

IN THE CIRCUIT COURT OF NODAWAY COUNTY
STATE OF MISSOURI

JOHN DOE 48

Plaintiff,

vs.

CONCEPTION ABBEY, INC.,

SERVE AT:

37174 State Highway VV
Conception, MO 64433.

Defendant.

Cause No. _____

Division No. _____

PETITION

Plaintiff, for his Petition against the Defendant named herein, alleges as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over the causes of action asserted herein and over the parties to this action. Plaintiff asserts his claim under Missouri common law. This Court has jurisdiction because Defendant Conception Abbey, Inc. is licensed to do business or transact business in Missouri and has obtained the benefits of the laws of the State of Missouri and the benefits of the Missouri location for Conception Abbey, Inc. Finally, all of the sexual molestation described herein occurred in the State of Missouri.

2. Venue is proper in Nodaway County under R. S. Mo. § 508.010 (2005), in as much as this is an action in tort and Nodaway County is the place where Plaintiff was first injured by the wrongful acts.

PARTIES

3. Plaintiff John Doe 48 is an adult man and a resident of the State of Oregon, whose identity is being kept confidential because he was a victim of a sex crime when he was a minor. Plaintiff has provided the identity of the Plaintiff to the Defendant in a separate, confidential communication. Plaintiff was a minor at the time of the sexual abuse alleged herein.

4. At all times material, Defendant Conception Abbey, Inc. (hereinafter "Abbey") was and continues to be a Missouri benevolent corporation doing business in Missouri with its principal place of business located at 37174 State Highway VV Conception, MO 64433.

5. Upon information and belief, Defendant Abbey was formed in 1881 and has approximately 35 priests and 23 monks working for it, and in addition to the main Abbey found in Conception, Missouri, also is responsible for 8 parishes located in Missouri, Kansas, Oklahoma, Nebraska, and Arkansas.

6. Upon information and belief, Defendant is affiliated with the Order of St. Benedict, a religious order of the Roman Catholic Church, as a Swiss-American Congregation in the United States.

BACKGROUND FACTS

7. Father Bede Parry was Roman Catholic Monk and Priest at the Abbey at the time of the abuse alleged herein.

8. In 1973, Bede Parry joined the monastic community at the Abbey.

9. From 1973 through 1979, Bede Parry resided at the Abbey.

10. In approximately 1978, Conception Abbey started the Abbey Boy Choir. John

Doe 48 was a charter member; Bede Parry assisted with the Choir.

11. Between 1978 and 1979, Bede Parry assisted with the Abbey Boy Choir ("Choir") as an accompanist.

12. From 1979 through 1982, Bede Parry attended the St. John's University School of Theology in Collegeville, Minnesota.

13. From 1982 through 1987, Bede Parry lived and was assigned to the Abbey where he served as the secretary to the Abbot, taught classes at the Conception Abbey Seminary, and directed the choir.

14. In 1983, Bede Parry was ordained as a priest.

15. All of the area parishes were represented in this choir, including St. Colomba, where John Doe 48 was a member.

16. The choir served an important role in John Doe 48's religious and social life while he was a young adolescent.

17. Upon Bede Parry's return to Conception Abbey, John Doe 48 began taking piano lessons from Parry.

18. Parry began eroding the boundaries of an appropriate relationship with John Doe 48. He began touching the boy inappropriately and kissing him on the neck.

19. In approximately 1982, Father Parry used his position to force sexual favors from the boy.

20. He began disrobing John Doe 48 and performing oral sex on him.

21. The minor Plaintiff participated in a residential choir camp at the Abbey where Fr. Parry was the choir director. At that camp, Parry disrobed the boy and unsuccessfully attempted penetration.

22. While the minor Plaintiff attended the choir camp at the Abbey, Plaintiff resided at the Abbey.

23. These events occurred over the span of approximately a year and half and occurred on at least a half dozen occasions.

24. Upon information and belief, the parents of a boy who attended the choir camp confronted Abbot Jerome Hanus at the Abbey, and were told Parry had a "mental breakdown" and that he would be treated for this breakdown.

25. In fact, Fr. Parry did not have a "mental breakdown." Instead, Fr. Parry was a known serial child predator who had sexually abused numerous students before Fr. Parry sexually abused the Plaintiff.

