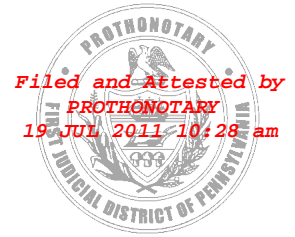


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Attorneys for Plaintiff

JOHN DOE 10 :
c/o Monahan Law Practice, P.C. :
300 North Pottstown Pike, Suite 210 :
Exton, PA 19341 :
Plaintiff, :
v. :
ARCHDIOCESE OF PHILADELPHIA :
222 N. 17th Street :
Philadelphia, PA 19103 :
and :
CARDINAL ANTHONY BEVILACQUA :
222 N. 17th Street :
Philadelphia, PA 19103 :
and :
CARDINAL JUSTIN RIGALI :
222 N. 17th Street :
Philadelphia, PA 19103 :
and :
MSGR. WILLIAM LYNN :
222 N. 17th Street :
Philadelphia, PA 19103 :

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY,
PENNSYLVANIA
CIVIL ACTION
JURY TRIAL DEMANDED
FEBRUARY TERM, 2011
NO. 001128

and :
MARTIN SATCHELL :
Last Known Address: 501 Wayne Drive :
Apartment 212 :
King of Prussia, PA 19406 :

Defendants, :

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Philadelphia Bar Association

Lawyer Referral and Information Service
One Reading Center
Philadelphia, PA 19107
Telephone: 215-238-1701

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JOHN DOE 10	:	COURT OF COMMON PLEAS
c/o Monahan Law Practice, P.C.	:	
300 North Pottstown Pike, Suite 210	:	PHILADELPHIA COUNTY,
Exton, PA 19341	:	PENNSYLVANIA
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION
	:	
	:	
ARCHDIOCESE OF PHILADELPHIA	:	JURY TRIAL DEMANDED
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Defendants, :

PLAINTIFF’S THIRD AMENDED COMPLAINT

And now Plaintiff, John Doe 10, by and through his undersigned counsel, brings this Complaint and sets forth as follows:

The Parties

1. Plaintiff, John Doe 10, is an adult male individual who is a citizen and resident of the County of Delaware in the Commonwealth of Pennsylvania. The identity of this Plaintiff is not pleaded in this Complaint in order to protect the identity of the Plaintiff because the Plaintiff was a victim of sex crimes when Plaintiff was a minor. The identity of the Plaintiff has been made known to the Defendants by separate communication.

2. 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. This Defendant is organized, exists and operates pursuant and by virtue of the laws of the Commonwealth of Pennsylvania.

3. Cardinal Anthony Bevilacqua is an adult male individual resident and citizen of the Commonwealth of Pennsylvania who was the Archbishop of the Archdiocese from 1987 through 2003.

4. Cardinal Justin Rigali is an adult male individual resident and citizen of the Commonwealth of Pennsylvania who is the current Archbishop of the Archdiocese who was appointed Archbishop of the Archdiocese in 2003.

5. Msgr. William Lynn is an adult male individual resident and citizen of the Commonwealth of Pennsylvania who Secretary of Clergy for the Archdiocese under Cardinal Anthony Bevilacqua.

6. Martin Satchell is an individual resident and citizen of Philadelphia County, Pennsylvania, who was in the a Deaconate program at St. Charles Borromeo Seminary in the Archdiocese from 1990 through 1992, and who was a Roman Catholic Priest from 1993 through 2004.

Facts

7. In 2005, the Philadelphia District Attorney's Office released the Report of the Grand Jury ("2005 Grand Jury Report"), which had investigated child sexual abuse by Philadelphia Archdiocese priests and documented the Archdiocese's cover up of abuse. The Report stated: "To protect themselves from negative publicity or expensive lawsuits – while keeping abusive priests active – the Cardinals and their aides hid the priests' crimes from parishioners, police, and the general public. They employed a variety of tactics to accomplish this end." 2005 Grand Jury Report at 31.

8. The 2005 Grand Jury Report stated that "Msgr. Lynn was handling the [abuse] cases precisely as his boss [Cardinal Bevilacqua] wished." 2005 Grand Jury Report at 33. And

“the Archdiocese’s primary goal in dealing with these cases was to reduce the risk of ‘scandal’ to the Church.” *Id.* at 34.

