

STATE OF MINNESOTA  
COUNTY OF RAMSEY

DISTRICT COURT  
SECOND JUDICIAL DISTRICT

Case Type: Personal Injury

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Doe 39,

Court File No.:

Plaintiff,

v.

**SUMMONS**

The Order of St. Benedict a/k/a and d/b/a St. John's Abbey,  
and Archdiocese of St. Paul and Minneapolis,

Defendants.

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THIS SUMMONS IS DIRECTED TO DEFENDANTS ABOVE NAMED.

**1. YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this Summons.

**2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this Summons a **written response** called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at Jeff Anderson & Associates, P.A., 366 Jackson Street, Suite 100, St. Paul, MN 55101.

**3. YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

**4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.**

If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the Complaint.

**5. LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

**6. ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

Dated: September 17, 2014

JEFF ANDERSON & ASSOCIATES, P.A.



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STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: Personal Injury

---

 Doe 39,

Court File No.:

Plaintiff,

v.

**COMPLAINT**

The Order of St. Benedict a/k/a and d/b/a St. John's Abbey,  
and Archdiocese of St. Paul and Minneapolis,

Defendants.

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Plaintiff, for his cause of action against Defendants, alleges that:

**PARTIES**

1. At all relevant times for this Complaint, Plaintiff Doe 39 resided in the State of Minnesota. The identity of Plaintiff Doe 39 has been disclosed under separate cover to Defendants.

2. Defendant Order of St. Benedict a/k/a and d/b/a St. John's Abbey (hereinafter "Order") is an organization or entity that includes, but is not limited to, civil corporations, decision making entities, officials, and employees, authorized to conduct business and conducting business in the State of Minnesota with its principal place of business located in Collegeville, Minnesota. The Abbot is the top official of the Order and is given authority over all matters dealing with the Order as a result of his position. The Order functions as a business by engaging in numerous revenue producing activities and soliciting money in exchange for its services. Agents of the Order participate in programs and activities involving children. The Order can appoint, supervise, monitor, and fire each person working with children in those programs.

3. Defendant Order is also known as, does business as and owns and operates St.

John's Abbey which is a Benedictine religious community located in Collegeville, Minnesota.

4. At all times material, Defendant Archdiocese of St. Paul and Minneapolis (hereinafter "Archdiocese") was and continues to be an organization or entity, which includes, but is not limited to, civil corporations, decision making entities, officials, and employees, authorized to conduct business and conducting business in the State of Minnesota with its principal place of business at 226 Summit Avenue, St. Paul, Minnesota. The Archbishop is the top official of the Archdiocese and is given authority over all matters within the Archdiocese as a result of his position. The Archdiocese functions as a business by engaging in numerous revenue producing activities and soliciting money from its members in exchange for its services. The Archdiocese has several programs which seek out the participation of children in the Archdiocese's activities. The Archdiocese, through its officials, has control over those activities involving children. The Archdiocese has the power to appoint, supervise, monitor, and fire each person working with children within the Archdiocese.

#### **FACTS**

5. At all times material, Father Cosmas Dahlheimer was a monk and priest with Defendant Order. Dahlheimer professed his vows as a monk in 1930 and was ordained a priest in 1936.

6. In approximately 1973, Dahlheimer was assigned to St. Bernard parish in Saint Paul, Minnesota.

7. Defendant Order and Defendant Archdiocese were jointly responsible for Dahlheimer's placement at St. Bernard's parish.

8. At all times material, Dahlheimer was under the direct supervision, employ, and control of each Defendant. Defendant Order and Defendant Archdiocese placed Dahlheimer in a

position where he had access to and worked with children as an integral part of his work.

9. Plaintiff Doe 39 was raised in a devout Roman Catholic family and attended St. Bernard's parish and school. Therefore, Plaintiff developed great admiration, trust, reverence and respect for the Roman Catholic Church, including Defendants and their agents.

10. Plaintiff came in contact with Dahlheimer at St. Bernard's.

11. From approximately 1976 to 1978, when Plaintiff was approximately 11 to 13 years old, Dahlheimer engaged in unpermitted sexual contact with Plaintiff Doe 39.

12. The Order and the Archdiocese each knew or should have known that Dahlheimer was a child molester and/or knew or should have known that Dahlheimer was a danger to children before Dahlheimer molested Plaintiff.