26. The Abbey knew that Fr. Parry had sexually abused other students prior to Fr. Parry's sexual abuse of the Plaintiff. Between 1973 and 1979, while Bede Parry was a monk at the Abbey, but before Bede Parry was an ordained priest, Bede Parry reported to Abbot Hanus that he had been involved in three inappropriate sexual relationships. In 1981, Bede Parry, while attending classes at St. John's School of Theology in Collegeville, Minnesota, had sexual contact with a St. John's student. Bede Parry admitted to the sexual misconduct to both St. John's Abbot Jerome Theisen and two other monks at St. John's as well as Abbot Hanus at the Abbey. Bede Parry was allowed to remain at St. John's until he graduated in 1982 but at the insistence of Abbot Hanus and as a condition of remaining at St. John's, Bede Parry was required to receive psychological treatment.

27. Immediately after a camp choir member reported the sexual abuse by Fr. Parry in 1987, Fr. Parry was sent for sexual offender treatment at the Servants of the Paracletes facility in Jemez Springs, New Mexico, where Fr. Parry resided from August 1987 through October of

1987.

28. After completing treatment, Fr. Parry remained in the southwest.

29. At some time in 1990, Abbot James Jones of the Abbey told Fr. Parry that "it would not be wise" for Fr. Parry to return to the Abbey.

30. From 1988 through 1990, Fr. Parry was employed by St. Timothy Lutheran Church in Albuquerque, New Mexico.

31. From 1990 through 1992, Fr. Parry was assigned to Our Lady of Fatima Catholic Church in Albuquerque, New Mexico.

32. In July through October of 1992, Fr. Parry was assigned to Holy Family Catholic Church in Las Vegas, Nevada.

33. At some time during the 1990's, Fr. Parry was employed by Reformation Lutheran Church in Las Vegas, Nevada and again at Holy Family Catholic Church in Las Vegas, Nevada.

34. In 2000, Fr. Parry underwent psychological testing relating to the possibility of entering another monastery. The results of this testing revealed that Fr. Parry was a sexual abuser who had the proclivity to reoffend with minors. The results of this testing were provided to the Abbey, the Catholic Diocese of Las Vegas and the Episcopal Bishop for the Abbey of Nevada.

35. From 2000 through 2011, Fr. Parry has been and continues to be employed by All Saints' Episcopal Church in Las Vegas, Nevada.

36. Fr. Parry fled the state of Missouri and has not returned since, tolling any applicable statute of limitation. Abbott James Jones was complicit in and conspired with Parry in his not returning to the state, tolling any applicable statute of limitation.

37. At all times material hereto, Fr. Parry was under the direct supervision, employ and control of the Abbey and its representative Abbot Jerome Hanus, who is now the Archbishop of Dubuque, Iowa. All acts of sexual abuse alleged herein took place during functions in which Fr. Parry had custody or control of the Plaintiff in his role as a priest, choir director, and authority figure.

38. The Plaintiff was a member of a choir and attended choir camp that was organized through and at the Abbey.

39. Defendant Abbey provided training to Fr. Parry on how to perform the specific positions of a priest and a choir director.

40. At all times material, Defendant Abbey hired, supervised and paid assistance to Fr. Parry.

41. At all times material, Fr. Parry acted upon the authority of and at the request and/or permission of the Defendant Abbey.

42. At all times material, Fr. Parry performed much of his work on the premises owned by Defendant Abbey.

43. When Fr. Parry traveled in the presence of children, Defendant Abbey paid for those trips and travel expenses incurred by Fr. Parry.

44. Defendant Abbey furnished tools and materials to aid and abet Fr. Parry's conduct as alleged hereinafter.

45. Fr. Parry's conduct as alleged herein was undertaken while in the course and scope of his employment with Defendant Abbey.

46. Plaintiff John Doe 48 was raised in a devoutly Roman Catholic family, was baptized, regularly celebrated weekly mass and received the sacraments through the Roman

Catholic Church. Plaintiff, therefore, developed great admiration, trust, reverence and respect for the Roman Catholic Church and its agents.

