

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF LOUISIANA

|                                       |   |                        |
|---------------------------------------|---|------------------------|
| JOHN DOE XX                           | § | CIVIL ACTION NO. _____ |
|                                       | § |                        |
| VS.                                   | § |                        |
|                                       | § |                        |
| HOLY SEE (State of the Vatican City), | § |                        |
| THE REDEMPTORISTS/NEW ORLEANS         | § |                        |
| VICE PROVINCE, VERY REVEREND HARRY    | § |                        |
| GRILE, C.Ss.R., HIS PREDECESSORS AND  | § |                        |
| SUCCESSORS, AS PROVINCIAL SUPERIOR    | § |                        |
| OF THE REDEMPTORISTS/DENVER           | § |                        |
| PROVINCE, ROMAN CATHOLIC CHURCH       | § | SECTION _____          |
| OF THE DIOCESE OF BATON ROUGE,        | § |                        |
| MOST REVEREND ROBERT W.               | § |                        |
| MUENCH, HIS PREDECESSORS AND          | § |                        |
| SUCCESSORS, AS BISHOP OF THE          | § |                        |
| ROMAN CATHOLIC CHURCH OF THE          | § |                        |
| DIOCESE OF BATON ROUGE,               | § |                        |
| CHRISTOPHER JOSEPH SPRINGER, AND      | § |                        |
| FIREMAN’S FUND INSURANCE COMPANY      | § | MAGISTRATE _____       |

**PLAINTIFF’S ORIGINAL COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW JOHN DOE XX (“Plaintiff” herein) and files this Original Complaint against HOLY SEE (State of the Vatican City), THE REDEMPTORISTS/NEW ORLEANS VICE PROVINCE, VERY REVEREND HARRY GRILE, C.Ss.R., HIS PREDECESSORS AND SUCCESSORS, AS PROVINCIAL SUPERIOR OF THE REDEMPTORISTS/DENVER PROVINCE, ROMAN CATHOLIC CHURCH OF THE DIOCESE OF BATON ROUGE, MOST REVEREND ROBERT W. MUENCH, HIS PREDECESSORS AND SUCCESSORS, AS BISHOP OF THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF BATON ROUGE, CHRISTOPHER JOSEPH SPRINGER, also known as FATHER CHRISTOFF J. “CHRIS” or “CJ”

SPRINGER (collectively, referred to as “Defendants”) and FIREMAN’S FUND INSURANCE COMPANY for cause of action would show the following:

### **I. JURISDICTION and VENUE**

1. This Court has jurisdiction over this lawsuit pursuant to 28 U.S.C. § 1332 because the parties are completely diverse and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

2. This Court has jurisdiction over this dispute pursuant to 28 U.S.C. § 1330 (a) because Defendant Holy See is a foreign state not entitled to immunity under 28 U.S.C. §§ 1604-1607.

3. This Court has jurisdiction over Defendant Holy See under 28 U.S.C. § 1605(a) because Plaintiff complains of both the private activities and conduct of Holy See in Louisiana and throughout the U.S.A. and torts committed by Holy See, its officials and employees in Louisiana.

4. Venue is proper in the Middle District of Louisiana pursuant to 28 U.S.C. § 1391(b)(2) because all or a substantial part of the events or omissions giving rise to the claims occurred in the Middle District of Louisiana.

### **II. PARTIES**

5. Plaintiff John Doe XX is a resident of Washington County, Arkansas.

6. Defendant Holy See (State of the Vatican City) is the sovereign nation located in Rome, Italy and the ecclesiastical, governmental, and administrative capital of the Roman Catholic Church. Holy See may be served with process by and through its Secretary for Relations with States (Foreign Minister), Archbishop Dominique Mamberti, Apostolic Palace 00120 Vatican City State.

7. Defendant The Redemptorists/New Orleans Vice Province, formerly Redemptorist/Vice Provincialate of New Orleans is a registered Louisiana corporation created with

the final approval of Defendant Holy See as a territory of the Roman Catholic Church Religious Order, the Congregation of the Most Holy Redeemer, more commonly known as the “Congregation of the Redemptorists” or the “Redemptorist Fathers”. In 2005, the Redemptorists/New Orleans Vice Province (hereinafter, “Redemptorists New Orleans”) was re-aligned and added to the territory, control and government of The Redemptorists/Denver Province. The Redemptorists/New Orleans Vice Province may be served with process by and through its registered agent, Samuel C. Maranto, 5354 Plank Road, Baton Rouge, Louisiana 70805.

8. Defendant Very Reverend Harry Grile, C.Ss.R., as Provincial Superior of The Redemptorists/Denver Province (“Father Grile” hereinafter), and his predecessors and successors, are the past Provincial Superiors and Vice-Province of The Redemptorists/New Orleans Vice Province and Redemptorist/Vice Provincialate of New Orleans and the past, present and future Provincial Superiors of The Redemptorists/Denver Province (“The Provincial Superiors” hereinafter). Father Grile works under the direct authority and control of Defendant Holy See and is a resident of Colorado and can be served with process at 1230 South Parker Road, Denver, Colorado 80231.

9. Defendant The Roman Catholic Church of the Diocese of Baton Rouge (hereinafter, “The Diocese of Baton Rouge” or “The Diocese”) is a registered Louisiana corporation created by Defendant Holy See as a division of Holy See’s business and private enterprise. The Diocese of Baton Rouge may be served with process by and through its registered agent, V. Charles Cusimano, 701 Laurel, Baton Rouge, Louisiana 70802.

10. Defendant Most Reverend Robert W. Muench, as Bishop of The Roman Catholic Church of the Diocese of Baton Rouge (hereinafter “Bishop Muench”), and his predecessors and

successors, are the present, past, and future Bishops of The Diocese of Baton Rouge (collectively referred to hereinafter as “The Bishops”). Bishop Muench is appointed and employed by Defendant Holy See to oversee and control a division of the Holy See’s business and private enterprise and is a resident of Louisiana and may be served with process at 1800 So. Acadian Thruway, Baton Rouge, Louisiana 70821.

11. Defendant Christopher Joseph Springer (hereinafter referred to as “Springer”) is a resident of Louisiana and may be served with process at 39000 Henry Road, Pearl River, Louisiana 70452-6345.

12. Defendant Fireman’s Fund Insurance Company is a foreign insurer, which at all times pertinent hereto provided liability insurance to Defendants The Diocese of Baton Rouge and The Bishops for the benefit of Plaintiff in regards to the allegations contained in this suit, and is authorized and doing business in the State of Louisiana and may be served with process by and through the Secretary of State of Louisiana.

### **III. FACTUAL BACKGROUND**

13. At all times material herein, Defendant Springer was a Roman Catholic priest, counselor and pastor educated and trained and employed by and an agent of Defendant Holy See, under its direct supervision, authority and control, particularly on the issue of child sex abuse.

14. Defendant Holy See is a sovereign nation and enters into treaties and conventions with other foreign states, including but not limited to the Universal Declaration of Human Rights and the Convention on the Rights of the Child. Holy See maintains diplomatic relations with other foreign states, including the United States, and has observer status in the United Nations. Defendant Holy See occupies its own sovereign territory located within the city of Rome, Italy.

15. Defendant Holy See is a traditional monarchy where it holds all authority in the first instance and any authority held by others within the institution is delegated from the Holy See. The Holy See has reaffirmed this in its book of rules and regulations, the Code of Canon Law: “The Roman Pontiff ... has not only primacy of honor, but supreme and full power of jurisdiction over the universal Church both in those things that pertain to faith and morals, and in those things that affect the discipline and government of the Church.” (Canon 218 from the 1917 Code) “This power is truly Episcopal, ordinary and immediate both over each and every pastor and faithful independent from any human authority.” (Id.)

16. Defendant Holy See is the composite of the authority, jurisdiction, and sovereignty vested in the Pope and his delegated advisors and/or agents to direct the activities and business of the world-wide Roman Catholic Church. Defendant Holy See has unqualified power and control over the Catholic Church, including each and every individual and section of the church, including but not limited to all priests, bishops, archbishops, cardinals, religious order superiors (“religious superiors”), and all other church workers, as well as dioceses, archdioceses, ecclesiastical provinces and religious orders.

17. Defendant Holy See directs, supervises, supports, promotes and engages in the oversight of the sovereign nation, the organization, and its employees for the purpose of the business, foreign affairs, and employees of the world-wide Roman Catholic Church, and provides religious and pastoral guidance, education and counseling to Roman Catholics world-wide in exchange for all or a portion of the revenues collected from its members. The Holy See engages in these activities through its agents, cardinals, bishops, religious superiors and clergy, including religious order priests, brothers and sisters, who work under the authority of the Holy See.

18. Defendant Holy See has complete and total control, including day to day control, over each aspect of the Catholic Church. To the extent that some of the entities underneath the Holy See's absolute control are separate corporations, the Holy See maintains complete control over those separate corporations. The Holy See directs and requires each of these entities to strictly follow all of its policies and procedures, requires each of these entities to report its activities to the Holy See, requires each cleric working with the separate corporation to swear absolute obedience to the Holy See, and is the only entity that can create or terminate these corporations. With respect to the issue of child sex abuse, the Holy See demands complete and unswerving obedience regarding procedures, the scope of potential penalties, and how each case will be disposed of ultimately.

19. Any corporations, including but not limited to any archdiocese or diocese or religious order in Louisiana which was or is incorporated, were and are an alter ego of the Holy See. The Holy See retained and does still retain complete and final control over these corporations. Defendant Holy See has day to day control of these entities through mandatory policies and procedures, mandatory meetings, and mandatory obedience.

20. Additionally, Defendant Holy See determined that it would require some of the entities under its control to incorporate in order to reduce the Holy See's exposure to claims by people that it harmed, in order to keep the public from discovering the Holy See's involvement in the systematic cover-up and concealment of child sex abuse by its agents.

