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Clerk of the Superior Court
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF ORANGE- CENTRAL JUSTICE CENTER**

10
11 JOHN DOE 1000, an individual
12 Plaintiff,

13 vs.

14 ROMAN CATHOLIC BISHOP OF ORANGE, a)
15 Corporation Sole, FATHER JOHN E. RUHL, and)
DOES 3-100.)
16 Defendant(s).)

) Case No.: 30-2019-01055808-CU-PO-CJC
) [Honorable Charles Margines, Dept. C20]

) **AMENDED COMPLAINT FOR DAMAGES:**

-)
) 1. NEGLIGENCE;
) 2. NEGLIGENT SUPERVISION;
) 3. NEGLIGENT
) RETENTION/HIRING;
) 4. NEGLIGENT FAILURE TO TRAIN,
) WARN AND EDUCATE;
) 5. SEXUAL BATTERY;
) 6. SEXUAL HARASSMENT;
) 7. BREACH OF FIDUCIARY DUTY;
) 8. INTENTIONAL INFLICTION OF
) EMOTIONAL DISTRESS

) **DEMAND FOR JURY TRIAL**

) **[Filed Pursuant to Code of Civil Procedure**
) **Section 340.1]**

) Complaint Filed: March 7, 2019
) Trial Date: None
)

24 **COMPLAINT FOR DAMAGES**

25 Based upon information and belief available to Plaintiff JOHN DOE 1000 ("Plaintiff") at the
26 time of the filing of this Complaint, Plaintiff makes the following allegations against Defendants
27 ROMAN CATHOLIC BISHOP OF ORANGE, FATHER JOHN E. RUHL and DOES 3-100,
28 inclusive, ("Defendants") as follows:

PARTIES

1
2 1. Plaintiff JOHN DOE 1000 (hereinafter "Plaintiff") is an adult male resident of the
3 State of California. The name utilized by Plaintiff in this Complaint is not the true name of Plaintiff,
4 but is a fictitious name utilized by Plaintiff to protect his privacy as a victim of child sexual abuse
5 and molestation. Plaintiff was born in 1980. Plaintiff was a minor throughout the period of child
6 sexual abused alleged herein. At all times material hereto, Plaintiff was a resident in the County of
7 Orange, State of California. Plaintiff is a current resident of Fresno County, California. Plaintiff
8 brings this Complaint pursuant to Code of Civil Procedure Section 340.1 for the child abuse he
9 suffered at the hands of Defendant ROMAN CATHOLIC BISHOP OF ORANGE, FATHER JOHN
10 E. RUHL, and Does 3 through 100. Plaintiff was under 26 years old on January 1, 2003.

11 2. Plaintiff was a parishioner and altar boy at Defendant ROMAN CATHOLIC
12 BISHOP OF ORANGE. When Plaintiff was between the ages of approximately eight (8) years old
13 and ten (10) years old, in approximately 1988 through 1990, he was repeatedly molested, assaulted,
14 harassed and sexually abused by Catholic priest Defendant FATHER JOHN E. RUHL. The abuse
15 of Plaintiff occurred on the grounds of St. Joseph Catholic Church and School (hereinafter "St.
16 Joseph") in Orange County. Plaintiff and his family believed that fostering a relationship between
17 Plaintiff and FATHER JOHN E. RUHL, a Catholic priest, would serve to positively shape
18 Plaintiff's life. Instead, FATHER JOHN E. RUHL sexually assaulted, harassed and molested
19 Plaintiff as he had sexually assaulted several others before Plaintiff.

20 3. Plaintiff is informed and believes and thereon alleges that at all times material
21 hereto, Defendant ROMAN CATHOLIC BISHOP OF ORANGE, a Corporation Sole, incorporated
22 in California, with its principal place of business in Santa Ana, California. Defendant ROMAN
23 CATHOLIC BISHOP OF ORANGE purposely conducts substantial business operations in and
24 throughout the State of California and County of Orange. Defendant ROMAN CATHOLIC
25 BISHOP OF ORANGE is responsible for Roman Catholic Church operations in Orange County,
26 California. Plaintiff is informed, believes and thereon alleges that Defendant ROMAN CATHOLIC
27 BISHOP OF ORANGE was the primary entity owning, operating and controlling the activities and
28 behavior of its employees and agents at St. Joseph Catholic Church and School in Placentia,