47. In addition, by accepting the care, custody and control of the minor Plaintiff, Defendant stood in the position of an *in loco parentis* relationship with the minor Plaintiff. As a result of this special relationships between Plaintiff and Defendant, Plaintiff trusted and relied upon Defendant to nurture and protect him while he was in Defendant's care and custody. The power imbalance between Defendant and Plaintiff increased the young boy's vulnerability to Fr. Parry.

48. At the time that Fr. Parry had unlawful sexual contact with Plaintiff, Fr. Parry falsely represented to Plaintiff that Fr. Parry was providing spiritual counseling, comfort, mentor and advice to Plaintiff.

49. Defendant knew or should have known that their allowing Fr. Parry access to children and students as part of his official duties after reports of impropriety involved an unreasonable risk of causing emotional distress to Plaintiff and other similarly situated individuals.

50. The Defendant's actions in allowing Fr. Parry to continue holding himself out as a priest and choir director to the participants at the choir camp and other children, with whom he came into contact, were outrageous and utterly repugnant to a civilized society. Defendant acted with a depraved heart knowing harm would occur, including the damages to Plaintiff described herein and other similarly situated children. Defendant knew or should have known this outrageous behavior would cause emotional distress to the families of the victims and the victims, including Plaintiff.

51. Defendant should be estopped from asserting any defense that Plaintiff's action is not timely because Defendant fraudulently concealed the intentional failure to supervise clergy cause of action by failing to disclose and / or misrepresenting the nature of the problems with Fr. Parry. At least four reports of sexual abuse involving Fr. Parry were known by the Abbey before John Doe 48 came into contact with him. The reports of abuse caused Parry to be sent to the sexual offender treatment at the Servants of the Paraclete facility in Jemez Springs, New Mexico. This misrepresentation caused Plaintiff to not be capable of discovering that the Abbey was aware of previous incidents of sexual misconduct by Fr. Parry and that the Abbey disregarded the known risk that Fr. Parry would sexually abuse another child, in this case, the Plaintiff. By misrepresenting the nature of Fr. Parry's problems and subsequent treatment, the Abbey fraudulently concealed the intentional failure to supervise clergy claim from the Plaintiff. As a result, the Abbey must be estopped from asserting the statute of limitations as a defense to Plaintiff's intentional failure to supervise clergy claim.

52. As a direct result of Defendant's wrongful conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT I

INTENTIONAL FAILURE TO SUPERVISE CLERGY

53. The Plaintiff incorporates all paragraphs of this Petition as if fully set forth herein.

54. At the time of the sexual abuse described herein, the Abbey was the supervisor and employer of Fr. Parry.

55. The Abbey was aware of previous sexual misconduct by Fr. Parry, and that future harm was certain or substantially certain to result without proper supervision.

56. The Abbey disregarded the known risk of sexual abuse.

57. The Abbey's inaction caused injury to the Plaintiff.

58. The Plaintiff was sexually abused on the property owned and operated by the Abbey.

59. The Abbey knew that it had the ability to control Fr. Parry and knew of the necessity for exercising such control in order to avoid injury to children, including the Plaintiff.

60. Defendant knew or should have known that inappropriate touching of young children by their employees and/or designated agents would cause or was substantially certain to cause those children harm.

61. Defendant's actions and/or inactions were willful, wanton and reckless for which punitive damages and/or damages for aggravating circumstances are appropriate.

62. As a result of Defendant's failure to properly supervise Fr. Parry, the Plaintiff was injured and has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT II
FAILURE TO SUPERVISE CHILDREN

63. Plaintiff incorporates paragraphs 1-52 of this Petition as if fully set forth herein.

64. At all times material, the Abbey and its personnel were the supervisors and employers of Parry.

65. The Abbey was aware of previous sexual misconduct by clergy within their boundaries and/or under their supervision, including Parry and that future harm was certain or substantially certain to result without proper supervision.

66. The Abbey had knowledge of Parry's past behavior and traits that placed the Abbey on notice that Parry posed a danger to the Plaintiff.

67. Defendant Abbey disregarded the foreseeable risk and / or known danger of sexual abuse that Parry posed to the Plaintiff, whom the Abbey was charged with safekeeping.