21. Defendant Holy See's organizational structure and chain of command mandate that the Holy See and its head of state, the Pope, have a significantly high level of involvement in the routine and day-to-day activities of its agents, cardinals, bishops, religious superiors and clergy, including religious order priests, brothers and sisters and instrumentalities, particularly with respect

to the handling of clergy who have engaged in certain specified conduct, including child sex abuse. By virtue of his office, the Pope as head of the Holy See possesses supreme, full, immediate and universal ordinary power in the Catholic Church, which he is always able to exercise freely. There is no appeal of a decision of the Pope as head of the Holy See.

22. Defendant Holy See is solely responsible for creating new divisions of its business and private enterprises (called a “Diocese” or “Archdiocese” or “Religious Order”) around the world. Only the Holy See has this power. Defendant Holy See created all the dioceses and archdioceses in Louisiana, including the Diocese of Baton Rouge. Holy See creates, divides and re-aligns dioceses, archdioceses and ecclesiastical provinces and also gives final approval to the creation, division or suppression of provinces of religious orders. Defendant Holy See approved the creation of the Redemptorist Fathers and its province and vice province, The Redemptorists/Denver Province and The Redemptorists/New Orleans Vice Province. Holy See is solely responsible for modification or elimination of the divisions of its business enterprise. Defendant Holy See reserves the exclusive right to perform numerous local activities within its business operation within the U.S.A., including but not limited to marriage annulments, marriage dissolutions, Pius Wills, laicization of clerics, dispensations from canon law, and appeals of a bishop’s decision. Holy See has control over and involvement with property owned by all Catholic entities in Louisiana. Holy See’s permission is required for the alienation (sale, gift, etc.) of much of the property owned by Catholic Entities in Louisiana.

23. Defendant Holy See interacts with its local business units including those in the U.S.A. in a manner that controls their day-to-day business and provides for no discretion on numerous issues, and in particular the handling of child sex abuse by clergy and the determinations on whether clergy remain in the Holy See’s employ. The Holy See routinely promulgates its policies

through various means including encyclical, canon law, and Papal pronouncements.

24. Defendant Holy See moreover actively engages in commercial activity in Louisiana and throughout the U.S.A. and the world by recruiting and soliciting people to become members and contribute to the activities of the world-wide Roman Catholic Church. The Holy See has a vast enterprise in the U.S.A. which recruits and solicits members in order to support its business operations in the U.S.A. and worldwide. As part of its business and private operation, Defendant Holy See requires its agents in charge of its business operations, including those in the U.S.A., to make “Ad Limina” visits to Rome and to write detailed “quinquennial reports” about the state of the Holy See’s operations, including but not limited to personnel issues, finances and real estate holdings. Holy See further requires information on the source of the income of pastors and their supervisors, i.e., whether it is from real estate, public funds, an uncertified sum accruing through individual stole fees, or from a contribution made by the faithful members or by the diocese.

25. Defendant Holy See promulgates and enforces the laws and regulations regarding the education, training and standards of conduct and discipline for its clergy and those who serve in the governmental, administrative, judicial, educational and pastoral workings of the Catholic Church world-wide. Holy See has direct involvement with seminaries in the United States where it trains agents in its organization and operation. According to the Catholic Church Extension Society, no matter where it is located or how it is structured, every institution within the organization of the Roman Catholic Church answers to the Holy See. The Vatican’s Congregation for Catholic Education has jurisdiction over all Catholic institutions of higher learning, including seminaries. As a result, Holy See oversees and controls the admissions requirements and curricula to ensure that candidates to the priesthood are properly prepared and the Holy See controls all things pertaining to the governance, discipline, administration of property, and studies of seminaries.



26. Holy See controls the hiring of individual priests. The Vatican sets all of the rules for becoming a priest. These rules dictate who can administer the process, who can be made a priest, who is barred from the priesthood, how the ceremony is to be conducted when someone becomes a priest, and how to document the process. Defendant Holy See directly and definitely controls the standards, morals, and obligations of the clergy of the Roman Catholic Church by and through its agents and instrumentalities, including the Congregation for the Clergy and the Congregation for Religious both delegated by the Pope and acting on his behalf and under his authority. Holy See mandates the morals and standards of conduct of all clergy of the Roman Catholic Church by enforcement of the Code of Canon Law written and promulgated by Defendant Holy See and used as the employee manual for clergy.

27. At ordination, all clergy and priests agree and vow to show respect and obedience to Defendant Holy See, the Pope and their bishop or religious superior. A priest receives financial support throughout the full length of his life, and he may not be deprived of his pension or his clerical status unless the Holy See approves.

28. Defendant Holy See creates, appoints, assigns, reassigns and retires all clerics in the order of bishop. The Holy See accords definitive approval to the election of the religious superiors and through the religious superiors and the bishops of dioceses, Holy See exercises the power to directly assign and remove individual priests and deacons. The Holy See has complete and final control over each bishop, archbishop, cardinal, religious leader and priest within the Catholic Church. Holy See has the final and sole power to remove individual clergy. Defendant Holy See is also directly and solely responsible for removing religious superiors, bishops, archbishops and cardinals from service and/or making them ineligible for positions of leadership in the various

divisions and offices of the Roman Catholic Church by issuing instructions, mandates and dictates in the U.S.A.

29. Defendant Holy See also examines and is responsible for the work and discipline and all things which concern bishops, religious superiors, priests and deacons of the religious clergy. In furtherance of this duty, Defendant Holy See requires bishops to file a report, on a regular basis, outlining the status of and any problems with clergy. No priest, cleric, religious superior, bishop, archbishop or cardinal may be removed from service or position of leadership without the approval of Defendant Holy See; nor can any priest, cleric, religious superior, bishop, archbishop or cardinal remain in service or a position of leadership over the objection of Defendant Holy See. Holy See also determines whether religious order priests are to be disciplined for inappropriate behavior and whether they may remain in the Catholic Church following inappropriate behavior.

30. At all times material, Defendant Holy See employed priests, including Father Christopher Joseph “Chris or C.J.” Springer (“Springer”), to provide religious and pastoral services. Father Springer’s duties were limited to performing ecclesiastical and parochial services. At no time did Springer perform legislative work or governmental functions on behalf of the Holy See and Springer was not a civil servant or diplomatic or military employee of the sovereign Holy See. Father Springer was employed by Defendant Holy See as a priest. The duties of Springer’s employment included but were not restricted to teaching the word of God and the law of the Church, providing religious, educational, and counseling services, and guidance to children and their families to recruit and solicit them to become members of Defendant Holy See’s organization so that the families would pay money to the organization. Defendant Holy See controlled Springer, was responsible for punishment if there was wrongdoing, and had a stake in paying Springer for his

services. Defendant Holy See controlled all aspects of Springer's conduct, including his clothing, his routine, his practices, and his teachings. Defendant Holy See also supplied Springer with materials for his fundraising and solicitation of property. Defendant Holy See had the sole authority to remove Springer from his position as a priest.

31. Plaintiff's claims are based in part on Springer's commercial employment relationship with the Holy See and its agents, the Redemptorist Fathers and Defendants Redemptorists New Orleans, Father Grile and The Provincial Superiors (collectively referred to hereinafter as "Religious Order Defendants") and Defendants Diocese of Baton Rouge, Bishop Muench and The Bishops (collectively referred to hereinafter as "Diocese Defendants". The relevant employment relationship is not peculiar to a sovereign as the employment is not part of civil service, the diplomatic corps, or the military. At all times material herein, Springer was not privy to governmental policy deliberations or engaged in legislative work. In the 1940's, the Religious Order Defendants solicited and recruited Springer as a candidate to the priesthood according to Defendant Holy See's admission requirements for educating and training Roman Catholic Priests. In 1952, Holy See approved Springer's education and training and authorized the Religious Order Defendants to ordain Springer into the priesthood as a Roman Catholic Religious Priest. At ordination, Springer agreed to be obedient to his Provincial Superior and the Holy See (the Pope). Springer remained under Defendant Holy See's direct supervision, employ and control during all times material to this Complaint.

32. From approximately June, 1954 through July, 1972, Springer was employed and assigned with Defendant Redemptorists New Orleans as a parish priest and a deaf missionary priest. As a parish priest, Springer was assigned to parish communities operated and controlled by the Religious Order Defendants under a business arrangement with various Roman Catholic dioceses

and archdioceses in Texas and Louisiana. As a deaf missionary priest, Springer traveled to numerous Roman Catholic communities operated and controlled by Catholic dioceses and archdioceses throughout the U.S.A.

33. Plaintiff alleges that between 1952 and 1973, Springer raped and molested and sexually abused and exploited Catholic parishioners and others, specifically male children, in connection with his work and service as a parish priest and a deaf missionary priest in Catholic communities where the Religious Order Defendants assigned him to carry out the Holy See's mission and the activities in the Roman Catholic Church.

34. In 1972, the Religious Order Defendants removed Springer from the Redemptorist Fathers' communities. Springer remains on leave of absence until 1973, when the Religious Order Defendants release Springer from the Redemptorist Fathers as a Catholic Priest in good standing with the Holy See. The Religious Order Defendants do not revoke Springer's ordination, but instead, the Religious Order Defendants take the following actions: 1) issue Springer a "certificate of good standing" as an ordained priest with the authority of the Holy See, 2) obtain an order from the Holy See that Springer continue to serve and carry out the Holy See's mission and activities in the Roman Catholic Church as a Catholic Priest in accordance with his ordination from the Redemptorist Fathers and 3) recommend Springer to work and serve as a Catholic Priest with the Diocese of Baton Rouge.

