jane Doe 3 had no reason to suspect that the heater was a covert recording device.

43. During her she believed that Defendants were adhering to all professional standards of counseling.

44. Jane Doe 3 paid out of pocket for treatment. She paid between \$30 and \$40 per session.

45. Following the news of Defendant Moyer's arrest, Jane Doe 3 reached out to her therapist at the practice to get more information. Her therapist, Defendant Moyer's colleague and employee of Defendant Lehigh Valley, stated that she knew of Defendant Moyer's inappropriate comments and interactions with her and Jane Doe 2 (her daughter).

46. Jane Doe 3 had already experienced trauma before seeking treatment from Defendants. Defendants were supposed to provide a therapeutic environment for Jane Doe 3. Instead, Defendants subjected Jane Doe 3 to further trauma. As a result, Jane Doe 3 has and continues to suffer from fear, anxiety, stress, trust issues, and more due to Defendants' misconduct.

47. At no point during treatment did Jane Doe 3 give informed consent to Defendants' misconduct.

Defendants

48. Defendant Lehigh Valley Adult Education Services, Inc. ("Lehigh Valley") is a Pennsylvania nonprofit corporation with its headquarters located at 827 N 6th Street in Allentown, PA 18102. Defendant Lehigh Valley is the owner of the

fictitious name Empower Life Coaching & Counseling Centers. At all times relevant to this Complaint, Empower Life Coaching & Counseling owned and operated offices located at 20 N Front Street in Bally, Pennsylvania and at 328 West Broad Street in Quakertown, Pennsylvania.

49. Defendant Lehigh Valley advertised its services to the public as follows: Whether you have been in counseling for a while or this is your first time looking into getting help, we will join with you to make your experience here at Empower Life Coaching and Counseling a positive one.”²

50. Defendant Jonathan Elliot Moyer (“Defendant Moyer”) is a citizen of Pennsylvania and, at the time of his arrest, resided in Alburtis, Pennsylvania. Defendant Moyer’s date of birth is May 8, 1970.³

FACTUAL ALLEGATIONS

51. Defendants Jonathan E. Moyer and Lehigh Valley operated Empower Life Coaching & Counseling, a counseling practice with locations in Quakertown, Pennsylvania, located at 523 W Broad Street, and in Bally, Pennsylvania, located at 20 N Front Street.

52. Defendants advertised Moyer’s areas of practice as drug and alcohol, anxiety, parent-child interaction, and family sessions.⁴

² <https://web.archive.org/web/20250121200536/https://empowerlifecoaching.org/> (last visited March 24, 2025).

³ <https://ujportal.pacourts.us/Report/CpDocketSheet?docketNumber=CP-09-MD-0000721-2025&dnh=XS2vmBNFykQ6aZ1eTn%2FN5A%3D%3D> (last visited March 24, 2025).

⁴ <https://www.psychologytoday.com/us/therapists/jonathan-e-moyer-quakertown-pa/301980>

53. On or about March 2025, law enforcement discovered hidden cameras in the bathroom of the Defendants' counseling office in Quakertown, which were placed in a manner designed to record both patients and staff without their knowledge or consent.⁵

54. The cameras were concealed in everyday objects and positioned to capture images and videos of individuals using the restroom, violating their privacy and dignity.

55. On March 3, 2025, a tipster provided law enforcement with an electronic storage device containing footage of Defendant Jonathan E. Moyer installing a covert recording device in the bathroom of his Quakertown office.

56. On March 5, 2025, simultaneous search warrants were executed at Moyer's Quakertown and Berks County offices, as well as his residence in Alburtis. Investigators discovered multiple hidden recording devices disguised as everyday items, including charging blocks, key fobs, and pens.⁶

57. At least four individuals were identified from the recovered footage. Investigators believe additional victims may be identified as the investigation continues.

⁵ <https://bucks.crimewatchpa.com/da/29567/post/counselor-charged-hiding-spy-cameras-record-females-using-bathroom-quakertown-office> (last visited March 24, 2025).