68. Defendant Abbey's failure to supervise Plaintiff proximately caused him injury.

69. Plaintiff was sexually abused while in the custody of the Defendant Abbey.

70. Plaintiff was sexually abused while under the control of the Defendant Abbey.

71. Defendant Abbey knew or should have known that inappropriate touching of young children by their employees and / or designated agents would cause or was substantially certain to cause those children harm.

72. Despite the risk posed by Parry, Defendant Abbey continued to place Parry in positions in which he would have daily contact with children.

73. Despite the risk posed by Parry, Defendant Abbey ratified the priests' actions of sequestering themselves alone with small children and encouraging the abuse.

74. Despite the known risk posed by Parry and others, Defendant took no action, such

as contacting law enforcement officers, refusing custody of the Plaintiff, or instructing Parry to cease his abuse of children that would have protected the plaintiff.

75. Defendant' actions and / or inactions were willful, wanton and reckless for which punitive damages are appropriate.

76. As a result of the above-described acts, Plaintiff has suffered, and continues to suffer shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; and/or has incurred lost earnings and earning capacity and may continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT IV
BREACH OF FIDUCIARY DUTY / CONFIDENTIAL RELATIONSHIP

77. Plaintiff incorporates paragraphs 1-52 inclusive of this Petition as if fully set forth herein.

78. As a result of Plaintiff being a minor, and by Defendant undertaking the care, custody, maintenance and education of the then-vulnerable minor Plaintiff, Defendant pursued and acquired a position of empowerment, confidence, trust and custody vis-à-vis the Plaintiff.

79. Further, Defendant, by holding out the churches at which Parry served as safe and secure institutions and holding themselves out as shepherds and leaders of the Roman Catholic Church, and Parry as a representative priest, solicited and/or accepted this position of empowerment. This empowerment prevented the then minor Plaintiff from effectively protecting himself and Defendant thus entered into fiduciary and confidential relationship with

Plaintiff.

80. Plaintiff reposed trust and confidence in Defendant as spiritual guides, authority figures, teachers, mentors and confidantes.

81. As fiduciaries to Plaintiff, the Abbey had a duty to obtain and disclose information relating to sexual misconduct and other inappropriate behavior of their agents, including Parry.

82. As his caretaker and fiduciary, the Defendant owed Plaintiff the duty of trust and loyalty, and the duty to work solely for his benefit.

83. Defendant had a duty to disclose to Plaintiff that abuse had occurred and could occur in the future, and further, the Defendant Abbey had an affirmative duty to protect a child in its care from Parry.

84. As fiduciaries to Plaintiff, Defendant owed a strict duty to the Plaintiff to not deploy its superior resources, education, social and political power, experience and acumen vis-à-vis the child to the detriment of the child.

85. Defendant Abbey breached its fiduciary duties and confidential relationships to Plaintiff and abused its position of trust and confidence for its own personal gain, including without limitation, the following:

- a. Failing to report that sexual abuse to any outside authority or law enforcement.
- b. Misrepresenting the safety of leaving a child alone with Parry.
- c. Failing to warn the Plaintiff of the propensity of Parry to sexually abuse children.
- d. Moving the priest from parish to parish following reports of sexual misconduct.
- e. Aiding and abetting of Parry's abuse.
- f. Encouraging Parry to sexually abuse the Plaintiff.

- g. Failing to take any action to stop the abuse it knew was occurring.
- h. Failing to provide a safe environment for the children who relied upon them for their care, nurturance and support.
- i. Violating its duties of care imposed by its status as *in loco parentis* to the children over whom it exercised dominion and control;

86. Defendant Abbey used Plaintiff's dependency and innocence as a child to prevent him from recognizing the abuse as injurious. Defendant Abbey accomplished this end by:

- a. Enforcing the secrecy around the acts and/or by teaching Plaintiff that the acts were normal or necessary to the relationship.
- b. Hiding the fact of the previous abuse from any individuals that might intervene, including parents, state authorities, parishes, and parishioners.
- c. Failing to abide by its own internal, secular policies and procedures concerning removal, sanction or discipline of its agent and employee, knowing the individuals whom they serve rely upon those rules, policies and procedures;
- d. Ratifying the abuse by Parry in continuing to allow outings with children, and hiding the fact of his abuse from other individuals or organizations that might intervene to protect the children under his care, custody and/or control.

