

LAFFEY, BUCCI & KENT LLP

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Attorneys for Plaintiff

JOHN DOE	:	SUPERIOR COURT OF NEW JERSEY
C/O Laffey, Bucci & Kent	:	LAW DIVISION
371 Hoes Ln #200	:	MIDDLESEX COUNTY
Piscataway, New Jersey 08854	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	DOCKET NO.:
v.	:	
	:	
DIOCESE OF METUCHEN	:	COMPLAINT AND JURY DEMAND
146 METLARS LANE	:	
PISCATAWAY, NEW JERSEY 08854	:	
	:	
and	:	
	:	
ABC CORPORATIONS, ONE	:	
THROUGH TEN	:	
(said Names Being Fictitious)	:	
	:	
and	:	
	:	
JOHN DOE, ONE	:	
THROUGH TEN	:	
(said Names Being Fictitious)	:	
	:	
Defendants.	:	

CIVIL ACTION COMPLAINT AND JURY DEMAND

Plaintiff, John Doe, by and through his undersigned counsel, Laffey, Bucci & Kent, hereby files this Complaint, and complains of the above captioned defendants as follows:

PARTIES AND VENUE

1. Plaintiff John Doe is a resident of the state of New York. Because the claims involved in this Civil Action Complaint involve sexual abuse of John Doe at a time when he was a minor, his identity is being redacted from the instant complaint. John Doe can be served and otherwise reached through his counsel of record Laffey, Bucci & Kent, 371 Hoes Ln #200, Piscataway, New Jersey 08854.

2. At all times relevant hereto, upon information and belief, Defendant Diocese of Metuchen ("Diocese") was and continues to be a Roman Catholic organization and a non-profit religious corporation authorized to conduct business, and conducting business, in the state of New Jersey with its principal place of business located at 146 Metlars Lane, Piscataway, New Jersey 08854.

3. In 1975 Michael Santillo was ordained as a Priest in the Defendant Diocese. Santillo remained in ministry until 1992 when he voluntarily resigned from the priesthood.

4. Upon information and belief, Santillo was a servant or agent of Defendant Diocese from 1975 until 1992, working therein as an ordained priest, and acting within the scope of his aforementioned legal relationship with the Diocese. Accordingly, the Diocese is liable vicariously and derivatively for the acts of Santillo under theories of respondeat superior master-servant, agency, and/or right of control.

5. At all times relevant hereto, the Diocese was acting by and through its employees, servants, and agents, in the operation of the Diocese of Metuchen, St. John Vianney Parish, and St. Mary's Parish, and the hiring, admitting, assigning, retaining, and supervising of seminarians, deacons, and priests. Accordingly, the Diocese is liable vicariously and derivatively for the negligent acts and omissions of these employees, servants, and agents while engaged in the

operation of Diocese of Metuchen, St. John Vianney Parish, and St. Mary's Parish, and the hiring, admitting, assigning, retaining, and supervising of seminarians, deacons, and priests, including Santillo, under theories of respondeat superior, master-servant, agency, and/or right of control.

6. Defendants named in the above caption as John Doe, One through Ten [said names being fictitious, and hereinafter referred to as "John Doe"], were, at all relevant times, employees and/or agents of the Defendant Diocese involved in the operation of Diocese of Metuchen, St. John Vianney Parish, and St. Mary's Parish, and the hiring, admitting, assigning, retaining, and supervising of seminarians, deacons, and priests, including Santillo. The identification of these individuals is not known by the plaintiff at this time in the absence of discovery. Plaintiff reserves the right to substitute the name(s) for those agents designated as John Doe when and if such information becomes available.

7. Defendants ABC Corporations, One through Ten [said names being fictitious, and hereinafter referred to as "ABC"] are incorporated associations, corporations, or other jural entities that employed the defendants at all relevant times. These corporations or other jural entities are vicariously and derivatively liable for the negligent conduct of the aforementioned defendants under the theories of respondeat superior, master-servant, agency, and/or right of control.

8. At all relevant times, all defendants in this action were acting by and through themselves in their individual capacities, and/or additionally by and through their actual and/or ostensible agents, servants, employees, which included entities and/or individuals over whom they had control or right of control.

