

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

BRIDGET LYONS, DARRYL BASSILE,
JOHN DOE 1, MARK LYMAN
JEANNE MARRON,

Index No.

SUMMONS

Plaintiffs,

Date Index No.
Purchased:

-against-

CATHOLIC CONFERENCE OF MAJOR
SUPERIORS OF MEN,

Defendant.

TO THE ABOVE-NAMED DEFENDANT:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the Complaint of the Plaintiffs herein and to serve a copy of your answer on the Plaintiffs at the addresses indicated below within twenty (20) days after the service of this Summons (not counting the day of service itself), or within thirty (30) days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the Complaint.

DATED: February 13, 2019.
New York, New York



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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

BRIDGET LYONS, DARRYL BASSILE,
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JEANNE MARRON,

Plaintiffs,

-against-

CATHOLIC CONFERENCE OF MAJOR
SUPERIORS OF MEN,

Defendant.

Index No.

COMPLAINT

Plaintiffs, by and through their attorneys, Jeff Anderson & Associates, P.A., as and for their
Complaint in this matter against Defendant, state and allege as follows:

PARTIES

1. Plaintiff Bridget Lyons is an adult female resident of the State of Georgia. Plaintiff was a minor resident of New York City and the State of New York, and a citizen of the United States at the time of the sexual abuse alleged herein. Plaintiff brings this action both in her individual capacity and on behalf of the general public.

2. Plaintiff Darryl Bassile is an adult male resident of the State of Texas. Plaintiff was a minor resident of New York City and the State of New York, and a citizen of the United States at the time of the sexual abuse alleged herein. Plaintiff brings this action both in his individual capacity and on behalf of the general public.

3. Plaintiff John Doe 1 is an adult male resident of the State of New York. Plaintiff was a minor resident of the State of New York and a citizen of the United States at the time of the sexual abuse alleged herein. Plaintiff brings this action both in his individual capacity and on behalf

of the general public.

4. Plaintiff Mark Lyman is an adult male resident of the State of New York. Plaintiff was a minor resident of the State of New York and a citizen of the United States at the time of the sexual abuse alleged herein. Plaintiff brings this action both in his individual capacity and on behalf of the general public.

5. Plaintiff Jeanne Marron is an adult female resident of the State of New Jersey. Plaintiff was a minor resident of the State of New York and a citizen of the United States at the time of the sexual abuse alleged herein. Plaintiff brings this action both in her individual capacity and on behalf of the general public.

6. Defendant Catholic Conference of Major Superiors of Men (hereinafter "CMSM") 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 across the United States of America with its principal place of business at 7300 Hanover Drive, Suite 304, Greenbelt, MD 20770. Defendant CMSM was created in approximately 1956. Later, Defendant CMSM created a corporation called The Conference of Major Superiors of Men of the United States, Inc. to conduct some of its affairs. Defendant CMSM is incorporated in the State of Maryland, and conducts business across the United States.

7. Defendant CMSM is composed of Religious priests and brothers who are leaders and/or members of their respective Orders and congregations in the United States. Defendant CMSM represents approximately 12,000 religious order priests and more than 4,000 vowed religious brothers across the United States. Defendant CMSM functions as a business by engaging in activities promoting, advancing and furthering the policies, practices and interests of Catholic Orders and congregations in the United States of America. Father Mark Padrez, OP, the head of

the Order of Preachers (Dominican Fathers) is the President of CMSM. Brother Larry Schatz, FSC, a member of the De La Salle Christian Brothers is the Vice President of CMSM. Father John A. Pavelik, OFM Cap., a priest and monk of the Order of Friars Minor Capuchin is the Executive Director of CMSM.

8. Defendant CMSM transacts business in every state in the United States, including New York.

FACTS

9. Father John “Jack” Kennington, C.S.s.R., (hereinafter “Kennington”) professed vows as member of the Baltimore Province of the Redemptorist Order (“Redemptorists”) in 1954. Kennington was ordained a Roman Catholic Priest for the Redemptorists in 1959.

10. The Redemptorists are a member congregation of Defendant CMSM.

11. The Provincial Superior of the Redemptorists is a member of Defendant CMSM.

12. The Redemptorists assigned Kennington to Mount St. Alphonsus, a Redemptorist seminary in Esopus, New York, in the Archdiocese of New York from approximately 1959 to 1961.

13. Beginning in 1961 the Redemptorists assigned Kennington to various assignments in Brazil for nearly two decades. Upon information and belief Kennington would return to the United States to perform work in his capacity as a Redemptorist Roman Catholic priest during this period when ordered to do so by the Redemptorists.

14. In approximately 1973, Kennington met Plaintiff Bridget Lyons’ mother while in the United States performing work as a Redemptorist priest at a marriage retreat in the Diocese of Rockville Centre on Long Island, New York.

15. In approximately 1979 the Redemptorists ordered Kennington back to the United States where they assigned him to live at Sacred Heart Parish in Baltimore, Maryland, until 1981.

16. After a short time in Maryland, the Redemptorists assigned Kennington to the Catholic Information Center at Woodstock Theological Center at Georgetown University in Washington, D.C. from approximately 1981 to 1983.

17. In 1983 the Redemptorists assigned Kennington to Most Holy Redeemer Parish in New York City, where he served as Assistant Pastor until approximately 1990. During this assignment the Redemptorists and the Archdiocese of New York made Kennington the Archdiocesan Drug and Alcohol Rehabilitate and Educate (DARE) Program Director for Manhattan's Lower East Side.

18. It is not known where the Redemptorists assigned Kennington from 1990 to 1993, but upon information and belief, the Redemptorists assigned Kennington to Our Lady of Perpetual Help Parish in Opa Locka, Florida in the Archdiocese of Miami from approximately 1993 to 1994. Kennington's whereabouts from approximately 1994 to 1995 are not known.

19. From approximately 1995 to 2005 the Redemptorists sent Kennington to the Redemptorist residence, Mt. St. Alphonsus in Esopus, New York, in the Archdiocese of New York.

20. Plaintiff Bridget Lyons was raised to trust, revere and respect the Roman Catholic Church, of which Defendant CMSM and its agents are a part. Plaintiff came into contact with Kennington as a Roman Catholic priest and Redemptorist at Most Holy Redeemer Parish in New York City, where she and her family were parishioners.

21. After being recalled to the United States permanently and assigned to Most Holy Redeemer, Kennington began to spend a significant amount of time with Plaintiff Lyons' family, visiting them often at their home in Manhattan, and traveling with the family on vacations.