13. The Order and the Archdiocese each negligently or recklessly believed that Dahlheimer was fit to work with children and/or that any previous problems he had were fixed and cured; that Dahlheimer would not sexually molest children; and/or that Dahlheimer would not hurt children.

14. By holding Dahlheimer out as safe to work with children, and by undertaking the custody, supervision of, and/or care of the minor Plaintiff, the Order and the Archdiocese each entered into a fiduciary relationship with the minor Plaintiff. As a result of Plaintiff being a minor, and by the Order and the Archdiocese undertaking the care and guidance of the then vulnerable minor Plaintiff, the Order and the Archdiocese each held a position of empowerment over Plaintiff.

15. Further, the Order and the Archdiocese, by holding themselves out as being able to provide a safe environment for children, each solicited and/or accepted this position of empowerment. This empowerment prevented the then minor Plaintiff from effectively protecting himself and the Order and the Archdiocese both entered into a fiduciary relationship with Plaintiff.

16. The Order and the Archdiocese each had a special relationship with Plaintiff.

17. The Order and the Archdiocese each owed Plaintiff a duty of reasonable care because they had superior knowledge about that Dahlheimer posed to Plaintiff, the risk of abuse in general in each of their programs, and/or the risks that their facilities posed to minor children.

18. The Order and the Archdiocese each owed Plaintiff a duty of reasonable care because they solicited youth and parents for participation in their youth programs; encouraged youth and parents to have the youth participate in their programs; undertook custody of minor children, including Plaintiff; promoted their facilities and programs as being safe for children; held their agents, including Dahlheimer, out as safe to work with children; encouraged parents and children to spend time with their agents; and/or encouraged their agents, including Dahlheimer, to spend time with, interact with, and recruit families and children.

19. The Order and the Archdiocese each had a duty to Plaintiff to protect him from harm because their actions created a foreseeable risk of harm to Plaintiff.

20. The Order and the Archdiocese each breached duties including, but not limited to: failure to have sufficient policies and procedures to prevent child sex abuse, failure to properly implement the policies and procedures to prevent child sex abuse, failure to take reasonable measures to make sure that the policies and procedures to prevent child sex abuse were working, failure to adequately inform families and children of the risks of child sex abuse, failure to investigate risks of child molestation, failure to properly train the workers at institutions and programs within each Defendant's geographical confines, failure to have any outside agency test its safety procedures, failure to protect the children in their programs from child sex abuse, failure to adhere to the applicable standard of care for child safety, failure to investigate the amount and type of information necessary to represent the institutions, programs, and leaders and people as

safe, failure to train its employees properly to identify signs of child molestation by fellow employees, failure by relying upon mental health professionals, and/or failure by relying on people who claimed that they could treat child molesters.

21. Defendants failed to use ordinary care in determining whether their facilities were safe and/or to determine whether they had sufficient information to represent their facilities as safe. Defendants' failures include, but are not limited to: failure to have sufficient policies and procedures to prevent abuse at their facilities, failure to investigate risks at their facilities, failure to properly train the workers at their facilities, failure to have any outside agency test their safety procedures, failure to investigate the amount and type of information necessary to represent their facilities as safe, failure to train their employees properly to identify signs of child molestation by fellow employees, failure by relying upon mental health professionals, failure by relying upon people who claimed that they could treat child molesters.

22. The Order and the Archdiocese also breached their duties to Plaintiff by failing to warn him and his family of the risk that Dahlheimer posed and the risks of child sexual abuse by clerics. Defendant Order and Defendant Archdiocese each failed to warn him about any of the knowledge that each Defendant had about child sex abuse.

23. Defendants also violated a legal duty by failing to report known and/or suspected abuse of children by Dahlheimer and/or their other agents to the police and law enforcement.

24. The Order and the Archdiocese each knew or should have known that some of the leaders and people working within the Order and the Archdiocese were not safe.

25. The Order and the Archdiocese each knew or should have known that they did not have sufficient information about whether or not leaders and people working within the Order and the Archdiocese were safe.

26. The Order and the Archdiocese each knew or should have known that there was a risk of child sex abuse for children participating in Catholic programs and activities within the Order and the Archdiocese.

27. The Order and the Archdiocese each knew or should have known that they did not have sufficient information about whether or not there was a risk of child sex abuse for children participating in Catholic programs and activities within the Order and the Archdiocese.