9. Cardinal Bevilacqua seriously understated the number of accused priests in the Archdiocese and “misled the public when he announced in April 2002 that no Philadelphia priest with accusations against him was still active in ministry—when in fact several still were. He certainly was not credible when he claimed before this Grand Jury that protecting children was his highest priority—when in fact his only priority was to cover up sexual abuse against children.” 2005 Grand Jury Report at 53. Bevilacqua “was not forthright with the Grand Jury.” *Id.* at 54. 2011 Grand Jury Report at 23.

10. “[T]he abuses that Cardinal Bevilacqua and his aides allowed children to suffer – the molestations, the rapes, the lifelong shame and despair—did not result from failures or lapses, except of the moral variety. They were made possible by purposeful decisions, carefully implemented policies, and calculated indifference.” 2005 Grand Jury Report at 55.

11. The Philadelphia District Attorney’s Office issued a second Grand Jury Report on abuse in the Philadelphia Archdiocese on January 21, 2011 (“2011 Grand Jury Report”).

12. The 2011 Grand Jury Report further establishes that the Archdiocese has a long history of sexual abuse of children by Archdiocese priests that was known, tolerated, and hidden by high church officials, up to and including Cardinal Anthony Bevilacqua. The Grand Jury Report states:

“The present grand jury, however, is frustrated to report that much has not changed. The rapist priests we accuse were well known to the Secretary of Clergy, but he cloaked their conduct and put them in place to do it again. The procedures implemented by the Archdiocese to help victims are in fact designed to help the abusers, and the

Archdiocese itself. Worst of all, apparent abusers – dozens of them, we believe – remain on duty in the Archdiocese, today, with open access to new young prey.”

2011 Grand Jury Report at 1.

13. The 2011 Grand Jury Report establishes that the Archdiocese, under Cardinal Rigali, has made small changes, but continues to tolerate and actively conceal the sexual abuse of children by Archdiocese priests for the benefit of the Archdiocese.

“Prompted by the pressure of the prior grand jury report, the Archdiocese has in recent years revamped its policies for handling victims of clergy sexual abuse. Now, at least in some cases, the church reports abusers to law enforcement authorities, something that in the past never occurred. And the Archdiocese pays for counseling, and sometimes other expenses. Those are positive steps, if small ones. We are very troubled, however, by what we learned about the church’s procedures [which now] are burdened by misinformation and conflict of interest.”

2011 Grand Jury Report at 7. See also *id.* at 23.

14. The victim assistance coordinators “mislead victims into believing that their discussions with the coordinators are protected by confidentiality.” They are not. 2011 Grand Jury Report at 7.

15. Victims’ statements are turned over to the Archdiocese’s attorneys. 2011 Grand Jury Report at 7.

16. The victims are pressured to sign releases for records the Archdiocese’s coordinators and attorneys otherwise would not be able to see. “Victims are led to believe that these releases will assist the coordinators in helping them. The church’s position, it appears, is that coordinators must uncover every fact in order to make a determination about whether to

refer the case to law enforcement. But that is not true. . . The only rational explanation for such procedures is not to guarantee the victim's recovery, but to guard the church against what its highest officials repeatedly refer to as 'scandal.'" 2011 Grand Jury Report at 7-8.

17. [V]ictims are virtually hounded to give statements. . . . The only possible reason for this tactic would be to use the statements as ammunition to impeach victims, in an effort to make them appear incredible. . . . Such procedures are, to state it softly, one-sided – and the side taken is not that of the victim." 2011 Grand Jury report at 9.

18. The 2011 Grand Jury Report concludes that victim assistance programs cannot be successfully operated in the interest of victims "by the church itself." And that the Church is entitled to defend itself in the courts, "but it can no longer try to play both sides of the fence with its victims." 2011 Grand Jury report at 11.

19. In the early 1990's, Plaintiff attended the Archdiocese's school, St. Aloysius Academy, located in Bryn Mawr, Pennsylvania.

20. While attending St. Aloysius, Plaintiff encountered then-Deacon Martin Satchell, when Satchell performed certain functions in the Plaintiff's classroom as part of a program with St. Charles Borromeo Seminary sponsored by the Archdiocese. On one occasion, Plaintiff was lured into a concealed portion of the classroom by Satchell where Plaintiff was sexually abused by Satchell. In addition, Satchell often assumed the responsibility to take boys, including Plaintiff, to the bathroom. While in the bathroom at St. Aloysius on several occasions, Plaintiff was sexually abused by Satchell.