⁶ <https://bucks.crimewatchpa.com/da/29567/post/counselor-charged-hiding-spy-cameras-record-females-using-bathroom-quakertown-office> (last visited March 24, 2025).

58. Defendant Moyer's conduct targeted vulnerable individuals who sought therapy and counseling in a setting that should have been safe and confidential.

59. According to publicly available newspaper reports, on or about November 8, 1995, Jonathan E. Moyer, then age 25, was reportedly charged by Quakertown police with loitering and prowling at night and disorderly conduct. The reporting indicated that Moyer was allegedly observed looking into a bedroom window of a 14-year-old girl at 505 E. Broad Street in Quakertown, Pennsylvania. According to police, "Moyer stood on a bucket so he could get a better look into the room." It was further reported that he was held for court and released on \$2,500 bail.

Held for court — Jonathan E. Moyer, 25, of 111 S. Hellertown Ave., Quakertown, Monday by District Justice C. Robert Roth; charged Nov. 8 by Quakertown police with loitering and prowling at night and disorderly conduct; allegedly seen looking into bedroom window at 505 E. Broad St., Quakertown; posted \$2,500 bail.

The Morning Call (Allentown, PA) Feb. 6, 1996

60. *The Morning Call* further reported on April 17, 1996:

A Quakertown man was placed on six months' probation yesterday after pleading guilty in Bucks County Court to loitering and prowling.

Jonathan Moyer, 26, was charged with peeping in the bedroom window of a residence at 506 E. Broad St in Quakertown on the night of Nov. 19, according to court records. Moyer told police he was walking in the area and had to get close to the building because traffic was coming too close.

But witnesses said Moyer spent nearly 10 minutes peeking into the bedroom of a 14-year-old girl. At one point, Moyer stood on a bucket so he could get a better look into the room, police said.

The girl told police she was cleaning her room and listening to her stereo at the time. She was fully clothed, according to police.

Part of the sentence handed down by Judge Isaac Garb included a requirement that Moyer continue counseling for voyeurism.

The Morning Call (Allentown, PA) April 17, 1996

61. Based on contemporaneous newspaper coverage, Jonathan E. Moyer, then age 26, was reportedly charged on or about May 10, 1996, with multiple counts of loitering, prowling, and disorderly conduct related to incidents occurring over a period of approximately nine months in a Souderton, Pennsylvania neighborhood. These reports stated that neighbors had expressed concern about an individual observed looking into bedroom windows, and that Moyer was arrested after community members tracked his movements and notified police. He was reportedly arraigned and released on \$500 bail.

■ SOUDERTON

**Quakertown man accused
of prowling faces trial**

A Quakertown man faces charges of loitering and prowling, and disorderly conduct after he was caught near a Souderton neighborhood stalked by a prowler for about nine months, police said Wednesday.

Jonathan E. Moyer, 26, of the 100 block of Mill Road faces two counts of each charge for the most recent incidents on May 10.

Records of the prowling incidents, however, began Aug. 31. Police said Moyer admitted to the two incidents in which he is charged. He was arraigned before District Justice Kenneth Deatelhauser and released on \$500 bail.

Moyer is charged with prowling in the block of N. 4th Street between E. Broad and E. Chestnut streets. In all witness accounts, a young man with dark hair and a thin build was seen standing outside and looking into a bedroom window. The man would leave before police arrived.

Moyer was caught only after neighbors tracked a stranger in their neighborhood through a telephone relay system on May 10. Police said when the suspect was seen getting into a car further down N. 4th Street, neighbors took down the license number and alerted police.

The Morning Call (Allentown, PA) Sat. June 1, 1996

62. According to a newspaper article published at the time, on or about August 10, 2002, Jonathan Elliot Moyer, then age 32, was reportedly arrested in Whitehall Township and charged with loitering and prowling at night, disorderly conduct, and resisting arrest. The reporting stated that Moyer was allegedly seen looking into a residential window before fleeing from police and hiding in bushes. He was reportedly taken into custody and held on \$1,000 bail.