22. Kennington performed mass at Plaintiff Lyons' home in Manhattan, and performed her younger brother's first communion at the home during the 1980s. As devout Catholics it was an honor to be associated with Kennington.

23. From approximately 1984 to 1987, when Plaintiff Lyons' was approximately 13 to 16 years old, Father Kennington engaged in unpermitted sexual contact with Plaintiff. Kennington sexually abused Plaintiff at her family home in Manhattan, at various locations on Long Island, and on a family trip to her grandparents' home in Florida.

24. During this same time period, Kennington also sexually abused Lyons' younger brother, who brought a lawsuit in 1993 for the harm Kennington caused him. Plaintiff Lyons was told at that time that the statute of limitations barred her from bringing a claim for the abuse she suffered by Kennington, which ended just six years earlier.

25. In 2000 Kennington testified in a deposition that he played strip poker with Lyons and her brother beginning when they were 9 and 13 years old, and admitted that he and the children were entirely naked together at times during these games.

26. In 2009 the Redemptorists celebrated Kennington's 50th anniversary of his ordination to the priesthood, and in 2016 he remained a Redemptorist priest in good standing, living at a Redemptorist facility in Brooklyn.

27. Upon information and belief Defendant CMSM was aware or should have been aware that Kennington posed a danger to children before Kennington engaged in unpermitted sexual contact with Plaintiff Lyons.

28. The full extent of Kennington's sexual abuse of minors has not been disclosed publicly by Defendant CMSM.

29. Father Bruce Ritter, OFM conv. (hereinafter “Fr. Ritter”) was ordained for the Order of Friars of Minor Conventual (“Conventual Franciscans”) in Rome, Italy in approximately 1956.

30. The Conventual Franciscans are a member congregation of Defendant CMSM.

31. The Minister Provincial of the Conventual Franciscans is a member of Defendant CMSM.

32. Between 1959 and 1963 the Conventual Franciscans assigned Fr. Ritter to its seminaries in Rensselaer, New York; Granby, Massachusetts; and Pittsburgh, Pennsylvania.

33. In 1963 the Conventual Franciscans assigned Fr. Ritter to Manhattan College in the Bronx, New York, where he worked until 1968.

34. In 1968 Fr. Ritter founded a facility designed to provide shelter and counseling for homeless youth in the New York City area. Fr. Ritter did this with the knowledge and explicit permission of the Conventual Franciscans. The facility was incorporated under the name Covenant House in 1972, and was located in New York’s East Village.

35. From 1972 until March, 1990, Fr. Ritter controlled and operated Covenant House, with substantial funding from outside sources and his Order, the Conventual Franciscans.

36. Upon information and belief, from approximately 1969 until approximately 1989, Fr. Ritter engaged in sexual contact with several of the at-risk minors who resided at Covenant House.

37. Plaintiff Darryl Bassile was a disadvantaged, homeless youth living in New York in the early 1970s. In the spring of 1973, Bassile became a resident of Covenant House, seeking shelter, spiritual and emotional counseling and advices. Fr. Ritter met Bassile, sheltered him,

consoled him, and advised the minor Plaintiff, using his position as a Roman Catholic priest and member of the Conventual Franciscans.

38. Plaintiff Bassile confided in Fr. Ritter that he had a troubled childhood, had been sexually abused, was homeless, was without means of support, and was in need of spiritual and emotional counseling and guidance.

39. Fr. Ritter used his position as a Roman Catholic priest, member of the Conventual Franciscans, and spiritual guide for troubled children, to exploit and sexually abuse Plaintiff Bassile.

40. Fr. Ritter engaged in unpermitted sexual contact with Plaintiff Bassile on multiple occasions when Plaintiff was approximately 14 years old in approximately 1973 in the city of New York.

41. Fr. Ritter continued to run Covenant House with the full support of the Conventual Franciscans until in 1989, three young men came forward and reported sexual abuse by Fr. Ritter, beginning when they were young teens who had gone to Covenant House seeking Fr. Ritter's help.

42. In November, 1990 Plaintiff Bassile came forward and brought a lawsuit against Fr. Ritter, the Conventual Franciscans, and Covenant House in an attempt to recover for the severe harm caused by the sexual abuse by Fr. Ritter in 1973. Defendants successfully had Plaintiff's lawsuit dismissed based on the expired statute of limitations at that time.

43. Upon information and belief, the Conventual Franciscans were aware or should have been aware that Fr. Ritter posed a danger to children before Fr. Ritter engaged in unpermitted sexual contact with Plaintiff Bassile.

44. The full extent of Fr. Ritter's sexual abuse of minors has not been disclosed publicly by Defendant CMSM.

45. Abbot Timothy Kelly, OSB (hereinafter “Abbot Kelly”) became a monk of the Order of St. Benedict (“Benedictines”) at St. John’s Abbey in Collegeville, Minnesota in approximately 1955.

46. Abbot Kelly was ordained a Roman Catholic Priest for the Benedictine Order at St. John’s Abbey in 1961.

47. The Benedictines at St. John’s Abbey are a member Order of Defendant CMSM.

48. The Benedictine Abbot of St. John’s Abbey is a member of Defendant CMSM.

49. From 1961 through 1962, Abbot Kelly was assigned by the Benedictines as an English instructor and dormitory supervisor at St. John’s University in Collegeville, Minnesota.

50. In 1962 the Benedictines assigned Abbot Kelly to teach theology at Colegio del Tepeyac in Mexico City, where he stayed until 1963.

51. In 1963 the Benedictines assigned Abbot Kelly to teach English at St. Augustine’s College in the Bahamas, where he remained until 1964. St. Augustine’s was a high school that was owned and operated by the Benedictines at St. John’s Abbey.

52. In 1964 the Benedictines assigned Abbot Kelly as an associate pastor at St. Anselm’s Church in the Bronx, New York, in the Archdiocese of New York. Abbot Kelly served as associate pastor there until 1970, when he was made pastor of that parish. Abbot Kelly served as pastor of St. Anselm’s in the Bronx until 1972.

53. From 1972 through 1978, the Benedictines assigned Abbot Kelly to be chaplain for the Benedictine Sisters at Mount Saint Benedict Monastery in Crookston, Minnesota, in the Diocese of Crookston.

54. From 1978 through 1980, the Benedictines sent Abbot Kelly to school at the Monastic Institute at Sant’ Anselmo in Rome, Italy.