9. Venue is properly laid in the Superior Court of Middlesex County, New Jersey pursuant to R. 4:3-2(a) and (b).

FACTS GIVING RISE TO THE ACTION

10. At the time of Santillo's ordination in the Diocese, Santillo had pedophilic tendencies and posed a risk to the safety of children.

11. Defendant Diocese knew or should have known before 1975 that the priesthood and the seminary attracted men with pedophile tendencies and who posed a risk to the safety of children. With such knowledge, Defendant Diocese should have implemented reasonable screening of applicants to the seminary and priesthood to determine if they posed a safety risk to children.

12. At the time of Santillo's application and admission to the Seminary and admission as a Priest in the Defendant Diocese, Defendant Diocese knew or should have known to exercise reasonable care and screening that Santillo had pedophile tendencies and posed a risk to the safety of children.

13. John Doe was born on July 20, 1970.

14. John Doe was raised in a devout Roman Catholic family. He was raised in St. John Vianney Parish in Colonia, New Jersey. He also attended the grade school associated with St. John Vianney Parish.

15. John Doe's father passed away when John Doe was twelve (12) years old.

16. John Doe first became an altar boy in 5th grade. He first interacted with Santillo in approximately 1983 while serving as an altar boy. Eventually, John Doe's mother encouraged him to seek Santillo out more frequently given the passing of John Doe's father. John Doe's mother believed that John Doe would benefit from Santillo's influence. Santillo would soon ingratiate himself into John Doe's family.

17. At the beginning of their time together, Santillo would take John Doe on outings and to various activities including the movies. Santillo would drive John Doe in his car to the

various activities. In approximately 1984, John Doe graduated from St. John Vianney and began attending St. Joseph's High School, another educational institution within the Defendant Diocese.

18. Santillo maintained contact with John Doe even after John Doe graduated from St. John Vianney and began attending St. Joseph's High School. Further, when Santillo was transferred from St. John Vianney to St. Mary's in Perth Amboy, another parish within the Defendant Diocese that has an associated grade school, Santillo still maintained contact with John Doe. Santillo was transferred to St. Mary's in 1985 and remained there until 1989.

19. When John Doe was a freshman, Santillo took him and another young boy on a trip to New York City. Santillo secured a room in a hotel near the United Nations. While inside this hotel room Santillo gave John Doe and the other boy pornographic magazines to look at and Santillo encouraged both boys to view the materials. Santillo talked to the boys about masturbation. As John Doe was looking at the magazine Santillo had given him, Santillo walked up behind John Doe and pressed himself against John Doe's back. Santillo began rubbing himself, including the area of his genitals, against John Doe. This made John Doe extremely uncomfortable but when Santillo stopped John Doe did not say anything.

20. After this trip to New York Santillo continued to have contact with John Doe. This included a trip that Santillo paid for John Doe and a friend of John Doe to take to Florida. Santillo's parents lived in Florida. Santillo paid for John Doe and his friend to travel with him to Florida and stay at a resort.

21. In approximately 1985 or 1986 John Doe was fifteen (15) or sixteen (16) years old and a student at St. Joseph's High School. Santillo again arranged a trip with John Doe to New York City. When Santillo first arrived to New York City with John Doe they went out to dinner. Santillo then brought John Doe back to a hotel.

22. While in the hotel room Santillo provided John Doe alcohol to drink. Santillo then showed John Doe a deck of cards and told John Doe they were going to play “strip poker.” During the course of the game Santillo made several sexual advances toward John Doe.

23. At one point John Doe needed to use the restroom. Santillo followed him into the bathroom and watched John Doe urinate. When John Doe was finished urinating Santillo insisted that John Doe allow him to wipe his penis with a tissue. Santillo did so and began fondling John Doe’s penis.

24. Santillo also encouraged John Doe to call a phone service and engage in phone sex. John Doe did in fact make such a call from the hotel room. As this occurred Santillo fondled John Doe. After fondling John Doe, Santillo continued to sexually abuse him by performing oral sex on John Doe. The next day Santillo apologized for his behavior and suggested that he had consumed too much alcohol.

