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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

MEN FOR OTHERS,

Plaintiff,

v.

CHRIS ALLING, President of Jesuit High School of Sacramento; JESUIT HIGH SCHOOL OF SACRAMENTO BOARD OF TRUSTEES; JESUIT HIGH SCHOOL OF SACRAMENTO, a California nonprofit religious corporation; and DOES 1-20, inclusive,

Defendants,

JESUIT HIGH SCHOOL OF SACRAMENTO, a California nonprofit religious corporation,

Nominal Defendant.

Case No.: **26CV017288**

**VERIFIED COMPLAINT FOR
DECLARATORY, INJUNCTIVE, AND
OTHER RELIEF**

**1. Breach of Fiduciary Duty (Duty of
Obedience; Duty of Loyalty)**

2. Declaratory Relief (Cy Pres)

3. Fraud (Class Action)

**4. Negligent Misrepresentation (Class
Action)**

JURY TRIAL DEMANDED

1 Plaintiff Men for Others complains of Defendants and alleges:

2 **INTRODUCTION**

3 1. Shortly after 6:00 p.m. on Saturday, October 4, 2025, thousands of Jesuit High School
4 parents, students, alumni, and supporters received an unexpected e-mail from the school’s President
5 Chris Alling, “reflect[ing]” on a “historic announcement”: After 62 years, Jesuit High School was
6 abandoning its identity as an all-boys school and would begin to accept girls under a “co-divisional”
7 model in 2027. That was it. Six decades of history—the Marauder brotherhood, thirty-three Holy
8 Bowl victories, the enduring promise of *Men For Others*—all of it swept away with no warning and
9 little regard.

10 2. To most of the Jesuit community, the e-mail blast was a shock. Just three years earlier,
11 the school’s Board of Trustees had conducted an exhaustive strategic planning process, rejected a
12 proposed move to take the school coed, and publicly affirmed that it “remain[ed] committed to its
13 existing all-boys Catholic educational model.” So what changed? Between Alling’s message and the
14 laudatory press release that accompanied it, the administration was tight-lipped on details. But the
15 sanded-down PR-speak—vague references to “financial and enrollment challenges,” “demographic
16 enrollment trends,” and “financial sustainability”—suggested that admitting girls was somehow
17 necessary to buttress the school’s enrollment so that it could stay out of the red.

18 3. That Alling would announce such an extraordinary action in so trite a fashion surely
19 reflected poor judgment; it also betrayed a deeper abdication of the Ignatian principles that are meant
20 to guide the Board’s decision-making. To be sure, there are plenty of reasons to be skeptical that the
21 proffered demographic and financial justifications were well-founded (or even real). Likewise, it is
22 fair to conclude that the Board’s decision was actually motivated by the personal policy preferences
23 of Alling and his allies who prefer a coeducational model over single-sex education. But this dispute
24 is not about the wisdom of the Board’s decision, but whether the Board had the authority to
25 fundamentally alter the school’s mission and purpose that it was entrusted to protect. It did not.

26 4. This case is also about deception. While Alling and the Board were privately
27 orchestrating the school’s transition to coeducation, Jesuit High School continued to recruit and
28 enroll students and solicit donations based on representations that it was—and would remain—an

1 all-boys institution. Parents, students, and donors relied on those representations. They were
2 deceived.

3 5. Plaintiff Men for Others is an association of community members who have a special
4 interest in preserving Jesuit High School, including the preservation of its mission of providing an
5 all-boys Catholic educational model. Plaintiff's members include former members of the Board of
6 Trustees, parents of current students, students, donors, alumni, and supporters. Men for Others sues
7 on behalf of its members and brings several claims stemming from the Board's decision to transition
8 Jesuit High School from a single-sex institution to a coeducational one.

9 6. *First*, the Board of Trustees breached its fiduciary duty of obedience, which requires
10 fidelity to the school's mission and purpose. By abandoning the single-gender educational model
11 that served as Jesuit High School's cornerstone for over six decades, President Alling and the Board
12 fundamentally deviated from the school's foundational mission: forming competent young men into
13 conscientious leaders in compassionate service to others for the greater glory of God. Put simply,
14 this action was ultra vires and a breach of trust. To engineer this result, President Alling further
15 betrayed the fiduciary duties owed to his fellow trustees by deliberately concealing material
16 information from board members he knew opposed making Jesuit coed. He manipulated the board's
17 deliberative process by concealing the transition plans before springing the proposal on a newly
18 constituted Board at its first meeting, as soon as those who would've protected Jesuit's mission were
19 out the door.

20 7. *Second*, even if the Board of Trustees believed that altering the mission was necessary
21 for Jesuit High School's survival, it was required to seek judicial approval through the court's cy
22 pres power. To do so, President Alling and the Board must establish that it was impossible to
23 continue operating an all-boys school. The simple belief that it was more prudent to move to a
24 coeducational model does not suffice to justify deviating from the school's long-established mission.
25 And even if the Court were to sanction such a deviation, the school's donors must be given the
26 opportunity to redirect or recover the contributions they made based on the promise that their funds
27 would be used to support Jesuit as an all-boys institution.