55. In 1980, Abbot Kelly was appointed by the Benedictines as novice master at St. John's Abbey in Minnesota. While novice master, from 1980 through 1985, Abbot Kelly was the director of the Institute for Religion and Human Development at St. John's University. While novice master, Abbot Kelly also taught theology for graduate and undergraduate students from 1980 through 1988.

56. In 1989, Abbot Kelly was appointed by the Benedictines as Administrator of Belmont Abbey in North Carolina.

57. In 1992, Abbot Kelly was appointed rector of St. John's Seminary in Minnesota.

58. On November 27, 1992 Abbot Kelly was elected by the Benedictines as abbot, or head, of St. John's Abbey. Abbot Kelly remained the abbot of St. John's until 2000.

59. From 2001 through 2010, the Benedictines selected Abbot Kelly to serve as Abbot President of the American-Cassinese Congregation.

60. On October 7, 2010, Abbot Kelly died.

61. From approximately 1966 to 1967, while Abbot Kelly was an associate pastor at St. Anselm's Church in the Bronx, New York, Abbot Kelly engaged in unpermitted sexual contact with multiple minor parishioners at the parish.

62. In 2011, a minor parishioner who Abbot Kelly sexually abused at St. Anselm's Church in the Bronx, New York during the 1960s brought a claim in the United States District Court for the District of Minnesota against The Order of St. Benedict for the abuse he suffered.

63. The Benedictines were able to get the case dismissed based on the statute of limitations in December, 2011 after the survivor agreed to give a statement describing the abuse he and other boys suffered at the hands of Abbot Kelly.

64. In 2017, a California resident, and relative of a former St. John's Abbey Benedictine monk reported to the Abbey that Abbot Kelly sexually abused him when he was a boy during the 1960s in Mexico, and in Minnesota.

65. In approximately 1965, when Plaintiff John Doe 1 was approximately 9 or 10 years old, Abbot Kelly engaged in unpermitted sexual contact with Plaintiff.

66. Plaintiff John Doe 1 was raised to trust, revere and respect the Roman Catholic Church, of which Defendant CMSM and its agents are a part. Plaintiff came into contact with Abbot Kelly as a Roman Catholic priest at St. Anselm's Church in the Bronx, New York.

67. At the time of the abuse by Abbot Kelly, then Fr. Kelly, Plaintiff John Doe 1 was a minor parishioner and catechism student at St. Benedict's Parish in the Bronx, New York.

68. Years before Plaintiff John Doe 1 suffered the sexual abuse by Abbot Kelly, he was play fighting with his best friend one day, and during the night the little boy died of a brain hemorrhage. Plaintiff John Doe 1, as a little boy, believed he caused his friend's death, but was too afraid to say anything to his parents or any adult.

69. Although a parishioner of St. Benedict's Parish, Plaintiff John Doe 1 went to St. Anselm's in approximately 1965 when he was approximately 9 or 10 year's old to confess that believed he killed his friend years before. Plaintiff John Doe 1 went to St. Anselm's because he did not want anyone at his own parish to know. Abbot Kelly listened to Plaintiff John Doe 1's confession at St. Anselm's that day, and told Plaintiff John Doe 1 to wait for him in a pew afterward. Plaintiff John Doe 1 did as Abbot Kelly instructed him.

70. After hearing the last of the confessions that day, Abbot Kelly found Plaintiff John Doe 1 sitting in the pew, introduced himself, and told Plaintiff to come with him to his office. Plaintiff John Doe 1 did as the priest instructed him.

71. Once in his office, Abbot Kelly told Plaintiff John Doe 1 that the sin he confessed was very bad and that he needed special attention to be forgiven by God. Abbot Kelly then subjected Plaintiff John Doe 1 to unpermitted sexual contact and told him that he was not to ever speak of the abuse to anyone or God would not forgive him for his sin.

72. Plaintiff John Doe 1 reported the abuse he suffered at the hands of Abbot Kelly to the Benedictines at St. John's in 2018, and subsequently agreed to provide a sworn statement describing the abuse.

73. The Benedictines have never disclosed Abbot Timothy Kelly, OSB as a credibly accused offender against children.

74. Upon information and belief, the Benedictines were aware or should have been aware that Abbot Kelly posed a danger to children before Abbot Kelly engaged in unpermitted sexual contact with Plaintiff John Doe 1.

75. The full extent of Abbot Kelly's sexual abuse of minors has not been disclosed publicly by Defendant CMSM.

76. Fr. Frank Genevieve, O.F.M. (hereinafter "Genevieve") joined the Franciscan Province of the Immaculate Conception (hereinafter, "Franciscans") in approximately 1974.

77. Genevieve served as a professed religious brother and member subject to the authority and control of the Franciscans from approximately 1974 to 1983.

78. The Franciscans are a member congregation of Defendant CMSM.

79. The Provincial Minister of the Franciscans is a member of Defendant CMSM.

80. Upon information and belief, Genevieve's request to be ordained a priest was delayed by the Franciscans and his request for ordination was denied at least once for undisclosed reasons.

81. Upon information and belief, the Franciscans sent Genevieve to treatment at House of Affirmation in approximately 1978. House of Affirmation was a facility in Worcester, Massachusetts that was known to treat sexually abusive priests and clerics.

82. The Franciscans assigned Genevieve to St. Anthony of Padua Parish in Troy, New York during the 1970s and 1980s.

83. Plaintiff Lyman was a vulnerable youth raised to trust, revere and respect the Roman Catholic Church, of which Defendant CMSM and its agents are a part. Plaintiff met Fr. Genevieve in approximately 1978 when he was approximately 13 years old and his mother brought him for pastoral care and counseling at St. Anthony of Padua in Troy, New York.

84. Genevieve soon began to shower Plaintiff Lyman, a young boy living in poverty with no father, with attention, gifts, meals and trips around New York and Massachusetts. After several months of this attention, Genevieve started sexually abusing Plaintiff Lyman.

85. From approximately 1978 to 1982, Genevieve, engaged in unpermitted sexual contact with Plaintiff Mark Lyman on numerous occasions when Lyman was approximately 13 to 16 years old.

86. Genevieve sexually abused Plaintiff Lyman in Troy, New York; and on trips to Franciscan facilities in New York City and Massachusetts.

87. On July 22, 2008, Genevieve pleaded guilty in Massachusetts to raping Plaintiff Lyman and another boy, and was given a suspended sentence of 8 to 10 years in prison.

