

LAFFEY, BUCCI & KENT LLP

BY: Brian D. Kent, Esquire; 041892004
M. Stewart Ryan, Esquire; 019492012
371 Hoes Ln #200
Piscataway, NJ 08854
Phone (215) 399-9255
Fax (215) 241-8700
Attorneys for Plaintiff

JANE DOE
C/O Laffey, Bucci & Kent
371 Hoes Ln #200
Piscataway, New Jersey 08854

Plaintiff,

v.

ARCHDIOCESE OF PHILADELPHIA
222 N. 17TH STREET
PHILADELPHIA, PA 19103

and

THE BROTHERS OF THE
CHRISTIAN SCHOOLS, INC.
444-A ROUTE 35 SOUTH
EATONTOWN, NJ 07724

and

ABC CORPORATIONS, ONE
THROUGH TEN
(said Names Being Fictitious)

and

JOHN DOE, ONE
THROUGH TEN
(said Names Being Fictitious)

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
CAPE MAY COUNTY**

CIVIL ACTION

DOCKET NO.:

COMPLAINT AND JURY DEMAND

CIVIL ACTION COMPLAINT AND JURY DEMAND

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

PARTIES AND VENUE

1. Plaintiff Jane Doe is a resident of the state of Maryland. Because the claims involved in this Civil Action Complaint involve sexual abuse of Jane Doe at a time when she was a minor, her identity is being redacted from the instant complaint. Jane Doe can be served and otherwise reached through her 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 Archdiocese of Philadelphia ("Archdiocese") was and continues to be a Roman Catholic organization and a non-profit religious corporation authorized to conduct business, and conducting business, in the Commonwealth of Pennsylvania with its principal place of business located at 222 N. 17th Street, Philadelphia, Pennsylvania 19103.

3. At all times relevant hereto, upon information and belief, Defendant Brothers of the Christian Schools ("Christian Brothers") was and continues to be a Roman Catholic religious teaching congregation 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 444-A Route 35 South, Eatontown, New Jersey 07724.

4. At all times relevant hereto the Christian Brothers operated a retreat house located at 3045 Central Avenue, Ocean City, Cape May County, New Jersey 08226.

5. In 1972 John P. Paul was ordained as a Priest in the Defendant Archdiocese. He was a member of the faculty at Bishop McDevitt High School in Wyncote, Pennsylvania from

1975 – 1986. He also held numerous other faculty positions at Philadelphia area high schools including Archbishop Kennedy High School (1974-1975); St. James Catholic High School for Boys, Chester (1986-1990); Archbishop Kennedy High School (1990-1993); Kennedy-Kenrick High School, Norristown (1993-1997); and Archbishop Wood High School, Warminster (1997-2000). In June 2015 he was voluntarily laicized.

6. Upon information and belief, Paul was a servant or agent of Defendant Archdiocese from 1972 until 2015, working therein as an ordained priest, and acting within the scope of his aforementioned legal relationship with the Archdiocese. Accordingly, the Archdiocese is liable vicariously and derivatively for the acts of Paul under theories of respondeat superior master-servant, agency, and/or right of control.

7. At all times relevant hereto, the Archdiocese was acting by and through its employees, servants, and agents, in the operation of Bishop McDevitt High School and the Archdiocese of Philadelphia and the hiring, admitting, assigning, retaining, and supervising of seminarians, deacons, and priests. Accordingly, the Archdiocese is liable vicariously and derivatively for the negligent acts and omissions of these employees, servants, and agents while engaged in the operation of Bishop McDevitt High School and the Archdiocese of Philadelphia and the hiring, admitting, assigning, retaining, and supervising of seminarians, deacons, and priests, including Paul, under theories of respondeat superior, master-servant, agency, and/or right of control.

8. Defendants named in the above caption as John Doe, One through Ten [said names being fictitious, and hereinafter referred to as “Jane Doe”], were, at all relevant times, employees and/or agents of the Defendant Archdiocese involved in the operation of St. Titus Parish, Bishop Kenrick High School, and the Archdiocese of Philadelphia and the hiring, admitting, assigning,

retaining, and supervising of seminarians, deacons, and priests, including Paul. 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.

9. 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.

10. 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.

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

FACTS GIVING RISE TO THE ACTION

12. At the time of Paul’s ordination in the Archdiocese, Paul had pedophilic tendencies and posed a risk to the safety of children.