21. In approximately 1995, Plaintiff reported to Fr. Joseph Logrip that someone had hurt Plaintiff and that the Plaintiff needed help. Fr. Logrip did nothing to help the minor Plaintiff.

22. According to the Archdiocese of Philadelphia, Priest Data Profile, which is reprinted in the 2005 Grand Jury Report at C-47, at the time that Plaintiff was abused, Satchell was a seminarian at St. Charles Borromeo Seminary, Overbrook, PA. He received a B.A. in 1989, and an M.Div. in 1992.

23. Upon information and belief, Msgr. Lynn and the Archdiocese were also aware or should have been aware that Martin Satchell had sexually abused children prior to Deacon Satchell sexually abusing the Plaintiff.

24. On May 15, 1993, Martin Satchell was ordained as a Roman Catholic Priest within the Archdiocese and was ordained by Cardinal Bevilacqua.

25. In the same year that he was ordained, in September 1993, the Archdiocese received a report that Martin Satchell had sexually abused a child.

26. In 1993, Martin Satchell was sent to sexual offender treatment and evaluation.

27. In 2003, Martin Satchell left the active priesthood and petitioned to be laicized. 2005 Grand Jury Report, Appendix, at A-53.

28. In 2004, Martin Satchell was laicized (removed from the priesthood) by the Vatican.

29. Upon information and belief, the Archdiocese concealed its knowledge that Martin Satchell had sexually abused or been otherwise sexually inappropriate with children prior to Satchell sexually abusing Plaintiff.

30. Upon information and belief, including the factual findings published in the 2005 and 2011 Philadelphia Grand Jury Reports, the Archdiocese has a long history of concealing the sexual abuse of children by its clergy.

31. Upon information and belief, Msgr. Lynn, was the Secretary of Clergy, acted as the personnel director for priests.

32. It was Msgr. Lynn's job to review all reports of abuse, to recommend action, and to monitor the abuser's future conduct.

33. Msgr. William Lynn assisted priests who he knew to have sexually abused children to obtain new assignments within the Archdiocese in order to conceal their criminal activity. 2011 Grand Jury Report at 43-53.

34. Msgr. Lynn's purposeful failure to remove pedophile priests caused Msgr. Lynn to be charged with endangering the welfare of a child, a felony of the third degree by the Philadelphia County District Attorney.

35. Msgr. Lynn did more than passively allow the molesters to remain in positions where they could continue to prey on children. When victims complained or scandal threatened, Msgr. Lynn recommended that the abusers be transferred to new parishes, where the unsuspecting faithful would not know to be wary and vigilant, and where the abusive clergymen could go on exploiting their positions of trust and authority to pursue criminal activity.

36. While the Archbishop of the Archdiocese, Cardinal Bevilacqua was insistent, in all cases involving the sexual abuse of minors by priests, that parishioners be lied to about the Archdiocese's knowledge about the abuse by the priest. 2005 Grand Jury Report at 36. Msgr. Lynn followed this policy. 2011 Grand Jury Report at 23-24.

37. The Archdiocese holds out its "Victims Assistance Program" as a program intended to assist victims.

38. Plaintiff contacted and met with the Archdiocese's victims' assistance coordinators, in order to obtain assistance with the serious psychological, social, and physical problems that he has experienced following his abuse by Satchell.

39. The Archdiocese publicly promotes its victim assistance programs as ways for victims of sexual abuse to get help when in fact, the victim assistance programs are used by the Archdiocese to gather information to give to its attorneys in order to discredit the victims, defend the Archdiocese against any claims and conceal the crimes of Archdiocese employees. According to the 2011 Grand Jury Report, the Archdiocese "victim assistance coordinators" misled victims into believing that the victim's discussions with the coordinators are protected by confidentiality, when in fact that is not the case. In fact, the victim assistance coordinators did not keep the victim's statements confidential and instead turned the statements over to the attorneys for the Archdiocese.

40. Victim assistance coordinators also forced victims to sign releases for records in the possession of third parties, such as outside therapists and the military. The victims are led to believe that these releases will assist the coordinators in helping the victim. Instead, the records secured through the releases are turned over to Archdiocese attorneys and used to defend the Archdiocese against any claims by the victim. Specifically, the records were used by Archdiocese attorneys to build the defense that the statute of limitations had expired on the victim's claim.