WHITEHALL TOWNSHIP

Charged — Jonathan Elliot Moyer, 32, of 392^{1/2} W. Allen St., Allentown; Thursday with loitering and prowling at night, disorderly conduct and resisting arrest; looked into resident's window, then ran from police and hid in bushes at 935 Fairmont Ave., police said; arraigned by District Justice Donna Butler and committed to Lehigh County Prison under \$1,000 bail

63. Public reports from September 2002 indicate that Jonathan Elliot Moyer, then age 32, was cited for disorderly conduct in connection with an incident at Knoebels Amusement Resort in Elysburg, Pennsylvania. The reporting stated that Moyer had been observed on August 5, 2002, allegedly peeking over a partition into the women's restroom, and that a citation was later issued as a result of the investigation.

Man accused of peeping into females' rest room

ELYSBURG — An Allentown man was found peeking over a rest room wall into the females' rest room at Knoebels Amusement Resort on Aug. 5, police said.

Jonathan Elliot Moyer, 32, of 392 West Allen St., was charged with disorderly conduct, according to the citation.

64. Defendant Moyer was licensed as a professional therapist on August 9, 2016, and allowed to practice at Defendant Empower Life Coaching and Counseling in close proximity to vulnerable individuals.⁷

License Information			
JONATHAN E MOYER			
Alburtis, Pennsylvania 18011			
Board/Commission:	Social Work ⓘ	Status Effective Date:	8/9/2016
LicenseType:	Professional Counselor	Issue Date:	8/9/2016
Specialty Type:		Expiration Date:	2/28/2027
License Number:	PC009105	Last Renewal:	12/30/2024
Status:	Active		

65. Multiple former patients have come forward with allegations of inappropriate and unethical conduct by Defendant Moyer, including coercive therapeutic practices, improper collection of bodily fluids, and unprofessional personal inquiries.

66. Defendant Empower Life Coaching and Counseling employed Defendant Moyer and failed to protect clients by permitting his continued practice at their facility.

⁷ <https://www.pals.pa.gov/#!/page/searchresult> (last visited March 24, 2025).

67. Following the discovery of the hidden cameras, Empower Life Coaching and Counseling reported that it permanently closed its Quakertown location and advised affected clients to contact authorities for further investigation.⁸

68. Defendant Empower has acknowledged in public statements that its clients and even its own staff are “potential victims” of Defendant Moyer’s actions.⁹

Attention: Our Quakertown building is permanently closed. Any clients who visit the Quakertown office are more than welcome to reschedule their appointments at our Bally office. Thank you for your understanding.

On March 6th, 2025, it came to the attention of myself along with the therapists of Mr. Moyer’s arrest.

We began reaching out to active clients to make them aware of the investigation, beginning with those highly related to the Quakertown location. At this point in time, we have not been given any additional information. We believe this was an isolated event, found only in the Quakertown office, and possibly only within the past few months. Although, given the investigation, investigators may uncover additional details.

We are all in shock about his actions, and want to make everyone aware that this was an act of only one individual. Remaining staff, as well as clients, are potential victims. We will continue to assist those who need help processing the recent event, as we ourselves work on dealing with our own pain and hurt due to his actions.

We understand this news is disturbing for everyone, and we are working on reaching out to current clients one-on-one. Past clients and clients who have not received counseling services in recent months are advised to reach out to the investigators on this case for more information, as we are unsure of the exact timeline of events. The contact numbers for this case are the Bucks County Detectives at 215-348-6354, or the Quakertown Police at 215-536-5002.

We have been, and will continue to aid the investigators with this case to the best of our ability.

69. During the execution of the search warrant at the Quakertown office, Defendant Moyer reportedly attempted to use the bathroom, a request denied by investigators, suggesting a potential effort to interfere with evidence collection.

70. Empower Life Coaching and Counseling offers various counseling services, including trauma recovery, drug and alcohol counseling, marriage counseling, and crisis intervention, making the breach of trust by Defendant Moyer particularly egregious.

71. As part of the intake process, Empower required patients, including Plaintiffs and Class Members, to sign various intake forms and disclosures,

⁸ <https://empowerlifecoaching.org/> (last visited March 24, 2025).