13. Defendant Archdiocese knew or should have known before 1972 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 Archdiocese should have implemented reasonable screening of applicants to the seminary and priesthood to determine if they posed a safety risk to children.

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

15. Jane Doe was born on August 1, 1967.

16. Jane Doe was raised as a devout Catholic and attended Bishop McDevitt High School beginning in 1981 when she started her Freshman year.

17. Jane Doe first encountered Paul while attending a school sponsored ski trip. On this trip Paul befriended Jane Doe. Paul spent the day teaching Jane Doe how to ski.

18. Beginning in her Sophomore year, approximately 1982 – 1983, Jane Doe was assigned to Paul's religion class. As a result she saw Paul every day. Paul began to slowly groom Jane Doe. Paul also worked in the school store where Jane Doe would make purchases every day. When Jane Doe would make these purchases Paul would touch her hand in an inappropriate and intimate fashion.

19. At one point Jane Doe went to the school store to make a purchase and during the course of her visit Paul grabbed her hand and placed it on his penis over his clothes. Paul then began calling Jane Doe on the telephone at her home on a frequent basis. Paul next began driving to Jane Doe's home to pick her up for various outings. These outings were attended by other students that Paul would also pick up. Jane Doe, however, was always the last student to be dropped off. This assured that Paul would be alone with Jane Doe and the beginning and end of these outings.

20. When Jane Doe was fifteen (15) years old, after Paul had groomed her and ingratiated himself into her family life, Paul had vaginal intercourse with Jane Doe. This first

episode of sexual abuse would become frequent and regular, with Paul engaging in a course of conduct that included indecent contact, oral sex, and vaginal intercourse throughout the remainder of Jane Doe's high school career and even one episode of sexual abuse when Jane Doe had matriculated from Bishop McDevitt to college.

21. Paul sexually abused Jane Doe countless times by engaging in a course of conduct that included indecent contact, oral sex, and vaginal intercourse.

22. Paul frequently took Jane Doe to locations around the Philadelphia region where he sexually abused her. Paul sexually abused her in parking lots, the driveway of her friend's house, and various hotels and motels. Paul also sexually abused her at a property in the Malvern area that belonged to the Brothers of Charity, a Roman Catholic religious organization that is active in the Philadelphia region.

23. Paul also sexually abused Jane Doe when he travelled with her to the state of New Jersey. Specifically, Paul sexually abused Jane Doe at a hotel in Ocean City and at the residence owned and controlled by the Christian Brothers located at 3045 Central Avenue, Ocean City, Cape May County, New Jersey 08226. Paul would bring Jane Doe into the retreat residence, without question from anyone present, and sexually abuse her on the premises by engaging in conduct that included indecent contact, oral sex, and vaginal intercourse. While in the state of New Jersey, and at all time while Jane Doe was a minor under the age of eighteen (18), Paul serially sexually abused her by engaging in conduct that included indecent contact, oral sex, and vaginal intercourse. Paul engaged in this conduct repeatedly within the state of New Jersey.

24. After Jane Doe graduated Paul visited her at the college she attended in Pennsylvania. On one of those occasions Paul sexually abused her at a local hotel.

25. Paul has been repeatedly accused of sexual abuse and misconduct by more than a

dozen child victims, many who attended Bishop McDevitt High School. He has been identified by the Archdiocese as a former priest credibly accused of sexually abusing children.

26. Indeed, Paul was known to have engaged in sexual misconduct by the Archdiocese from as early as the 1970's. Paul has been repeatedly accused of sexually abusing children and young adults by using his positions with the Archdiocese over the course of his tenure as a priest in active ministry and faculty member at Archdiocesan schools. The Archdiocese repeatedly concealed it's knowledge of credible accusations of sexual abuse against Paul and instead of removing him from ministry, engaged in a pattern of investigating Paul's accusers in attempts to discredit them both privately and, when necessary to protect the Archdiocese, publicly.

27. As a direct and proximate result of the sexual abuse by Paul, Plaintiff suffered physical and emotional injuries, as more fully set forth in this Complaint. As a result of the abuse by Paul, Jane Doe was severely mentally, psychologically, and emotionally damaged. Jane Doe sustained severe psychological and emotional distress, including symptoms of post-traumatic stress disorder, manifested by physical ailments and complaints. Jane Doe suffered from persistent anxiety for fear Paul would impregnate her.