8. *Third*, parents of current students relied on the school's representations that it was an all-boys school and would not have enrolled their children at Jesuit but for its operation as a single-sex institution. This harm is most acutely felt by students who entered as freshman in the fall of 2025. They applied for admission and began school while Alling and his cohort were busy behind the scenes setting the stage for the big reveal. These students (and their parents) were left in the dark until the Saturday evening announcement was sprung on them more than a month after school started. Plaintiff asserts claims for fraud and negligent misrepresentation on behalf of its members and similarly situated parents based on the school's affirmative representations that it was an all-boys school as well as its concealment of the secret plot to go coed.

9. *Fourth*, donors, too, were misled about Jesuit's status. From Alling's arrival in July 2023 until the October 4, 2025 announcement, Jesuit High School personnel continued to solicit and accept donations based on representations that the school was an all-boys institution and did not disclose the plan to fundamentally change course to a coeducational model. Plaintiff asserts claims for fraud and negligent misrepresentation on behalf of its members and similarly situated donors who would not have contributed funds during this critical time period but-for the school's representations and its operation as an all-boys institution.

10. Because President Alling and the Board of Trustees have dismantled the mission they were duty-bound to protect, this Court's intervention is necessary to vindicate the interests of Jesuit High School and hold Defendants accountable to the community they were entrusted to serve.

PARTIES

11. Plaintiff Men for Others is an association of community members who have a special interest in preserving Jesuit High School, including the preservation of its mission of providing an all-boys Catholic educational model. Plaintiff's members include former members of the Board of Trustees, parents of current students, students, donors, supporters, and alumni. Men for Others brings this suit as a representative of its members and, as set forth more particularly below, on behalf of those similarly situated to its members (current parents and certain donors).

12. Defendant Chris Alling is the President of Jesuit High School of Sacramento. As President, Alling serves on the Jesuit High School of Sacramento Board of Trustees.

13. Defendant Jesuit High School of Sacramento Board of Trustees is the governing body of Jesuit High School of Sacramento. The Board of Trustees sets the organization's policies, controls its corporate affairs, and owns its assets.

14. Defendant Jesuit High School of Sacramento is a California nonprofit religious corporation that operates a (for now) all-boys Roman Catholic college preparatory high school at 4600 Fair Oaks Boulevard in Sacramento.

JURISDICTION AND VENUE

15. This Court has subject-matter jurisdiction over this action. *See* Code. Civ. Proc. § 410.10.

16. Venue is appropriate in this County because all of the Defendants reside here. Code Civ. Proc. § 395(a).

GENERAL ALLEGATIONS

A. Jesuit High School Is Founded As A Single-Sex Institution Dedicated To The Educational And Spiritual Formation Of Young Men.

17. In January 1961, the California Province of the Society of Jesus quietly purchased 20 acres of land in northeast Sacramento. Although the purchase price was undisclosed at the time, the Jesuits' timing was fortuitous: a glut in the hops market led the E.C. Horst Company to replant or sell off much of its 534-acre ranch that swept east of the H Street bridge, where row after row of twenty-foot trellises served as a familiar landmark for those commuters who swelled into the neighborhood during the region's post-war population boom. The property lay just south of Fair Oaks Boulevard, stretching from Gordon Lane to Jacobs Way. As one student would later put it, the land was "nothing but a third rate hop field above the American River under the reign of many jack rabbits."

18. The following spring, the Jesuits formally announced that they planned to open a high school for boys on the site and launched a \$2.5 million capital campaign to finance its construction. Father Joseph Keane, who led development efforts, highlighted the need for Sacramento's first Jesuit school: Of the nearly 1,000 high-school-age Catholic boys in the area, fewer than 200 were enrolled

1 in Catholic high schools. Keane projected that, in time, the school would serve 1,500 students. The
2 project broke ground in May 1963; the initial phase was completed in four months for just under \$1
3 million.

4 19. On Tuesday, September 17, 1963, Jesuit High School opened its doors to a freshman
5 class of 91 young men. The faculty set to work to instill the values that form the foundation for
6 character development and spiritual formation that are at the heart of Jesuit education. When that
7 inaugural class graduated four years later, school president Father Joseph Costa emphasized the
8 importance of formation when sending the school's first class out into the world: "[N]ow is the real
9 beginning of that Greatness that was started four years ago by hard-working men of vision who
10 dreamed of forming you into men who would carry Christ within yourselves, and truly be Christ in
11 your work and in your world." That focus—building a foundation for life where young men seek
12 not only to better themselves but to do better by others—encapsulates the Ignatian educational
13 mission.

14 **B. Governance Of Jesuit High School Is Transferred To A Lay Board Committed To Its**
15 **All-Boys Mission.**

16 20. For its first decade, Jesuit High School was operated under the administration of the
17 California Province of the Society of Jesus (the order's regional governing body) and employed a
18 predominantly Jesuit teaching faculty. The campus expanded to nearly double its original size and
19 enrollment grew steadily through those years, to over 600 students, as the school became a fixture
20 of the Sacramento community.

21 21. In 1973, the school stared down a crisis that would prove to be transformational. Due
22 to a shortage of teaching priests, the order's provincial headquarters decided that it would need to
23 shutter one of California's five Jesuit high schools. The Sacramento campus was at particular risk
24 because it was the newest campus (and thus lacked a mature, robust alumni/benefactor base) and it
25 was saddled with nearly \$2 million in construction debt.

