

THE ORANGE COUNTY BETA REGISTER

Woman sues Starbucks over underage sex

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A 20-year-old Orange County woman is suing Starbucks, her former employer, over a sexual relationship she had with a supervisor when she was 16 years old.

Kati Moore told her story to ABC News' "20/20," which aired a report on sex in the workplace Friday.

Tim Horton, the supervisor, pleaded guilty to felony sex with a minor and was sentenced to 180 days in jail last February.

After Moore agreed to appear on the show, a federal judge unsealed records detailing her sexual history.

While Moore has a right to keep her sexual history private, Starbucks also has a right to "defend themselves in the court of public opinion," Federal judge Andrew J. Guilford wrote in the order.

Between the ages of 14 and 16, Moore had "sexual encounters" with seven men, according to the records. She had encounters with another five during the time she knew the supervisor.

"They are trying to defend themselves by calling me a slut," Moore told the program.

One of Starbucks' arguments is that Moore has not sought criminal or civil action against any of the other men, all but one of whom were older than 18.

Horton, a supervisor, was 24 and Moore was 16 at the time of their relationship. Moore was hired at an Irvine Starbucks in the summer before her junior year at Foothill High School in Santa Ana. She began to see Horton five months later.

From December 2005 to June 2006, Moore and Horton hooked up almost daily — in cars, hotel rooms and at parties — smoking weed, drinking, and having sex, according to the court records.

In court records, there are explicit text messages from both.

When Moore's mother discovered the relationship and called the police, Moore initially refused to cooperate. She also asked her boss — who had warned them about the company's policy on same-store dating — not to fire Horton.

Moore agreed to be transferred to another store, but continued to see Horton in secret, according to the records.

The relationship came to an end in July 2006, when her mother called Integrity House, a home in Utah for troubled teens. Counselors from Integrity House "abducted" Moore with her parents' consent, shoving her into a car and driving her to their facility, where she lived for the next year.

During her stay, Moore wrote a "come clean letter" — a sort of confession to her parents — in which she

listed the men she'd had sex with.

In a deposition, a counselor at Integrity House said that after Moore lost her virginity, she had a "mind-set that she was damaged goods, so it didn't matter what she did."

Moore "thought she loved" Horton, counselor Carol Williams testified. She thought she could "be with him for the rest of her life," Williams said.

Moore's family has sued Starbucks in federal court, claiming the company failed to protect the minor. They asked for \$16.8 million in damages, including \$10 million in punitive damages, and \$200,000 in loss of earnings to date.

There will be no punitive damages in the case, Guilford ruled recently. Guilford dismissed four of the claims, and allowed another four to go before a jury.

In a statement, Starbucks said that Horton and Moore failed to follow company policy by not disclosing their "personal, consensual relationship."

"I felt like I didn't have a choice," Moore told "20/20." "I was ashamed and embarrassed. And I felt like he had complete control over my job... he knew all this stuff about my family and my friends and my school."

In one deposition, Moore said that Horton had been pestering her for a date, so she "said 'yes,' hoping it would make him stop."

The day after their first date — a workout at the gym — they had their first sexual encounter, according to Moore's deposition.

"I felt that because he had given me marijuana and I had smoked it with him, I had to do what he said, because he was my supervisor and I didn't want to lose my job," Moore said in the deposition.

In another deposition, the Starbucks manager who transferred Moore said that she didn't see it as her role to "pass judgment" on the relationship because no claims of sexual harassment had been made.

Starbucks did not investigate whether the two were having sex, the judge found.

Moore's lawyers argued that managers should have known about the relationship because a few weeks before the transfer, Horton showed a cell phone sex video of the couple to a friend of his at the store who was an assistant manager. The only evidence supporting the claim was a statement the assistant manager made to police, which the jury will not hear because of hearsay rules.

The lawsuit has generated a mountain of paperwork in two years; a summary of the records in the case runs 22 pages.