28. Jane 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.

29. Throughout her life since the abuse, Jane Doe has experienced delays in normal emotional maturation, eliminated contact with friends from childhood to avoid triggers and re-traumatization, anxiety and symptoms of post-traumatic stress disorder when recalling Paul and the sexual abuse, isolation, extreme passivity especially during any level of personal confrontation,

and suffered extreme difficulty in interpersonal relationships, especially intimate relationships, among other problems.

30. Defendant Archdiocese through its agents knew or should have known in the exercise of reasonable care and supervision that Paul was engaging in the abuse of Jane Doe described above and intervened to either prevent the abuse, prevent his access to children, or terminate him from the ministry.

31. 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 Archdiocese as set forth in this Complaint. Jane Doe's injuries were caused solely by the negligence of Defendant Archdiocese, as set forth more fully herein, and were not caused or contributed thereto by any negligence on the part of Jane Doe.

Defendants Violated the Duties Imposed Upon Them by Law

32. At all times relevant hereto, Defendant Archdiocese operated multiple parishes and schools in Philadelphia County, Pennsylvania and its surrounding counties.

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

34. The Archdiocese owed a duty to the children left in its custody and control, including Jane 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.

35. The Archdiocese 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.

36. The Archdiocese occupied a position of *in loco parentis*, and were under a duty to protect Jane Doe, and to provide him with safety and supervision akin to that which would have been provided by her own parents.

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

38. The Archdiocese 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.

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

40. To the contrary, the Archdiocese 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.

41. 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 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 Paul. The Defendant Archdiocese has in particular been the subject of multiple Grand Jury investigations that have revealed a particularly disturbing history of knowingly covering up

childhood sexual abuse. 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. Paul is present on such a list published by the Archdiocese.

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

43. The leaders of Defendant Archdiocese, 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.

44. As a result of Defendant's negligent, careless, reckless, and intentional acts and omissions, countless children, including Jane 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.

45. As set forth in this Complaint, Defendant Archdiocese failed to take reasonable steps to ensure that priests at Archdiocesan churches were psychologically fit to supervise, instruct,

and mentor students in the Archdiocese's schools. As a direct result of Defendant's tortious acts and omissions, Jane Doe suffered the injuries set forth in this Complaint.

46. In fact, Defendant knowingly permitted the Archdiocese 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.

47. The Archdiocese employed, retained, and assigned clergy who it knew or should have known were pedophiles, sexual predators, and/or mentally ill.

48. Defendant Archdiocese failed to take reasonable steps to ensure that teachers and clergy in Archdiocese 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 Archdiocese;
- 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 Archdiocese;
- 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.

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

50. The Archdiocese 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.

51. The Archdiocese 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 Archdiocese in order to sexually abuse them.

52. The Archdiocese 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.

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

54. In fact, the Archdiocese 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, Paul.

55. The Archdiocese 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, Paul.

56. Defendant's wrongdoing, however, did not stop there. The Archdiocese employed deliberate strategies to conceal known abuse by priests and other persons in the employ or service of the Archdiocese. 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 an Archdiocesan priest or teacher had engaged in improper sexual conduct with children;
 - h. Purposefully destroying record evidence of misconduct by priests or other Archdiocesan personnel;
 - i. Publicly promising not to assign priests who had been diagnosed as pedophiles or ephrophiles, 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 ephrophiles; and
 - k. Creating “limited ministries” for priests diagnosed as pedophiles, but failing to enforce the limitations supposedly imposed on such priests.

57. The Archdiocese outrageously employed these strategies knowing that they exposed children, including Jane Doe, to a significant risk of serious physical and psychological harm, including a significant risk of sexual abuse. The Archdiocese actions were willful, malicious, wanton, outrageous, abhorrent, abominable, revolting, vile, and unconscionable because Defendant Archdiocese 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 Jane Doe v. Defendant Archdiocese of Philadelphia, John Doe, One through Ten, and ABC Corporations, One through Ten