26 22. In response to the threat of closure, a group of parents, alumni, and supporters
27 established the "Ad Hoc Committee to Save Jesuit High." Over the winter of 1973–1974, the
28

1 committee worked with provincial leaders to hammer out a compromise to keep the school open.
2 The Jesuits would transition governance over the school to a majority-lay board of trustees. Going
3 forward, the board would take control of all school operations and was responsible for establishing
4 an endowment to raise sufficient funds (at least \$100,000/year) to finance its operations. To facilitate
5 the transition, the province agreed to waive interest payments on the \$1.7 million debt (\$90,000/year)
6 through the 1981–1982 school year.

7 23. The Jesuits formally transferred control over Jesuit High School’s operations on
8 August 1, 1974.¹ Now, as then, the organization is governed by a Board of Trustees comprised of
9 lay members of the community and representatives of the Society of Jesus. The Board of Trustees
10 exercises all of Jesuit High School’s corporate powers: it manages the organization’s activities and
11 controls its business affairs, directs strategic governance and accountability, and owns all school
12 assets (including real property and endowed funds).

13 24. The Board of Trustees is responsible for hiring (and firing) the President of Jesuit
14 High School; the President, in turn, is responsible for the school’s day-to-day operation as both its
15 educational leader and its chief academic administrator. The President also serves as one member of
16 the Board of Trustees.

17 25. The bylaws provide that the Board of Trustees shall include between 19 and 29
18 members. Although Jesuit High School is now a lay institution, the bylaws provide for Jesuit
19 representation: “[t]he Board shall strive to include at least four members of the Society of Jesus
20 (including the Superior of the local Jesuit community) among its trustees, but a lesser number at any
21 time shall not affect the validity of the Board’s composition.” Subject to minor exceptions, Board
22 service is limited to two consecutive three-year terms.

23
24
25
26 ¹ In connection with this transition, a separate entity (Jesuit High School Community of Sacramento)
27 was incorporated on July 31, 1974. Plaintiffs are informed and believe that, at all times relevant to
28 this lawsuit, all operations of Jesuit High School were controlled by the Board of Trustees of Jesuit
High School of Sacramento, which was incorporated by Father Keane in 1963 and remains the
corporate entity responsible for the school today.

1 **C. The Board Affirms Its Commitment To An All-Boys Catholic Educational Model.**

2 26. For the half-century since it assumed control over Jesuit High School, the Board of
3 Trustees remained faithful to the foundational identity it promised to protect: to operate an all-boys
4 Roman Catholic college preparatory high school consistent with the principles and ideals of the
5 Society of Jesus. This promise is encapsulated in the school’s Mission Statement: “[A] Roman
6 Catholic college preparatory dedicated to forming competent young men into conscientious leaders
7 in compassionate service to others for the greater glory of God.” The point is succinctly distilled in
8 the school’s core objective that its students and graduates carry on as “Men For Others,” a phrase
9 that has long served as the school’s motto.

10 27. These are not mere slogans; they are Jesuit High School’s *raison d’être*. The school’s
11 identity is carried through its core materials: They are reiterated throughout The *Student-Parent*
12 *Handbook*, which functions as the core contract for the school; they inform the *Profile of the*
13 *Graduate at Graduation*, which lays out the guiding objectives of the men the school seeks to form;
14 they are incorporated into the school’s *Vision Statement* and its *Philosophy of Education*; and they
15 feature prominently in the school’s donor solicitations, admissions outreach materials, and
16 community-focused publications.

17 28. In 2022, as part of the school’s regular strategic planning process, the Board of
18 Trustees considered how to address operational concerns stemming from anticipated enrollment
19 challenges that had been exacerbated by the COVID-19 pandemic. Given a nationwide trend of
20 declining enrollment at Catholic secondary schools, the Board sought to proactively address what
21 might be on the horizon. Of particular concern was the need to balance the school’s rigorous
22 academic standards with the reality of a shrinking applicant pool, whether by adjusting the school’s
23 programming, expanding community outreach and recruitment to boost enrollment, or making other
24 cuts to “right size” the budget.

25 29. Led by then-President Father John McGarry, the Board engaged in an “enrollment
26 study” to sort out how best to address the financial and operational concerns in the shifting
27 educational landscape. The Board integrated the broader Jesuit community in a transparent and
28 deliberate process, conducting multiple rounds of community listening sessions to gather input from

1 parents, alumni, students, and supporters before charting a course forward. Amid these discussions,
2 there was increased public chatter that the Board was considering whether to take the school coed.