35. Cloaked with a "certificate of good standing" from Defendant Holy See and the Religious Order Defendants and a recommendation from the Religious Order Defendants and the Holy See's ordination as a Catholic Priest from the Religious Order Defendants, the Diocese Defendants accepted, employed and assigned Springer as a Catholic Priest in April, 1973.

36. From approximately April 1973 through September 1976 Defendant Springer was employed as a Diocesan Priest and Assistant Pastor at St. John the Evangelist Catholic Church, Plaquemine, Louisiana, Immaculate Heart of Mary Parish, Maringouin, Louisiana and St. Mary's of False River, New Roads, Louisiana, all parishes in The Diocese of Baton Rouge. From approximately September 1976 through January 1980, Springer was employed as a Diocesan Priest and the Pastor at St. Pius X Catholic Church, Baton Rouge, Louisiana, also a parish in The Diocese of Baton Rouge. Thereafter, The Diocese of Baton Rouge transferred Springer to Our Lady of Perpetual Help, Jackson, Louisiana and Our Lady of the Assumption, Clinton, Louisiana, other parishes also in The Diocese of Baton Rouge. Plaintiff alleges that between 1973 and 1984, Springer engaged in inappropriate sexual activities with male children, as a Diocesan Priest with The Diocese of Baton Rouge, and raped and molested and sexually abused and exploited Catholic boys and others at St. John the Evangelist Catholic Church, Immaculate Heart of Mary Parish, St. Isidore Parish, St. Pius X Catholic Church, St. Mary's of False River Catholic Church, Our Lady of Perpetual Help and Our Lady of the Assumption, as well as in other parishes within The Diocese of Baton Rouge, just as other Catholic boys had been raped and molested and sexually abused and exploited by Springer between 1952 and 1973 in connection with Springer's work and service with the Redemptorist Fathers. During the time-frame of the sexual abuse alleged herein, Springer was assigned by the Diocese Defendants as the official Catholic Priest in charge of educating and training young parishioners in the Catholic doctrines and traditions and the required rites of passage for becoming a legitimate member of the Roman Catholic Church. Springer was therefore a duly recognized vice-principal, employee, agent, apparent agent, and/or an ostensible agent of the Holy See and the Diocese when he sexually molested, raped and exploited John Doe XX and other children in the

Diocese of Baton Rouge.

37. Plaintiff John Doe XX was raised in a family of devout Roman Catholics. Plaintiff attended grade school at St. John's Catholic School, which was operated by and located on the grounds of St. John the Evangelist Catholic Church in Plaquemine, Louisiana (hereinafter, "St. John's Catholic Church and School"), and Plaintiff's family were members of St. Gabriel's Catholic Church in St. Gabriel, Louisiana. Plaintiff's family devoted thousands of volunteer hours and contributed in regular tithings to the Catholic Church, which contributions funded numerous Catholic activities including charitable activities of The Diocese of Baton Rouge and their Catholic Charities. Plaintiff was baptized and confirmed in the Roman Catholic faith and had been taught to believe and to rely upon the moral and spiritual guidance of Catholic priests and Bishops and developed great trust, confidence, reverence, respect and obedience to the Roman Catholic Church and its Holy Fathers. Plaintiff attended Catholic services regularly at St. Gabriel's Church and at St. John's School where he received Holy Communion administered by Defendant Springer. Plaintiff continues to be Roman Catholic.

38. As a loyal Catholic, Plaintiff John Doe XX trusted that the Roman Catholic Church, its servants and official representatives, its priests and Bishops would always act as they held themselves out to be, namely: holy and chaste men, acting in Plaintiff's best interests, with confidence that they would never expose Plaintiff to any known danger, especially sexual predation. Plaintiff trusted and expected all Defendants to act in his behalf with the highest degree of trust, confidence, honesty, good faith and loyalty.

39. Plaintiff's parents required his participation in activities that followed the Roman Catholic structure, hoping that a positive male influence would develop through associating with

Defendant Springer as a role model, holy priest and spiritual advisor as the assistant pastor at St. John's Catholic Church and School. Defendant Springer, using his position as a priest and assistant pastor with The Diocese, ingratiated himself with Plaintiff and became a trusted family friend, holy priest, spiritual advisor and an honored guest in Plaintiff's home. During the course of extending himself as a positive adult male role model, holy cleric and priest and spiritual advisor, and as Defendant Springer would prepare to perform and/or following the holy sacraments and other rituals and duties of a Roman Catholic Priest, Springer sexually abused, molested, raped and exploited Plaintiff John Doe XX in Springer's living quarters at St. John's Catholic Church and School and other locations, where *inter alia*, Springer fondled and masturbated Plaintiff's genitals in the spring of 1974. Plaintiff was so severely traumatized by Springer's sexual advances that all of Plaintiff's memories of the incidents of sexual abuse and exploitation were lost until 2010. In September 2010, Plaintiff read an email from a relative with the link to a news article where Springer confessed to sexually abusing children as a Catholic priest with the Redemptorist Fathers and the Diocese of Baton Rouge. It was only after reading Springer's confession that Plaintiff was able to recover his memories of the sexual nature of his interaction with Springer.

40. Plaintiff would show the Court that the proximate cause of Springer's access to Plaintiff was Springer's position as a Catholic Priest, ordained by the Religious Order Defendants and serving as a Diocesan Priest at St. John's Catholic Church and School, all under the authority of Defendant Holy See. As a Catholic Priest ordained by the Religious Order Defendants and Defendant Holy See and released with a "certificate of good standing" and an unqualified recommendation, Springer's ordination was never revoked by the Religious Order Defendants and Defendant Holy See, who furthermore authorized Springer to continue to work and serve as a

Catholic Priest and carry out the mission of the Roman Catholic Church with the Diocese of Baton Rouge. As a Diocesan Priest in The Diocese of Baton Rouge and assigned by The Diocese as the assistant pastor and/or pastor of St. John's Catholic Church and School, Springer was a vice-principal, employee, agent and servant of The Diocese of Baton Rouge. Based on Springer's status as an agent of Defendants, Springer's own knowledge of his own vile sexual propensities to rape, molest, abuse and exploit boys is imputed to the Defendants. Plaintiff and his family dealt with Defendants in good faith and believed Springer was acting in the scope of his employment.

41. John Doe XX's sexual abuse and exploitation arose from the exercise of authority, power and access created by Springer's official duties as a Catholic Priest ordained by the Religious Order Defendants, who authorized and recommended Springer to serve in The Diocese of Baton Rouge. Moreover, this sexual abuse arose from the exercise of authority, power and access created by Springer's job assignments and official duties as a Catholic Priest serving in The Diocese of Baton Rouge. The Religious Order Defendants and the Diocese Defendants knew or should have known of Springer's dangerous sexual propensities, yet the Religious Order Defendants did nothing to revoke Springer's ordination from the Redemptorist Fathers or to terminate Springer's authority and power as a Roman Catholic Priest and the Diocese Defendants did nothing to remove Springer from a position with access to minor boys or to control Springer's access to the minor boys he sexually abused as the result of his official duties and job assignments as a Diocesan Priest. Springer raped and molested and sexually abused and exploited Plaintiff as a result of Springer's official duties and job assignments as a Catholic Priest and assistant pastor.

42. As a direct result of the sexual abuse and exploitation by Springer and the events pled herein which were carried out by the Holy See and the Religious Order Defendants and the Diocese Defendants both prior to and following the abuse, Plaintiff has suffered continuous psychological



injuries from the time of the abuse and through the present time. Plaintiff's continuous psychological injuries are chronic and so severe as to constitute a disability that has caused Plaintiff to be unable to sue or act to assert the claims plead herein against Defendant Holy See, the Religious Order Defendants and the Diocese Defendants.

43. The delay in treatment proximately caused additional emotional and psychological injuries to Plaintiff and his emotional and psychological injuries have become chronic due to the fact that Plaintiff did not receive prompt and proper ongoing treatment and therapy for this sexual abuse. The effect of Plaintiff's continuous, chronic psychological disability has caused Plaintiff to digress, emotionally and behaviorally, suffer emotional trauma, anguish, loss of respect for authority, loss of earnings and earning capacity, and commence upon a self-destructive course of conduct, all of which was a foreseeable result of Springer's sexual abuse and the actions of Defendant Holy See and the Religious Order Defendants and the Diocese Defendants.

44. The Religious Order Defendants and the Diocese Defendants wholly failed to conduct an adequate investigation to determine whether Springer was suitable for a position of trust and confidence involving access to and power over children. Had such an investigation been conducted, the Religious Order Defendants and the Diocese Defendants would have learned that Springer was a sexual predator to minor boys. Plaintiff thus pleads Restatement (Second) of Torts, Section 317.

45. From the beginning of Springer's job assignments as a parish priest and a deaf missionary priest with the Religious Order Defendants and as an assistant pastor and/or pastor serving in The Diocese of Baton Rouge and through 1985 when Springer was quietly dismissed by the Diocese Defendants, Springer sexually abused minor boys, including John Doe XX, on premises owned and/or operated by the Religious Order Defendants and the Diocese Defendants with their knowledge. The Religious Order Defendants and the Diocese Defendants knew minor boys were

constantly present in Springer's personal quarters on the premises owned and/or operated by the Religious Order Defendants and the Diocese Defendants. Furthermore, the Religious Order Defendants and the Diocese Defendants knew that minor boys were frequent overnight visitors in Springer's personal quarters on the premises owned and/or operated by these Defendants. Moreover, the rectory where John Doe XX was sexually abused was and is located on the property of St. John's Church and School, which was operated and controlled by the Diocese Defendants.