25. John Doe was forced to see Santillo after Santillo sexually abused him including when John Doe went to Santillo’s parish in Perth Amboy for a service project. John Doe stayed overnight at the rectory at St. Mary’s in a separate room from Santillo. When John Doe entered the room he observed that Santillo had left pornographic materials for John Doe to view. Prior to John Doe leaving St. Mary’s after the conclusion of the service project Santillo confronted John Doe and asked him if he remembered what had occurred in New York City.

26. Other occasions when John Doe was forced to see Santillo include when Santillo was invited to the funeral for John Doe’s grandmother and when Santillo was invited to John Doe’s home by John Doe’s mother.

27. Santillo’s sexual misconduct with minors was known to the Diocese. Santillo has been repeatedly accused of sexually abusing young boys by using his positions with the Diocese

over the course of his tenure as a priest in active ministry. The Diocese repeatedly concealed its knowledge of credible accusations of sexual abuse against Santillo and instead of removing him from ministry, engaged in a pattern of investigating Santillo's accusers in attempts to discredit them both privately and, when necessary to protect the Diocese, publicly.

28. As a direct and proximate result of the sexual abuse by Santillo, Plaintiff suffered physical and emotional injuries, as more fully set forth in this Complaint. As a result of the abuse by Santillo, John Doe was severely mentally, psychologically, and emotionally damaged. John Doe sustained severe psychological and emotional distress, including symptoms of post-traumatic stress disorder, manifested by physical ailments and complaints, including, but not limited to, sleeplessness, and loss of appetite. John Doe repeatedly thought about suicide and lived in fear of Santillo given his position in the church, community, and John Doe's own family.

29. John Doe has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life, and has suffered and continues to suffer spiritually. The significant emotional and psychological injuries sustained by Plaintiff dramatically transformed his personality.

30. Throughout his life since the abuse, John Doe has struggled with anger and rage problems, decreased frustration tolerance, inability to maintain healthy relationships, and symptoms of post-traumatic stress disorder. As a result of these problems John Doe has suffered extreme difficulty in interpersonal relationships, among other problems. John Doe has also suffered as a result of feeling the need to keep the abuse by Santillo a secret given the way he believes his mother was involved in recommending to John Doe that he seek Santillo's company.

31. Defendant Diocese through its agents knew or should have known in the exercise

of reasonable care and supervision that Santillo was engaging in the abuse of John Doe described above and intervened to either prevent the abuse, prevent his access to children, or terminate him from the ministry.

32. All of the above physical, psychological, and emotional injuries were proximately caused by the negligence, carelessness, recklessness, and other tortious and outrageous conduct of Defendant Diocese as set forth in this Complaint. John Doe's injuries were caused solely by the negligence of Defendant Diocese, as set forth more fully herein, and were not caused or contributed thereto by any negligence on the part of John Doe.

Defendants Violated the Duties Imposed Upon Them by Law

33. At all times relevant hereto, Defendant Diocese operated multiple parishes and schools in Middlesex County, New Jersey and its surrounding counties.

34. The parishes and schools included elementary schools, with a student population of pre-teen children. Students in these schools and parishes, including John Doe, had interactions with clergy, and were taught to respect and listen to the clergy and follow and obey their commands.

35. The Diocese owed a duty to the children left in its custody and control, including John Doe herein, to provide a reasonably safe environment for them, to ensure their safety, and to provide reasonably necessary supervision and oversight for their safety and welfare.

36. The Diocese occupied a special relationship to the children left in its custody and control, including Plaintiff herein, and owed to them the highest duty of care to ensure their safety and well-being.

37. The Diocese occupied a position of *in loco parentis*, and were under a duty to

protect John Doe, and to provide him with safety and supervision akin to that which would have been provided by his own parents.

38. As set forth in this Complaint, the Diocese failed to fulfill its legal duty to provide a reasonably safe environment for the children left in its custody, care, and/or control.

39. The Diocese had a duty to take reasonable steps to ensure that priests in their parishes were psychologically fit to supervise, instruct, and mentor the children in the parishes.

40. As set forth in this Complaint, the Diocese failed to fulfill its legal duty to ensure that priests in their parishes were psychologically fit to supervise, instruct, and mentor the children.