3 30. On August 31, 2022, the Board issued a press release announcing that “the enrollment
4 study is complete and that the Board of Trustees has decided that the school will remain an all-boys
5 school, continuing to advance its original Mission dedicated to ‘forming competent young men into
6 conscientious leaders in compassionate service to others for the greater glory of God.’” Board Chair
7 James Donahue elaborated that “the Board decided that it was in the best interest of the Jesuit High
8 School community, as well as the Sacramento Catholic high school community overall, that Jesuit
9 remains committed to its existing all-boys Catholic educational model.” And Father McGarry
10 echoed that sentiment, reaffirming the school’s “deep[] commit[ment] to our tradition of guiding
11 students to become *Men for Others*, who seek to know, to love, and to serve God and other people
12 in their lives.” The announcement closed by noting that the strategic planning process would
13 continue, with an aim toward “ensur[ing] that the school can continue to meet its mission while
14 adapting to the community’s needs.” Press Release, *Jesuit Sacramento to Continue Advancing*
15 *Mission of All-Boys Education* (Aug. 31, 2022). The message was unambiguous: The ongoing
16 strategic planning process was centered on the school’s “original mission” as an all-boys school.
17 The Board was not pursuing a path toward a coeducational model.

18 31. That winter, Father McGarry announced that he would step down as President at the
19 end of the academic year. In a press release marking the transition, Father McGarry and the Board
20 expressed “complete confidence that Jesuit will unwaveringly continue its mission with excellence,”
21 and noted that the school’s leadership team was “dedicated to forming competent young men into
22 conscientious leaders in compassionate service to others for the greater glory of God.” Press Release,
23 *Rev. John P. McGarry, S.J. to conclude service as President at end of 2022-2023 academic year*
24 (Dec. 8, 2022). That confidence would prove to be misplaced.

1 **D. President Alling And The Board Secretly Work To Abandon Jesuit High School's All-**
2 **Boys Mission.**

3 32. As McGarry's replacement, the school hired Chris Alling, president and principal at
4 Xavier College Preparatory, a coeducational Jesuit high school in Palm Desert. Alling took the helm
5 as President on July 1, 2023.

6 33. By all outward appearances, Jesuit High School's operations proceeded as usual
7 during the first two-plus years of Alling's tenure.

8 34. Consistent with the Board's August 2022 assurance that the school remained
9 committed to its mission, the school continued to recruit, admit, and enroll students based on the
10 promise of operating an all-boys institution dedicated to the education and formation of young men.
11 In fall 2024, the school welcomed 237 students in the Class of 2028. In August 2025, 235 more
12 students followed, forming the Class of 2029. For the 2025-2026 academic year, the school had a
13 total enrollment of 935 students.

14 35. Throughout this period, parents and prospective students were recruited to join the
15 Jesuit High School brotherhood and sold on the school's identity as an institution dedicated to a
16 mission of forming young men as *Men for Others*. All of this without a hint that Alling and the Board
17 were privately working behind the scenes to fundamentally change the very mission it was using to
18 recruit them.

19 36. The same was true with the school's fundraising and advancement efforts. Over the
20 years, donors have been asked to support the "mission and tradition of Jesuit High School" by
21 making charitable contributions to "support the education of Jesuit students as *Men for Others*,"
22 assuring donors that their "gift will change a young man's life forever." The school's consistent
23 practice of incorporating the all-boys mission into its fundraising materials has not changed. Take
24 one example from the Summer 2025 issue of *Jesuit Magazine*:

25 When you include Jesuit High School in your estate plan, your generosity helps form
26 students into *Men for Others* and gives them a *foundation for life*, allowing us to
27 continue educating young men in the Jesuit tradition—focusing on academic
28

1 excellence, justice, leadership, and service, while nurturing the whole person and
2 cultivating a compassionate, mission-driven school community.

3 37. The school raised nearly \$4.7 million in the 2023-2024 fiscal year and over \$4.2
4 million in the 2024-2025 fiscal year. All in, the school had nearly \$75 million in net assets heading
5 into the 2025-2026 academic year.

6 38. Not once in its donor solicitations or fundraising communications did Jesuit High
7 School disclose that its leadership was planning to radically change the nature of the school. Donors
8 wrote millions in checks with the intent and understanding that they were supporting Jesuit High
9 School's commitment to its "original mission" as an all-boys school.

10 39. At 6:00 p.m. on Saturday, October 4, 2025, President Alling sent an e-mail to the
11 Jesuit High School community titled "*Reflection from Our President on this Historic Moment.*" For
12 the first time, the community learned that the Board had not only been secretly revisiting the school's
13 single-sex model—it had already decided to abandon it, effective 2027, before the current freshmen
14 and sophomores would graduate:

15 The Trustees have charted a bold direction, deciding that in the fall of 2027, Jesuit
16 will offer the opportunity for young women in Sacramento to experience a Jesuit
17 education in a unique co-divisional education model—one school with two divisions.
18 This model offers a single-sex classroom experience while providing opportunities
19 for boys and girls to engage socially, spiritually, and in co-curricular activities on the
20 Jacob Lane campus.

21 40. This was a bombshell. Just three years earlier, the Jesuit High School community had
22 been assured that the school remained committed to its all-boys mission. It was a betrayal for those
23 donors who had contributed to the school based on the understanding that their gifts would support
24 the formation of young men as *Men for Others*.

25 41. The disappointment was felt most acutely by those parents whose sons entered in the
26 fall of 2024 and 2025 based on the school's identity as a single-sex institution: these young men
27 applied to, were admitted by, and began attending an all-boys school. More than a month into the
28 academic year, they learned that the brotherhood they were promised would soon cease to exist.