28. The Order and the Archdiocese each knew or should have known that the Order and the Archdiocese each had numerous agents who had sexually molested children. They knew or should have known that child molesters have a high rate of recidivism. The Order and the Archdiocese each knew or should have known that there was a specific danger of child sex abuse for children participating in their youth programs.

29. The Order and the Archdiocese each held their leaders and agents out as people of high morals, as possessing immense power, teaching families and children to obey these leaders and agents, teaching families and children to respect and revere these leaders and agents, soliciting youth and families to their programs, marketing to youth and families, recruiting youth and families, and holding out the people that worked in the programs as safe.

30. The Order and the Archdiocese were each negligent and/or made representations to Plaintiff and his family during each and every year of his minority.

31. Since December 2013, Defendant Archdiocese has released the names of 48 priests who worked in the Archdiocese who it had determined were credibly accused of sexually molesting a minor. The Archdiocese has not released documents that expose the histories of these priests, the patterns and practices the priests used to molest minors, and the Archdiocese's knowledge of the priests' dangerous tendencies. Also, the Archdiocese has not released the names



of other priests accused of molesting minors or documents about them. As a result children are at risk of being sexually molested.

32. In December 2013, Defendant Order released the names of 18 clerics who worked at the Order who had been credibly accused of sexually molesting a minor. The Order has not released documents that expose the histories of these clerics, the patterns and practices the clerics used to molest minors, and the Order's knowledge of the clerics' dangerous tendencies. Also, the Order has not released the names of other clerics accused of molesting minors or documents about them. As a result children are at risk of being sexually molested.

33. As a direct result of Defendants' conduct described herein, Plaintiff has suffered, and will continue to suffer, great pain of mind and body, severe and permanent emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, humiliation, physical, personal and psychological injuries. Plaintiff was prevented, and will continue to be prevented, from performing his normal daily activities and obtaining the full enjoyment of life; has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling; and, on information and belief, has and/or will incur loss of income and/or loss of earning capacity.

**COUNT I: DEFENDANT ORDER –  
NUISANCE (COMMON LAW AND MINN. STAT. § 561.01)**

34. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

35. Defendant Order continues to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the general public the sexual assaults committed by, the identities of, and the pedophilic/ephebophilic tendencies of, Dahlheimer and Defendant's other agents on its list of credibly accused clerics; 2) attack the credibility of the victims of Defendant's

agents; and/or 3) protect Defendant's agents from criminal prosecution for their sexual assaults against children.

36. The negligence and/or deception and concealment by Defendant was and is injurious to the health and/or indecent or offensive to the senses and/or an obstruction to the free use of property by the general public, including but not limited to, residents in Collegeville, Minnesota and all other members of the general public who live in communities where Defendant's credibly accused molesters worked and live. It was and is indecent and offensive to the senses, so as to interfere with the general public's comfortable enjoyment of life in that the general public cannot trust Defendant to warn parents of the presence of the current and/or former accused molesters, nor to identify their current and/or former accused molesters, nor to disclose said credibly accused molesters' and other accused molesters' assignment histories, nor to disclose their patterns of conduct in grooming and sexually assaulting children, all of which create an impairment of the safety of children in the neighborhoods in Minnesota and throughout the Midwest United States where Defendant conducted, and continues to conduct, its business.

37. The negligence and/or deception and concealment by Defendant were specially injurious to Plaintiff's health as he was sexually assaulted by Defendant's agent, Dahlheimer.

38. The negligence and/or deception and concealment by Defendant also was specially injurious to Plaintiff's health in that when Plaintiff finally discovered the negligence and/or deception and concealment of Defendant, Plaintiff experienced mental and emotional distress that he had been the victim of the Defendant's negligence and/or deception and concealment; that Plaintiff had not been able to help other minors being molested because of the negligence and/or deception and concealment; and that Plaintiff had not been able because of the negligence and/or

deception and concealment to receive timely medical treatment needed to deal with the problems Plaintiff had suffered and continues to suffer as a result of the molestation.

39. Plaintiff also suffered special, particular and peculiar harm after he learned of the Order's concealment of its list of clerics credibly accused sexually molesting minors. As a result of the concealment, Plaintiff has suffered and continues to suffer lessened enjoyment of his life, impaired health, emotional distress, and/or physical symptoms of emotional distress. He has also experienced depression, anxiety, and/or anger.