88. Upon information and belief, the Franciscans and Defendant CMSM were aware or should have been aware that Genevieve posed a danger to children before Genevieve engaged in unpermitted sexual contact with Plaintiff Lyman.

89. The full extent of Genevieve's sexual abuse of minors has not been disclosed publicly by Defendant CMSM.

90. Brother James Vincent Hanney, C.F.C., (hereinafter "Hanney") was a Roman Catholic brother and member of the Edmund Rice Christian Brothers ("Irish Christian Brothers"), who was assigned by the Irish Christian Brothers as a teacher and counselor at Notre Dame Bishop Gibbons Middle and High School in Schenectady, New York, in the Diocese of Albany, during the 1970s.

91. The Irish Christian Brothers are a member congregation of Defendant CMSM.

92. The Provincial of the Irish Christian Brothers is a member of Defendant CMSM.

93. Upon information and belief, in approximately 1971, students at Bishop Gibbons found a photograph of Hanney and two young men sitting on a picnic table completely naked. The students immediately brought the photographs to Brother Draney, C.F.C., an Irish Christian Brother who was then principal of the school. Draney told the students he would take care of it, but no action was taken against Hanney and he continued to teach at the school.

94. Plaintiff Jeanne Marron attended Notre Dame Bishop Gibbons School beginning when she was a freshman in approximately 1976. As a Catholic and student at Notre Dame Bishop Gibbons, Plaintiff Marron was taught to trust, respect, obey and revere Roman Catholic priests, clergy and other religious, including Hanney.

95. Plaintiff Marron came into contact with Hanney as a Roman Catholic Brother, teacher and counselor at Notre Dame Bishop Gibbons when she was approximately 15 years old during her sophomore year in approximately 1977.

96. Hanney began to counsel Plaintiff Marron, manipulating her to believe that she was abnormally insecure and that she believed she was unlovable.

97. Hanney then began to hug, show affection to Plaintiff Marron.

98. Hanney's physical contact progressed, and from approximately 1977 to 1980, Hanney engaged in unpermitted sexual contact with Marron on numerous occasions when she was a minor between approximately 15 and 17 years old.

99. Hanney sexually abused Plaintiff Marron at Notre Dame Bishop Gibbons School, and on camping trips to Maine.

100. Upon information and belief, the Irish Christian Brothers and Defendant CMSM were aware or should have been aware that Hanney posed a danger to children before Hanney engaged in unpermitted sexual contact with Plaintiff Marron.

101. Hanney is believed to have left the Irish Christian Brothers since abusing Plaintiff Marron.

102. The full extent of Hanney's sexual abuse of minors has not been disclosed publicly by Defendant CMSM.

103. Defendant CMSM holds its leaders and agents out as people of high morals, as possessing immense power, teaching families and children to obey its leaders and agents, teaching families and children to respect and revere these leaders and agents, soliciting youth and families to its programs, marketing to youth and families, recruiting youth and families, and holding out the people that work in its programs as safe.

104. As a result, Defendant's leaders and agents have occupied positions of great trust, respect and allegiance among members of the general public, including Plaintiffs.

105. Each leader or religious superior of member Orders and congregations is a member of Defendant CMSM.

106. Since approximately 1956, Defendant CMSM has provided a unified front to address the handling of sexual abuse allegations involving Catholic priests, monks and brothers in the United States of America.

107. Defendant CMSM, on behalf of each member Order and congregation in the U.S., has made representations about the safety of programs in Catholic institutions.

108. Defendant CMSM mandates policies and practices that are required to be implemented in each member Order and congregation in the United States.

109. Defendant CMSM has repeatedly pledged, as recently as 2018, to do all in its power to protect children and young people.

110. These pledges are inconsistent with the policies, practices and actions that demonstrate secrecy and suppression of information about clergy who have sexually abused children in the United States.

111. Additionally, promises made by Defendant CMSM to address child sexual assault have not been kept.

112. Defendant CMSM meets annually to formulate policies and practices related to matters of importance to the Catholic Orders, congregations and the CMSM.

113. Defendant CMSM has had knowledge of sexual abuse by priests, brothers, clerics and other religious who are members of its Member Religious Orders and congregations, and has known that child sexual abuse by its agents has been a problem for decades.

114. In approximately 1971, Dr. Conrad Baars and Dr. Anna Terruwe presented a report entitled "The Role of the Church in the Causation, Treatment and Prevention of the Crisis in the Priesthood" to Defendant CMSM. The report described the problem of inappropriate sexual activity, including the sexual abuse of minors by U.S. priests and religious.

115. In approximately January, 2002 Defendant CMSM began using a secure and secret list serve for its member leaders of Religious Orders and congregations to communicate privately about sexual abuse by priests, brothers, monks, clerics and other religious. The list serve was provided to Defendant CMSM by St. Luke's Institute, an institution that treats abusive priests.

116. Also in January, 2002, Fr. Canice F. Connors, OFMConv., then president of Defendant CMSM, instructed all of CMSM's member Orders and congregations to stay in contact with Defendant CMSM when dealing with situations of sexual abuse of a minor by priests, monks, brothers, clerics or other religious from Defendant CMSM orders and/or congregations.

117. In June of 2002, the United States Conference of Catholic Bishops (hereinafter "USCCB") approved the newly created Charter for the Protection of Children and Young People (hereinafter "Charter"), in response to growing publicity surrounding sexual abuse of minors by priests.

118. In August 2002, in response to information about sexual abuse of minors by priests and religious becoming public, and in response to the USCCB's newly adopted Charter, Defendant CMSM's National Assembly met in Philadelphia, Pennsylvania and pledged commitment to the protection of children and young people. Following the National meeting, Defendant CMSM issued a statement instructing the leadership of the Conference to research and enact new policies that would protect children from sexual abuse by clergy and religious, and to research and design mechanisms for achieving public accountability for major superiors, including a national review board to assess sexual abuse of children by clergy and religious.

119. Over the following year, Defendant CMSM researched designed mechanisms for leadership of its member Orders and congregations to follow to protect children from sexual abuse and to achieve more public accountability. At Defendant CMSM's National Assembly meeting in

Louisville, Kentucky, Defendant adopted these mechanisms in a new plan, entitled “Instruments of Hope and Healing – Safeguarding Children and Young People.”