42. Subsequent developments were even less encouraging. Alling's e-mail and the press release that followed provided few details to justify the sudden and drastic change of course. When pressed, President Alling and the Board insisted that the move to a coeducational model was compelled by long-term financial pressures and demographic shifts. And yet when a group of alumni quickly amassed \$10 million in pledges to preserve Jesuit's all-boys identity, they were rebuffed. When that same group offered to fund a \$100,000 feasibility study to evaluate whether the transition was truly necessary—or whether alternatives existed—that proposal was rejected, too. And when concerned parents spoke out publicly against the move and asked that the transition be delayed until 2029 so that current students could complete their education in a single-sex environment, they were rebuked and their sons were threatened with disciplinary action.

43. The decision also came as a surprise to the members of the Board of Trustees who had departed only a few months earlier—and who had supported the Board’s 2022 reaffirmation of its commitment to maintaining Jesuit as an all-boys school. Rather than bring the transition plans to the full Board during the 2024-2025 term, President Alling and his allies concealed their work, engineering their preferred result by springing the proposal on the newly constituted board at its first meeting. The plan was adopted based on slipshod justifications, with little analysis, and with no community involvement. This was not the product of genuine, deliberate discernment that is meant to guide decisions of this magnitude.

44. For over 60 years, the Jesuit High School community has sacrificed and given in service of a singular mission: the formation of young men into Men for Others. That mission was the core of the school's identity. President Alling and the Board of Trustees were entrusted to protect that mission. Their decision to cast it aside gives rise to the claims set forth below.

FIRST CAUSE OF ACTION

Breach of Fiduciary Duty

(Duty of Obedience; Duty of Loyalty)

45. Plaintiff incorporates here by reference paragraphs 1 through 44, *supra*, as if fully set forth herein.

46. Plaintiff's members include former members of the Board of Trustees. Plaintiff

1 brings this cause of action as the representative of those Board members and asserts a derivative
2 claim on behalf of Jesuit High School of Sacramento. Plaintiff has not made a demand on the Board
3 of Trustees to bring this action because such a demand would be futile because the Board itself
4 approved the conduct that is being challenged.

5 47. President Alling and the Board of Trustees owe fiduciary duties to Jesuit High School
6 of Sacramento, which above all else require them to carry out the school's mission and administer
7 its affairs solely to further its purpose. The duty of loyalty is the "most stringent duty imposed by
8 the law of trusts." *O'Neal v. Stanislaus Cnty. Emps' Ret. Ass'n*, 8 Cal. App. 5th 1184, 1209 (2017).
9 Part and parcel of the duty of loyalty is the duty of obedience, which requires the Board of Trustees
10 to "be faithful to the purposes and goals of" Jesuit High School and "to ensure that [its] mission ...
11 is carried out." *Manhattan Eye, Ear & Throat Hosp. v. Spitzer*, 186 Misc. 2d 126, 152 (N.Y. Sup.
12 Ct. 1999); see Fishman, *Improving Charitable Accountability*, 62 Md. L. Rev. 218, 237 (2003)
13 (nonprofit directors must "abide by the organization's purposes" and "may not deviate in any
14 substantial way from the duty to fulfill the particular purposes for which the organization was
15 created"). "Any action that poses a palpable and identifiable threat" to the school's goals is "ultra
16 vires." *Oberly v. Kirby*, 592 A.2d 445, 462 (Del. 1991). To that end, the California Supreme Court
17 has long recognized that it is a breach of trust for a nonprofit to "abandon[] [or] repudiat[e]" its
18 charitable purpose. *Holt v. Coll. of Osteopathic Physicians & Surgeons*, 61 Cal. 2d 750, 757–60
19 (1964).

20 48. As detailed above, Jesuit High School was established as an all-boys institution
21 dedicated to forming competent young men into conscientious leaders in compassionate service to
22 others for the greater glory of God. The mission and purpose of Jesuit High School of Sacramento
23 is to operate a Roman Catholic college preparatory high school consistent with the principles and
24 ideals of the Society of Jesus. Consistent with this mission and purpose, Jesuit High School of
25 Sacramento operated the school under the guiding principle of "*Men For Others*" from its inception
26 until October 2025, when the Board of Trustees approved of the plan to transition to a coeducation
27 model.

28 49. By abandoning the single-gender educational model that served as Jesuit High

1 School's cornerstone for over six decades, President Alling and the Board fundamentally deviated
2 from the school's foundational mission. This decision breached the duty of obedience and exceeded
3 the Board of Trustees' authority.

4 50. Moreover, President Alling—and, perhaps, other members of the Board—breached
5 his fiduciary duty by deliberately concealing material information from board members he knew to
6 oppose moving Jesuit High School to a coeducational model. The duty of loyalty required Alling to
7 deal honestly and in good faith with his fellow board members; this meant disclosing critical facts
8 bearing on the school's operation and mission to the full board, not just to those he could count on
9 for their full-throated support. That obligation was particularly acute here: If the demographic and
10 economic concerns that purportedly justified moving the school away from its single-sex model
11 were as serious as Alling and the Board later asserted, there could hardly be a more serious
12 operational issue facing the school. And yet Alling and his allies ensured that their work plotting the
13 coed transition did not reach the full board until the time was right.