⁹ *Id.*

including a Client Rights and Responsibilities Statement, Confidentiality Agreement, HIPAA Authorization, Consent to Treat, and Fee Agreement.

72. These documents expressly represented that Empower and its therapists would protect client confidentiality, act ethically, maintain appropriate professional boundaries, and uphold patients' rights to privacy and dignity. For example, the Confidentiality Agreement stated that, "the confidentiality of material discussed in therapy will be upheld at all times."

523 West Broad St
(Front)
Quakertown, PA 18951



*Empower Life Coaching
& Counseling Services*

20 N Front St
Suite #1219
Bally, PA 19503

Confidentiality

The confidentiality of material discussed in therapy will be upheld at all times. As a general rule, as your mental health provider, I will not release any information without your written consent.

73. Empower's written materials also made clear that patients had the right to respectful treatment.

74. Plaintiffs and Class Members reasonably relied on these written representations in seeking care at Empower. In reality, Empower allowed Defendant Jonathan Moyer to operate under its name while engaging in egregious misconduct, including the covert recording of patients using a bathroom located within his Quakertown office.

75. Plaintiffs and Class Members paid for services based on Empower's representations that its practice adhered to the ethical and legal standards of

professional counseling. These representations were contained in Empower's intake paperwork and formed part of the parties' understanding and agreement.

76. Defendant Moyer was charged with multiple offenses, including interception of oral communications, possession of a device for interception, possession of an instrument of crime, and six counts of invasion of privacy. Bail was set at \$150,000, with a 10% cash option.¹⁰

CLASS ALLEGATIONS

77. Plaintiffs bring this action, individually, and on behalf of a class, pursuant to Pa. R. Civ. P. 1701 and Pa. R. Civ. P. 1702, defined as follows:

All persons who as of the date of the filing of this Complaint who were treated, evaluated, or provided any professional services from Defendant Moyer at the Empower Life Coaching & Counseling Center in Quakertown, Pennsylvania, or used the restroom at the Empower Life Coaching & Counseling Center in Quakertown, Pennsylvania.

78. Excluded from the Class(es) are: (a) Defendants; (b) Defendants' current and former affiliates, agents, employees, officers and directors; and (c) the judge assigned to this matter, the judge's staff, and any member of the judge's immediate family. Plaintiffs reserve the right to modify, change, or expand the various class definitions set forth above based on discovery and further investigation.

¹⁰ <https://ujportal.pacourts.us/Report/MdjDocketSheet?docketNumber=MJ-07205-CR-0000096-2025&dnh=kFq%2FBIHYNePTP0oXMVrXTA%3D%3D> (last visited March 24, 2025).

79. **Numerosity:** Upon information and belief, the Class is so numerous that joinder of all members is impracticable. While the exact number and identity of individual members of the Class are unknown at this time, hundreds and/or thousands of individuals were treated, evaluated, or were provided professional services from Defendant Moyer at the Empower Life Coaching & Counseling Center in Quakertown, Pennsylvania, or used the restroom at the Empower Life Coaching & Counseling Center in Quakertown, Pennsylvania, thus Plaintiffs believe, and on that basis alleges, that the Class consists of hundreds or thousands of people.

80. **Commonality:** Common questions of law and fact exist as to all members of each Class. These questions predominate over questions affecting individual Class members. These common legal and factual questions include, but are not limited to:

- a. Whether Defendant Lehigh Valley failed to properly screen and supervise Defendant Moyer;
- b. Whether Defendant Lehigh Valley owed Plaintiffs a duty;
- c. Whether Defendant Lehigh Valley knew or should have known about Defendant Moyer's likelihood to privately record patients, including whether any complaints were previously filed against Defendant Moyer by coworkers or patients;

- d. Whether Defendant Lehigh Valley monitored and supervised Defendant Moyer;
- e. What policies and procedures Defendant Lehigh Valley maintained and adhered to with respect to preventing abuse of patients and protecting the privacy and dignity of patients in their care;
- f. Whether Defendant Moyer and Defendant Lehigh Valley acted in concert;
- g. Whether the potential recording of Plaintiffs and the Class violated Pennsylvania law, including Plaintiffs and the Class' privacy rights, and constituted negligence, negligent supervision, negligent infliction of emotional distress, and intentional infliction of emotional distress;
- h. Whether Plaintiffs and the Class members suffered injury and damages as a result of Defendants' conduct; and
- i. Whether Plaintiffs and the Class members are entitled to damages, equitable relief, and other relief deemed appropriate under the law.