120. Through “Instruments of Hope and Healing,” Defendant CMSM mandated policies and procedures instructing each member Order and congregation in the United States on how to handle reports of sexual abuse of minors by clergy. The “Instruments of Hope and Healing” program created a national framework for Defendant CMSM’s member Orders and congregations to follow to better protect children from abuse. However, the “Instruments of Hope and Healing” program provided no requirement for CMSM members to publicly disclose the names of offenders.

121. As part of the “Instruments of Hope and Healing” program, Defendant CMSM entered into a partnership with Praesidium Religious Services (“Praesidium”) to implement and oversee the plan. Praesidium was a sub-contractor of Christian Brothers Risk Management services at the time. Praesidium is an organization that reviews Defendant CMSM’s member Orders and congregations sexual abuse prevention practices and provides accreditation based on standards Praesidium creates and distributes to Defendant CMSM. Praesidium also offers litigation support to any member of Defendant CMSM facing civil liability for sexual abuse.

122. In 2013, at Defendant CMSM’s National Assembly meeting, Defendant CMSM developed and approved a new statement on child protection, “Eleven Years of Work and Reflection by United States Male Religious on the Tragedy of Sexual Abuse within the Catholic Church,” and updated the requirements of “Instruments of Hope and Healing.”

123. One of the added requirements Defendant CMSM stated they had proposed for “Instruments of Hope and Healing” in 2013 was that Defendant CMSM establish a National Advisory Council. The National Advisory Council’s purpose is to advise Defendant CMSM on all matters related to the protection of minors.

124. Since 2002, Defendant CMSM has repeatedly failed to ensure compliance with its public claims of increased transparency with regard to sexual abusers since the implementation of the “Instruments of Hope and Healing” program.

125. Defendant CMSM has failed to implement key provisions of “Instruments of Hope and Healing.” These provisions include but are not limited to reporting all known or suspected child abuse to civil authorities and granting leaders of member Orders and congregations the power to remove priests, monks and brothers who have sexually molested children from ministry or any position that gives the offender access to minors.

126. Defendant CMSM has also failed to ensure compliance with provisions of “Instruments of Hope and Healing,” which have been implemented, including failure to ensure its member Orders and congregations adhere to Defendant CMSM’s pledge of public accountability for abuse by its members.

127. In approximately 2004, The John Jay College of Criminal Justice published a report after a nearly two year study (“John Jay Study”) of the problem of sexual abuse by priests in the United States from 1950 to 2002. The information about abusers for the study came from surveys sent to all dioceses and 140 Catholic Orders and congregations. Although the USCCB mandated that all dioceses participate, Defendant CMSM did not require its members to provide information for the study despite its pledge of increased transparency made through “Instruments of Hope and Healing.”

128. According to the John Jay Study, Religious Communities reported that 647 of its member priests, monks, and brothers sexually abused minors between 1950 and 2002. However, dioceses reported 929 religious order priests, monks and brothers had been accused during the

same time period. Defendant CMSM has not accounted for this discrepancy of underreporting nearly 300 offenders.

129. In 2002, the head of the Order of Oblates of St. Francis de Sales, Provincial Joseph G. Morrissey, wrote to a victim of Fr. Dennis Killion, OSFS that Morrissey had been “generally appraised” in 1996 of an “incident” involving Fr. Killion. Morrissey wrote that Killion reported to a counselor and Morrissey directly on a regular basis, and that Killion’s superiors “are aware of the concerns that have been raised concerning Fr. Killion.”

130. In approximately 2005, despite his knowledge of Fr. Dennis Killion’s dangerous propensities, Provincial Morrissey recommended Fr. Killion for transfer to a Catholic High School in the Diocese of Venice, Florida. Morrissey certified on a background form for the Diocese of Venice, which was required by the USCCB Charter, that Fr. Killion was of “good character and reputation” and “had nothing in his background that would render him unsuitable to work with minor children.”

131. When asked under oath in 2010 about recommending Fr. Killion despite knowledge of allegations against him, Fr. Morrissey stated that he had no issue with how he answered on the form because the general consensus among the Defendant CMSM was, “and perhaps still is as far as I know,” that the required Diocesan forms were “problematic.” Fr. Morrissey stated that the forms put Defendant CMSM’s members “between a rock and a hard place” because if they answered truthfully that a priest, monk, brother or other religious had a history of allegations or abuse, then the Order would not be able to assign that priest anywhere.

132. For decades, Defendant CMSM has also failed to ensure the safety and protection of children who are under the care and control of CMSM priests, brothers, monks and other religious. Below are only a few examples of such failures by Defendant:

Fr. Gerald Funcheon, O.S.C. (Crosier Fathers – “Crosiers”)

133. In approximately 1992, Fr. Gerald Funcheon, O.S.C., a Crosier priest who left the Crosiers with their permission five years earlier to join the Diocese of Lafayette, Indiana, disclosed to the Bishop of the Diocese of Lafayette that he sexually abused at least 50 victims since his ordination to the priesthood in 1965. The Crosiers had not alerted the Diocese to Funcheon's past. However, even before Funcheon was ordained the Crosiers noted concerns about his attraction to kids. In 1961, the Crosiers documented that Funcheon, had a knack for attracting children and that children flocked to him. By 1965, Crosier documents indicated that Funcheon's sole interest was young boys, but that he had trouble adjusting to religious life. In 1969 the Crosiers sent Fr. Funcheon to psychological treatment with Fr. Joseph Simons, C.S.C. (Congregation of the Holy Cross), who was known to treat sexually abusive clerics. Over the next 20 plus years, the Crosiers placed Fr. Funcheon in assignments in Indiana, Nebraska, Minnesota, Florida, Texas, Hawaii, California, and Germany. During that time Funcheon abused children almost everywhere he went.

134. In 1979, Brian Robinson, PhD, provided progress reports to the Crosiers regarding his counseling sessions with Fr. Funcheon. At the same time, Fr. Funcheon requested a larger automobile be provided for him so that he could transport more children. In approximately 1984, the Crosiers placed Funcheon on secret restrictions while he was teaching at a high school in Honolulu, Hawaii after the parent of a student reported Funcheon sexually abused their son.

135. In 1987 Fr. Funcheon left the Crosiers, with their permission, to join the Diocese of Lafayette. The Crosiers did not report Funcheon's history to the Diocese at that time. In approximately 1992 the Diocese of Lafayette received a report of sexual abuse against Funcheon and contacted the Crosiers. The Crosiers acknowledged there had been a report of sexual abuse made to them against Funcheon prior to their allowing him to join the Diocese of Lafayette. Fr.