14 51. Several board members who had participated in and supported the Board's 2022
15 reaffirmation of the school's all-boys mission were scheduled to term out of service at the end of
16 June 2025. Rather than bring the transition plans to the full Board while those members remained
17 seated, Alling's cohort held matters close until the departing members had been replaced. The
18 proposal was then presented to the newly constituted 2025-2026 Board at its first meeting. The duty
19 of loyalty demanded that these plans be disclosed when they were developed, not kept secret and
20 then sprung on the Board to enact Alling's preferred policy once those who would have protected
21 Jesuit's mission were out the door.

22 52. Jesuit High School of Sacramento has been harmed by Defendants' breach in a
23 manner and in an amount to be established at trial.

24 53. The Court should enjoin the Board's ultra vires act and issue appropriate relief to
25 remedy the breach of fiduciary duty.

1 **SECOND CAUSE OF ACTION**

2 **Declaratory Relief**

3 **(Code Civ. Proc. § 1060)**

4 54. Plaintiff incorporates here by reference paragraphs 1 through 44, *supra*, as if fully set
5 forth herein.

6 55. An actual and judicially cognizable controversy exists between Plaintiff and
7 Defendants regarding whether the Board of Trustees was required to seek judicial approval before
8 altering Jesuit High School of Sacramento's mission pursuant to the court's cy pres power.

9 56. If the Board of Trustees believed that altering the mission was necessary for Jesuit
10 High School's survival, it was required to seek judicial approval for such a change. To obtain such
11 approval, the Board must establish that continuing to operate as an all-boys school had become
12 *impossible*. See *In re Loring's Est.*, 29 Cal. 2d 423, 435–37 (1946); Chester, et al., *Bogert's The Law*
13 *of Trusts and Trustees* § 439 (May 2026). The simple belief that it was better, more desirable, or
14 more financially advantageous to move to a coeducational model does not suffice to justify deviating
15 from the school's long-established mission.

16 57. In failing to seek court approval before abandoning the school's mission, Defendants
17 exceeded their authority, committed a breach of trust, and caused charitable assets to be applied to
18 purposes other than those for which they were contributed.

19 58. If the Court were to sanction a deviation from the organization's mission, donors who
20 contributed funds with the intent and understanding that their gifts would support Jesuit High School
21 as an all-boys institution must be given the opportunity to redirect or recover those contributions.

22 59. The Court should issue declaratory relief (1) confirming that the Board of Trustees
23 was required to seek judicial approval before altering Jesuit High School of Sacramento's mission;
24 (2) declaring that the Board of Trustees' purported decision to alter Jesuit High School of
25 Sacramento is void because of its failure to seek judicial approval.

26 **THIRD CAUSE OF ACTION**

27 **(Fraud)**

28 60. Plaintiff incorporates here by reference paragraphs 1 through 44, *supra*, as if fully set

forth herein.

61. Plaintiff's members include parents and donors who have suffered direct and substantial harm based on the Board of Trustees' decision to abandon the school's mission and transition to a coeducational model. While continuing to market itself as an all-boys Jesuit institution and to solicit enrollment and financial support on that basis, the Jesuit High School failed to disclose material facts concerning its plans to transition to a coeducational model. Parents and donors were therefore deprived of information necessary to make informed enrollment and contribution decisions. Plaintiff brings a class action claim for fraud, as follows:

Parents (Classes of 2028 and 2029)

62. Plaintiff brings this claim on behalf of its members and all others similarly situated who:

- Are parents of students in the Class of 2028 who entered Jesuit High School as freshmen in the fall of 2024; or
- Are parents of students in the Class of 2029 who entered Jesuit High School as freshmen in the fall of 2025; and
- Relied on the school's representations that it was an all-boys institution; and
- Would not have enrolled their children at the Jesuit High School but for the school's representations and its operation as an all-boys institution.

63. Jesuit High School made these representations in many ways, including: in application materials representing that the school was an all-boys institution; through acceptance letters, admissions materials, and enrollment paperwork reiterating that the School was an all-boys institution; and in the Student-Parent Handbook and other materials governing the relationship between Jesuit High School, students, and parents, all of which represented that the school was an all-boys institution.

64. Jesuit High School knew these representations were false. Indeed, at the very same time Jesuit High School was making these representations, it concealed from prospective and current parents that the school's leadership was actively considering, planning, and pursuing a transition

1 from an all-boys institution to a coeducational model. Had Jesuit High School disclosed those plans,
2 Plaintiff's members and similarly situated parents would not have enrolled their sons at the school.

3 **Donors (July 1, 2023 Through October 4, 2025)**

4 65. Plaintiff brings this claim on behalf of its members and all others similarly situated
5 who contributed funds to the Jesuit High School from the beginning of Chris Alling's tenure as
6 President (July 1, 2023) through October 4, 2025 and who:

- 7 • Contributed funds in reliance on the Jesuit High School's representations that it was,
8 and would continue to operate as, an all-boys institution;
- 9 • Reasonably understood their contributions to support the continuation of the school's
10 mission and operation as an all-boys institution dedicated to the education and
11 formation of young men; and
- 12 • Would not have contributed those funds but for the school's representations and its
13 operation as an all-boys institution.