81. **Typicality**: Plaintiffs have the same interest in this matter as all Class members, and Plaintiffs' claims arise out of the same set of facts and conduct as the claims of all Class members. Plaintiffs share the same basic privacy rights as the Class.

82. **Adequacy**: Plaintiffs have no interest that conflicts with the interests of the Class, and are committed to pursuing this action vigorously. Plaintiffs have retained competent counsel and experienced in complex consumer class action litigation. Accordingly, Plaintiffs and their counsel will fairly and adequately protect the interests of the Class.

83. **Superiority**: A class action is superior to all other available means of fair and efficient adjudication of the claims of Plaintiffs and members of the Class. The injury suffered by each individual Class member is relatively small compared to the burden and expense of individual prosecution of the complex and extensive litigation necessitated by Defendants' conduct. It would be virtually impossible for members of the Class individually to effectively redress the wrongs done to them. Even if the members of the Class could afford such individual litigation, the court system could not. Individualized litigation increases the delay and expense to all parties, and to the court system, presented by the complex legal and factual issues of this case. Individualized rulings and judgments could result in inconsistent relief for similarly situated individuals. By contrast, the class action device presents far fewer management difficulties, and provides the benefits of single adjudication, economy of scale, and comprehensive supervision by a single court.

84. Defendants have acted or refused to act on grounds generally applicable to the Class, thereby making appropriate final injunctive relief and corresponding declaratory relief with respect to the Class as a whole.

COUNT I – NEGLIGENCE
(Against Defendant Lehigh Valley)

85. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

86. Upon information and belief, Defendant Moyer recorded Plaintiffs and the Class members at Defendant Lehigh Valley's Quakertown location through the use of cameras without their consent.

87. Defendant Lehigh Valley held themselves out to the public as professional clinical practice that aimed to ensure its patients had a "positive" experience.

88. Defendant Lehigh Valley owed a duty of care to its patients to provide medical care and services in a safe and private manner, including protecting its patients from foreseeable risks of harm to their privacy and safety interests.

89. Defendant Lehigh Valley breached its duty by:

- Allowing Defendant Moyer to install cameras at its facilities;

- Failing to discover the cameras installed at its facilities for an unreasonably long time, during which the cameras would have been discovered through reasonable diligence;
- Failing to properly supervise and oversee Defendant Moyer;
- Negligently hiring Defendant Moyer;
- Failing to create, adopt, implement and/or enforce adequate policies and procedures to prevent Defendant Moyer from recording them;
- Failing to properly train employees, servants, agents, contractors, and/or assigns to identify the type of acts committed by Defendant Moyer;
- Failing to create, adopt, implement and/or enforce adequate policies and procedures that would lead to the discovery of the unlawful recording of patients;
- Failing to remove Defendant Moyer from employment when complaints regarding his conduct began;
- Failing to recognize and/or appropriately address reports or indicators of boundary violations or sexually inappropriate conduct by Defendant Moyer while he was in the employ of Defendant Lehigh Valley.; and
- Acting otherwise carelessly or negligently.

90. As a direct and proximate result of the conduct described herein, Plaintiffs and the Class have suffered, and continue to suffer, injuries and damages, including severe emotional distress, physical manifestations of emotional distress, terror, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life. Plaintiffs and the Class have suffered damages in an amount to be proven at trial.

91. Punitive damages should be imposed in an amount sufficient to punish, penalize, or deter Defendant from repeating similar conduct.

