

UNITED STATES DISTRICT COURT,  
DISTRICT OF MIDDLE FLORIDA.

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U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE, FLORIDA

\_\_\_\_\_  
ROBERT EARL HARDIN,  
DEBRA LEE HARDIN,  
Plaintiffs'  
-against-  
TEDI-BEAR ADOPTIONS INCORPORATED,  
INN MINISTRIES INCORPORATED,  
LISA A. MARCH, ESQUIRE, A LAW FIRM,  
and,  
TEDI M. HEDSTROM, JUDITH NEWBURG,  
GLORIA KENNEDY, LISA A. MARCH,  
JOHN DOE, JANE DOE, sued in their  
individual capacities.

99-1236-Cv-J-21B

**COMPLAINT**  
**JURY TRIAL DEMANDED**

Preliminary Statement

This is a civil rights action filed by Robert Hardin, on behalf of Robert Hardin and Debra Hardin, husband and wife, for damages under U.S.C. § 1983 civil action for deprivations of rights in violation of the Fourteenth Amendment to the Constitution. The plaintiffs' also alleges civil rights conspiracy claims seeking damages under 42 U.S.C. § 1985 and 1986 that alleges deliberate indifference, negligence.

Jurisdiction

1. The actions complained of occurred in the District of Middle Florida and therefore this court has jurisdiction over the plaintiffs' claims of violation of civil rights under U.S.C. §§ 1331(a) and 1343.

2. The defendants are incorporated in the courts jurisdiction.

3. The defendants all reside in the courts jurisdiction.

Parties

4. The plaintiff Robert Hardin, during the events described, resided in Charleston, South Carolina.

5. The plaintiff Debra Hardin, during the events described, resided in Jacksonville, Florida.

6. Defendant, Tedi-Bear Adoptions, is a corporation doing business in Duval County, Florida. They are being sued in their corporate capacity.

7. Defendant Inn Ministries, is a corporation doing business in Duval County, Florida. They are being sued in their corporate capacity.

8. Defendant Lisa A. March, Esquire, is a corporation doing business in Duval County, Florida. They are being sued in their corporate capacity.

9. Defendant Tedi M. Hedstrom, resides in Duval County, Florida, and is being sued in her individual capacity.

10. Defendant Judith Newburg resides in Duval County, Florida, and is being sued in her individual capacity.

11. Defendant Lisa A. March resides in Duval County, Florida, She is being sued in her individual capacity.

12. Defendant Gloria Kennedy Ph.D. resides in Duval County, Florida, and is being sued in her individual capacity.

13. Defendant John Doe, resides in Duval County, Florida, and is being sued in his individual capacity.

14. Defendant Jane Doe resides in Duval County, Florida, and is being sued in her individual capacity.

15. Diversification of jurisdiction exist between the parties.

16. All the defendants have acted and continue to act in their capacities at all times relevant to this complaint.

#### Facts

17. In May of 1998, Debra Lee Hardin, entered into Inn Ministries, a non-profit organization that caters to the needs of maternity women in need of Social Services.

18. In May of 1998, through the assistance of Inn Ministries, Debra Hardin was introduced to representatives of Tedi-Bear Adoptions Incorporated, a non-profit adoption agency, (Licence Number, IV-07-97-0 ).

19. In May of 1998, through the assistance of Tedi-Bear Adoptions Incorporated Debra Hardin was introduced to John and Jane Doe.

20. In May or June of 1998, Debra Hardin was introduced to Lisa A. March, an Attorney, licenced in the State of Florida, representing the interest of Tedi-Bear Adoptions Incorporated, John and Jane Doe.

21. On, June 24, 1998, signatures were obtained under duress, that in effect, waived the civil rights of Debra<sup>a</sup> Hardin, to her right to representation, her right to appear on her own behalf,

her rights of legal notice, and surrendered her rights as a parent.