1 California, including Defendant FATHER JOHN E. RUHL and Does 3-100, and all other
2 employees, agents and supervisors of Defendants. Plaintiff is further informed, believes and
3 thereon alleges that Defendant ROMAN CATHOLIC BISHOP OF ORANGE had sole authority
4 and responsibility to control and supervise the ministry of Defendant FATHER JOHN E. RUHL
5 from at least 1983 through the present. At all times material hereto, Defendant ROMAN
6 CATHOLIC BISHOP OF ORANGE employed Defendant FATHER JOHN E. RUHL as an agent
7 and had the ability to control and supervise some or all of Defendant FATHER JOHN E. RUHL
8 activities. Plaintiff is informed, believes and thereon alleges that Defendant ROMAN CATHOLIC
9 BISHOP OF ORANGE was an entity that supervised its employees and agents, including its priests,
10 teachers and administrators, supervised minor children, including those on its premises and in its
11 programs. Plaintiff is informed, believes and thereon alleges that Defendant ROMAN CATHOLIC
12 BISHOP OF ORANGE understood that minor children, including Plaintiff as a parishioner and altar
13 boy, would be in the care, custody and control of Defendant FATHER JOHN E. RUHL on its
14 premises and in its programs.

15 4. Plaintiff is informed and believes and thereon alleges that at all times material
16 hereto, Defendant FATHER JOHN E. RUHL was a priest with Defendant ROMAN CATHOLIC
17 BISHOP OF ORANGE, and Does 3 through 100, who was assigned to St. Joseph Catholic Church
18 and School between approximately 1987 through in or around 1992. During all instances of sexual
19 abuse alleged herein, Defendant FATHER JOHN E. RUHL was a resident of the state of California
20 and perpetrated his sexual abuse and molestation against Plaintiff, among others, while as a priest
21 and agent of Defendant ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100.
22 Plaintiff is informed and believes that FATHER JOHN E. RUHL may currently be a resident of the
23 State of Illinois.

24 5. Defendant ROMAN CATHOLIC BISHOP OF ORANGE, FATHER JOHN E.
25 RUHL, and Does 3 through 100 are hereinafter referred to collectively as "Defendants."

26 6. Plaintiff is informed and believes and thereon alleges that the true names and
27 capacities, whether individual, corporate, associate or otherwise, of defendants named herein as
28 Defendant Does 3 through 100, inclusive, are unknown to Plaintiff, who therefore sues Defendants

1 Does 3 through 100 by such fictitious names, and who will amend the Complaint to show their true
2 names and capacities when such names have been ascertained. Plaintiff is informed and believes
3 and thereon alleges that Does 3 through 100, and each of them, are legally responsible in some
4 manner for the events, happenings, and/or tortious and unlawful conduct that caused the injuries and
5 damages alleged in this Complaint.

6 7. Plaintiff is informed and believes and thereon alleges that at all times material hereto
7 there existed a unity of interest and ownership among Defendants and each of them, such that an
8 individuality and separateness between Defendants, and each of them, ceased to exist. Defendants
9 and each of them were the successors-in-interests and/or alter egos of the other Defendants and each
10 of them in that they purchased, controlled, dominated and operated each other without any separate
11 identity, observation of formalities, or any other separateness. To continue maintain the façade of a
12 separate and individual existence between and among Defendants, and each of them, would serve to
13 perpetuate a fraud and injustice.

14 8. Plaintiff is informed and believes and thereon alleges that at all times material
15 hereto, Defendants, and each of them, were the agents, representatives and/or employees of each
16 and every other Defendant. In doing the things herein alleged, Defendants, and each of them, were
17 the agents, representatives, and/or employees of each and every other Defendant. In doing the things
18 alleged herein, Defendants, and each of them, were acting within the course and scope of said
19 alternative personality, capacity, identity, agency, representation and/or employment and were
20 within the scope of their authority, whether actual or apparent. Plaintiff is informed and believes
21 and thereon alleges that at all times material hereto, Defendants, and each of them, were the
22 trustees, partners, servants, joint venturers, shareholders, contractors, and/or employees of each and
23 every other Defendant, and the acts and omissions alleged herein were done by them, acting
24 individually, through such capacity and within the scope of their authority and with the permission
25 and consent of each and every other Defendant and that such conduct was thereafter ratified by each
26 Defendant, and that each Defendant is jointly and severally liable to Plaintiff.