COUNT II – INTRUSION UPON SECLUSION
(Against Defendant Moyer)

92. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

93. Plaintiffs and the Class have a right to privacy while seeking and receiving medical services, including a right to not be recorded without their knowledge or consent.

94. Plaintiffs and the Class had a reasonable expectation of privacy at Defendant Lehigh Valley's facilities.

95. Despite the right of privacy of Plaintiffs and the Class, upon information and belief, Defendant Moyer recorded them at Defendant Lehigh Valley's facilities through the use of hidden cameras without their consent.

96. The use of cameras to watch and record unknowing people, such as Plaintiffs and the Class, while in a private bathroom inside a medical facility is highly offensive and objectionable to a reasonable person, as Plaintiffs and the Class had a reasonable expectation and right to privacy when using the restroom at Defendant Lehigh Valley's facilities.

97. As a direct and proximate cause of the conduct described in this Complaint, Plaintiffs and the Class have suffered, and will continue to suffer, injuries and damages, including severe emotional distress, physical manifestations of emotional distress, terror, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life. Plaintiffs and the Class have suffered damages in an amount to be proven at trial.

98. Punitive damages should be imposed in an amount sufficient to punish, penalize, or deter Defendant from repeating similar conduct.

COUNT III – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
(Against Defendant Lehigh Valley)

99. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

100. Defendants' negligent acts constitute negligent infliction of emotional distress.

101. Defendants owed a duty to Plaintiffs and the Class to provide a therapeutic environment.

102. Defendants acted negligently towards Plaintiffs and the Class, as described above.

103. Defendants' conduct was extreme and outrageous and went beyond all possible bounds of decency.

104. Plaintiffs and the Class suffered and continue to suffer emotional distress as a result of Defendants' conduct.

105. Plaintiffs and the Class suffered damages as a result of Defendants' extreme and outrageous conduct.

COUNT IV – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Against Defendant Moyer)

106. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

107. Defendant Moyer's actions were outrageous and extreme, shocking, atrocious, and intolerable. His conduct goes beyond all possible bounds of decency and acted with the reckless disregard of the probability that Plaintiffs and the Class would suffer emotional distress as a result.

108. Defendant Moyer's conduct was a substantial factor in causing severe emotional and psychological distress to Plaintiffs. This distress was of such an intensity that no reasonable person should be expected to endure it.

109. Moreover, Defendant Lehigh Valley's lack of and/or failure to enforce adequate policies and procedures for the prevention of, and proper response to,

complaints and allegations as alleged herein exacerbates and amplifies the trauma due to institutional betrayal.

110. As a result, Plaintiffs and the Class suffered emotional distress that has caused and continues to cause pain and suffering, and loss of enjoyment of life.

COUNT V – NEGLIGENT SUPERVISION
(Against Defendant Lehigh Valley)

111. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

112. Defendant Lehigh Valley owed a duty to exercise reasonable care in its operations as a therapeutic counseling center such as to avoid harm to the vulnerable patients that are treated there.

113. Defendant Lehigh Valley knew or should have known that Defendant Moyer posed a risk to patients.

114. Patients cannot reasonably be expected to know of Defendant Moyer's risk or be expected to protect themselves.

115. Defendant Lehigh Valley failed to exercise ordinary care to prevent intentional harms by its employees acting outside the scope of their employment. Defendant Lehigh Valley was aware that its employee, Defendant Moyer had for decades committed criminal acts of abuse. This gave Defendant Lehigh Valley reason to know that abuse and/or criminal misconduct was a risk and that Defendant

Lehigh Valley needed to implement procedures and practices to prevent intentional harms by Defendant Moyer.

116. Defendant Lehigh Valley knew that it had the ability to control the conduct of its staff, as Defendant Lehigh Valley is in an employer-employee relationship in which Defendant Lehigh Valley sets standards, protocols, and policies for its staff, exercises a supervisory role over staff, and has the capacity to fire and reassign its employees.

117. Despite knowing of Defendant Moyer's misconduct, Defendant Lehigh Valley failed to enact and implement appropriate policies and protocols to prevent such harm.