22. On those documents dated June 24, 1998, were also the signatures of Tedi M. Hedstrom and Judith Newburg.

23. On June 23, 1998, in Charleston, South Carolina, while incarcerated on charges of probation violation, Robert Hardin, was approached by legal representation hired by Lisa A. March, Tedi M. Hedsrom, John and Jane Doe.

24. At the time of that approach on June 24, 1998, Robert Hardin was asked if he would sign away his parental rights, he refused.

25. On June 29, 1998 during a telephone conversation, Robert Hardin was told his child had been born on June 23, 1998, at the University Hospital in Jacksonville, Florida.

26. On July 1, 1998, Robert Hardin re-contacted the firm who had approached him on June 23, 1998, and requested information known to them, concerning the whereabouts of his child, born on June 23, 1998. He was refused information on the orders of their clients, Lisa A. March, Tedi M. Hedstrom, John and Jane Doe.

27. Early in August 1998 while still in custody of the South Carolina Authorities, Robert Hardin was served a petition to terminate his parental rights on grounds of abandonment.

28. The petition, based on written materials prepared by Lisa A. March, Tedi M. Hedstrom, Judith Newburg, with signatures obtained under duress, instigated a hearing that was scheduled for September 17, 1998.

29. A few days after being served a petition to sever his

parental rights Robert Hardin was released from custody, on bail, pending a hearing set for three weeks later.

30. Immediately upon release from being in custody Robert Hardin contacted by phone Tedi M. Hedstorm, Judith Newburg, and Lisa A. March. Plaintiff pleaded with them for information on the whereabouts of his child, her health and her welfare. Plaintiff was informed by all three defendants that no information would be given.

31. At a hearing three weeks later probation was reinstated after findings by the court that there was no basis for violation.

32. A formal letter was prepared by plaintiffs' Attorney in the probation hearing that informed the reader that the court had found "no basis" for the violation and that it should not have been instigated in the first place. The court found the technicalities unwarranted.

33. Other than phone calls placed to the defendants at their places of business and homes, plaintiff Robert Hardin wrote letters to each of the defendants at the addresses supplied in the petition, pleading for information on the whereabouts of his child, her health and her welfare. Plaintiffs' letters were never answered.

34. Upon plaintiffs' release from custody he immediately established a new job, a two bedroom apartment with nursery, purchased a car, furnished the apartment and the nursery, established child care, established health care, for his child and for himself.

35. Documentation of all the above stated information was

supplied to the defendants prior to the hearing September 17, 1998. Again a renewed plea for information as to the whereabouts of his child, her health and her welfare was denied to him by the defendants.

36. In attendance at the hearing held in Jacksonville, Florida, on September 17, 1998, was Tedi M. Hedstrom, Lisa A. March, Janice Woodard, Linda Barrington, and the plaintiff Robert Hardin.

37. No order on that date was given giving rights to the defendants to the plaintiffs minor child.

38. After the hearing held on September 17, 1998, plaintiff again made a plea to defendants for information as to the whereabouts of his minor child. His plea was denied coldly and with malice.

#### Claims for Relief

39. The actions of defendants Tedi m. Hedstrom, Judith Newburg, Lisa A. March, John Doe and Jane Doe against the plaintiffs without provocation were done maliciously with deliberate indifference to plaintiffs civil rights protected by federal laws.

40. The actions of defendants Tedi M. Hedstrom, Lisa A. March, Judith Newburg, Gloria Kennedy, without provocation constituted malpractice of professional office and caused constitutional deprivations protected by federal laws.

41. Defendants Tedi M. Hedstrom, Gloria kennedy, Judith Newburg, Lisa A. March, knowingly neglected or refused to prevent wrongs which were conspired to be done to plaintiffs, in violation of their civil rights protected by federal laws.

42. The actions of John Doe and Jane Doe, despite their knowledge of the above described deprivation violations, constituted deliberate indifference and further denied the plaintiffs constitutional rights due them by the Fourteenth Amendment of the United States Constitution.