Funcheon admitted to the Bishop of the Diocese of Lafayette that he may have sexually abused at least 50 children during his time as a priest.

136. In 2002, the Crosiers publicly released a list of Crosiers with credible allegations of sexual abuse against them. Fr. Gerald Funcheon was not on the 2002 list. Fr. Funcheon was not added to the Crosiers list of credibly accused until 2014.

Fr. Richard McGrath, O.S.A. (Order of St. Augustine – “Augustinians”)

137. In December, 2017, Fr. Richard McGrath, O.S.A., an Augustinian, was accused of viewing child pornography on his cell phone at a Providence Catholic High School wrestling match. Fr. McGrath was principal of the New Lenox, Illinois school at the time. During the investigation, Fr. McGrath refused to cooperate with police and refused to turn over his cell phone, and as a result no files were charged. After the incident the Augustinians, a member of Defendant CMSM, removed McGrath from Providence Catholic High School and placed him at an Augustinian residence on the South Side of Chicago. The Augustinians did not inform an elementary schools and preschool next door to their residence that McGrath had been accused of viewing child pornography.

138. In April, 2018 a man filed a lawsuit alleging that Fr. McGrath, O.S.A. anally and orally raped him repeatedly when he was a student at Providence High School during the 1990s. The Augustinians have not disclosed any information about Fr. McGrath or the identities and information about other offenders.

Fr. Allen Tarlton, O.S.B. (Order of St. Benedict, St. John’s Abbey – “Benedictines”)

139. Fr. Tarlton was ordained a Roman Catholic priest of St. John’s Abbey, a monastery of the Order of St. Benedict in Collegeville, Minnesota, in approximately 1955. That same year,

officials at St. John's received reports that Fr. Tarlton sexually abused two high school students at St. John's Prep School, a residential preparatory high school located at St. John's Abbey.

140. In 1958, the head of St. John's Abbey received additional complaints that Fr. Tarlton sexually abused students. As a result, St. John's removed Fr. Tarlton from his teaching position at St. John's Prep School, and assigned him to St. John's University.

141. In 1960, St. John's sent Fr. Tarlton to St. Mary's Hospital in Rochester, Minnesota, where he was treated for "homosexuality." Upon information and belief, "homosexuality" as the term was used under the circumstances, was code for sexual abuse of minors.

142. In 1965, St. John's Abbey moved Fr. Tarlton to a school it ran in the Bahamas after two students reported Fr. Tarlton threatened them with failing grades if the boys refused to have sex with him.

143. From the Bahamas, St. John's sent Fr. Tarlton to inpatient treatment at the St. Luke Institute in Maryland. St. Luke Institute is known for treating priests and other religious who have committed sexual abuse. Fr. Tarlton received inpatient treatment at St. Luke Institute from approximately 1965 to 1967, before returning to the Bahamas.

144. In 1968 St. John's Abbey ordered Fr. Tarlton to return to St. John's after he attacked a female teacher at its school there. Fr. Tarlton instead went to Cincinnati, Ohio, where Abbot Fr. Baldwin Dworschak, O.S.B., the head of St. John's Abbey, wrote Fr. Tarlton a letter of recommendation to work for the Hamilton County Welfare Department.

145. From 1969 to 1973, Fr. Tarlton worked at parishes and schools in the Archdiocese of Cincinnati, and the Diocese of Louisville, Kentucky with St. John's Abbey's permission and authorization to work in these positions, including as principal of Holy Cross Catholic School in Louisville.

146. In approximately 1973, Fr. Tarlton was hospitalized for undisclosed reasons related to alcohol use in Louisville, Kentucky. After he was released from the hospital, Abbot John Eidenschink of St. John's Abbey ordered Fr. Tarlton to return to Minnesota and assigned him to teach at St. John's Prep School. St. John's also assigned Fr. Tarlton the position of "prefect," a dorm supervisor for high school students, and allowed Fr. Tarlton to move into the high school dormitory with the students. Upon assigning Fr. Tarlton to the high school, Benedictines did not warn students or families that Fr. Tarlton was a known sexual predator who it was aware had sexually abused children repeatedly.

147. In approximately 1979, a St. John's Prep School student reported to the headmaster, Fr. Alan Steichen, O.S.B., that Fr. Tarlton sexually abused him. As a result of the report St. John's sent Fr. Tarlton to inpatient treatment at a Servants of the Paraclete facility in Missouri. The Servants of the Paraclete are a Catholic Religious Organization that treats pedophile priests. Fr. Tarlton returned to his teaching position at St. John's upon completion of treatment.

148. From approximately December 1982 to June 1983, St. John's Abbey sent Fr. Tarlton to inpatient treatment at St. Luke Institute in Maryland. St. Luke Institute is a Catholic facility that treats sexually abusive priests and other religious. St. John's returned Fr. Tarlton to his teaching position upon Fr. Tarlton's return from treatment without any warning to students or their families.

149. In approximately 1984 St. John's Prep School official, Fr. Linus Ascherman, O.S.B. received complaints from parents and students that Fr. Tarlton was making recurring references to sexual topics in his classes. Then in approximately 1986 Fr. Tarlton was promoted to the Head of St. John's Prep's English Department.

150. In approximately 1991 Fr. Ian Dommer, O.S.B., then St. John's Prep's headmaster, wrote to another St. John's monk that St. John's had a "big PR problem" on its hands in Fr. Tarlton. Fr. Dommer wrote that parents knew Tarlton had been hitting kids and being sexually vulgar in class.

151. Between 1973 and 1992, while assigned as a teacher and dorm prefect at St. John's, Fr. Tarlton sexually abused at least a dozen minors.

152. In October 1992 a survivor of Fr. Tarlton's sexual abuse filed a civil lawsuit against St. John's Abbey, finally forcing St. John's to remove Tarlton from his position as teacher.

153. Fr. Tarlton was never removed from the priesthood, and was not placed on restriction by St. John's until 2002. Fr. Tarlton died at St. John's Abbey in 2016.

Fr. Donald McGuire, S.J. (Society of Jesus – "Jesuits")

154. In approximately 2003, authorities in Wisconsin began a criminal investigation of Fr. Donald McGuire, S.J., a priest of the Society of Jesus ("Jesuits") for sexually abusing two boys while on trips to the state in the late 1960s. In April 2004, Jesuit officials helped Fr. McGuire avoid being interviewed by investigators for the investigation by warning him not to return home when an officer was waiting there for him. In February 2006, despite the efforts of the Jesuits to protect Fr. McGuire, he was convicted on five counts of sexual assault of a minor.

