

minor. Plaintiff will provide 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 a Roman Catholic 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. Between 1978 and 1979, Bede Parry assisted with the Abbey Boy Choir ("Choir") as an accompanist.

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

12. 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.

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

14. In the Summer of 1987, the minor Plaintiff participated in a residential choir camp at the Abbey where Fr. Parry was the choir director.

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

16. While at the choir camp at the Abbey, Fr. Parry had sexual contact with Plaintiff.

17. The next day, Plaintiff called his parents on the telephone and told them about the sexual contact by Fr. Parry.

18. When Plaintiff's parents confronted Abbot Jerome Hanus at the Abbey, Abbot Hanus told Plaintiff's parents that Fr. Parry had a "mental breakdown" and that he would be treated for this breakdown.

19. 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.

20. 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.

21. Immediately after Plaintiff 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.

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

23. 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.

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

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

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

27. 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.

28. 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 Diocese of

Nevada.

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

30. 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.

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

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

33. At all times material, Defendant Abbey hired, supervised and paid assistants to Fr. Parry.

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

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

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

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

38. At all times relevant, Fr. Parry was under the direct supervision, employ and

control of Defendant Abbey.

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

40. Plaintiff John Doe 181 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.

41. 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.

42. 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.

43. The actions of the Abbey were outrageous and utterly repugnant to a civilized society.

44. 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.

45. 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 depraved hearts 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.

46. 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 misrepresenting the nature of the problems with Fr. Parry in 1987. After the Plaintiff reported the sexual abuse by Fr. Parry to Abbot Jerome Hanus, Abbot Hanus told the Plaintiff and his family that Fr. Parry had a "mental breakdown" which would require mental health treatment when in fact, this was the fifth report of sexual abuse involving Fr. Parry which required the sexual offender treatment that Fr. Parry received 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.

47. 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

1. The Plaintiff incorporates all paragraphs of this Petition as if fully set forth herein.
2. At the time of the sexual abuse described herein, the Abbey was the supervisor and employer of Fr. Parry.
3. 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.
4. The Abbey disregarded the known risk of sexual abuse.
5. The Abbey's inaction caused injury to the Plaintiff.
6. The Plaintiff was sexually abused on the property owned and operated by the Abbey.
7. 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.
8. 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.
9. Defendant's actions and/or inactions were willful, wanton and reckless for which

punitive damages and/or damages for aggravating circumstances are appropriate.

10. 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.

JURY TRIAL DEMANDED

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

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

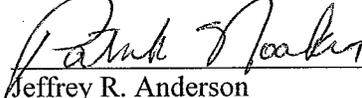
1. Award compensatory, statutory, punitive and treble damages in favor of the Plaintiff against Defendant for damages sustained as a result of the wrongdoings of Defendant, together with interest thereon;

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.

Dated: 6/22/11

JEFF ANDERSON & ASSOCIATES, P.A.



Jeffrey R. Anderson

Patrick W. Noaker, MO Bar #39836
366 Jackson Street, Suite 100
St. Paul, Minnesota 55101
Phone: (651) 227-9990

ATTORNEYS FOR PLAINTIFF