46. Despite the fact that the Provincial Superiors and The Diocese of Baton Rouge's officials, including Bishop Robert W. Muench, and his predecessors, Bishops Robert Emmet Tracy, Joseph Vincent Sullivan, Stanley Joseph Ott, and Alfred Clifton Hughes, knew or should have known that Springer was a dangerous pedophile, the Provincial Superiors and The Diocese's officials did not act to control Springer's access to children and did not ever remove Springer from contact with children until 1973 when the Religious Order Defendants released Springer from his work and service with the Redemptorist Fathers (but did nothing to revoke Springer's ordination as a Catholic Priest from the Order) and in 1985 when the Diocese Defendants quietly dismissed Springer from his assignments and employment with The Diocese of Baton Rouge.

47. During the many occasions when Defendant Holy See and the Religious Order Defendants and the Diocese Defendants knew or should have known of the dangerous sexual propensities of Springer, Defendant Holy See and the Religious Order Defendants and the Diocese Defendants never reported the matter to the authorities, as required by law, but instead Holy See and the Religious Order Defendants authorized and recommended Springer to continue to work and serve as a Catholic Priest with the Diocese Defendants, who then reassigned Springer from parish to parish as a Diocesan Priest.

48. Before 1973 a number of other priests in the Redemptorist Fathers and in The Diocese

of Baton Rouge were sexually abusing minors. Prior to 1972 and in 1972 and 1981, the Religious Order Defendants and the Diocese Defendants were aware of complaints about Springer's activities with minor boys. In 1975 and in 1981, the Diocese Defendants were aware of complaints about Springer's activities with minor boys. Public knowledge of Springer's crimes would have revealed negligence and deceptive statements of the Holy See and Religious Order Defendants and the Diocese Defendants and the existence of Plaintiff's claims against the Defendants. At that time, Plaintiffs John Doe XX was not yet eighteen (18) years old. Instead, this information was concealed.

49. All Defendants are in a confidential or fiduciary relationship with Plaintiff grounded upon the duty of good faith, fair dealing and the duty to act with the highest degree of trust and confidence. As a result of Plaintiff's confidence and trust in Defendants, the Defendants gained superiority and influence over Plaintiff. The fiduciary relationship of confidence and trust imposes on the Defendants the duty and obligation to render full and fair disclosure to Plaintiff of all facts that materially affect Plaintiff's rights and interests. This fiduciary relationship includes the duty to disclose and to act to protect Plaintiff from rape and molestation and sexual abuse and exploitation by Catholic Priests, whom Defendants promote as being sexually safe, i.e. celibate and chaste.

50. Plaintiff was unable to discover that Defendants breached any duty owed to Plaintiff giving rise to these claims against Defendants. Plaintiff was effectually prevented from availing himself of his causes of action against Defendants due to the Defendants' acts of fraud, misrepresentation, concealment, breach of fiduciary duty, and concert of action to conceal these criminal and negligent activities, giving rise to a "civil conspiracy." Defendants had knowledge of the facts giving rise to Plaintiff's claims against them but fraudulently concealed and failed to disclose these facts to Plaintiff. Plaintiff thus pleads ignorance of the facts of Defendants' fraud, misrepresentation, concealment, breach of fiduciary duty and continuing overt acts in furtherance

of a civil conspiracy, and Plaintiff's causes of action against these Defendants. Plaintiff's ignorance of such facts was not willful, negligent or unreasonable.

51. Defendant Holy See and the Religious Order Defendants failed to properly report the illegal sexual abuse of children by Springer as required by law prior to 1972 and in 1972, 1981, 1984, 1985, 1994 and thereafter. Defendant Holy See and the Diocese Defendants failed to properly report the illegal sexual abuse of children by Springer as required by law in 1975, 1981 and 1984 and 1985 and thereafter. Specifically, "RAPE" under La. R.S. §14:41, "INDECENT BEHAVIOR WITH JUVENILES" under La. R.S. §14:81, "MOLESTATION OF A JUVENILE" under La. R.S. §14:81.2 and "SEXUAL BATTERY" under La. R.S. §14:43.1. Defendant Holy See and the Religious Order Defendants and the Diocese Defendants further failed to report the illegal sexual abuse of children by other priests as required by law in the 1960s and through the present time.

#### **IV. CIVIL CONSPIRACY**

52. The problem of childhood sexual abuse committed by Roman Catholic clerics and others within the Holy See's control was first acknowledged in 306 A.D. at the Council of Elvira in Spain when the council passed formal legislation condemning sexual abuse by the clergy, including sexual abuse of boys. This early law continues in the current 1983 version of the Code of Canon Law which expressly forbids priests and clerics from having sexual relations or relationships with children. The Code of Canon Law is mandatory and must be obeyed by each member, agent and employee of the Holy See, including all dioceses, archdioceses, religious orders, bishops, archbishops, superiors general and priests. Both old and current laws demonstrate that Defendant Holy See and all of its members, agents and employees, including The Provincial Superiors of The Redemptorists New Orleans and The Bishops of The Diocese, are well aware of the practices of childhood sexual abuse by Roman Catholic priests and clerics while in and during the course of the

Holy See's business activities and pursuits.

53. Plaintiff John Doe XX alleges that Defendant Holy See has established exclusive policies and standards that dictate how sexual abuse of children by employees, agents and members of the Holy See will be handled. In 1922, the Holy See released a confidential document regarding cases of solicitation of sex, which mandated a specific procedure for the Holy See's agents to use when a cleric solicited sex from a child while in and during the course of the Holy See's business activities and the document required strict secrecy. In 1962, the Holy See issued "Instruction on the Manner of Proceeding in Cases of Solicitation" ("1962 Document") to all archbishops, bishops, and other diocesan ordinaries, which contains mandatory and specific instructions on the handling of child sex abuse by clergy "ordering upon those to whom it pertains to keep and observe it in the minutest detail". Moreover, Defendant Holy See mandated secrecy for all those involved, including agents and itself, in handling allegations of sexual abuse. Penalties for the crime of solicitation under the 1962 Document include an order to move offending priests to other locations once they have been determined to be "delinquent." Defendant Holy See created and maintained this policy of secrecy and transfers, threatening all involved with excommunication and thus, damnation, if they do not comply. According to the 1962 Document, once these non-discretionary penalties are levied, only the Holy See has the power to alter or remit the punishment.

54. Also during this same time, a report in the U.S.A. to Pope Paul VI (1963-1978) communicated that "problems that arise from abnormal, homosexual tendencies are going to call for, not only spiritual, but understanding psychiatric counseling." At this point, the Holy See and its agents knew it had a widespread problem of its clergy molesting minors and it was during this period that the Holy See authorized and created facilities in the U.S.A. where "priests ... who have been addicted to abnormal practices, especially sins with the young...." would be sent for short periods

rather than “given the alternative of a retired life within the protection of monastery walls or complete laicization.”

55. Beginning in the 1960's, a large network of Catholic owned and operated private psychiatric treatment centers and hospitals was established across the United States solely for the treatment of Catholic Clerics and Priests upon referral by their bishops and archbishops and superiors general. These treatment centers have treated Clerics and Priests exhibiting psychosexual disorders of pedophilia and ephebophilia. The treatment center operated by the Servants of the Paraclete in New Mexico was established in 1976 and was the first such treatment center in the world, secular or religious, to have an established program for the treatment of pedophilia and ephebophilia. This center treated hundreds of cleric and priest perpetrators from 1976-1983.

56. Plaintiff John Doe XX alleges that at least by the mid 1960's, the Catholic superiors general, bishops and archbishops of the United States, and The Provincial Superiors of the Redemptorists New Orleans and The Bishops of The Diocese were well aware of the illegal sexual abuse of children by Catholic Clerics and Priests and of the state statutes requiring the reporting of sex crimes against children. These superiors general and bishops and archbishops and The Provincial Superiors of the Redemptorists New Orleans and The Bishops of The Diocese were also aware that Catholic Clerics and Priests gained access to these children as the direct result of their status and responsibilities as Clerics and Priests who, as spiritual advisors and role models, exercised tremendous power over these children and their families. The Provincial Superiors of the Redemptorists New Orleans and The Bishops of The Diocese were well aware of Springer's sex crimes against children. The Provincial Superiors recommended Springer for treatment in 1972 and The Bishops eventually admitted Springer to a treatment center in 1984.

57. By 1999, the government of Ireland began investigating the sexual abuse of minors

by clergy. Ireland's published conclusions include: the Catholic Church had a systemic problem of numerous clergy sexually abusing children; cases of sexual abuse were managed within the institution of the Church with a view to minimizing the risk of public disclosure and consequent damage to the institution; the offenses were not reported to the police because of a culture of silence about the issue; the recidivist nature of sexual abuse was well known to authorities within the institution; the Church authorities knew that the sexually abusing clergy were often long-term offenders who repeatedly abused children; when confronted with evidence of sexual abuse, a standard response of the religious authorities was to transfer the offender to another location <http://www.childabusecommission.com/rpt/04-06.php> (last viewed July 28, 2011).

58. In Catholic Religious Orders and Dioceses and Archdioceses throughout the United States, to include The Redemptorists New Orleans and The Diocese of Baton Rouge, when cases of illegal rape and molestation and sexual abuse and exploitation of minors by Catholic Clerics and Priests have surfaced, these cases have been handled in such a uniform fashion as to demonstrate a common plan and scheme for concealing these crimes from the public, failing to report and thus avoiding criminal prosecution of cleric and priest perpetrators and the filing of civil claims by victims by covering them up. This common plan and scheme was in existence before Plaintiff John Doe XX was sexually abused and exploited and was followed to conceal the crimes against children by Springer and other Clerics and Priests in the Holy See, including the Clerics and Priests in The Redemptorists New Orleans and The Diocese of Baton Rouge. The members of this common plan and scheme included Holy See and its official representatives and agents and The Provincial Superiors and The Bishops and other official representatives and agents of The Redemptorists New Orleans and The Diocese of Baton Rouge and Springer, and others unknown to Plaintiff.