155. The Jesuits first received a report of sexual abuse by Fr. McGuire in 1962, more than 40 years before his first conviction. Over the next 40 years the Jesuits repeatedly ignored reports from parents, bishops, heads of religious orders, and others about McGuire's sexual abuse of children. Despite the reports the Jesuits allowed Fr. McGuire to continue in ministry and did nothing to alert the public about his dangerous propensities.

156. In approximately 2007, after Fr. McGuire's first conviction, the Jesuits finally dismissed him on grounds of sexual misconduct. Fr. McGuire would be convicted twice more for sexual abuse of minors in federal court in the following years. In February 2009 Fr. McGuire was sentenced to 25 years in prison.

157. Defendant CMSM has created and maintains a policy and practice of secrecy and suppression of information to cover up child sexual abuse in every state in an effort to avoid scandal and retain its power and financial influence in the United States of America.

158. Defendant CMSM has known that child molesters have a high rate of recidivism, meaning that they are likely to sexually abuse more children. Defendant CMSM knew that children, parents and guardians who did not possess the knowledge Defendant CMSM possesses about its sexually abusive agents and former agents and who unsuspectingly were around these agents were at a high risk to be sexually molested.

159. Because of the high rate of recidivism, Defendant's agents and former agents molested numerous children. As such, Defendant CMSM knew that there were children hurt because of Defendant CMSM's policies of secrecy, deception and self-protection.

160. Defendant CMSM continues to conceal the identities of, and information about, priests, monks, brothers and other religious accused of sexual abuse of minors. As a result, children are at risk of being sexually abused.

161. The public does not know the identities and locations of Defendant's agents and former agents who have been reported as sexually abusive towards children.

162. Defendant CMSM has adopted, and continues to adopt, policies and practices of covering up criminal activity committed by its agents. These practices continue to present day.

163. Defendant CMSM's practices have endangered numerous children in the past and these practices will continue to put children at risk in the future.

164. Upon information and belief, Defendant CMSM failed to report multiple allegations of sexual abuse of children by its agents to the proper civil authorities. As a result, children are at risk of being sexually assaulted.

165. Further, the public is under the mistaken belief that Defendant CMSM does not possess undisclosed knowledge of clerics who present a danger to children.

166. As a direct result of Defendant's conduct described herein, Plaintiffs have 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. Plaintiffs were prevented and will continue to be prevented from performing normal daily activities and obtaining the full enjoyment of life; and/or has incurred and will continue to incur expenses for psychological treatment, therapy and counselling and/or will incur loss of income and/or loss of earning capacity.

FIRST CAUSE OF ACTION
NUISANCE (N.Y. PENAL LAW § 240.45) AND REQUEST FOR INJUNCTIVE RELIEF
AGAINST DEFENDANT CMSM

Plaintiffs incorporate all consistent paragraphs of this Complaint as if fully set forth under this Count.

167. Defendant continues to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the proper civil authorities sexual assaults committed by Genevieve, Ritter, Hanney, Kelly, Kennington, and Defendant's other agents against minor children; and/or 2) protect Genevieve, Ritter, Hanney Kelly, and Defendant's other agents from criminal prosecution for their sexual assaults against children; 3) conceal from the public the known dangers

of Genevieve, Ritter, Hanney, Kelly, Kennington, and Defendant's other agents; 4) attack the credibility of victims of Defendant's agents; 5) allow known child molesters to live freely in the community unknown to the public by freely moving known and suspected offenders from assignment to assignment across multiple dioceses without warning the public about their dangers; and/or 6) recommending for assignment its agents with allegations of abuse against them without warning to those who will come in contact with them.

168. Defendant's conduct, deception and concealment constitutes criminal facilitation in the fourth degree, pursuant to Penal Law §115.00 in that it provides its sexually abusive agents with means or opportunity to commit the crime of sexual abuse of minors.

169. Defendant's conduct, deception and concealment constitutes endangering the welfare of a child, pursuant to Penal Law §260.10 in that the conduct is likely to be injurious to the physical, mental or moral welfare of a child.

170. The conduct, deception and concealment by Defendant has knowingly and/or recklessly created or maintained a condition which unreasonably endangers the safety and health of a considerable number of persons, including, but not limited to, children and residents throughout the State of New York and other members of the general public who live in communities where Defendant's agents are present. Defendant's failure to report multiple allegations of sexual assault and abuse of children to proper authorities has knowingly and/or recklessly endangered the safety and health of a considerable number of persons by allowing child molesters to avoid prosecution and remain living freely in unsuspecting communities. These child molesters, known to Defendant CMSM but not to the public, pose a threat of additional abuse to a considerable number of members of the public and Plaintiffs.

171. Defendant's conduct of deception and concealment of sexually abusive clerics was

and continues to be done with full awareness and conscious disregard of the injurious conditions created and the corresponding risk to the public and individuals in the communities where credibly accused molesters are present including, but not limited to Plaintiffs. It offends the public morals in that the general public and Plaintiffs cannot trust Defendant to warn parents of the presence of the current and/or former credibly accused molesters, nor to identify their current and/or former credibly accused molesters, nor to disclose said credibly 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 and welfare of children in the neighborhoods where Defendant conducted, and continues to conduct, its business, and where Defendant continues to authorize the sending and assigning of known-offenders.

172. The unreasonable, knowing and reckless conduct, deception and concealment by Defendant was and continues to be specially injurious to Plaintiffs' health because Plaintiffs were sexually assaulted by Defendants' agents, Genevieve, Ritter, Hanney, Kelly, and Kennington. Furthermore, Plaintiffs have suffered and continue to suffer particular and ongoing injuries because Defendant has failed to disclose the identities and whereabouts of sexually abusive clerics, and/or has failed to exercise its authority in mandating its members disclose the identities and whereabouts of sexually abusive clerics.

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

been able to because of the negligence and/or deception and concealment to receive timely medical treatment needed to deal with the problems Plaintiffs had suffered and continue to suffer as a result of the molestation. Plaintiffs have also experienced depression, anxiety, and/or anger.