43. The actions of the conspirator defendants Lisa A. March, Tedi M. Hedstrom, Gloria Kennedy, Judith Newburg, John Doe and Jane Doe named in this complaint violated, and continue to violate, the plaintiffs' rights under the Fourteenth Amendment of the United States Constitution.

44. Defendants conspired for the purpose of depriving plaintiffs of their constitutional rights, should be held liable, for setting in motion a series of events, that they knew or reasonably should have known, would cause a constitutional violation, even if others performed the violations.

Relief Requested

WHEREFORE, plaintiffs' request that the court grant the following relief:

- A. Issue a declaratory judgement stating that:
  1. The emotional abuse to the plaintiffs' violated the plaintiffs' civil rights under the Fourteenth Amendment of the United States Constitution and constituted intentional emotional distress.
  2. Defendants Tedi M. Hedstrom, Judith Newburg, Lisa A. March, Gloria Kennedy, acting in their individual capacities, jointly, violated plaintiffs' civil rights and caused plaintiffs' to be subjected to deprivations of their Constitutional and Fundamental

rights under the Fourteenth Amendment to the United States Constitution and constituted professional malpractice under State laws.

3. Defendants John Doe and Jane Doe deliberate indifference to the civil rights of the plaintiffs' caused emotional abuses and violated the plaintiffs' rights under the Fourteenth Amendment of the United States Constitution and constituted neglect and intentional emotional distress.

B. Issue a Temporary Restraining Order that:

1. Orders defendants named in this complaint or parties related to defendants named in this complaint or agents of defendants named in this complaint from having any contact with the plaintiffs' named in this complaint or with the plaintiffs' child.

C. Issue an order that:

1. Orders defendants immediately arrange for plaintiffs examination by a medical practitioner specialist in diagnosing and treating emotional abuses.

2. Orders carrying out without delay the treatment directed by such medical practitioner.

D. Issue an injunction that:

1. Orders defendants cease business until which time an investigation in to their practices has been completed by State Agencies governing their licenses.



E. Issue an order:

1. Ordering, without delay an investigation of Tedi-Bear Adoptions Incorporated by the Florida State Government Agency licensing adoption agencies on the merits of this cause.
2. Ordering the Florida Bar ethics Department investigate the practices of Lisa A. March, on the merits of this cause.
3. Ordering to carry out without delay an investigation of Inn Ministries Incorporated by the Florida State Government Office licensing non-profit ministries.

F. Award compensatory damages in favor of plaintiff's for the following amounts:

1. \$300.000.00 jointly and severally against defendants Tedi M. Hedstrom, Lisa A. March, and Judith Newburg, for the psychological and emotional injuries sub-stained as a result of the deprivations carried out against the plaintiff's.
2. \$100.000.00 jointly and severally against defendants John Doe, Jane Doe, and Gloria Kennedy for the psychological and emotional injuries sub-stained as a result from their willful acts in the violations of the plaintiff's civil rights that are guaranteed in the Fourteenth Amendment of the Constitution of the United States.

G. Award punitive damages in the following amounts:

1. \$50,000.00 each against defendants Tedi M. Headstrom, Lisa A. March, Judith Newburg.
2. \$20,000.00 against defendant Gloria Kennedy.
3. \$30,000.00 each against defendants John Doe, and Jane Doe.

H. Reasonable attorney fees and related cost and expenses incurred by plaintiffs in connection with prosecution of this action.

I. Grant such other relief as it may appear that plaintiffs' are entitled.

Dated this 29<sup>th</sup> day of November 1999.

Respectfully Submitted,



Robert Earl Hardin

Post Office Box 6300

Florence, Arizona. 85232.

UNDER THE PROVISIONS OF TITLE 28 USC§ 1746, ROBERT EARL HARDIN, DECLARES THAT THE INFORMATION HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

By   
Robert E. Hardin, Plaintiff.

# Arizona Civil Liberties Union



President - John Hay  
Executive Director - Eleanor Eisenberg

P.O. Box 17148  
Phoenix, AZ 85011-0148  
(602) 650-1967

Dear *Mr Hardin*

DATE: *11/11/99*  
AzCLU # *642-99*

Thank you for writing to the Arizona Civil Liberties Union.