59. The Defendants herein were aware of the harm to Plaintiff and the wrongful conduct

of Springer at the beginning of the combination or agreement. These Defendants intended to accomplish the unlawful purpose of concealing sex abuse against children by Springer and other Clerics and Priests and/or intended to conceal their breach of duty by the unlawful means of failing to report Springer and other known perpetrators as required by law. These Defendants knowingly caused further injury to Plaintiff John Doe XX and other children as a result of failing to report sexual abuse and exploitation. This combination had the result of concealing sexual abuse of children by fraudulent and illegal means and concealing the facts giving rise to Plaintiff's claims for civil damages all Defendants. Acts in furtherance of this civil conspiracy were committed prior to and after September, 2010.

60. The elements of a "civil conspiracy" have therefore been met by the actions of the Holy See, the Religious Order Defendants and the Diocese Defendants and Springer as follows: (1) the combination consists of two or more persons; (2) the combination desires to either accomplish an unlawful purpose (concealing the rape and molestation and sexual abuse and exploitation of children by failing to report said abuse) and/or to accomplish a lawful purpose by unlawful means (concealing their breach of duty by failing to report said rape and molestation and sexual abuse and exploitation); (3) there is a meeting of the minds on the object or course of action; (4) there are numerous unlawful, overt acts, i.e., i) the numerous separate instances of illegal sexual misconduct and ii) the failure to report the numerous separate instances of suspected child abuse and exploitation as required by state reporting statutes; and (5) damages to the victims as the proximate result.

61. All Defendants participated in coordinating the action, including the Holy See, the Religious Order Defendants and the Diocese Defendants, which resulted in the use of fraud and misrepresentation. This series of events was carried out as part of the civil conspiracy pled herein to keep the rape, molestation, sexual abuse and exploitation of children a secret, and avoid the



prosecution of cleric and priest perpetrators. False representations were used to prevent the public from knowing of this high-profile case. Efforts to conceal this combination are on-going and have included the unlawful failure to report Springer to the proper authorities in 1972 and in 1973 and thereafter.

## **V. CLAIMS OF FRAUD AND CONCEALMENT**

62. Plaintiff John Doe XX alleges fraud against Holy See and its agents, the Religious Order Defendants and the Diocese Defendants and Springer, in that (1) each Defendant made material representations; (2) their representations were false; (3) each Defendant knew their statements were false when the Defendant made the statements or recklessly made the statements as a positive assertion without knowledge of the truth; (4) each Defendant intended that Plaintiff rely on the Defendant's misrepresentations; (5) Plaintiff John Doe XX relied on the misrepresentations; and (6) Plaintiff John Doe XX suffered injury.

63. Plaintiff John Doe XX claims that the Defendant Holy See and its agents, the Religious Order Defendants and the Diocese Defendants and Springer, took actions designed to conceal the cause of Plaintiff's injuries and each of these Defendants' breach of duty which gives rise to Plaintiff's claims against these Defendants. Plaintiff alleges that (1) each Defendant had actual knowledge of the facts concealed and (2) each Defendant had a fixed purpose to conceal the wrong. Plaintiff John Doe XX thus alleges facts sufficient to establish concealment in that Plaintiff has established (1) the existence of the underlying tort; (2) each Defendant's knowledge of the tort; (3) each Defendant's use of deception to conceal the tort; and (4) Plaintiff's reasonable reliance on Defendants' deception.

**VI. CAUSE OF ACTION AGAINST  
THE RELIGIOUS ORDER DEFENDANTS AND THE DIOCESE DEFENDANTS**

64. The Religious Order Defendants and the Diocese Defendants negligently assigned or employed Springer for a position of trust, confidence, and authority as a Catholic Priest in direct contact with children when these Defendants knew or should have known of Springer's dangerous sexual propensities, thus negligently entrusting minors to Springer's dubious care.

65. The Religious Order Defendants and the Diocese Defendants negligently failed to a) warn Plaintiff and his family, or any of the Catholic faithful, including the faithful parents and parishioners at St. John's Catholic School, of Springer's dangerous propensities despite knowledge and notice of these propensities and b) implement reasonable policies and procedures to prevent unsupervised overnight access to children by Springer even though these Defendants knew or should have known Springer was a danger to children.

66. The Religious Order Defendants and the Diocese Defendants failed to a) provide reasonable supervision of Springer's activities with children and b) investigate numerous notices that Springer was a danger to minor boys and remove him from a position involving contact with minors.

67. Plaintiff alleges that the Religious Order Defendants and the Diocese Defendants are liable for the acts and/or omissions of Springer under the legal doctrine of negligent assumption of the risk of intentional or criminal conduct, just as the Provincial Superiors and the Bishops as the governing official of the Redemptorists New Orleans and the Diocese, respectively, are responsible for the acts and omissions of any Catholic Priest who is a member of the Redemptorists New Orleans and the Diocese. The Religious Order Defendants and the Diocese Defendants realized or should have realized that Springer posed an unreasonable risk of harm to minor boys, including Plaintiff John Doe XX. Plaintiff thus pleads Section 302B of the Restatement (Second) of Torts, Section

302B.

68. The Religious Order Defendants and the Diocese Defendants negligently failed to implement reasonable policies and procedures to prevent unsupervised access to children by Springer even though these Defendants knew or should have known Springer was a danger to male children. Springer's own knowledge of his sexual propensities to rape and sexually molest and abuse and exploit boys is imputed to the Religious Order Defendants and the Diocese Defendants. Furthermore, Plaintiff and his family dealt with these Defendants in good faith and believed Springer was acting in the scope of his employment as a Catholic Priest and assistant pastor and educator training young parishioners in the Catholic doctrines and traditions at St. John's Catholic School. Based on Springer's status as an agent of the Religious Order Defendants and the Diocese Defendants, Plaintiff pleads Section 5.04 of the Restatement (Third) of Agency, Section 5.04 and Section 282, comment f of the Restatement (Second) of Agency, Section 282, comment f.

69. The Religious Order Defendants and the Diocese Defendants illegally failed under state and federal law to report Springer to civil authorities and to parents as a suspected child abuser on numerous occasions before and after Plaintiff John Doe XX was raped, sexually molested, abused and exploited by Springer.

70. The Religious Order Defendants and the Diocese Defendants' conduct at the time and on the occasions in question, and continuing through the present day, resulted in the intentional infliction of emotional distress upon Plaintiff John Doe XX.

71. The Religious Order Defendants and the Diocese Defendants fraudulently concealed their knowledge of the criminal activities of Springer and others for the purpose of preventing Plaintiff John Doe XX from learning of the existence of his claims against these Defendants for their assignment, supervision, investigation, and failure to remove Springer and to revoke Springer's

ordination as a Catholic Priest and to report him to the authorities and to the victims' parents. The Religious Order Defendants and the Diocese Defendants used deception to conceal Springer's crimes and to conceal their negligence in failing to properly assign, supervise, investigate, remove, and report Springer to the authorities. Plaintiff John Doe XX reasonably relied upon this deception which Plaintiff failed to discover until after September, 2010, despite Plaintiff's due diligence.

72. Plaintiff John Doe XX alleges that the Religious Order Defendants and the Diocese Defendants breached their fiduciary duty to Plaintiff by failing to disclose their knowledge of Springer's criminal activities and fraudulently concealing these activities. This duty includes the duty of good faith, fair dealing, and a duty to act with the highest degree of trust and confidence and to fully and fairly disclose to Plaintiff all facts that materially affect Plaintiff's rights and interests. Plaintiff did not and could not in the exercise of reasonable diligence learn of this breach of duty until after September, 2010, due to the Religious Order Defendants and the Diocese Defendants' false representations and material misstatements of facts.

73. The rape, molestation, sexual abuse and exploitation in this case arose from Springer's exercise of authority, power, and access created by Springer's position and employment as a Roman Catholic Priest ordained, authorized and recommended by the Religious Order Defendants to work and serve as a Diocesan Priest in The Diocese of Baton Rouge. Plaintiff thus pleads vicarious liability under the doctrine of respondeat superior. The Religious Order Defendants and the Diocese Defendants' authority over its Catholic Priests exceeds the customary employer/employee relationship, thus the Religious Order Defendants and the Diocese Defendants are vicariously liable for all actions of their actual or apparent agent, Defendant Springer.

74. During the existence of the fiduciary relationship plead herein, the Religious Order Defendants and the Diocese Defendants actively and constructively stated and/or represented

numerous falsehoods, including the fact that Springer was a man of good moral character, fit to be a Catholic Priest in the Roman Catholic Church, who could be entrusted with the care, counseling, teaching, and instruction of adolescent children. These representations, among others, outlined in this pleading, were false and untrue and were known to be false and untrue at the time they were made, or were made with a reckless disregard as to whether they were true or false. These falsehoods and non-disclosures were material facts made with the intent to deceive and to induce reliance and constitute fraud as alleged hereinabove in paragraph 62. Plaintiff John Doe XX did not learn of the Religious Order Defendants and the Diocese Defendants' knowledge of the falsity of said representations, and/or of the failure to disclose the unfitness of Springer until after September, 2010. Plaintiff neither knew of nor could Plaintiff have discovered the fraud that had been committed by the Religious Order Defendants and the Diocese Defendants until after September, 2010. Plaintiffs' ignorance of these Defendants' fraud was not willful, negligent or unreasonable.

75. Plaintiff John Doe XX incorporates the allegations made in paragraph 74 above and states that the Religious Order Defendants and the Diocese Defendants negligently misrepresented that Springer was of good moral character and fit to act as a Roman Catholic Priest who could be entrusted with the care, counseling, teaching and instruction of adolescent children such as Plaintiffs.