41. To the contrary, the Diocese assigned to positions within the clergy individuals who it knew, and/or had reason to know, were pedophiles, child molesters, sexual predators, and mentally-ill.

42. These assignments were neither infrequent nor unusual. As recognized by numerous criminal investigations by Grand Juries empaneled to uncover sexual abuse within the Catholic Church, it has been learned that priests serving in the Archdioceses and Dioceses across the country have been accused of sexually abusing hundreds of adolescents and younger children, and that, with rare exceptions, the Archdioceses and Dioceses did not report these accusations to police or to other public authorities, including, but not limited to, allegations/suspicious pertaining to Santillo. Furthermore, numerous Catholic Archdioceses and Dioceses including Defendant Archdiocese, have released lists of clergy and lay employees who have been credibly accused of sexually abusing children. While there is no doubt that these lists represent an incomplete accounting of what each Archdiocese or Diocese knows about abusive clergy or lay employees amongst its ranks, they nonetheless represent an admission that the particular Archdiocese or Diocese knew or should have known about the epidemic of predator priests. Indeed in many

instances the lists demonstrate that the Archdiocese not only knew about abuse but actively worked to cover it up. Santillo is present on the list released by the Defendant Diocese.

43. As a result of these and other criminal investigations into Catholic Diocese across the United States, it has also been learned that predator priests transported children across state lines, including to and from the state of New York, in order to abuse children. That predator priests would take children from their home state into other states, including New York, in order to sexually abuse them, was well known to the Defendant Diocese and other Catholic Dioceses.

44. The leaders of Defendant Diocese, regularly, routinely, and/or frequently assigned, re-assigned, or transferred priests who had been credibly accused of molesting children to new assignments where they retained access to, and control over, children.

45. As a result of Defendant's negligent, careless, reckless, and intentional acts and omissions, countless children, including John Doe, were sexually abused by depraved predators and molesters, who exploited their position in the clergy and dishonored the Catholic Church as they defiled innocent children.

46. As set forth in this Complaint, Defendant Diocese failed to take reasonable steps to ensure that priests at Diocesan churches were psychologically fit to supervise, instruct, and mentor students in the Diocese's schools. As a direct result of Defendant's tortious acts and omissions, John Doe suffered the injuries set forth in this Complaint.

47. In fact, Defendant knowingly permitted the Diocese to employ, retain, and assign priests who they knew, and/or had reason to know, were psychologically unfit to supervise, instruct and mentor children. As a direct result of Defendants' acts, Plaintiff suffered the injuries set forth in this Complaint.

48. The Diocese employed, retained, and assigned clergy who it knew or should have

known were pedophiles, sexual predators, and/or mentally ill.

49. Defendant Diocese failed to take reasonable steps to ensure that teachers and clergy in Diocese schools and churches were psychologically fit to supervise, instruct, and mentor students in those schools. These failures included the following:

- a. Failure to investigate the backgrounds of teachers and clergy in the employ or service of the Diocese;
- b. Failure to prohibit, restrict, or limit the activities of teachers and clergy suspected of sexual abuse and/or those known to be sexual predators and abusers;
- c. Failure to reasonably and properly investigate allegations of sexual molestation and/or child abuse;
- d. Failure to properly train and instruct investigators;
- e. Failure to have in place standards of acceptable and unacceptable conduct;
- f. Failure to formulate, effectuate, and enforce policies to prevent and/or minimize the risk of sexual abuse of children by agents, servants, and/or employees of the Diocese;
- g. Failure to designate competent investigators to evaluate complaints of sexual abuse;
- h. Failure to have in place standards for reporting acts of sexual misconduct to law enforcement authorities; and
- i. Failure to have in place standards for reporting acts of sexual misconduct to public officials, parents, and/or parishioners.

50. The Diocese employed, retained, and assigned priests and other clergy whose services frequently placed them into close contact with children outside the presence of other adults.

51. The Diocese had a duty to take reasonable steps to ensure that the priests and other clergy whose duties placed them in close proximity to children were psychologically fit to perform those duties without jeopardizing the safety of the children.

52. The Diocese had a duty to take reasonable steps to ensure that priests did not sexually abuse children and/or travel with children to locations outside the geographic territory of the Diocese in order to sexually abuse them.