41. The victim assistance coordinators and others employed by the Archdiocese regularly encouraged victims to not report the incidents of sexual abuse to law enforcement. 2005 Grand Jury Report at 38-40; 2011 Grand Jury Report at 7, 77-82.

42. According to the January 2011 Grand Jury Report, the Archdiocese maintains “secret archive files” which contain reports of priest sexual abuse of minors. These “secret archive files” contain evidence of criminal conduct of Archdiocese clergy that was and continues to be withheld from law enforcement. 2011 Grand Jury Report at 22, 43; 2005 Grand Jury Report at 42-43.

43. According to Msgr. Lynn, the Archdiocese has a policy that it “does not make cash settlements [to victims] but does pay for therapy, especially when the priest has admitted guilt.” 2005 Grand Jury Report, Appendix, at D-27c.

44. The sexual abuse and exploitation of Plaintiff and the circumstances under which it occurred caused Plaintiff to develop various psychological coping mechanisms, including not recognizing the extent of the injuries he experienced as a result of the sexual abuse, negligence and conspiracy described herein.

45. As a direct result of the wrongful conduct alleged herein, Plaintiff 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; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiffs’ daily activities and obtaining the full enjoyment of life; has sustained and continues to sustain loss of earnings and earning capacity; and/or has incurred and continues to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT I - CHILDHOOD SEXUAL ABUSE AND VICARIOUS LIABILITY
Plaintiff, John Doe 10 v. Defendants Martin Satchell and Archdiocese of Philadelphia

46. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

47. In approximately the early 1990's, Martin Satchell engaged in unpermitted, harmful and offensive sexual conduct and contact upon the person of Plaintiff in violation of Pennsylvania state law. Said conduct was undertaken while the Defendant Satchell was an employee and agent of Defendant Archdiocese and a Seminarian at the Archdiocese's St. Charles Borromeo Seminary, while in the course and scope of employment with Defendant Archdiocese, and/or was ratified by Defendant Archdiocese.

48. Prior to or during the abuse alleged above, the Archdiocese knew, had reason to know, or were otherwise on notice of the unlawful sexual conduct of Defendant, Satchell. The Archdiocese failed to take reasonable steps and failed to implement reasonable safeguards to avoid acts of unlawful sexual conduct in the future by Satchell, including, but not limited to, preventing or avoiding placement of Satchell in functions or environments in which contact with children was an inherent part of those functions or environments. Furthermore, at no time during the periods of time alleged did the Archdiocese have in place a system or procedure to supervise and/or monitor employees, volunteers, representatives, or agents to ensure that they did not molest or abuse minors in the Archdiocese's care, including the Plaintiff.

49. As a result of the above-described conduct, Plaintiff 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; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiffs' daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendants Martin Satchell and Archdiocese of Philadelphia, jointly and severally, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT II - NEGLIGENCE
Plaintiff, John Doe 10 v. Archdiocese of Philadelphia

50. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

51. The Archdiocese had a duty to protect the minor Plaintiff when he was entrusted to their care by Plaintiff's parents. Plaintiff's care, welfare, and/or physical custody was temporarily entrusted to the Archdiocese. The Archdiocese voluntarily accepted the entrusted care of Plaintiff. As such, the Archdiocese owed Plaintiff, a minor child, a special duty of care, in addition to a duty of ordinary care, and owed Plaintiff the higher duty of care that adults dealing with children owe to protect them from harm.

52. Defendant Archdiocese, by and through its agents, servants and employees, knew or reasonably should have known of Martin Satchell's dangerous and exploitive propensities and/or that Satchell was an unfit agent. It was foreseeable that if the Archdiocese did not adequately exercise or provide the duty of care owed to children in their care, including but not limited to Plaintiff, the children entrusted to the Archdiocese's care would be vulnerable to sexual abuse by Archdiocese employees, including Satchell.

53. Defendants breached their duty of care to the minor Plaintiff by failing to protect the Plaintiff from foreseeable harm of the sexual misconduct of employees of the Archdiocese, including Satchell.