87. Defendant's actions and / or inactions were willful, wanton and reckless for which punitive damages are appropriate.

88. As a result of the above-described acts, Plaintiff has suffered, and continues to suffer shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of

life; has lost earnings and earnings capacity, and/or has incurred and may continue to incur expenses for medical and psychological treatment, therapy, and counseling.

**COUNT V:
CONSTRUCTIVE FRAUD**

89. Plaintiff incorporates paragraphs 1-52 of this Petition as if fully set forth herein.

90. The position of power and authority of Defendant over Plaintiff gives rise to a special relationship between the parties that is protected by law separate and apart from any other obligations, contractual or otherwise. Defendant deliberately invited and created a fiduciary and confidential relationship with Plaintiff.

91. Plaintiff reposed trust and confidence in the Defendant for his protection and well-being.

92. Plaintiff reposed trust and confidence in the Defendant as providing his spiritual guides, authority figures, counselors, mentors and confidantes.

93. As a result of Plaintiff being a minor and by Defendant undertaking the care and guidance of the then-vulnerable minor Plaintiff, Defendant entered into a relationship in which social, economic, and physical power rested exclusively in the hands of the Defendant, in which Defendant had power and mastery over the Plaintiff.

94. Further, Defendant Abbey held out Defendant Parry as a safe and secure leader of the Roman Catholic Church and thereby solicited and / or accepted this position of empowerment. Thus, the Defendant entered into a fiduciary relationship with Plaintiff.

95. As fiduciaries to Plaintiff, Defendant had a duty to obtain and disclose information relating to sexual misconduct and other inappropriate behavior of Defendant's agents, including Defendant Parry. Further, as his caretaker and fiduciary, the Defendant owed

Plaintiff the duty of trust and loyalty and the duty to work solely for his benefit, and to keep him safe. Defendant had a duty to disclose to Plaintiff and others the injurious nature of the abuse.

96. As fiduciaries to Plaintiff, Defendant Parry had a duty to not sexually abuse the Plaintiff, to report sexual abuse, to work solely for the benefit of the Plaintiff, and to keep the Plaintiff safe.

97. When Plaintiff was a young child, Defendant breached its fiduciary duties to Plaintiff and abused their position of trust and confidence for its own personal gain, including without limitation, the following:

- a) Defendant used Plaintiff's dependence and innocence as a child to prevent him from recognizing that the abuse was injurious.
- b) Defendant accomplished this end by enforcing the secrecy around the acts and / or teaching Plaintiff that the acts were normal or necessary to the relationship or that secrecy was necessary to prevent scandal and rejection by teachers, mentors, spiritual leaders and authority figures.
- c) Keeping a known pedophile in the presence of children such that he would be allowed to molest Plaintiff.
- d) Hiding the fact of the previous abuse from any individuals that might intervene including parents, state authorities, parishes and parishioners.
- e) Failing to provide a safe environment for the children who relied upon them for their care, nurturance and support.
- f) Violating Defendant's duties of care imposed by their status as *in loco parentis* to the children over whom they exercised dominion and control.

g) Failing to abide by Defendant's internal, secular policies and procedures concerning removal, sanction or discipline of his agents and employees, knowing the individuals whom they serve rely upon those rules, policies and procedures.

h) Ratifying the abuse of Defendant Parry by, without limitation, continuing to allow him to function as a priest, take outings with children, spend time with children at the rectory, encouraging his counseling of children, and hiding the fact of his abuse from other individuals or organizations that might intervene to protect the children under the Defendant's care, custody and / or control.

98. Defendant's actions constituted constructive fraud upon the Plaintiff.

99. As a result of the above-described acts, Plaintiff has suffered, and continues to suffer shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; has lost earnings and earning capacity and/or has incurred and may continue to incur expenses for medical and psychological treatment, therapy, and counseling.

100. Defendant's actions and / or inactions were willful, wanton and reckless for which punitive damages are appropriate.

101. Defendant knew or should have known of the sexual misconduct and other inappropriate behavior of its agents, including Parry, as described in paragraphs 1-52 of this Petition.

102. Defendant misrepresented, concealed or failed to disclose information relating to sexual misconduct of their agents as described in paragraphs 1-52 of this Petition.