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1 **FACTUAL ALLEGATIONS REGARDING THE HISTORY OF**
2 **SEXUAL ABUSE OF CHILDREN BY FATHER JOHN E. RUHL**

3 9. FATHER JOHN E. RUHL was ordained a Roman Catholic priest of the
4 Congregation of the Mission (a/k/a the Vincentians) in 1964. Following his ordination, FATHER
5 JOHN E. RUHL studied at Catholic University in Washington, D.C. from approximately 1964 to
6 1965. He returned to the Midwest the next year. In an undated letter from Vincentian Provincial
7 James A. Fisher to FATHER JOHN E. RUHL, Father Fisher referred to “the difficulty” and
8 “temptation” that FATHER JOHN E. RUHL experienced at Catholic University and stated that
9 Father Fisher would “make it clear to the authorities at De Paul that [FATHER JOHN E. RUHL
10 was] not to be considered as a possible teacher at De Paul Academy” From approximately
11 1965 to 1966, he studied at DePaul University in Chicago, Illinois. Unable to resist the temptation
12 to interact with youth, FATHER JOHN E. RUHL taught mathematics and Latin at DePaul
13 Academy in Chicago, Illinois, from approximately 1965 to 1966.

14 10. FATHER JOHN E. RUHL continued to seek out opportunities to be near minors
15 and, from approximately 1966 to 1971, taught at Our Lady Queen of the Angels Seminary in San
16 Fernando, California. During his time there, FATHER JOHN E. RUHL taught mathematics, Latin,
17 and English, and served as Spiritual Director. In approximately 1966, FATHER JOHN E. RUHL
18 took a class at Loyola University in Los Angeles entitled “Counselling Methods.” FATHER JOHN
19 E. RUHL allegedly sexually abused his first known victim, a student at Our Lady Queen of the
20 Angels Seminary, in approximately 1969 to 1971. FATHER JOHN E. RUHL met the victim while
21 teaching at Queen of Angels Seminary and the victim would later describe FATHER JOHN E.
22 RUHL as his “counselor.” FATHER JOHN E. RUHL reportedly called the victim into his office
23 and sexually assaulted him after the victim had showered.

24 11. In approximately 1971, FATHER JOHN E. RUHL was appointed the Vincentians’
25 Vocation Director for the area of the Los Angeles Vice Province. From approximately 1971 to
26 1976, FATHER JOHN E. RUHL lived at St. Vincent Seminary High School in Montebello,
27 California. FATHER JOHN E. RUHL allegedly utilized his position of authority as Vocation
28 Director to sexually assault his second known victim, a student at St. Vincent’s, in approximately

1 1973. Shortly thereafter, in approximately 1976, FATHER JOHN E. RUHL reportedly sexually
2 molested his third known victim at St. Vincent's during Vocation Week. FATHER JOHN E. RUHL
3 allegedly isolated the victim in the shower area at St. Vincent's, accused the victim of breaking a
4 shower handle, and ordered the victim to kneel down for penance while he shoved his genitals into
5 the victim's face. FATHER JOHN E. RUHL allegedly sexually abused his fourth known victim
6 from approximately 1976 to 1977 at St. Vincent's. FATHER JOHN E. RUHL reportedly wrapped
7 the victim's genitals in athletic tape on approximately 10 occasions, purportedly to prevent the boy
8 from masturbating.

9 12. FATHER JOHN E. RUHL was removed from his job as Vocation Director in
10 approximately 1976 in order to undergo "counselling," but was deemed fit to return to ministry in
11 1977. From approximately 1976 to 1977, FATHER JOHN E. RUHL lived at the Provincial House
12 in Los Angeles and worked as the Director of the Foreign Mission Society.