54. As a result of the above-described conduct, Plaintiff 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; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendant, Archdiocese of Philadelphia, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT III - NEGLIGENT SUPERVISION
Plaintiff, John Doe 10 v. Archdiocese of Philadelphia

55. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

56. The Archdiocese had a duty to provide reasonable supervision of its employee and agent, Defendant Satchell.

57. It was reasonably foreseeable that employees and agents of the Archdiocese, including Defendant Satchell, would sexually abuse children unless they were properly supervised.

58. The Archdiocese, by and through their agents, servants and employees, knew or reasonably should have known of the Defendant Satchell's dangerous and exploitive propensities and/or that the Defendant Satchell was an unfit agent. Despite such knowledge, Defendant

Archdiocese breached its duty to provide reasonable supervision of the Defendant Satchell who was in the position of trust and authority as Roman Catholic clergy, religious instructor, counselor, school teacher, surrogate parent, spiritual mentor, emotional mentor, and/or other authority figure, where he was able to commit the wrongful acts against the Plaintiff.

59. Said acts of sexual abuse occurred upon the premises of the Archdiocese

60. As a result of the above-described conduct, Plaintiff 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; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendant, Archdiocese of Philadelphia, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT IV - CIVIL CONSPIRACY TO ENDANGER CHILDREN
Plaintiff, John Doe 10 v. Archdiocese of Philadelphia, Cardinal Anthony Bevilacqua,
Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell

61. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

62. Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell, and in addition, the Holy See and the National

Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops), acting with a common purpose conspired to endanger the welfare of children, including the Plaintiff, in violation of Pennsylvania law.

63. In Pennsylvania, there is an implied civil cause of action for endangering the welfare of children by a child whose welfare was endangered.

64. Also in Pennsylvania, there is a civil cause of action for negligence per se for violating the endangering the welfare of children statute.

65. Plaintiff has standing to bring this claim because he was one of the children who was sexually abused as a result of this conspiracy to endanger the welfare of children.

66. The Holy See is the ecclesiastical, governmental, and administrative capital of the Roman Catholic Church. The Holy See is the composite of the authority, jurisdiction, and sovereignty vested in the Pope and his delegated advisors to direct the world-wide Roman Catholic Church, including the Archdiocese.

67. The Holy See controls the Archdiocese by appointing the Archbishop and by promulgating the policies and procedures, including policies and procedures regarding handling reports of childhood sexual abuse that must be followed by the Archdiocese and the Archbishop of the Archdiocese who, in this case, was Cardinal Bevilacqua and Cardinal Rigali.

68. The Holy See has control of all seminaries in the United States including Pennsylvania, where it trains agents in its operation. On August 15, 1990, Pope John Paul II issued an apostolic constitution on Catholic higher education entitled *Ex corde Ecclesiae*. The Apostolic Constitution described, in detail, the relationship between the Holy See and its educational institutions like seminaries. According to the Catholic Church Extension Society,

No matter where it's located or how it's structured, every institution answers to the Holy See. The Vatican's Congregation for Catholic Education has jurisdiction over all Catholic

institutions of higher learning, including seminaries. As a result, it oversees the admissions requirements and curricula to ensure that candidates are properly prepared. In addition, since 1971, U.S. seminaries have adhered to the Program of Priestly Formation (PPF) promulgated by the U.S. bishops' conference and also approved by Rome.

69. The Holy See directly controls the standards, morals, and obligations of the clergy of the Catholic Church. The Holy See also does this by and through its agents and instrumentalities, including the Congregation for the Clergy and the Congregation for Religious both delegated by the Pope and acting on his behalf.

70. All bishops, clergy, priests and seminarians answer to the Holy See and its leader, the Pope. The Holy See also examines and is responsible for the work and discipline and all those things which concern bishops, superiors of religious orders, priests and deacons of the religious clergy. In furtherance of this duty, the Holy See requires bishops to file a report, on a regular basis, outlining the status of, and any problems with clergy.

71. The Holy See has established exclusive policies and standards that dictate how sexual abuse of children by its employees, including its clergy and seminarians, will be handled. With respect to this aspect of its employment policy and business, the Holy See mandates certain procedures and absolute secrecy by all involved on pain of immediate removal from the organization (excommunication), retains the power at all times to conduct the inquisition of the case itself, and admits no deviations from its mandate. Through its mandated policies, the Holy See is an integral part of the day-to-day handling of cases of child sex abuse by clergy.