53. The Diocese had a duty to take reasonable steps to supervise the mentoring and

other interactions between its priests/teachers and the children left in their care and custody.

54. The Diocese failed to take reasonable steps to ensure that Santillo was psychologically fit to mentor and/or interact with children in Diocese parishes even after they knew and/or should have known of the dangers posed by Santillo. As a direct result of the Defendant's acts, John Doe suffered the injuries set forth in this Complaint.

55. In fact, the Diocese employed, retained, and assigned priests who it knew and/or had reason to know were psychologically unfit to supervise, instruct, and mentor children, including, but not limited to, Santillo.

56. The Diocese employed, retained, and assigned priests who it knew, or should have known, were pedophiles, sexual predators, and/or mentally ill, including, but not limited to, Santillo.

57. Defendant's wrongdoing, however, did not stop there. The Diocese employed deliberate strategies to conceal known abuse by priests and other persons in the employ or service of the Diocese. These strategies included the following:

- a. Conducting sham investigations which were designed to avoid establishing culpability of priests accused of sexual abuse;
- b. Failing to interview witnesses or persons who possessed, or may have possessed, information which might tend to establish the guilt of an accused priest;
- c. Routinely transferring priests suspected of sexual abuse, child abuse, molestation, or pedophilia to other parishes;
- d. Deliberately and aggressively investigating claimants who leveled allegations against priests rather than investigating the priests themselves;
- e. Purposefully failing to inform parishioners of the acts of sexual misconduct and/or allegations of same, despite circumstances which gave rise to a duty to disclose such information;
- f. Knowingly harboring priests from other dioceses who were suspected and/or accused of sexual misconduct;
- g. Purposefully refusing to notify law enforcement officials when there existed reasonable grounds to believe that a Diocesan priest or teacher had engaged in improper sexual conduct with children;
- h. Purposefully destroying record evidence of misconduct by priests or other

- Diocesan personnel;
- i. Publicly promising not to assign priests who had been diagnosed as pedophiles or ephebophiles, but then ensuring that Church-affiliated treatment centers would not diagnose priests as such;
- j. Purposefully withholding incriminating information from therapists so as to make it more difficult for priests to be diagnosed as pedophiles or ephebophiles; and
- k. Creating “limited ministries” for priests diagnosed as pedophiles, but failing to enforce the limitations supposedly imposed on such priests.

58. The Diocese outrageously employed these strategies knowing that they exposed children, including John Doe, to a significant risk of serious physical and psychological harm, including a significant risk of sexual abuse. The Diocese actions were willful, malicious, wanton, outrageous, abhorrent, abominable, revolting, vile, and unconscionable because Defendant Diocese was motivated by a desire to protect the Church at the expense of children who would foreseeably be sexually abused and raped.

COUNT I - NEGLIGENCE

Plaintiff John Doe v. Defendant Diocese of Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten

59. The previous paragraphs are incorporated herein by reference.

60. The recklessness, negligence and/or carelessness of Defendants Diocese of Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten, by and through their actual or apparent agents, servants, and/or employees, consisted of, among other things, the following:

- a. Recklessly, negligently and/or carelessly failing to observe and supervise the relationship between John Doe and Santillo;
- b. Recklessly, negligently and/or carelessly failing to have policies and procedures to require supervision and observation of the relationship between John Doe and Santillo;
- c. Recklessly, negligently and/or carelessly failing to recognize Santillo’s conduct described herein as creating a risk of sexual abuse of children;
- d. Recklessly, negligently and/or carelessly failing to have policies and procedures to require supervision and observation of John Doe and Santillo;
- e. Failing to investigate prior allegations against Santillo that involved sexual