13 13. In 1976, the Archdiocese of Los Angeles created a separate corporate entity known
14 as Defendant ROMAN CATHOLIC BISHOP OF ORANGE to administer to Catholics in Orange
15 County. All parishes, schools, churches, priests, and other property and employees that had
16 formerly been owned or part of the Archdiocese of Los Angeles were transferred to Defendant
17 ROMAN CATHOLIC BISHOP OF ORANGE.

18 14. In approximately 1977, FATHER JOHN E. RUHL was appointed Assistant Pastor at
19 St. Vincent de Paul Parish in Huntington Beach, California, where he remained until approximately
20 1979.

21 15. In the summer of 1979, FATHER JOHN E. RUHL petitioned for an Indult of
22 Exlaustration *ad experimentum* with the goal of eventually being incardinated into ROMAN
23 CATHOLIC BISHOP OF ORANGE. In a letter of support attached to FATHER JOHN E. RUHL's
24 petition, Vincentian Provincial John A. Grindel wrote, "It has been noticed by his superiors over the
25 last few years that he needs to grow more psychologically and emotionally." In October 1979, the
26 Sacred Congregation for Religious granted FATHER JOHN E. RUHL indult for three years in order
27 to explore incardination into Defendant ROMAN CATHOLIC BISHOP OF ORANGE.

28 16. On July 18, 1979, Defendant ROMAN CATHOLIC BISHOP OF ORANGE'S agent

1 Monsignor Michael P. Driscoll, Chancellor-Secretary to the Bishop, wrote to Vincentian Provincial
2 John A. Grindel and informed him that Defendant ROMAN CATHOLIC BISHOP OF ORANGE'S
3 lead managing agent, Bishop William R. Johnson, was willing to accept FATHER JOHN E. RUHL
4 *ad experimentum* for three years in the ROMAN CATHOLIC BISHOP OF ORANGE. Upon
5 information and belief, none of DEFENDANT ROMAN CATHOLIC BISHOP OF ORANGE'S
6 agents inquired of the Vincentians whether there was any reason to believe FATHER JOHN E.
7 RUHL was unfit to work with children. FATHER JOHN E. RUHL began to work as Associate
8 Pastor at St. Anthony Claret Parish in Anaheim, California, in approximately 1979 and remained
9 there until approximately 1981. FATHER JOHN E. RUHL's whereabouts in approximately 1982
10 are unknown.

11 17. On March 15, 1983, FATHER JOHN E. RUHL was incardinated into the ROMAN
12 CATHOLIC BISHOP OF ORANGE. On the same day, he received a Decree of Dispensation from
13 Vows to the Vincentians. Thus, FATHER JOHN E. RUHL declared and affirmed his intent to bind
14 himself permanently to the priestly service of Defendant ROMAN CATHOLIC BISHOP OF
15 ORANGE.

16 18. FATHER JOHN E. RUHL was assigned to Old Mission Capistrano in San Juan
17 Capistrano, California, from approximately 1983 to 1987.

18 19. In approximately 1987, FATHER JOHN E. RUHL began working at St. Joseph
19 Catholic Church and School in Placentia, California, where he sexually assaulted Plaintiff.
20 FATHER JOHN E. RUHL continued working at St. Joseph until approximately 1992.

21 20. In addition to sexually abusing at least one child at St. Joseph, FATHER JOHN E.
22 RUHL is alleged to have physically assaulted and threatened five women and a kindergartner at St.
23 Joseph School. On April 14, 1992, a group of parents and teachers at St. Joseph filed a civil lawsuit
24 against Defendant FATHER JOHN E. RUHL, Defendant ROMAN CATHOLIC BISHOP OF
25 ORANGE, and other Diocesan officials in connection with FATHER JOHN E. RUHL's alleged
26 physical abuse of staff and at least one student.