72. In 1962, the Holy See released the confidential document, Instruction on The Manner of Proceeding in Cases of Solicitation, (The heading of the document says "From the Supreme and Holy Congregation of the Holy Office To All Patriarchs, Archbishops, Bishops and Other Diocesan Ordinaries 'Even of the Oriental Rite'") (Hereinafter referred to as "*Crimen Sollicitationis*"), which is a document containing mandatory instructions regarding the handling

of child sex abuse by clergy. It permits no discretion in the handling of such cases. According to the document itself, it is an “instruction, ordering upon those to whom it pertains to keep and observe it in the minutest detail.” *Crimen Sollicitationis* at paragraph 24. This document requires the Archdiocese to conceal incidents of childhood sexual abuse by priests, employees or agents of the Archdiocese. This document requires the Archdiocese to keep any documents that evidence childhood sexual abuse by a priest, employee or agent of the Archdiocese in “secret archives.” This document requires the Archdiocese to keep all information relating to childhood sexual abuse by a priest, employee or agent of the Archdiocese completely secret from law enforcement in order to avoid scandal to the world-wide Roman Catholic Church.

73. The overt acts committed in pursuance of the common purpose to endanger the welfare of children include, but are not limited to:

- a. The Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) maliciously concealed known incidents of childhood sexual abuse within the Archdiocese, including incidents of childhood sexual abuse by Defendant Satchell, from Plaintiff. The concealment of childhood sexual abuse by priests, employees and agents of the Archdiocese is mandated by the Holy See. This concealment directly injured Plaintiff because prior incidents of sexual abuse by Defendant Satchell were hidden from Plaintiff and Defendant Satchell was able to gain unsupervised access to Plaintiff as a result. This concealment also directly injured Plaintiff because the concealment by the Defendants

Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) created a false public impression that priests, deacons and seminary students within the Archdiocese were safe around children, when they, in fact, were not. This caused the Plaintiff and his family to allow Defendant Satchell to gain unsupervised access to the Plaintiff and ultimately sexually abuse the Plaintiff.

- b. Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali and Msgr. William Lynn and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) implemented programs and procedures that were misrepresented to the public as providing help to victims of childhood sexual abuse by clergy, but were instead maliciously used to develop information to protect the Archdiocese from liability for its misconduct in handling predatory priests and used to further conceal the identity and illegal activities of predatory priests from law enforcement, parishioners and the public. The Archdiocese victims assistance program was created by and mandated by the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops). This concealment directly injured Plaintiff because the concealment by the Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell and the Holy See and the

National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) created a false public impression that priests, deacons and seminary students within the Archdiocese were safe around children, when they, in fact, were not. This caused the Plaintiff and his family to allow Defendant Satchell to gain access to the Plaintiff and ultimately sexually abuse the Plaintiff.

- c. When a report that an Archdiocese priest had sexually abused a child was made to the Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali and Msgr. William Lynn and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) maliciously transferred the clergymen, including Defendant Satchell, to new parishes or other assignments, where the unsuspecting parishioners, including Plaintiff, did not suspect that the priest was an abuser. As a result, Defendant Satchell gained unsupervised access to Plaintiff and sexually abused the Plaintiff. The Holy See mandates to the Archdiocese that priests, employees and agents of the Archdiocese are to be secretly transferred to new parishes when they are discovered to have sexually abused children.
- d. Instead of protecting Archdiocese children, including Plaintiff, from sexual abuse by known predator priests and other agents and employees, including Defendant Satchell, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali and Msgr. William Lynn and the Holy See and the National Conference of Catholic Bishops (now called the

United States Conference of Catholic Bishops) instead shielded abusive priests and other agents and employees from criminal detection, shielded the Archdiocese hierarchy from scandal, and shielded the Archdiocese from financial liability. The Holy See required that the Archdiocese shield abusive priests, employees and agents of the Archdiocese from criminal liability. These acts of shielding directly injured Plaintiff because prior incidents of sexual abuse by Defendant Satchell were hidden from Plaintiff and Defendant Satchell was able to gain unsupervised access to Plaintiff as a result. These acts of shielding also directly injured Plaintiff because the concealment by the Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) created a false public impression that priests, deacons and seminary students within the Archdiocese were safe around children, when they, in fact, were not. This caused the Plaintiff and his family to allow Defendant Satchell to gain unsupervised access to the Plaintiff and ultimately sexually abuse the Plaintiff.

