

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA

JOHN DOE XX

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CIVIL ACTION NO. 3:11-cv-00651

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VS.

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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

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JUDGE JAMES J. BRADY

MAG. JUDGE CHRISTINE NOLAND

**ANSWER OF THE REDEMPTORIST/NEW ORLEANS VICE PROVINCE,
VERY REV. HARRY GRILE, C.Ss.R. HIS PREDECESSORS AND SUCCESSORS AS
PROVINCIAL SUPERIOR OF THE REDEMPTORISTS/DENVER PROVINCE**

NOW INTO COURT come the following Defendants: the Redemptorist/New Orleans Vice Province, Rev. Harry Grile, C.Ss.R his predecessors and successors, as Provincial Superior of the Redemptorists/Denver (hereinafter collectively the Redemptorists) who answer the plaintiff’s

original complaint and aver to the Court as follows:

FIRST DEFEENSE

All of the claims made against the Redemptorist do not state a cause of action or a right of action against the defendants and as such should be dismissed.

SECOND DEFENSE

The Redemptorist Defendants plead prescription and that the allegations which form the basis of the claims made against the Redemptorist have prescribed as a matter of law. On the face of the pleadings all claims clearly are prescribed and such prescription acts as a complete bar to any recovery against the Redemptorist Defendants.

THIRD DEFENSE

This Court acting under the laws of the United States of America does not have jurisdiction to judge matters of Canon Law of the Roman Catholic Church when administrative actions of the church are challenged under the canonical laws of the Catholic Church. Pursuant to the First Amendment of the United States Constitution and the separation of Church and State thereunder this Court cannot delve into the administrative decisions made pursuant to Canon Law of the Roman Catholic Church and that bar is absolute.

FOURTH DEFENSE

Louisiana law, the law which should govern these claim, does not recognize a cause of action for negligent misrepresentation, breach of fiduciary duty, civil conspiracy, and exemplary damages. All of these claims together with others will be the subject of the Motion to Dismiss by the Redemptorist Defendants and act as a complete bar to any

recovery against the Redemptorist Defendants.

FIFTH DEFENSE

Now answering the individual allegations made in the complaint, the Redemptorist Defendants aver as follows: The Redemptorist Defendants admit the allegations contained in Articles 1, 4, 7, and 32. All other allegations contained in all the other Articles in the complaint are denied and the Redemptorist Defendants call for specific proof as to each Article at trial.

WHEREFORE, the Redemptorist Defendants pray that their answer be deemed good and sufficient and after due proceedings had there be judgment herein in their favor dismissing all claims made by the plaintiffs at his cost with prejudice.

Respectfully Submitted,

KINNEY ELLINGHAUSEN RICHARD &
DESHAZO

/s/ Don M. Richard

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*Attorney for Redemptorists/New Orleans Vice
Province and Fr. Harry Grile on behalf of the Denver
Province of the Redemptorist*

CERTIFICATE OF SERVICE

I certify that the foregoing was served electronically on all counsel of record by electronic filing on the 16th day of January, 2012.

/s/ Don M. Richard