40. Plaintiff has also suffered and continues to suffer special and peculiar pecuniary harm as a result of the dangerous condition maintained or permitted by Defendant Order. As a result of the condition maintained or permitted by Defendant Order that unreasonably endangers the safety and health of the public, Plaintiff has suffered and continues to suffer pecuniary loss including medical expenses and wage loss as a result of impaired health, emotional distress, discomfort, and/or physical symptoms of emotional distress.

41. The continuing nuisance created by Defendant was, and continues to be, the proximate cause of the injuries and damages to the general public and of Plaintiff's special injuries and damages as alleged.

42. In doing the aforementioned acts, Defendant acted negligently and/or intentionally, maliciously and with conscious disregard for Plaintiff's rights.

43. As a result of the above-described conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT II: DEFENDANT ORDER - NUISANCE (MINN. STAT. § 609.74)**

44. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

45. Defendant Order continues to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the proper civil authorities sexual assaults and abuse committed by Dahlheimer and Defendant's other agents against minor children; and/or 2) protect Defendant's agents from criminal prosecution for their sexual assaults and abuse against children; and/or 3) allow known child molesters to live freely in the community unknown to the public.

46. The deception and concealment by Defendant has maintained or permitted a condition which unreasonably endangers the safety and health of a considerable number of members of the public, including, but not limited to, children and residents in Collegeville, Minnesota and all other members of the general public who live in communities where Defendant's credibly accused molesters worked and live. Defendant's failure to report multiple allegations of sexual assault and abuse of children to proper authorities has endangered the safety and health of a considerable number of the members of the public by allowing child molesters' to avoid prosecution and remain living freely in unsuspecting communities. These child molesters, known to the Order but not to the public, pose a threat of additional abuse to a considerable number of members of the public.

47. The deception and concealment by Defendant was specially injurious to Plaintiff's health as he was sexually assaulted by Defendant's agent, Dahlheimer.

48. The condition permitted or maintained by Defendant was also specially injurious to Plaintiff in that he experienced mental and emotional distress because he had been the victim of the Defendant's deception and concealment; Plaintiff had not been able to help other minors being molested because of the deception and concealment; and because Plaintiff had not been able to receive timely medical treatment needed to deal with the problems he had suffered and continues to suffer as a result of the molestation. Plaintiff has also experienced depression, anxiety, and/or

anger.

49. Plaintiff has also suffered and continues to suffer special and peculiar pecuniary harm as a result of the dangerous condition maintained or permitted by Defendant. As a result of the condition maintained or permitted by Defendant that unreasonably endangers the safety and health of the public, Plaintiff has suffered and continues to suffer pecuniary loss including medical expenses and/or wage loss as a result of the nuisance.

50. The continuing public nuisance created by Defendant was, and continues to be, the proximate cause of the unreasonably dangerous condition to the public and of Plaintiff's special injuries and damages as alleged.

51. In doing the aforementioned acts, Defendant acted intentionally, maliciously and with conscious disregard for Plaintiff's rights.

52. As a result of the above-described conduct, Plaintiff has suffered the injuries and damages described herein.

### **COUNT III: DEFENDANT ORDER – NEGLIGENCE**

53. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

54. Defendant Order owed Plaintiff a duty of reasonable care.

55. Defendant Order breached the duty of reasonable care it owed Plaintiff.

56. Defendant's breach of its duty was the proximate cause of Plaintiff's injuries.

57. As a direct result of Defendant's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT IV: DEFENDANT ORDER – NEGLIGENT SUPERVISION**

58. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

59. At all times material, Dahlheimer was employed by Defendant Order and was under Defendant Order's direct supervision, employ and control when he committed the wrongful acts alleged herein. Dahlheimer engaged in the wrongful conduct while acting in the course and scope of his employment with Defendant Order and/or accomplished the sexual abuse by virtue of his job-created authority. Defendant Order failed to exercise ordinary care in supervising Dahlheimer in his parish assignment within the Archdiocese and failed to prevent the foreseeable misconduct of Dahlheimer from causing harm to others, including the Plaintiff herein.

60. As a direct result of Defendant's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT V: DEFENDANT ORDER – NEGLIGENT RETENTION**

61. Plaintiff incorporates all consistent paragraphs of this complaint as if fully set forth under this count.

62. Defendant, by and through its agents, servants and employees, became aware, or should have become aware, of problems indicating that Dahlheimer was an unfit agent with dangerous and exploitive propensities, yet Defendant failed to take any further action to remedy the problem and failed to investigate or remove Dahlheimer from working with children.