- e. Victim assistance coordinators also forced victims to sign releases for records in the possession of third parties, such as outside therapists and the military. The victims are led to believe that these releases would assist the coordinators in helping the victim. Instead, the records secured through

the releases are turned over to Archdiocese attorneys and used to defend the Archdiocese against any claims by the victim.

- f. The victim assistance coordinators employed by the Archdiocese regularly discouraged victims from reporting the sexual abuse by a priest to law enforcement.
- g. Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali and Msgr. William Lynn and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) maintained “secret archive files” containing reports of priest’s, employee’s and other agents of the Archdiocese’s criminal sexual abuse of minors which was withheld from law enforcement. The Holy See required the Archdiocese to keep “secret archive files.” These acts of concealing evidence of criminal sexual conduct of priests, employees and other agents directly injured Plaintiff because prior incidents of sexual abuse by Defendant Satchell were hidden from Plaintiff and Defendant Satchell was able to gain unsupervised access to Plaintiff as a result. Maintaining the secret files and concealing evidence of criminal conduct of priests, employees and other agents also directly injured Plaintiff because the concealment by the Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) created a false public impression that priests,

deacons and seminary students within the Archdiocese were safe around children, when they, in fact, were not. This caused the Plaintiff and his family to allow Defendant Satchell to gain unsupervised access to the Plaintiff and ultimately sexually abuse the Plaintiff.

- h. Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali and Msgr. William Lynn, in cases involving the sexual abuse of minors by priests, employees and other agents, maliciously lied to parishioners about the Archdiocese's knowledge about the abuse by the priests, employees and other agents. These lies involving criminal sexual conduct of priests, employees and other agents directly injured Plaintiff because prior incidents of sexual abuse by Defendant Satchell were hidden from Plaintiff and Defendant Satchell was able to gain unsupervised access to Plaintiff as a result. The Holy See required that the Archdiocese lie to parishioners about its knowledge of sexually abusive priests, employees and other agents. These lies also directly injured Plaintiff because the concealment by the Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) created a false public impression that priests, deacons and seminary students within the Archdiocese were safe around children, when

they, in fact, were not. This caused the Plaintiff and his family to allow Defendant Satchell to gain unsupervised access to the Plaintiff and ultimately sexually abuse the Plaintiff.

- i. Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali and Msgr. William Lynn maliciously ensured that the internal Archdiocese Review Board, that is responsible for determining whether sexual abuse reports against a clergy member are credible, regularly found allegations of sexual abuse of minors by priests, employees and agents as being “unsubstantiated” even when there was very convincing evidence that the accusations were true. The National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) required the Archdiocese to organize an Archdiocese Review Board and to regularly find allegations of sexual abuse of minors by priests, employees and agents as being unsubstantiated.
- j. Upon information and belief, the Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali and Msgr. William Lynn destroyed documents that were evidence of criminal sexual conduct of children. The Holy See required the Archdiocese to destroy documents that were evidence of criminal sexual conduct of children. These acts of destroying evidence of criminal sexual conduct of priests, employees and other agents directly injured Plaintiff because prior incidents of sexual abuse by Defendant Satchell were hidden from Plaintiff and Defendant Satchell was able to gain unsupervised access to Plaintiff as a result.

Maintaining the secret files and concealing evidence of criminal conduct of priests, employees and other agents also directly injured Plaintiff because the concealment by the Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell and the Holy See and the National Conference of Catholic Bishops (now called the United States Conference of Catholic Bishops) created a false public impression that priests, deacons and seminary students within the Archdiocese were safe around children, when they, in fact, were not. This caused the Plaintiff and his family to allow Defendant Satchell to gain unsupervised access to the Plaintiff and ultimately sexually abuse the Plaintiff.

74. Said acts were committed with malice and with the intention that the welfare of children within the Archdiocese be endangered.

75. As a result of the above-described conduct, Plaintiff 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; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiff's daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendants, Archdiocese of Philadelphia, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn and Martin Satchell, jointly and severally, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

Dated: 6/30/11

BY: 

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VERIFICATION

I, Daniel F. Monahan, Esquire, verify that I am the attorney for the Plaintiff and that the facts set forth in the foregoing Plaintiff's Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read "D.F. Monahan", written over a horizontal line.

Daniel F. Monahan, Esquire

Dated: June 27, 2011