76. Plaintiff John Doe XX also alleges that the Religious Order Defendants and the Diocese Defendants failed to ascertain and apprise Plaintiff and his family of Springer's sexually predatory nature. Thus, the Religious Order Defendants and the Diocese Defendants' representation that Springer was not sexually dangerous to adolescent boys placed Plaintiff and other boys in peril. Plaintiff pleads that the Religious Order Defendants and the Diocese Defendants failed to exercise reasonable care, thus negligently misrepresented and negligently gave false information which proximately caused harm to Plaintiff who reasonably relied upon the representation that Springer was

suitable for a position involving access to minor boys. Plaintiff thus pleads Section 311 of the Restatement (Second) of Torts and the legal doctrine of negligent misrepresentation involving the risk of physical harm.

77. The Religious Order Defendants and the Diocese Defendants, at the time and on the occasions in question, acted with heedless and reckless disregard for Plaintiff's safety, which disregard was the result of conscious indifference to Plaintiff's rights, welfare, and safety in violation of the civil code of the State of Louisiana. The Religious Order Defendants and the Diocese Defendants' conduct amounted to gross negligence, fraud, and malice as those concepts are understood under the Louisiana Civil Code for which Plaintiff John Doe XX seeks exemplary damages.

78. The actions of the Religious Order Defendants and the Diocese Defendants pled in Paragraphs 64 - 77 herein proximately caused the incidents in question and the damages sustained by Plaintiff John Doe XX.

## **VII. CAUSE OF ACTION AGAINST DEFENDANT HOLY SEE**

79. Defendant Holy See has specifically carved out the treatment of child sex abuse by clergy from other employment issues to have continuing control over this issue, and governs it every day and perpetually according to the non-negotiable and mandatory standards. Under Defendant Holy See's employment policy on sexual abuse of children, the Holy See mandates certain procedures and absolute secrecy by all involved under penalty of immediate removal from the organization (excommunication), retains the power at all times to conduct the inquisition of the case itself, and admits no deviations from its mandate. Through its mandated policies and its agents and instrumentalities, Holy See is an integral part of the day-to-day handling of cases of child sex abuse by clergy. There is no discretion given to its agents in the handling of such cases.

80. Defendant Holy See has known that child sex abusers have a very high rate of recidivism and are likely to abuse more children. As such, Holy See knew that children, parents and guardians who did not possess Holy See's knowledge about its agents and former agents and who unsuspectingly were around those agents and former agents were at a high risk to be sexually exploited and abused. Moreover, because of the high rate of recidivism, Defendant Holy See's agents and former agents had probably already sexually exploited and abused numerous children. Defendant Holy See knew there were many victims out there who were hurt because of Defendant Holy See's policies of secrecy, concealment and self-protection. Children are at risk because the public and law enforcement do not know the identity and the locations of these agents and former agents of Defendant Holy See who have been accused of sexual misconduct.

81. Upon information and belief, Defendant Holy See did not report all allegations of child sex abuse by its agents and former agents to law enforcement, those directly in the path of danger, or the public. Further Defendant Holy See adopted a policy and practice where its agents were not to report abuse by Holy See's agents to law enforcement, those directly in the path of danger, or the public. Plaintiff was harmed as a result of Defendant Holy See's practice and policy of not reporting suspected child abuse to law enforcement officials and requiring secrecy of all its agents who received reports of abuse.

82. At all times material hereto, Defendant Holy See directed its bishops in the U.S.A. to conceal from its parishioners and the general public the sexual abuse of children committed by its priests, bishops, clerics, agents and employees. To shield itself from "scandal" in the U.S.A. in 2002, Defendant Holy See denied approval of key provisions adopted by the U.S. Conference of Catholic Bishops that would have required Holy See agents in the U.S.A. to report all known or suspected child abuse to the civil authorities. Defendant Holy See also refused to give U.S. bishops

the power to remove abusive priests from the ministry. While the “public” policy of Defendant Holy See is to forbid childhood sexual abuse by priests and clerics within its control, the actual “private” or secret policy is to harbor and protect its abusive priests, clerics, bishops, archbishops, agents and employees from public disclosure and prosecution. Whether explicit or implicit, the transmission and receipt of these “public” and “private” or secret policies, directives and orders on childhood sexual abuse by the clergy are the actions of Defendant Holy See and its agents and employees that occurred in the U.S.A. Plaintiff was sexually abused and exploited as a child by Springer, one of Defendant Holy See’s clerics, agents or employees. Defendant Holy See’s directives to conceal the sexual abuse of children committed by its clerics, agents and employees to maximize revenue and image by avoiding scandal was a substantial factor in bringing about Plaintiff’s abuse.

83. Defendant Holy See’s policy of secrecy under penalty of excommunication for all involved in an accusation against clergy for the crime of solicitation - which includes sexual abuse of a minor - insulated Springer from consequences. Through this policy of secrecy the Holy See knowingly allowed and permitted and encouraged child sex abuse by its priests, including Springer.

84. The instructions, mandates and dictates of Defendant Holy See in the U.S.A. prohibited the disclosure of the identity and existence of pedophiles and sexual predators under its control, thereby placing children in a position of peril, is a gross violation of established, universally recognized norms of international law of human rights. The customary international law of human rights has been codified in various international agreements, including but not limited to:

a. the *Universal Declaration of Human Rights* in that Defendant Holy See, as a matter of policy, at all times practiced, ignored, tolerated, disregarded, permitted, allowed, condoned or failed to report childhood sexual abuse which the international community and the civilized world views as cruel, inhumane and degrading; and



b. the *Convention on the Rights of the Child*, in that Defendant Holy See, among other things, did not make the interests of minor children in its control its primary responsibility; did not conform to international standards for the safety and health of these children in considering the suitability of its priests, clerics, bishops, archbishops, agents and servants; did not take all appropriate legislative, administrative, social and educational measure to protect these children from sexual abuse; did not prevent, identify, report, investigate, treat or follow-up on instances of childhood sexual abuse of which it had knowledge; did not take all appropriate measures to ensure that school discipline was administered in a manner consistent with human dignity; and did not undertake to protect these children from sexual exploitation and abuse.

85. The worldwide acceptance of various international agreements, including the *Convention on the Rights of the Child*, demonstrates that some of their provisions have attained the status of customary international law. In 1990 Holy See signed the *Convention on the Rights of the Child*, which provides “in all actions concerning children ... the best interests of the child shall be a primary consideration,” Art. 3; that the signatories “shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, ..., including sexual abuse,” Art. 19; and that signatories “undertake to protect the child from all forms of sexual exploitation and sexual abuse,” Art. 34. These provisions in the *Convention on the Rights of the Child* and the provisions in the *Universal Declaration of Human Rights* signed by Holy See in 1948 codify longstanding legal human rights norms that reflect actual practices of states in prohibiting childhood sexual abuse, are not so novel as to be considered outside the bounds of what is customary, and are of universal concern.

86. The practices, instructions, mandates and dictates of Defendant Holy See in the United States prohibiting the disclosure of the identity and existence of pedophiles and sexual

predators under its control and placing children in positions of harm, whether undertaken under the color of law or only in its capacity as a private actor, are violations of customary international law and are crimes which the law of nations attributes individual responsibility.

87. Defendant Holy See, by and through its agents, servants and employees, breached duties owed to Plaintiff under the common law of the states, the federal common law, the laws of the fifty states, the law of the Louisiana and customary international law of human rights, including but not limited to:

a. The duty to provide safe care, custody and control of the minor children entrusted by their parents to the Roman Catholic churches and schools under the absolute control of Holy See.

b. The duty to warn parents who entrusted their children's care, custody and control to the churches and schools of the Roman Catholic Church that priests and other clerics were known pedophiles, sexual predators and perpetrators of childhood sexual abuse.

c. The duty to warn parent and children of a dangerous condition on Holy See's premises.

d. The duty to provide reasonable supervision of its employees to prevent sexual abuse.

e. The duty to not retain employees that presented an unreasonable risk of harming others.

f. The duty to report known or suspected perpetrators of childhood sexual abuse to authorities as required by statutory law, common law, and customary international law.

88. Defendant Holy See knew that its priests, clerics and agents in the U.S.A., including Louisiana, were committing acts of childhood sexual abuse and engaging in dangerous and exploitive conduct as pedophiles, sexual predators and perpetrators of childhood sexual abuse, and that these priests, clerics, bishops, archbishops, agents, and employees created an unsafe condition on the premises of the churches and schools occupied and run by The Religious Order Defendants and the Diocese Defendants, to whom the custody and control of minor children was placed.

89. The acts and omissions of Defendant Holy See, including the concealment of its policy of harboring and protecting its abusive priests, agents and employees from public disclosure and prosecution and directives prohibiting the reporting of child sexual abuse to authorities, as part of a regular course of commercial conduct and particular commercial transactions and acts, constitutes an act or acts of concealment or obstructive conduct under statutory law, common law and customary international law.

90. A special legal relationship existed between Plaintiff and Defendant Holy See, in the nature of a fiduciary relationship, which relationship was carried out by and through priests, clerics and administrators under the direct and absolute control of Defendant Holy See, in their capacity as paid educators and/or counselors and recruiters of minor children in the private schools of the Roman Catholic Church in the United States. The Defendant breached fiduciary duties owed to Plaintiff under the common law of the states, the federal common law, the laws of the fifty states, and customary international law of human rights, including but not limited to:

a. The duty to warn parents, who entrusted their children's care, custody and control to the churches and schools of the Roman Catholic Church, that its priests, clerics and agents in those churches and schools were known pedophiles, sexual predators and perpetrators of childhood sexual abuse.

b. The duty to report known or suspected perpetrators of childhood sexual abuse to authorities as required by statutory law, common law, and customary international law.

c. A duty to provide a reasonably safe environment at its institutions.

d. A duty to mandate safe policies and procedures for its institutions.