27 21. On approximately April 16, 1992, the fourth known victim of Defendant FATHER
28 JOHN E. RUHL reported Defendant FATHER JOHN E. RUHL's abuse of him at St. Vincent

1 Seminary High School in Montebello in approximately 1976 to 1977 to Defendant ROMAN
2 CATHOLIC BISHOP OF ORANGE. Thereafter, Defendant ROMAN CATHOLIC BISHOP OF
3 ORANGE placed FATHER JOHN E. RUHL on administrative leave and began an internal
4 investigation of FATHER JOHN E. RUHL. Upon information and belief, Defendant ROMAN
5 CATHOLIC BISHOP OF ORANGE did not report the allegation to law enforcement or civil
6 authorities. Upon information and belief, instead of informing other vulnerable children, the parents
7 of vulnerable children, and the general public about the allegation against FATHER JOHN E.
8 RUHL, Defendant ROMAN CATHOLIC BISHOP OF ORANGE'S agent, Monsignor John Urell,
9 Secretary to Bishop Norman F. McFarland, stated that FATHER JOHN E. RUHL had taken a leave
10 of absence to care for an ailing family member. Upon information and belief, no action was taken
11 by Defendant ROMAN CATHOLIC BISHOP OF ORANGE to safeguard children from further
12 abuse, or reach out to other children who might have been abused. When confronted with the
13 allegation, FATHER JOHN E. RUHL admitted to taping the victim's genitals, but maintained that
14 his conduct was therapeutic, not sexual, in nature. Defendant ROMAN CATHOLIC BISHOP OF
15 ORANGE paid for FATHER JOHN E. RUHL to take a lie detector test in connection with the
16 allegations against him.

17 22. On approximately June 25, 1992, FATHER JOHN E. RUHL resigned from St.
18 Joseph and Defendant ROMAN CATHOLIC BISHOP OF ORANGE placed him on "inactive
19 leave." Defendant ROMAN CATHOLIC BISHOP OF ORANGE, like other dioceses and Roman
20 Catholic entities, utilized this practice of labeling a priest as "inactive," without providing further
21 details, as a way of covertly dealing with priests known to Defendant ROMAN CATHOLIC
22 BISHOP OF ORANGE to have been accused of sexually assaulting minors. Lead managing agent
23 of Defendant ROMAN CATHOLIC BISHOP OF ORANGE, Bishop McFarland, wrote that when
24 asked about FATHER JOHN E. RUHL's resignation, he would say, "It is not proper to discuss with
25 them matters of a personal and personnel nature, but that they can be assured that I have worked
26 very closely with FATHER JOHN E. RUHL in all of this and I feel I should respect his wishes in
27 the matter." Thus, Defendant ROMAN CATHOLIC BISHOP OF ORANGE'S highest-ranking
28 agent mandated that silence and concealment—not transparency by way of informing law

1 enforcement, civil authorities, or the general public—would be Defendant ROMAN CATHOLIC
2 BISHOP OF ORANGE’S approach to handling the allegations of child sexual abuse against
3 FATHER JOHN E. RUHL.

4 23. On approximately June 15, 1993, FATHER JOHN E. RUHL’s third known victim
5 reported FATHER JOHN E. RUHL’s abuse of him at St. Vincent Seminary High School in
6 approximately 1976 to Vincentian priest Father Jerome Heff. The next day, Father Heff contacted
7 Defendant ROMAN CATHOLIC BISHOP OF ORANGE’S managing agent, Monsignor Urell, who
8 had at this point been elevated to Chancellor of Defendant ROMAN CATHOLIC BISHOP OF
9 ORANGE. Father Heff informed Chancellor Urell of the victim’s report. Chancellor Urell
10 responded by assuring Father Heff that FATHER JOHN E. RUHL was on “inactive leave” and that
11 “there were no expectations that he would ever return to active ministry.” Chancellor Urell added
12 that FATHER JOHN E. RUHL “had been confronted with another case of similar inappropriate
13 behaviour and that a lie-detector test had indicated that there was reason to suspect that there had
14 possibly been other inappropriate behaviours.” Thus, for the second time in less than a year,
15 Defendant ROMAN CATHOLIC BISHOP OF ORANGE failed to report an allegation of child
16 sexual assault against FATHER JOHN E. RUHL to law enforcement or civil authorities. And again,
17 Defendant ROMAN CATHOLIC BISHOP OF ORANGE jeopardized the safety of children by
18 choosing not to warn vulnerable children, the parents of vulnerable children, and the general public
19 about FATHER JOHN E. RUHL’s repeated sexual assault of children.