We are a non-profit civil rights organization and not a legal services office. We do not have attorneys on staff and must depend on volunteers. Our services are limited by our financial resources and by our charter to specific areas of constitutional rights violations. We cannot help you in the concerns you have expressed. Even though we cannot help you, your case may have legal merit and you may wish to consult a private attorney.

We will file the information you provided as it may be useful in our attempts to improve general conditions or to keep track of issues of concern.

We hope that you will find the help you need.

Sincerely,

AzCLU Staff/Volunteer

CORRECTIONS CORPORATION OF AMERICA  
CENTRAL ARIZONA DETENTION CENTER

*act*

PRISONER INFORMATION REQUEST  
SOLICITUD DE INFORMACION

TO/PARA 1000 <sup>SS</sup> COUNSELOR

SUBJECT/ASUNTO \_\_\_\_\_

*I'm IN NEED OF A COPY OF MY INMATE  
ACCOUNT BALANCE TO SEND TO THE COURT SO I CAN  
PROCEED IN FILING PAPERS. THANK YOU!*

ROBERT HARDIN  
PRISONER'S NAME (PRINTED) NOMBRE

49812088  
PRISONER'S NUMBER/NUMERO

*Robert Hardin*  
PRISONER'S SIGNATURE/FIRMA DEL PRISONERO

1000  
SS-206  
CELL/CELDA

12-3-99  
DATE/FECHA

RESPONSE/CONTESTACION See attached.

*D. Owens Asst. Bus Mgr*  
OFFICIAL'S SIGNATURE/FIRMA DE OFICIAL

12/9/99  
DATE/FECHA

IF RESPONSE IS UNSATISFACTORY, CHECK BELOW AND RESUBMIT THIS FORM FOR REVIEW BY THE FACILITY ADMINISTRATOR. (SI LA RESPUESTA NO ES SATISFATORIA PONGA UNA CRUZ ABAJO Y VUELVA A SOMETER ESTA FORMA PARA QUE EL ADMINISTRADOR DE ESTA INSTITUCION LO REVISE.

[ ] PLEASE REVIEW/REVISE POR FAVOR

\_\_\_\_\_  
SIGNATURE/FIRMA

RESPONSE/CONTESTACION \_\_\_\_\_

\_\_\_\_\_  
WARDEN'S SIGNATURE/FIRMA DEL WARDIAN

\_\_\_\_\_  
DATE/FECHA

White - Staff

Yellow - File

Pink - Inmate

ACCTBALR

**CCA CENTRAL ARIZONA DETENTION CNTR.**  
**Account Balance Recon. #34**  
**For Account 1 - From: 01/01/1999 To: 12/09/1999**

12/09/1999

*Hardin, Robert Earl*

Facility ID: 49812008

Location: 2S206A

Type	Trans. Date	Employee Nbr	Trans. Nbr	Beg. Balance	Trans. Total	Ending Balance
D	09/15/1999	8498	582126	0.00	0.12	0.12

Beginning Balance For Date Range : 0.00  
Total Net Transactions For Date Range : 0.12  
Calculated Ending Balance For Date Range : 0.12

Total Records Printed : 1

FILED

**VERIFICATION**

93 DEC 27 AM 9:50

I, Robert Earl Hardin, to the best of my knowledge, information or belief, after an inquiry reasonable under the circumstances..., under penalties of perjury, state as follows:

1. The legal documents therein is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation, and,

2. The claims, defenses, and other legal contents therein are warranted by existing law, and are non-frivolous, and,

3. The allegations and other factual contentions are warranted on evidence, after a reasonable opportunity for further investigation or discovery, and,

4. The allegations and other factual contentions have solid basis, evidentiary support.

Stated on this 29<sup>th</sup> day of November 1999.

By: Robert Hardin

Robert Earl Hardin  
Post Office Box 6300  
Florence, Arizona. 85232

cc: File