91. Holy See knew that Springer had a history of sexually abusing and exploiting children and was a danger to children before Springer abused and exploited Plaintiff. Whether or not

Springer had a history of sexual abuse was a material fact to Plaintiff and Plaintiff relied on this non-disclosure. Holy See intentionally did not disclose this fact to the then minor Plaintiff in order to induce him to act on the misrepresentation to his detriment. Plaintiff relied upon this intentional non-disclosure.

92. Defendant Holy See, through its agents the Religious Order Defendants and the Diocese Defendants, represented to Plaintiff and his family that Springer did not have a history of sexually abusing and exploiting children and that Springer was not a danger to children. Holy See owed a duty of care to Plaintiff because it knew or should have known that Springer was a danger to children, and should have known that Springer had molested children before he molested Plaintiff, and should have known that parents and children would place the utmost trust in Springer. Holy See, through its agents the Religious Order Defendants and the Diocese Defendants failed to use ordinary care in making the representations or in ascertaining the facts related to Springer's significant/lengthy history of sexually abusing and exploiting children. Holy See reasonably should have foreseen that its representations would subject Plaintiff to the unreasonable risk of harm. Plaintiff believed and justifiably relied upon Holy See's representations.

93. The actions of Defendant Holy See alleged herein in Paragraphs 79 - 92 proximately caused the incidents in question and the damages sustained by Plaintiff.

**VIII. CAUSE OF ACTION AGAINST DEFENDANTS HOLY SEE AND  
FATHER SPRINGER AND THE RELIGIOUS ORDER DEFENDANTS AND  
THE DIOCESE DEFENDANTS**

94. Plaintiff alleges that the Defendants herein have entered into a civil conspiracy to accomplish an unlawful purpose (namely, concealing the rape, molestation, sexual abuse and exploitation of children and the failure to report such abusive conduct to the authorities) and/or to accomplish a lawful purpose by unlawful means (namely, concealing their own negligence and

breach of duty by the unlawful means of illegally failing to report such rape, molestation and abuse to the authorities). This combination represents a meeting of the minds on the object or course of action to accomplish the above objectives and constitutes a civil conspiracy. Numerous unlawful overt acts have been committed in furtherance of this combination; namely, the failure to report the numerous separate instances of sexual misconduct by Springer in 1972 and thereafter as required by state reporting statutes as well as the failure to report other predatory clerics and priests as required by federal and state reporting statutes. Numerous overt acts have been committed in furtherance of this civil conspiracy including overt acts prior to and after September, 2010. As a proximate result of this combination, Plaintiff has suffered damages.

95. Plaintiff has also alleged that these Defendants, individually and collectively, have acted to conceal the cause of Plaintiff's injuries, namely the Defendants' knowledge and negligence with regard to the rape, molestation, sexual abuse and exploitation of children by Springer and others, as well as the negligence, fraud, and breach of fiduciary duty on the part of these Defendants in concealing their knowledge and negligence. Each Defendant was knowledgeable of the existence of these claims. Each Defendant used deception to conceal these claims and their breach of duty in permitting the rape, molestation and abuse to occur. Plaintiff has reasonably relied on the Defendants' deception and Plaintiff has been unable to discover that his claims against Defendants were concealed until after September, 2010. Plaintiff's ignorance of the facts concerning Defendants' knowledge and negligence was not willful, negligent or unreasonable.

96. Plaintiff alleges several acts of fraud designed to conceal the wrongdoing and negligence of Defendants which occurred before and after the events giving rise to this litigation. Specifically, Plaintiff pleads deceptive acts prior to 1972, in 1973 and from 1974 to the present. These deceptive acts had the purpose of concealing wrongdoing on the part of these Defendants until

after September, 2010.

97. These Defendants have a fiduciary relationship with and a fiduciary duty to Plaintiff. This fiduciary relationship gives rise to the duty on the part of these Defendants to act with the highest degree of trust and confidence towards Plaintiff. Defendants breached their fiduciary duty to Plaintiff. This breach of fiduciary duty includes the duty to warn and disclose.

98. Defendants have been negligent in their actions and have violated their duty to exercise reasonable care to protect Plaintiff from the foreseeable risk of child rape, molestation and sexual abuse and exploitation by Springer prior to 1974.

99. Plaintiff alleges that the actions of these Defendants have been outrageous and have intentionally inflicted emotional distress upon Plaintiff.

100. Plaintiff also alleges that all Defendants acted in concert and are jointly and severally liable for all acts and/or omissions under the legal doctrines of conspiracy and concert of action as joint venturers, and as agents of these entities as these concepts are understood and provided for under the Article 2324(A) of the Louisiana Civil Code and Section 876 of the Restatement (Second) of Torts. Thus, Plaintiff seeks damages from all Defendants *in solido*.

101. The actions of Defendants alleged herein in Paragraphs 94 - 100 proximately caused the incidents in question and the damages sustained by Plaintiff.

#### **IX. DAMAGES AND EXEMPLARY DAMAGES**

102. As a result of the incidents described herein, Plaintiff John Doe XX has (a) incurred medical and psychological expenses in the past which were reasonable and necessary and in all reasonable probability will incur medical and psychological expenses in the future; (b) experienced pain and suffering in the past and in all reasonable probability will sustain pain and suffering in the future as a result of Plaintiff's psychological injuries; (c) experienced mental anguish in the past and

in all reasonable probability will sustain mental anguish in the future; (d) suffered a loss of earnings and earning capacity in the past and in all probability will sustain such losses in the future; and (e) incurred many other damages and in all reasonable probability Plaintiff's social and professional adjustment in the future will be severely impacted. As a result of the above, Plaintiff John Doe XX seeks damages in the amount of \$4,000,000.00.

103. Plaintiff John Doe XX also seeks exemplary damages in order to punish and deter the outrageous, egregious criminal sexual activity occurring during Plaintiff's childhood as a result of Defendants' conscious indifference to Plaintiff's rights, welfare and safety in violation of the Louisiana Civil Code. To the extent this case is based on injuries caused by a wanton and reckless disregard for Plaintiff's rights and safety through Defendant Springer's criminal sexual activity against a child, i.e., sexual abuse of a child, Defendant Springer is subject to the exemplary damages granted under La. Civ. Code Ann. Art. 2315.7. Specifically, Defendant Springer is liable for exemplary damages based on his sexual predatory conduct against a child that constitutes egregious criminal acts of (i) "RAPE" under La. R.S. §14:41, (ii) "INDECENT BEHAVIOR WITH JUVENILES" under La. R.S. §14:81, (iii) "MOLESTATION OF A JUVENILE" under La. R.S. §14:81.2 and (iv) "SEXUAL BATTERY" under La. R.S. §14:43.1. Defendant Holy See and its agents, Defendants The Redemptorists/New Orleans Vice Province, The Provincial Superiors, Roman Catholic Church of the Diocese of Baton Rouge, and The Bishops, are liable *in solido* for all exemplary damages awarded against Defendant Springer under La. Civ. Code Ann. Art. 2315.7. As a result of the Defendants' conduct as pled herein, Plaintiff seeks exemplary damages in the amount of \$8,000,000.00.

#### **X. CLAIM FOR PRE-JUDGMENT AND POST-JUDGMENT INTEREST**

104. Plaintiff claims interest in accordance with 28 U.S.C. § 1961 and any other applicable

law.

## **XI. REQUEST FOR TRIAL BY JURY**

105. Plaintiff is entitled to and requests a trial by jury.

## **XII. STATEMENTS TO THE COURT**

106. Plaintiff pleads that he did not know and could not have known of the claims against the Defendants for fraud, misrepresentation, negligence, and breach of fiduciary duty or the civil conspiracy that was conceived and executed by all Defendants and that his ignorance was not willful, negligent or unreasonable, thus preventing the running of liberative prescription until after September, 2010.

107. Plaintiff pleads that from the time of the incidents in question and through the present time he has suffered from a disability due to the effect of the continuous emotional and psychological condition that derived from Defendants' actions and has prevented him from suing or acting against the Defendants as plead herein, thus preventing the running of liberative prescription until September, 2010.

108. Plaintiff pleads fraud and concealment of this fraud on the part of Defendants, where such acts of fraud and concealment by Defendants effectually prevented Plaintiff from availing himself of his causes of action, thus preventing the running of liberative prescriptions as to all claims against all Defendants until after September, 2010.

109. Plaintiff has plead concealment of facts under Defendants' control, where such acts of concealment of facts by Defendants effectually prevented Plaintiff from availing himself of his causes of action, thus preventing the running of liberative prescriptions as to all claims against all Defendants until after September, 2010.

110. Plaintiff has plead concealment of fraudulent statements and other misrepresentations



known to Defendants, where such acts of concealment of misrepresentations by Defendants effectually prevented Plaintiff from availing himself of his causes of action, thus preventing the running of liberative prescriptions as to all claims against all Defendants until after September, 2010.

111. Plaintiff has plead breach of fiduciary duty, including the duty to disclose and the use of deception to conceal Plaintiffs's case against all Defendants for breach of the duty of care, where such acts of breach of fiduciary duty and deception by Defendants effectually prevented Plaintiff from availing himself of his causes of action, thus preventing the running of liberative prescriptions as to all claims against all Defendants until after September, 2010.

112. Plaintiff has plead a civil conspiracy to conceal criminal acts, to conceal the commission of criminal acts, to conceal negligence by unlawful means, to conceal fraud, to conceal the breach of the duty of trust and confidence, and to conceal the use of deception to avoid claims until the claims prescribed by illegal means, where the acts and omissions were perpetrated and committed by an agreement of the Defendants and resulted in Plaintiff's injury.

113. Plaintiff alleges that the actions of all Defendants, because of their cover-up, conduct, statements and promises, preclude him from claiming the exception of prescription to any of Plaintiff's claims. Plaintiff thus pleads the doctrine of Equitable Estoppel.