118. Because of Defendant Lehigh Valley's negligent supervision, Plaintiffs and the Class were harmed.

COUNT VI – BREACH OF IMPLIED CONTRACT
(Against Defendant Lehigh Valley)

119. Plaintiffs restate, re-allege and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

120. Plaintiffs and the Class entered into implied contracts with Defendant Lehigh Valley in which they would pay Defendant for services, which Defendant would render to Plaintiffs and the Class. The purpose of these services was to provide help to Plaintiffs and the Class through a variety of counseling services, including: “emotion-centered therapy, drug and alcohol counseling, trauma recovery, parent-

child interaction, group family therapy, play therapy, career counseling, marriage/couple's counseling, and crisis counseling.”¹¹

121. Defendant breached this implied contract when it failed to exercise ordinary care to prevent intentional harms by its employees acting outside the scope of their employment. Defendant Lehigh Valley was aware that its employee, Defendant Moyer had for decades committed criminal acts of abuse. This gave Defendant Lehigh Valley reason to know that abuse and/or criminal misconduct was a risk and that Defendant Lehigh Valley needed to implement procedures and practices to prevent intentional harms by Defendant Moyer.

122. Defendant Moyer’s criminal conduct as rendered any services rendered by Defendant and paid for by Plaintiffs worthless in light of the harm suffered.

123. As a result of this breach, Plaintiffs and the Class have suffered damages in an amount to be proven at trial.

COUNT VII – UNJUST ENRICHMENT
(Against Defendant Lehigh Valley)

124. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

125. This claim is brought in the alternative to Plaintiffs’ contract-based claim.

¹¹ <https://web.archive.org/web/20250121200536/https://empowerlifecoaching.org/> (last visited March 24, 2025).

126. Plaintiffs and the Class members paid monies to Defendant Lehigh Valley for counseling sessions.

127. Defendant Lehigh Valley knowingly and willingly accepted and appreciated the benefits.

128. Defendant's retention of these benefits would be inequitable because Defendant obtained benefits to the detriment of Plaintiffs and the Class members.

129. As a direct and proximate result of Defendant's conduct, Plaintiffs and Class members have been injured and sustained damages.

COUNT VIII – BREACH OF FIDUCIARY DUTY
(Against Defendant Lehigh Valley)

130. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

131. Defendants, as providers of coaching and mental health counseling, owes a fiduciary duty to act in the best interests of the patients they serve. When a patient seeks treatment from Defendants, Defendants assume the fiduciary duty to ensure that patients receive appropriate care and are safe from foreseeable harms.

132. By allowing and authorizing a culture of harm in their treatment programs, failing to respond to or prevent harm from occurring, inadequately supervising Defendant Moyer, Defendants breached their fiduciary duty toward Plaintiffs and the Class.

133. Plaintiffs and the Class were thereby harmed by Defendants' breach of this fiduciary duty.

COUNT IX – PREMISES LIABILITY
(Against Defendant Lehigh Valley)

134. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

135. Defendant Lehigh Valley was the owner and operator of the facilities where the conduct occurred.

136. As the owner and operator of the facilities, Defendant Lehigh Valley owed a duty to maintain and inspect the property and warn potential customers of the business of any conditions which could make the premises unsafe to the extent they are not open or obvious to the potential customers.

137. As described above, the hidden cameras used by Defendant Moyer were not open and obvious.

138. Plaintiffs and the Class were business invitees of Defendant Lehigh Valley, as it held itself out to the public as a medical services provider, which Plaintiffs and the Class were seeking when on Defendant's premises.

139. Defendant Lehigh Valley had a duty to inspect and maintain the property or warn Plaintiffs and the Class. By failing to inspect the property regularly for hidden cameras and recording devices, despite the foreseeable risk of Defendant Moyer's conduct, Defendant Lehigh Valley failed to perform its duties.

140. As a direct and proximate cause of the conduct described herein, Plaintiffs and the Class have suffered, and will continue to suffer, injuries and damages, including severe emotional distress, physical manifestations of emotional distress, terror, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life. Plaintiffs and the Class have suffered damages in an amount to be proven at trial.