63. As a direct result of Defendant's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT VI: DEFENDANT ARCHDIOCESE –  
NUISANCE (COMMON LAW AND MINN. STAT. § 561.01)**

64. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

65. Defendant Archdiocese continues to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the general public the sexual assaults committed by, the identities of, and the pedophilic/ephebophilic tendencies of, Dahlheimer and Defendant's other agents on its list of credibly accused clerics; 2) attack the credibility of the victims of Defendant's agents; and/or 3) protect Defendant's agents from criminal prosecution for their sexual assaults against children.

66. The negligence and/or deception and concealment by Defendant was and is injurious to the health and/or indecent or offensive to the senses and/or an obstruction to the free use of property by the general public, including but not limited to, residents in the Archdiocese of St. Paul and Minneapolis, and all other members of the general public who live in communities where Defendant's credibly accused molesters worked and live. It was and is indecent and offensive to the senses, so as to interfere with the general public's comfortable enjoyment of life in that the general public cannot trust Defendant to warn parents of the presence of the current and/or former accused molesters, nor to identify their current and/or former accused molesters, nor to disclose said credibly accused molesters' and other accused molesters' assignment histories, nor to disclose their patterns of conduct in grooming and sexually assaulting children, all of which create an impairment of the safety of children in the neighborhoods in Minnesota and throughout the Midwest United States where Defendant conducted, and continues to conduct, its business.

67. The negligence and/or deception and concealment by Defendant were specially injurious to Plaintiff's health as he was sexually assaulted by Defendant's agent, Dahlheimer.

68. The negligence and/or deception and concealment by Defendant also was specially injurious to Plaintiff's health in that when Plaintiff finally discovered the negligence and/or deception and concealment of Defendant, Plaintiff experienced mental and emotional distress that he had been the victim of the Defendant's negligence and/or deception and concealment; that Plaintiff had not been able to help other minors being molested because of the negligence and/or deception and concealment; and that Plaintiff had not been able because of the negligence and/or deception and concealment to receive timely medical treatment needed to deal with the problems Plaintiff had suffered and continues to suffer as a result of the molestation.

69. Plaintiff also suffered special, particular and peculiar harm after he learned of the Archdiocese's concealment of its list of clerics credibly accused sexually molesting minors, which continues as long as the documents remain concealed. As a result of the concealment, Plaintiff has suffered and continues to suffer lessened enjoyment of his life, impaired health, emotional distress, and/or physical symptoms of emotional distress. He has also experienced depression, anxiety, and/or anger.

70. Plaintiff has also suffered and continues to suffer special and peculiar pecuniary harm as a result of the dangerous condition maintained or permitted by Defendant Archdiocese, which continues as long as decisions are made and actions taken to keep the information about the abuse and the credibly accused priests concealed. As a result of the same condition maintained or permitted by Defendant Archdiocese that unreasonably endangers the safety and health of the public, Plaintiff has suffered and continues to suffer pecuniary loss including medical expenses and wage loss as a result of impaired health, emotional distress, discomfort, and/or physical symptoms of emotional distress.



71. The continuing nuisance created by Defendant was, and continues to be, the proximate cause of the injuries and damages to the general public and of Plaintiff's special injuries and damages as alleged.

72. In doing the aforementioned acts, Defendant acted negligently and/or intentionally, maliciously and with conscious disregard for Plaintiff's rights.

73. As a result of the above-described conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT VII: DEFENDANT ARCHDIOCESE -  
NUISANCE (MINN. STAT. § 609.74)**

74. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

75. Defendant Archdiocese continues to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the proper civil authorities sexual assaults and abuse committed by Dahlheimer and Defendant's other agents against minor children; and/or 2) protect Defendant's agents from criminal prosecution for their sexual assaults and abuse against children; and/or 3) allow known child molesters to live freely in the community unknown to the public.

76. The deception and concealment by Defendant has maintained or permitted a condition which unreasonably endangers the safety and health of a considerable number of members of the public, including, but not limited to, children and residents in the Archdiocese of St. Paul and Minneapolis, and all other members of the general public who live in communities where Defendant's credibly accused molesters worked and live. Defendant's failure to report multiple allegations of sexual assault and abuse of children to proper authorities has endangered the safety and health of a considerable number of the members of the public by allowing child molesters' to avoid prosecution and remain living freely in unsuspecting communities. These child

molesters, known to the Archdiocese but not to the public, pose a threat of additional abuse to a considerable number of members of the public.