58. The previous paragraphs are incorporated herein by reference.

59. The recklessness, negligence and/or carelessness of Defendants Archdiocese of Philadelphia, 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 Jane Doe and Paul;
- b. Recklessly, negligently and/or carelessly failing to have policies and procedures to require supervision and observation of the relationship between Jane Doe and Paul;
- c. Recklessly, negligently and/or carelessly failing to recognize Paul'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 Jane Doe and Paul;
- e. Failing to investigate prior allegations against Paul that involved sexual misconduct;
- f. Recklessly, negligently and/or carelessly failing to identify Paul as a sexual abuser;
- g. Recklessly, negligently and/or carelessly failing to investigate behavior of Paul that put the Defendant on notice the Paul was a potential pedophile;
- h. Recklessly, negligently, and/or carelessly failing to identify Paul's prior sexual abuse of children;
- i. Recklessly, negligently and/or carelessly failing to investigate Paul being alone with Jane Doe;
- j. Recklessly, negligently and/or carelessly failing to investigate Paul taking Jane Doe to the state of New Jersey;
- k. Recklessly, negligently and/or carelessly failing to adequately check Paul'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 Archdiocese priest or teacher had engaged in improper sexual conduct with children;

- u. Purposefully destroying record evidence of misconduct by priests or other Archdiocese 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 to 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 Jane Doe, demands judgment against Defendants Archdiocese of Philadelphia, 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 Jane Doe v. Defendants Archdiocese of Philadelphia, John Doe, One through Ten, and ABC Corporations, One through Ten

60. The previous paragraphs are incorporated herein by reference.

61. Defendants Archdiocese of Philadelphia, 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 their relationships with young children.

62. Defendants Archdiocese of Philadelphia, John Doe, One through Ten, and ABC Corporations, One through Ten, knew or should have known of the particular risk posed by Paul 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.

63. The negligence and recklessness of Defendants Archdiocese of Philadelphia, 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 Paul consists of one or more of the following:

- a. Failing to use due care in supervising Paul's relationship with Jane Doe; and,
- b. Failing to investigate and supervise the relationship between Jane Doe and Paul in light of the fact that Paul 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 Jane Doe, demands judgment against Defendants Archdiocese of Philadelphia, 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 Jane Doe v. Defendants Archdiocese of Philadelphia, John Doe, One through Ten, and ABC Corporations, One through Ten

64. The previous paragraphs are incorporated herein by reference.

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

66. Defendants also knew of should have known that prior to Jane 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.

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

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

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

WHEREFORE, Plaintiff Jane Doe, demands judgment against Defendants Archdiocese of Philadelphia, 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 IV - NEGLIGENCE

Plaintiff Jane Doe v. Defendant Christian Brothers, John Doe, One through Ten, and ABC Corporations, One through Ten

69. The previous paragraphs are incorporated herein by reference.

70. The recklessness, negligence and/or carelessness of Defendants Christian Brothers, 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 Jane Doe and Paul while on their premises;
- b. Recklessly, negligently and/or carelessly failing to have policies and procedures to require supervision and observation of the relationship between Jane Doe and Paul while on their premises;
- c. Recklessly, negligently and/or carelessly failing to recognize Paul's conduct described herein as creating a risk of sexual abuse of children while on their premises;
- d. Recklessly, negligently and/or carelessly failing to have policies and procedures to require supervision and observation of Jane Doe and Paul while on their

- e. premises;
Recklessly, negligently and/or carelessly failing to identify Paul as a sexual abuser;
- f. Recklessly, negligently and/or carelessly failing to investigate behavior of Paul that put the Defendant on notice the Paul was a potential pedophile;
- g. Recklessly, negligently and/or carelessly failing to investigate Paul being alone with Jane Doe while on their premises;
- h. Failure to use due care under the circumstances;
- i. Purposefully refusing to notify law enforcement officials when there existed reasonable grounds to believe that an Archdiocese priest or teacher had engaged in improper sexual conduct with children; and
- j. 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 Jane Doe, demands judgment against Defendants Christian Brothers, 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:



BRIAN D. KENT
M. STEWART RYAN
Attorneys for Plaintiff, Jane 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, Jane 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 be "B. Kent", written over a horizontal line.

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

DATED: December 2, 2019

Civil Case Information Statement

Case Details: CAPE MAY | Civil Part Docket# L-000470-19

Case Caption: DOE JANE VS ARCHDIOCESE OF PHILA DELPHIA

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, Jane

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