- misconduct;
- f. Recklessly, negligently and/or carelessly failing to identify Santillo as a sexual abuser;
 - g. Recklessly, negligently and/or carelessly failing to investigate behavior of Santillo that put the Defendant on notice the Santillo was a potential pedophile;
 - h. Recklessly, negligently, and/or carelessly failing to identify Santillo's prior sexual abuse of children;
 - i. Recklessly, negligently and/or carelessly failing to investigate Santillo being alone with John Doe;
 - j. Recklessly, negligently and/or carelessly failing to investigate Santillo taking John Doe to the state of New York;
 - k. Recklessly, negligently and/or carelessly failing to adequately check Santillo's background, before ordaining him as a priest;
 - l. Recklessly, negligently and/or carelessly failing to have policies and procedures in place to screen priests for the possibility of being sexual predators;
 - m. Failure to use due care under the circumstances; and,
 - n. Conducting sham investigations which were designed to avoid establishing culpability of priests accused of sexual abuse;
 - o. Failing to interview witnesses or persons who may have possessed information which might tend to establish the guilt of an accused priest;
 - p. Routinely transferring priests suspected of sexual abuse, child abuse, molestation or pedophilia to other parishes;
 - q. Deliberately and aggressively investigating claimants who leveled allegations against priests rather than investigating the priests themselves;
 - r. Purposefully failing to inform parishioners of the acts of sexual misconduct and/or allegations of same, despite circumstances which gave rise to a duty to disclose such information;
 - s. Knowingly harboring priests from other dioceses who were suspected of sexual misconduct;
 - t. Purposefully refusing to notify law enforcement officials when there existed reasonable grounds to believe that an Diocese priest or teacher had engaged in improper sexual conduct with children;
 - u. Purposefully destroying record evidence of misconduct by priests or other Diocese personnel;
 - v. Publicly promising not to assign priests who have been diagnosed as pedophiles or ephebophiles, but then ensuring that Church-affiliated treatment centers would not diagnose priests as such;
 - w. Purposefully withholding incriminating information from therapists so as to make it more difficult for priests to be diagnosed as pedophiles or ephebophiles;
 - x. Creating "limited ministries" for priests diagnosed as pedophiles, but failing enforce the limitations supposedly imposed on such priests; and
 - y. Negligence as may be proven from facts now exclusively in the possession of Defendants, which may be ascertained after the filing of this Complaint.

WHEREFORE, Plaintiff John Doe, demands judgment against Defendants Diocese of

Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten, in an amount in excess of the local arbitration rules, exclusive of prejudgment interest, costs and damages for pre-judgment delay, and such other legal and equitable relief as the Court deems appropriate.

COUNT II - NEGLIGENT SUPERVISION

Plaintiff John Doe v. Defendants Diocese of Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten

61. The previous paragraphs are incorporated herein by reference.

62. Defendants Diocese of Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten, knew or should have known of the need to supervise seminarians and priests in the their relationships with young children.

63. Defendants Diocese of Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten, knew or should have known of the particular risk posed by Santillo based on, among other things, his history of sexually abusing children, and his behavior indicative of an intent to isolate, groom, and facilitate sexually abusing young boys.

64. The negligence and recklessness of Defendants Diocese of Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten, for the conduct of their actual or apparent agents, servants, and/or employees, in the supervision of Santillo consists of one or more of the following:

- a. Failing to use due care in supervising Santillo's relationship with John Doe; and,
- b. Failing to investigate and supervise the relationship between John Doe and Santillo in light of the fact that Santillo had been previously investigated for sexual misconduct; and
- c. Negligence as may be proven from facts now exclusively in the possession of Defendants, which may be ascertained after the filing of this Complaint.

WHEREFORE, Plaintiff John Doe, demands judgment against Defendants Diocese of Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten, in an amount

in excess of the local arbitration rules, exclusive of prejudgment interest, costs and damages for pre-judgment delay, and such other legal and equitable relief as the Court deems appropriate.

COUNT III - NEGLIGENT HIRING AND RETENTION
Plaintiff John Doe v. Defendants Diocese of Metuchen, John Doe, One through Ten,
and ABC Corporations, One through Ten

65. The previous paragraphs are incorporated herein by reference.

66. Defendants knew or should have known prior to the John Doe's abuse that John Doe and other young children in its church were vulnerable and potential victims of sexual abuse.

67. Defendants also knew or should have known that prior to John Doe's abuse that the access to vulnerable youths and the trust and authority placed in clergy makes the priesthood an enticing vocation to pedophiles and others seeking to abuse and exploit children.

68. Defendants owed a duty to exercise reasonable care in the selection and retention of seminarians and priests in the Defendant Diocese, and specifically a duty to be on high look out for possible pedophiles and others seeking to abuse and exploit children.