**COUNT X – PENNSYLVANIA’S UNFAIR TRADE PRACTICES AND
DECEPTIVE CONSUMER PROTECTION LAW**
(Against Defendant Lehigh Valley)

141. Plaintiffs restate, re-allege, and incorporate herein by reference the preceding paragraphs as if fully set forth herein.

142. Plaintiffs and the Class are persons pursuant to § 201-2(2).

143. The acts complained herein were perpetrated by Defendants in the course of trade or commerce pursuant to § 201-2(3).

144. Plaintiffs purchase of services from Defendant were “purchases” pursuant to § 201-9.2(a).

145. The Pennsylvania Unfair Trade Practices and Consumer Protection Law (“UTPCPL”) prohibits unfair or deceptive acts or practices, including:

- a. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have (§ 201-2(4)(v));

- b. Advertising goods or services with intent not to sell them as advertised (§ 201-2(4)(ix));
- c. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions (§ 201-2(4)(xi)); and
- d. Engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding (§ 201-2(4)(xxi)).

146. Defendant engaged in unlawful trade practices, and unfair or deceptive acts or practices that violated the UTPCPL by misrepresenting and omitting material facts, including that Defendant did not implement and enforce policies to monitor, train, and supervise Defendant Moyer to prevent his conduct from occurring, and failed to disclose that Defendant Moyer had been complained about for inappropriate conduct on numerous occasions by a number of different patients.

147. Plaintiffs paid for services from Defendant based on its representations that its practice adhered to the ethical and legal standards of professional counseling. These representations were contained in Defendant's intake paperwork and formed part of the parties' understanding and agreement.

148. In light of the allegations in the preceding paragraphs, Defendant engaged in unlawful trade practices by employing deception, deceptive acts or practices, fraud, misrepresentations, or concealment, suppression or omission of any material fact with intent that others rely upon such concealment, suppression or

omission, in connection with rendering therapy services. Defendant's unfair and deceptive acts or practices alleged in the preceding paragraphs occurred repeatedly in Defendant's trade or business and were capable of deceiving a substantial portion of the purchasing public. Defendant concealed and misrepresented these material facts to Plaintiffs and the Class both orally and in written documents provided to Plaintiffs and Class members.

149. Defendant owed Plaintiffs and the Class a duty to disclose the truth because it possessed exclusive knowledge of it and intentionally concealed it from Plaintiffs and the Class.

150. Plaintiffs and the Class suffered injury in fact to a legally protected interest. As a result of Defendant's conduct, Plaintiffs and the Class were harmed and suffered actual damages, including paying for therapy sessions they would not have paid for but for Defendant's conduct.

151. Defendant is liable to Plaintiffs and the Class for treble their actual damages or \$100, whichever is greater, and attorneys' fees and costs under 73 P.S. § 201-9.2(a). Plaintiffs and the Class are also entitled to an award of punitive damages given that Defendants' conduct was malicious, wanton, willful, oppressive, or exhibited a reckless indifference to the rights of others.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, on behalf of themselves and the Class, respectfully

requests that this Court:

- A. Determine that the claims alleged herein may be maintained as a class action under Pa. R. Civ. P. 1701 and Pa. R. Civ. P. 1702, and issue an order certifying the Class as defined above;
- B. Appoint Plaintiffs as the representative of the Class and their counsel as Class Counsel;
- C. Award all actual, general, special, incidental, statutory, punitive, and consequential damages to which Plaintiffs and Class members are entitled;
- D. Award pre-judgment and post-judgment interest on such monetary relief;
- E. Grant appropriate injunctive and/or declaratory relief;
- F. Award reasonable attorney's fees and costs; and
- G. Grant such further relief that this Court deems appropriate.

JURY DEMAND

Plaintiffs, individually and on behalf of the putative Class demand a trial by jury on all issues so triable.

Dated: March 24, 2025

Respectfully submitted,

/s/ Joseph G. Sauder
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