20 24. Instead of taking any action to safeguard children after learning of multiple
21 complaints that its agent had sexually assaulted a child, Defendant ROMAN CATHOLIC BISHOP
22 OF ORANGE took action to make it more difficult for the public to determine his whereabouts.
23 Defendant ROMAN CATHOLIC BISHOP OF ORANGE did this by listing FATHER JOHN E.
24 RUHL’s status as “inactive leave” in the Official Catholic Directories from 1992 to 2001.
25 Defendant ROMAN CATHOLIC BISHOP OF ORANGE declined to provide information
26 regarding FATHER JOHN E. RUHL’s whereabouts or place of residence, despite its knowledge of
27 FATHER JOHN E. RUHL’s dangerous propensities and despite the fact that his information was
28 crucial to protecting children going forward. In all publications of the Official Catholic Directory

1 after 2001, Defendant ROMAN CATHOLIC BISHOP OF ORANGE removed FATHER JOHN E.
2 RUHL from the listing of active priests altogether.

3 25. Even while FATHER JOHN E. RUHL was on “inactive leave,” he remained an
4 agent of Defendant ROMAN CATHOLIC BISHOP OF ORANGE. As of 2000, Defendant
5 ROMAN CATHOLIC BISHOP OF ORANGE reportedly paid at least \$10,000 yearly to FATHER
6 JOHN E. RUHL in pay and medical benefits from Defendant ROMAN CATHOLIC BISHOP OF
7 ORANGE’S priests’ relief fund. In addition to paying FATHER JOHN E. RUHL’s salary and
8 medical benefits, Defendant ROMAN CATHOLIC BISHOP OF ORANGE’S lead managing agent,
9 Bishop McFarland, wrote that Defendant ROMAN CATHOLIC BISHOP OF ORANGE would give
10 FATHER JOHN E. RUHL title to a 1989 Jeep and would consider giving FATHER JOHN E.
11 RUHL a stipend immediately following his resignation until he landed on his feet.

12 26. On approximately August 2, 2002, FATHER JOHN E. RUHL’s second known
13 victim reported FATHER JOHN E. RUHL’s abuse of him at St. Vincent’s Seminary High School in
14 approximately 1973 to Vincentian Provincial Superior Andrew E. Bellisario.

15 27. On approximately September 25, 2002, FATHER JOHN E. RUHL’s first known
16 victim reported FATHER JOHN E. RUHL’s abuse of him at Our Lady Queen of the Angels
17 Seminary in approximately 1969 to 1971 to the Archdiocese of Los Angeles.

18 28. In 2002, the scandal in the Archdiocese of Boston involving sexually abusive priests
19 being transferred to other parishes in the wake of allegations of child sexual abuse became public.
20 In June of 2002, the California legislature, informed by the scandal in Boston, passed a new statute
21 of limitations for civil cases alleging child sexual abuse. The new law created a one-year window in
22 which victims could file and proceed with a case regarding their abuse, even if it had been time
23 barred previously. Under the pressure of hundreds of civil lawsuits filed within the window, in
24 2004, the Archdiocese of Los Angeles published a “Report to the People of God” in which it named
25 over 200 priests and other church employees accused of sexual misconduct involving minors from
26 1931 to 2004. Later, the Archdiocese of Los Angeles released portions of FATHER JOHN E.
27 RUHL’s personnel file. FATHER JOHN E. RUHL was included in the “Report to the People of
28 God.” In 2005, Defendant ROMAN CATHOLIC BISHOP OF ORANGE reached a settlement with

1 94 victims of clergy sexual abuse and, as part of the settlement, agreed to release its personnel files
2 on Catholic priests accused of sexually assaulting children, including FATHER JOHN E. RUHL.
3 FATHER JOHN E. RUHL opposed the release of his personnel file in court and a judge ruled that
4 he had no authority to order the release of Defendant ROMAN CATHOLIC BISHOP OF
5 ORANGE'S personnel file on FATHER JOHN E. RUHL. Although an inadvertent release of
6 FATHER JOHN E. RUHL's file provided information regarding Defendant ROMAN CATHOLIC
7 BISHOP OF ORANGE'S knowledge of the allegations against FATHER JOHN E. RUHL and
8 mishandling of those allegations, FATHER JOHN E. RUHL's full personnel file is unavailable to
9 the general public and survivors seeking closure and information regarding their abuser. The
10 Vincentians released FATHER JOHN E. RUHL's 121-page personnel file on September 9, 2013 as
11 part of a 2007 settlement.