114. Plaintiff pleads delayed discovery of the harm caused by the sexual abuse and exploitation by Defendant Springer and the delay in treatment despite the exercise of reasonable diligence on Plaintiff's part, due to repressed and/or suppressed memory, thus preventing the running of liberative prescriptions until after September, 2010.

### **XIII. COMPLIANCE WITH LRS 9:2800.9**

115. Plaintiff John Doe XX has complied with the provisions of LRS 9:2800.9 as evidenced by the certificates of merit attached to this original complaint and incorporated herein by

reference. In accordance with LRS 9:2800.9, the attorney for Plaintiff John Doe XX and a licenced mental health practitioner have executed separate certificates of merit for Defendants Holy See (State of the Vatican City), The Redemptorists/New Orleans Vice Province, Very Reverend Harry Grile, C.Ss.R., as Provincial Superior of The Redemptorists/Denver Province, The Roman Catholic Church of the Diocese of Baton Rouge, Most Reverend Robert W. Muench, as Bishop of The Roman Catholic Church of the Diocese of Baton Rouge, and Christopher Joseph Springer.

WHEREFORE, PREMISES CONSIDERED, Plaintiff John Doe XX prays that Defendants appear and answer herein and that there be judgment against Defendants *in solido* for a sum of money for damages described herein, for cost of suit, for interest from the date of the incident, and such other relief to which John Doe XX may be justly entitled.

Respectfully submitted,

**LAW OFFICES OF ANDRE P. LAPLACE**

By: /s/ Andre Laplace  
Andre P. Laplace, La. Bar #08039  
2762 Continental Drive, Suite 103  
Baton Rouge, La. 70808  
(225) 924-6898  
(225) 924-6877 (FAX)

**FELECIA Y. PEAVY, ESQ.**

By: /s/ Felecia Y. Peavy  
Felecia Y. Peavy  
Texas Bar No. 15698820  
2 Houston Center  
909 Fannin, Ste. 1910  
Houston, Texas 77010  
(713)222-0205  
(713)236-8547 (FAX)

**ATTORNEYS FOR PLAINTIFFS**

Notary Public, State of Texas

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF LOUISIANA

JOHN DOE XX

VS.

HOLY SEE (State of the Vatican City),  
THE REDEMPTORISTS/NEW ORLEANS  
VICE PROVINCE, VERY REVEREND HARRY  
GRILE, C.Ss.R., HIS PREDECESSORS AND  
SUCCESSORS, AS PROVINCIAL SUPERIOR  
OF THE REDEMPTORISTS/DENVER  
PROVINCE, ROMAN CATHOLIC CHURCH  
OF THE DIOCESE OF BATON ROUGE,  
MOST REVEREND ROBERT W.  
MUENCH, HIS PREDECESSORS AND  
SUCCESSORS, AS BISHOP OF THE  
ROMAN CATHOLIC CHURCH OF THE  
DIOCESE OF BATON ROUGE,  
CHRISTOPHER JOSEPH SPRINGER, AND  
FIREMAN'S FUND INSURANCE COMPANY

CIVIL ACTION NO. \_\_\_\_\_

SECTION \_\_\_\_\_

MAGISTRATE \_\_\_\_\_

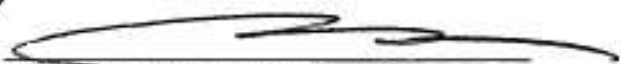
**PRACTITIONER'S CERTIFICATE OF MERIT PURSUANT TO La. R.S. 9:2800.9 FOR  
DEFENDANT HOLY SEE (State of the Vatican City)**

**BEFORE ME**, personally came and appeared Bob Waggener, MDIV, LCSW, who after being sworn, deposed and said:

- (1) I am a mental health practitioner, licensed and practicing in the State of Louisiana.
- (2) I am not a party to the above-entitled and numbered lawsuit against Defendant Holy See (State of the Vatican City).
- (3) I have interviewed Plaintiff John Doe XX in the above-entitled and numbered lawsuit, and I am knowledgeable of the relevant facts and issues involved in this particular action.
- (4) On the basis of my knowledge of the facts and issues, I have concluded in my professional opinion that there is a reasonable basis to believe that John Doe XX has been subject to criminal sexual activity and physical abuse during his childhood as defined in La. R.S. 9:2800.9.

  
Bob Waggener, MDIV, LCSW

**SWORN TO AND SUBSCRIBED BEFORE ME**, a Notary Public in East Baton Rouge Parish, Louisiana this 25 day of July, 2011.

  
Notary Public, State of Louisiana

JEANNETTE M. FRESINA  
NOTARY PUBLIC #31946  
MY COMMISSION IS FOR LIFE

Notary Public, State of Texas



.....

CIVIL ACTION NO. \_\_\_\_\_

vs.

HOLY SEE (State of the Vatican City),  
THE REDEMPTORISTS/NEW ORLEANS  
VICE PROVINCE, VERY REVEREND HARRY  
GRILE, C.Ss.R., HIS PREDECESSORS AND  
SUCCESSORS, AS PROVINCIAL SUPERIOR  
OF THE REDEMPTORISTS/DENVER  
PROVINCE, ROMAN CATHOLIC CHURCH  
OF THE DIOCESE OF BATON ROUGE,  
MOST REVEREND ROBERT W.  
MUENCH, HIS PREDECESSORS AND  
SUCCESSORS, AS BISHOP OF THE  
ROMAN CATHOLIC CHURCH OF THE  
DIOCESE OF BATON ROUGE,  
CHRISTOPHER JOSEPH SPRINGER, AND  
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SECTION

MAGISTRATE

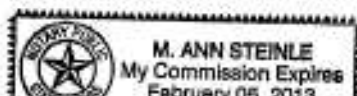
**ATTORNEY'S CERTIFICATE OF MERIT PURSUANT TO La. R.S. 9:2800.9 FOR  
DEFENDANT VERY REVEREND HARRY GRILE, C.Ss.R.**

**BEFORE ME**, personally came and appeared Felecia Y. Peavy, who after being sworn, deposed and said:

- (1) I am co-counsel and attorney for Plaintiff John Doe XX in the above-entitled and numbered lawsuit against Defendant Very Reverend Harry Grile, C.Ss.R.
- (2) I have reviewed the facts of this case that involve Very Reverend Harry Grile, C.Ss.R., as Provincial Superior of The Redemptorists/Denver Province.
- (3) I have consulted with Bob Waggener, MDIV, LCSW, a mental health practitioner who is licensed and practices in the state of Louisiana and whom I reasonably believe is knowledgeable of the relevant facts and issues involved in this particular action. Bob Waggener is not a party to this litigation.
- (4) On the basis of my review of the facts of this case and my consultation with Bob Waggener, I have concluded that there is a reasonable and meritorious cause for filing the attached Plaintiff's Original Complaint against Defendant Very Reverend Harry Grile, C.Ss.R.

Felecia Y. Pongy

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public in Harris County, Texas  
this 1st day of September, 2011.



Notary Public, State of Texas



JEANNETTE M. FRESINA  
NOTARY PUBLIC #31946  
MY COMMISSION IS FOR LIFE



*(continued)*

CIVIL ACTION NO. \_\_\_\_\_

VS.

HOLY SEE (State of the Vatican City),  
THE REDEMPTORISTS/NEW ORLEANS  
VICE PROVINCE, VERY REVEREND HARRY  
GRILE, C.Ss.R., HIS PREDECESSORS AND  
SUCCESSORS, AS PROVINCIAL SUPERIOR  
OF THE REDEMPTORISTS/DENVER  
PROVINCE, ROMAN CATHOLIC CHURCH  
OF THE DIOCESE OF BATON ROUGE,  
MOST REVEREND ROBERT W.  
MUENCH, HIS PREDECESSORS AND  
SUCCESSORS, AS BISHOP OF THE  
ROMAN CATHOLIC CHURCH OF THE  
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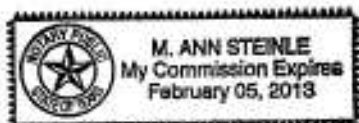
SECTION

MAGISTRATE

**ATTORNEY'S CERTIFICATE OF MERIT PURSUANT TO La. R.S. 9:2800.9 FOR**  
**DEFENDANT ROMAN CATHOLIC CHURCH OF THE DIOCESE OF BATON ROUGE**

**BEFORE ME**, personally came and appeared Felecia Y. Peavy, who after being sworn, deposed and said:

- (1) I am co-counsel and attorney for Plaintiff John Doe XX in the above-entitled and numbered lawsuit against Defendant The Roman Catholic Church of the Diocese of Baton Rouge.
- (2) I have reviewed the facts of this case that involve The Roman Catholic Church of the Diocese of Baton Rouge.
- (3) I have consulted with Bob Waggener, MDIV, LCSW, a mental health practitioner who is licensed and practices in the state of Louisiana and whom I reasonably believe is knowledgeable of the relevant facts and issues involved in this particular action. Bob Waggener is not a party to this litigation.
- (4) On the basis of my review of the facts of this case and my consultation with Bob Waggener, I have concluded that there is a reasonable and meritorious cause for filing the attached Plaintiff's Original Complaint against Defendant The Roman Catholic Church of the Diocese of Baton Rouge.



Etelecia Y. Pelayo

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public in Harris County,  
Texas, this 1st day of September, 2011. 11/6

JEANNETTE M. FRESINA  
NOTARY PUBLIC #31946  
MY COMMISSION IS FOR LIFE

Notary Public, State of Texas

JEANNETTE M. FRESINA  
NOTARY PUBLIC #31946  
MY COMMISSION IS FOR LIFE

ME, a Notary Public in Harris County, Texas  
1.  
Notary Public, State of Texas