174. Plaintiffs have also suffered and continue to suffer particular and peculiar harm as a result of Defendant CMSM's knowing and reckless concealment of clerics credibly accused of sexually molesting minors, which continues as long as these names remain concealed. As a result of the knowing and reckless concealment, Plaintiffs have suffered and continue to suffer pecuniary loss including medical expenses and/or wage loss. As a result of Defendant's concealment of the credible allegations of sexual abuse by its agents, Plaintiffs suffer additional and particular stress, anxiety, nervousness, loss of sleep, and guilt about abuse that could be perpetrated by Defendant's members with sexually abusive propensities that have not been disclosed to the public.

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

176. In doing the aforementioned acts, Defendant acted unreasonably by knowingly and/or recklessly creating or maintaining a condition which endangers the safety or health of a considerable number of persons with a conscious disregard for Plaintiffs' rights.

177. As a result of the above-described conduct, Plaintiffs have suffered the injuries and damages described herein.

SECOND CAUSE OF ACTION
NUISANCE (COMMON LAW) AND REQUEST FOR INJUNCTIVE RELIEF AGAINST
DEFENDANT CMSM

Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth under this count.

178. Defendant continues to conspire and engage and/or has conspired and engaged in

efforts to: 1) conceal from the proper civil authorities sexual assaults committed by Genevieve, Ritter, Hanney, Kelly, Kennington, and Defendant's other agents against minor children; and/or 2) protect Genevieve, Ritter, Hanney, Kelly, Kennington, and Defendant's other agents from criminal prosecution for their sexual assaults against children; 3) conceal from the public the known dangers of Genevieve, Ritter, Hanney, Kelly, Kennington, and Defendant's other agents; 4) attack the credibility of victims of Defendant's agents; 5) allow known child molesters to live freely in the community unknown to the public by freely moving known and suspected offenders from assignment to assignment across multiple dioceses without warning the public about their dangers; and/or 6) recommending for assignment its agents with allegations of abuse against them without warning to those who will come in contact with them.

179. Defendant's conduct, deception and concealment constitutes criminal facilitation in the fourth degree, pursuant to Penal Law §115.00 in that it provides its sexually abusive agents with means or opportunity to commit the crime of sexual abuse of minors.

180. Defendant's conduct, deception and concealment constitutes endangering the welfare of a child, pursuant to Penal Law §260.10 in that the conduct is likely to be injurious to the physical, mental or moral welfare of a child.

181. The conduct, deception and concealment by Defendant has knowingly and/or recklessly created or maintained a condition which unreasonably endangers the safety and health of a considerable number of persons, including, but not limited to, children and residents of the State of New York and other members of the general public who live in communities where Defendant's agents live. Defendant's failure to report multiple allegations of sexual assault and abuse of children to proper authorities has knowingly and/or recklessly endangered the safety and health of a considerable number of persons by allowing child molesters to avoid prosecution and

remain living freely in unsuspecting communities. These child molesters, known to Defendant CMSM but not to the public, pose a threat of additional abuse to a considerable number of members of the public.

182. Defendant's conduct of deception and concealment of sexually abusive clerics was and continues to be done with full awareness and conscious disregard of the injurious conditions created and the corresponding risk to the public and individuals in the communities where credibly accused molesters are present including, but not limited to Plaintiffs. It offends the public morals in that the general public and Plaintiffs cannot trust Defendant to warn parents of the presence of the current and/or former credibly accused molesters, nor to identify their current and/or former credibly accused molesters, nor to disclose said credibly 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 and welfare of children in the neighborhoods where Defendant conducted, and continues to conduct, its business.

183. The unreasonable, knowing and reckless conduct, deception and concealment by Defendant was and continues to be specially injurious to Plaintiffs' health because Plaintiffs were sexually assaulted by Defendant's agents, Genevieve, Ritter, Hanney and Kelly. Furthermore, Plaintiffs have suffered and continue to suffer particular and ongoing injuries because Defendant has failed to disclose the identities and whereabouts of sexually abusive clerics.

184. The unreasonable, knowing and reckless conduct, deception and concealment by Defendant was also specially injurious to Plaintiffs' health in that when Plaintiffs finally discovered the negligence and/or deception and concealment of Defendant, Plaintiffs experienced mental and emotional distress that Plaintiffs had been the victims of the Defendant's negligence and/or deception and concealment; that Plaintiffs had not been able to help other minors being

molested because of the negligence and/or deception and concealment; and that Plaintiffs had not been able to because of the negligence and/or deception and concealment to receive timely medical treatment needed to deal with the problems Plaintiffs had suffered and continues to suffer as a result of the molestation. Plaintiffs have also experienced depression, anxiety, and/or anger.

185. Plaintiffs have also suffered and continue to suffer particular and peculiar harm as a result of Defendant CMSM's knowing and reckless concealment of clerics credibly accused of sexually molesting minors, which continues as long as these names remain concealed. As a result of the knowing and reckless concealment, Plaintiffs have suffered and continue to suffer pecuniary loss including medical expenses and/or wage loss. As a result of Defendant's concealment of the credible allegations of sexual abuse by its members, Plaintiffs suffer additional and particular stress, anxiety, nervousness, loss of sleep, and guilt about abuse that could be perpetrated by Defendant's members with sexually abusive propensities that have not been disclosed to the public.

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

187. In doing the aforementioned acts, Defendant acted unreasonably by knowingly and/or recklessly creating or maintaining a condition which endangers the safety or health of a considerable number of persons with a conscious disregard for Plaintiffs' rights.

188. As a result of the above-described conduct, Plaintiffs have suffered the injuries and damages described herein.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that this Court issue an order enjoining the Conference of Major Superiors of Men from further concealing the names of all clerics credibly accused of child sexual abuse and requiring that the Conference of Major Superiors of Men publicly demand release by its members of the names of all credibly accused child molesting clerics, each such cleric's history of abuse, each such cleric's pattern of grooming and sexual behavior, and each such cleric's last known address. This includes the release of names of all clerics accused of child molestation in Defendant CMSM and its member congregations and orders at any point in time through present day. This also includes the release of the Conference of Major Superiors of Men's documents relating to the accused clerics.

WHEREFORE, based on the foregoing causes of action, Plaintiffs pray for judgment against Defendant in an amount that will fully and fairly compensate them for their injuries and damages, and for punitive damages, in an amount sufficient to deter others and punish Defendant, and for any other relief the Court deems appropriate. The amount of damages sought in this Complaint exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

DEMAND IS HEREBY MADE FOR A TRIAL BY JURY.

DATED: February 13, 2019.
New York, New York


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