69. Defendants failed to exercise reasonable care in the selection of and retention of Santillo as a seminarian and later an ordained priest, by among other things, the following:

- a. Failing to conduct a thorough background check of Santillo;
- b. Failing to thoroughly and reasonably investigate Santillo's sexual history;
- c. Failing to learn of or investigate Santillo's history of sexual impropriety with young boys and his proclivity to sexual assault young boys;
- d. Failing to conduct a thorough interview with Santillo;
- e. Failing to investigate whether Santillo had any inappropriate sexual interest in young boys;
- f. Failing to use due care in the selection of Santillo as a seminarian and ordained parish priest ministering and rendering clerical services, and interacting with children; and,
- g. Failing to use due care in the retention of Santillo as a seminarian and ordained parish priest ministering and providing clerical service to young vulnerable children.

WHEREFORE, Plaintiff John Doe, demands judgment against Defendants Diocese of

Metuchen, John Doe, One through Ten, and ABC Corporations, One through Ten, in an amount in excess of the local arbitration rules, exclusive of prejudgment interest, costs and damages for pre-judgment delay, and such other legal and equitable relief as the Court deems appropriate.

LAFFEY, BUCCI & KENT, LLP

BY:

A handwritten signature in black ink, appearing to read "B. Kent", with a horizontal line extending to the right from the end of the signature.

BRIAN D. KENT
M. STEWART RYAN
Attorneys for Plaintiff, John Doe

DATED: December 2, 2019

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all issues.

**DEMAND FOR COMPLIANCE WITH
N.J. COURT RULES 1:5-1(a) AND 4:17-4(c)**

TAKE NOTICE that the undersigned attorney, counsel for Plaintiff, hereby demands, pursuant to the provisions of R.1:5-1(a) and 4:17-4(c), that each party serving pleadings or interrogatories and receiving responses thereto shall serve copies of all such pleadings, interrogatories, and responses thereto upon the undersigned, and further

TAKE NOTICE that this is a continuing demand.

DESIGNATION OF TRIAL COUNSEL

Brian D. Kent, Esquire is hereby designated trial counsel for Plaintiff, John Doe.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to New Jersey Court Rule 4:10-2(b) demand is made that defendant(s) disclose to plaintiff's attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or indemnify or reimburse for payments made to satisfy the judgment and provide plaintiffs' attorney with true copies of those insurance agreements or policies, including, but not limited to, any and all declaration sheets. This demand shall include and cover not only primary coverage, but also any and all excess, catastrophe and umbrella policies.

DEMAND FOR ANSWERS TO INTERROGATORIES

Demand is hereby made for fully responsive answers to Form C Interrogatories appearing in Appendix II to the Rules of Court.

RULE 4:5-1 CERTIFICATION

I, Brian D. Kent, of full age, do certify that I am the attorney for the plaintiff herein and that to my knowledge there are no other actions or arbitrations pending as a result of the incidents described in the foregoing Complaint.

LAFFEY, BUCCI & KENT, LLP

BY:

A handwritten signature in black ink, appearing to read 'B D Kent', written over a horizontal line.

BRIAN D. KENT
M. STEWART RYAN
Attorneys for Plaintiff, John Doe

DATED: December 2, 2019

Civil Case Information Statement

Case Details: MIDDLESEX | Civil Part Docket# L-008084-19

Case Caption: DOE JOHN VS DIOCESE OF METUCHEN

Case Type: PERSONAL INJURY

Case Initiation Date: 12/02/2019

Document Type: Complaint with Jury Demand

Attorney Name: BRIAN DOOLEY KENT

Jury Demand: YES - 12 JURORS

Firm Name: LAFFEY BUCCI & KENT LLP

Is this a professional malpractice case? NO

Address: 1435 WALNUT STREET 7TH FLOOR

Related cases pending: NO

PHILADELPHIA PA 19102

If yes, list docket numbers:

Phone: 2153999255

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Name of Party: PLAINTIFF : Doe, John

Name of Defendant's Primary Insurance Company

(if known): Unknown

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

12/02/2019

Dated

/s/ BRIAN DOOLEY KENT

Signed