14 66. Jesuit High School made these representations through its public statements,
15 fundraising materials, donor communications, admissions materials, handbooks, websites,
16 promotional materials, and other publications representing that the school was an all-boys institution
17 dedicated to the education and formation of young men.

18 67. Jesuit High School knew these representations were false. Indeed, at the very same
19 time Jesuit High School was soliciting and accepting these contributions, it concealed from donors
20 that its leadership was actively considering, planning, and pursuing a transition from an all-boys
21 institution to a coeducational model. Had the School disclosed those plans, Plaintiff's members and
22 similarly situated donors would not have made the contributions described herein.

23 * * *

24 68. The specific facts surrounding Jesuit High School's concealment are peculiarly
25 within the school's knowledge and only available to Plaintiff through reasonable discovery.

26 69. As a result of Jesuit High School's concealment and suppression of fact, Plaintiffs'
27 members have suffered damages in an amount to be proven at trial.

1 70. A class action is appropriate because there is an ascertainable class and a well-defined
2 community of interest among the class members. Specifically:

3 a. **Numerosity:** The proposed Plaintiff class is so numerous that the individual joinder
4 of all members is impracticable. Plaintiff is informed and believes that there are hundreds of Jesuit
5 High School parents and donors that fall within the proposed class definition and who were subjected
6 to the unlawful conduct outlined above.

7 b. **Typicality:** Plaintiff's members' claims are co-extensive with the other class
8 members. Their claims arise from similar unlawful conduct by Jesuit High School and implicate the
9 same legal theories, and Plaintiff's members have suffered the same or similar injuries as the other
10 class members.

11 c. **Adequacy:** Plaintiff will fairly and adequately protect the interests of each class
12 member. Plaintiff has no interest that is adverse to the other class members. Plaintiff's attorneys, the
13 proposed class counsel, are versed in the rules governing class action discovery, certification, and
14 settlement.

15 d. **Superiority:** A class action is superior to other available methods for the fair and
16 efficient adjudication of this litigation. Class-action treatment will permit a larger number of
17 similarly situated persons to prosecute their common claims in a single forum simultaneously,
18 without the unnecessary duplication of effort and expense that numerous individual actions would
19 engender. And because damages suffered by each individual member of the class may be relatively
20 small, the burden of individual litigation would make it difficult or impossible for individual
21 members of the class to secure redress.

22 e. **Commonality and Predominance:** Common questions of law and fact exist as to all
23 class members and predominate over any questions affecting only individual members. These
24 common questions include: whether Jesuit High School represented to parents, students, and donors
25 that it was and would remain an all-boys institution; whether those representations were false or
26 misleading at the time they were made; whether Jesuit High School concealed its plans to transition
27 to a coeducational model; when Jesuit High School's leadership first began considering, planning,
28

1 or pursuing that transition; and whether class members' reliance on those representations was
2 reasonable.

3 **FOURTH CAUSE OF ACTION**

4 **(Negligent Misrepresentation)**

5 71. Plaintiff incorporates here by reference paragraphs 1 through 44, *supra*, as if fully set
6 forth herein.

7 72. Plaintiff's members include parents and donors who have suffered direct and
8 substantial harm based on the Board of Trustees' decision to abandon the school's mission and
9 transition to a coeducational model. While continuing to market itself as an all-boys Jesuit institution
10 and to solicit enrollment and financial support on that basis, Jesuit High School made negligent
11 misrepresentations concerning the school's continued operation as a single-sex institution. Plaintiff
12 brings a class action claim for negligent misrepresentation, as follows:

13 **Parents (Classes of 2028 and 2029)**

14 73. Plaintiff brings this claim on behalf of its members and all others similarly situated
15 who:

- 16 • Are parents of students in the Class of 2028 who entered Jesuit High School as
17 freshmen in the fall of 2024; or
- 18 • Are parents of students in the Class of 2029 who entered Jesuit High School as
19 freshmen in the fall of 2025; and
- 20 • Relied on the school's representations that it was an all-boys institution; and
- 21 • Would not have enrolled their children at the Jesuit High School but for the school's
22 representations and its operation as an all-boys institution.

23 74. Jesuit High School made these representations in many ways, including: in
24 application materials representing that the school was an all-boys institution; through acceptance
25 letters, admissions materials, and enrollment paperwork reiterating that the School was an all-boys
26 institution; and in the Student-Parent Handbook and other materials governing the relationship
27 between Jesuit High School, students, and parents, all of which represented that the school was an
28 all-boys institution.

1 75. When these representations were made, Jesuit High School lacked a reasonable basis
2 to believe that the school would, in fact, remain an all-boys institution. Indeed, at the very same time
3 Jesuit High School was making these representations, the school's leadership was actively
4 considering, planning, and pursuing a transition from an all-boys institution to a coeducational
5 model.

6 76. Plaintiff's members and similarly situated parents relied on those representations to
7 their detriment. Had they known the truth, they would not have enrolled their sons at the school.