103. Defendant knew that it misrepresented, concealed or failed to disclose information relating to sexual misconduct of its agents, employees, or Parry.

104. The fact that Defendant' agent, Parry, had in the past and/or would in the future be likely to commit sexual misconduct with another minor was a material fact in Plaintiff's decision to accompany Parry to the rectory.

105. Defendant's actions and / or inactions were willful, wanton and reckless for which punitive damages are appropriate.

106. As a result of the above-described acts, Plaintiff has suffered, and continues to suffer shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; has lost earnings and earning capacity and/or has incurred and may continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT VI
FRAUDULENT MISREPRESENTATION

107. Plaintiff incorporates paragraphs 1-52 of this Petition as if fully set forth herein.

108. The Defendant engaged in ongoing misrepresentation regarding the status of Parry.

109. The Defendant, by and through their agents and administrators, represented that Defendant Parry was a priest with whom children could be trusted.

110. Defendant continued to hold Parry out to the community of the faithful as safe, secure parish priest.

111. Defendant knew such statements were false at the time they were made.

112. Plaintiff believed the statements so made by Defendant were true and reasonably relied to his detriment upon them.

113. As a result of Defendant's fraudulent misrepresentations, Plaintiff has been injured. Each and every one of his injuries caused by the sexual abuse by Defendant Parry has been exacerbated by this second violation of Plaintiff's trust.

114. As a result of the above-described acts, Plaintiff has suffered, and continues to suffer shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; has lost earning and earning capacity and/or has incurred and may continue to incur expenses for medical and psychological treatment, therapy, and counseling.

115. Defendant's actions and / or inactions were willful, wanton and reckless for which punitive damages are appropriate.

COUNT XII
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

116. Plaintiff incorporates paragraphs 1- 52 of this Petition as if fully set forth herein.

117. Defendant owed plaintiff a duty to control the conduct of itself and its employees in such a way as to avoid harming the plaintiff.

118. Defendant furthered owed the plaintiff a duty to act in his best interest.

119. Defendant furthered owed the plaintiff a duty to protect him while he was in their custody and/or under their supervision.

120. Defendant breached these duties when they engaged in the following conduct:

- a. Continuing to endorse, enable and encourage Parry's sexual abuse of the

plaintiff knowing that such abuse would be harmful to the plaintiff.

- b. Failing to confront, remove or sanction Parry about known irregularities in his employment, including taking young children on trips, being with others who regularly provided children with money, alcohol and drugs, spending unusual amounts of time alone with children and receiving reports of impropriety.
- c. Defendant\ failed to act upon information gained during the course of their supervision of Parry
- d. allowing and / or encouraging its agents to turn a blind eye toward sexual abuse of minors in furtherance of its policy of covering up these crimes.

121. Defendant should have known that their conduct involved an unreasonable risk of emotional distress to the plaintiff.

122. Defendant's conduct caused the plaintiff to suffer severe, enduring, medically significant, diagnosable emotional distress and damage.

123. As a result of Defendant's actions, plaintiff has suffered anxiety, guilt, depression, and a loss of sleep in the past, now, and in the future, has suffered, and continues to suffer shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; has lost earnings and earning capacity and/or has incurred and may continue to incur expenses for medical and psychological treatment, therapy, and counseling.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff asks that this Court award judgment against Defendant as follows:

1. Award compensatory, statutory, punitive and treble damages in favor of the Plaintiff against Defendant for damages sustained as a result of the wrongdoings of Defendant, together with interest thereon;

2. Award the Plaintiff his costs and expenses incurred in this action, including reasonable allowance of fees for the Plaintiff's attorneys, experts, and reimbursement of Plaintiff's and counsel's expenses;

3. Grant such other and further relief as the Court deems appropriate and just. Awarding compensatory damages in excess of the jurisdictional amount, statutory damages, and punitive damages in favor of Plaintiff against Defendant for damages sustained as a result of the wrongdoings of Defendant, together with interest thereon;

JURY TRIAL DEMANDED

Plaintiff demands a trial by jury on all issues triable in this case.

Respectfully Submitted,

RANGLES, MATA & BROWN, LLC



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