77. The deception and concealment by Defendant was specially injurious to Plaintiff's health as he was sexually assaulted by Defendant's agent, Dahlheimer.

78. The condition permitted or maintained by Defendant was also specially injurious to Plaintiff in that he experienced mental and emotional distress because he had been the victim of the Defendant's deception and concealment; Plaintiff had not been able to help other minors being molested because of the deception and concealment; and because Plaintiff had not been able to receive timely medical treatment needed to deal with the problems he had suffered and continues to suffer as a result of the molestation. Plaintiff has also experienced depression, anxiety, and/or anger.

79. Plaintiff has also suffered and continues to suffer special and peculiar pecuniary harm as a result of the dangerous condition maintained or permitted by Defendant, which continues as long as decisions are made and actions taken to keep the information about the abuse and the credibly accused priests concealed. As a result of the same condition maintained or permitted by Defendant that unreasonably endangers the safety and health of the public, Plaintiff has suffered and continues to suffer pecuniary loss including medical expenses and/or wage loss as a result of the nuisance.

80. The continuing public nuisance created by Defendant was, and continues to be, the proximate cause of the unreasonably dangerous condition to the public and of Plaintiff's special injuries and damages as alleged.

81. In doing the aforementioned acts, Defendant acted intentionally, maliciously and with conscious disregard for Plaintiff's rights.

82. As a result of the above-described conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT VIII: DEFENDANT ARCHDIOCESE -  
NEGLIGENCE**

83. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

84. Defendant Archdiocese owed Plaintiff a duty of reasonable care.

85. Defendant Archdiocese breached the duty of reasonable care it owed Plaintiff.

86. Defendant's breach of its duty was the proximate cause of Plaintiff's injuries.

87. As a direct result of Defendant's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT IX: DEFENDANT ARCHDIOCESE –  
NEGLIGENT SUPERVISION**

88. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

89. At all times material, Dahlheimer was employed by Defendant Archdiocese and was under Defendant Archdiocese's direct supervision, employ and control when he committed the wrongful acts alleged herein. Dahlheimer engaged in the wrongful conduct while acting in the course and scope of his employment with Defendant Archdiocese and/or accomplished the sexual abuse by virtue of his job-created authority. Defendant Archdiocese failed to exercise ordinary care in supervising Dahlheimer in his parish assignment within the Archdiocese and failed to prevent the foreseeable misconduct of Dahlheimer from causing harm to others, including the Plaintiff herein.

90. As a direct result of Defendant's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT X: DEFENDANT ARCHDIOCESE –  
NEGLIGENT RETENTION**

91. Plaintiff incorporates all consistent paragraphs of this complaint as if fully set forth under this count.

92. Defendant, by and through its agents, servants and employees, became aware, or should have become aware, of problems indicating that Dahlheimer was an unfit agent with dangerous and exploitive propensities, yet Defendant failed to take any further action to remedy the problem and failed to investigate or remove Dahlheimer from working with children.

93. As a direct result of Defendant's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**PRAYER FOR RELIEF**

94. Plaintiff demands judgment against Defendants in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and such other and further relief as the court deems just and equitable.

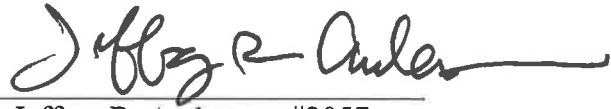
95. Plaintiff requests an order requiring that the Order publicly release the names of all agents, including clerics, accused of child molestation, each agent's history of abuse, each such agent's pattern of grooming and sexual behavior, and his last known address. This includes the release of the Order's documents on the agents.

96. Plaintiff requests an order requiring that the Archdiocese publicly release the names of all agents, including clerics, accused of child molestation, each agent's history of abuse, each such agent's pattern of grooming and sexual behavior, and his last known address. This includes the release of the Order's documents on the agents.

DEMAND IS HEREBY MADE FOR A TRIAL BY JURY.

Dated: September 17, 2014

JEFF ANDERSON & ASSOCIATES, P.A.



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Attorneys for Plaintiff

**ACKNOWLEDGMENT**

The undersigned hereby acknowledges that sanctions, including costs, disbursements, and reasonable attorney fees may be awarded pursuant to Minn. Stat. § 549.211 to the party against whom the allegations in this pleading are asserted.