8 **Donors (July 1, 2023 Through October 4, 2025)**

9 77. Plaintiff brings this claim on behalf of its members and all others similarly situated
10 who contributed funds to the Jesuit High School from the beginning of Chris Alling's tenure as
11 President (July 1, 2023) through October 4, 2025 and who:

- 12 • Contributed funds in reliance on the Jesuit High School's representations that it was,
13 and would continue to operate as, an all-boys institution;
- 14 • Reasonably understood their contributions to support the continuation of the school's
15 mission and operation as an all-boys institution dedicated to the education and
16 formation of young men; and
- 17 • Would not have contributed those funds but for the school's representations and its
18 operation as an all-boys institution.

19 78. Jesuit High School made these representations through its public statements,
20 fundraising materials, donor communications, admissions materials, handbooks, websites,
21 promotional materials, and other publications representing that the school was an all-boys institution
22 dedicated to the education and formation of young men.

23 79. When these representations were made, Jesuit High School lacked a reasonable basis
24 to believe that the school would, in fact, remain an all-boys institution. Indeed, at the very same time
25 Jesuit High School was soliciting and accepting these contributions, it concealed from donors that
26 its leadership was actively considering, planning, and pursuing a transition from an all-boys
27 institution to a coeducational model.

80. Plaintiff's members and similarly situated donors relied on those representations to their detriment and contributed funds with the intent and understanding that their gifts would support Jesuit High School as an all-boys institution. Had they known the truth, they would not have made those contributions.

* * *

81. The specific facts surrounding Jesuit High School's planning and decision-making process are peculiarly within the school's knowledge and only available to Plaintiff through reasonable discovery.

82. As a result of Jesuit High School's negligent misrepresentations, Plaintiffs' members have suffered damages in an amount to be proven at trial.

83. A class action is appropriate because there is an ascertainable class and a well-defined community of interest among the class members. Specifically:

a. **Numerosity:** The proposed Plaintiff class is so numerous that the individual joinder of all members is impracticable. Plaintiff is informed and believes that there are hundreds of Jesuit High School parents and donors that fall within the proposed class definition and who were subjected to the unlawful conduct outlined above.

b. **Typicality:** Plaintiff's members' claims are co-extensive with the other class members. Their claims arise from similar unlawful conduct by Jesuit High School and implicate the same legal theories, and Plaintiff's members have suffered the same or similar injuries as the other class members.

c. **Adequacy:** Plaintiff will fairly and adequately protect the interests of each class member. Plaintiff has no interest that is adverse to the other class members. Plaintiff's attorneys, the proposed class counsel, are versed in the rules governing class action discovery, certification, and settlement.

d. **Superiority:** A class action is superior to other available methods for the fair and efficient adjudication of this litigation. Class-action treatment will permit a larger number of similarly situated persons to prosecute their common claims in a single forum simultaneously, without the unnecessary duplication of effort and expense that numerous individual actions would

engender. And because damages suffered by each individual member of the class may be relatively small, the burden of individual litigation would make it difficult or impossible for individual members of the class to secure redress.

e. **Commonality and Predominance:** Common questions of law and fact exist as to all class members and predominate over any questions affecting only individual members. These common questions include: whether Jesuit High School represented to parents, students, and donors that it was and would remain an all-boys institution; whether Jesuit High School had a reasonable basis to believe those representations were accurate at the time they were made; when Jesuit High School's leadership first began considering, planning, or pursuing a transition to a coeducational model; and whether class members' reliance on those representations was reasonable.

RELIEF REQUESTED

Wherefore, Plaintiff prays that the Court:

1. Declare and find that Defendants Alling and the Jesuit High School of Sacramento Board of Trustees have breached their fiduciary duty of obedience.
2. Declare and find that Defendants Alling and the Jesuit High School of Sacramento Board of Trustees have breached their fiduciary duty of loyalty.
3. Issue a declaratory judgment (1) confirming that the Board of Trustees was required to seek judicial approval before altering Jesuit High School of Sacramento's mission pursuant to the court's cy pres power; (2) declaring that the Board of Trustees purported decision to alter Jesuit High School of Sacramento is void because of its failure to seek judicial approval.
4. Issue an order certifying a class action under causes of action three (fraud) and four (negligent misrepresentation) and appointing Plaintiff and its counsel to represent the class.
5. Award compensatory damages in an amount to be determined at trial.
6. Issue injunctive relief as the Court may deem proper.
7. Award costs of suit, including reasonable attorney's fees available under applicable law.
8. Issue any other appropriate relief.

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JURY TRIAL DEMAND

Plaintiff demands a trial by jury of all issues so triable of right.

Dated: July 17, 2026

By Ulises Pizano-Diaz
Ulises Pizano-Diaz (Jul 17, 2026 11:44:58 PDT)
ULISES PIZANO-DIAZ
Attorneys for Plaintiff

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I, James C. Bowman, Jr, declare as follows:

I am a member of MEN FOR OTHERS, the Plaintiff in the above-entitled action, and I am authorized to make this verification on its behalf. I have read the foregoing **VERIFIED COMPLAINT FOR DECLARATORY, INJUNCTIVE, AND OTHER RELIEF** and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on Jul 17, 2026, 2026, at Carmichael, California.


James C. Bowman, Jr. (Jul 17, 2026 11:49:24 PDT)

JAMES C. BOWMAN, JR