12 29. On August 12, 2016, Defendant ROMAN CATHOLIC BISHOP OF ORANGE
13 published a list of priests removed from ministry resulting from a credible allegation of sexual
14 abuse, as determined by its independent Oversight Review Board. FATHER JOHN E. RUHL was
15 included in the list, and his status was listed as "life of prayer and penance." Remarkably, even after
16 learning of multiple complaints of child sexual abuse against FATHER JOHN E. RUHL and
17 deeming at least one of those complaints credible, Defendant ROMAN CATHOLIC BISHOP OF
18 ORANGE did not take any action to permanently remove FATHER JOHN E. RUHL from the
19 priesthood. At no time before 2016 did Defendant ROMAN CATHOLIC BISHOP OF ORANGE
20 publicly acknowledge that it had received an allegation of child sexual abuse against FATHER
21 JOHN E. RUHL, much less a credible allegation. At no time did Defendant ROMAN CATHOLIC
22 BISHOP OF ORANGE warn the general public that FATHER JOHN E. RUHL posed a risk of
23 harm to children, despite knowledge of multiple allegations of child sexual abuse against FATHER
24 JOHN E. RUHL. Rather, Defendant ROMAN CATHOLIC BISHOP OF ORANGE for decades
25 permitted, and continues to permit, FATHER JOHN E. RUHL to remain a Catholic priest with
26 access to vulnerable children.

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**FACTUAL ALLEGATIONS REGARDING
PLAINTIFF'S SEXUAL ABUSE AND DAMAGES**

30. Plaintiff was raised in Orange County in a devoutly Catholic family. When Plaintiff was a young boy, he and his family attended church which was owned, operated, controlled and run by Defendant ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100. When Plaintiff was approximately eight (8) years old, while a parishioner and altar boy of Defendants', he began getting sexual molested, assaulted and abused by FATHER JOHN E. RUHL. While performing his duties as a priest, mentor, counselor and advisor, and for the purpose of furthering the duties required in that role, FATHER JOHN E. RUHL befriended Plaintiff and gained Plaintiff's trust and confidence as a spiritual guide, authority figure, and valuable and trustworthy mentor.

31. FATHER JOHN E. RUHL performed his duties in connection with his employment relationship with Defendant ROMAN CATHOLIC BISHOP OF ORANGE within the time and space limits of his employment and out of desire, at least partially and initially, to fulfill his duties as a priest and his duties generally were of a kind and nature that he, as a priest, was required to perform. As a result, Plaintiff was conditioned to comply with FATHER JOHN E. RUHL's direction and to respect him as a person of authority in spiritual, ethical, educational, and moral matters. FATHER JOHN E. RUHL's conduct constituted 'grooming' of Plaintiff and culminated in his repeated sexual assault and abuse of Plaintiff.

32. FATHER JOHN E. RUHL utilized Diocese facilities and institutions in order to gain access to Plaintiff. At all relevant times he was referred to as "Father" and wore the priest collar and attire that signified to people that he was a priest of Defendant ROMAN CATHOLIC BISHOP OF ORANGE and in good standing, authorized by Defendant ROMAN CATHOLIC BISHOP OF ORANGE to act as a priest and agent of the Church. It was by virtue of his position as a priest of Defendant ROMAN CATHOLIC BISHOP OF ORANGE that FATHER JOHN E. RUHL met Plaintiff, was able to groom Plaintiff, establish trust with Plaintiff, and manipulate that trust to sexually assault and abuse Plaintiff.

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1 33. Plaintiff was sexually molested, assaulted and abused on the premises of
2 Defendants', including in the rectory at St. Joseph's. The sexual abuse of Plaintiff by FATHER
3 JOHN E. RUHL included, but was not limited to, FATHER JOHN E. RUHL forcing Plaintiff to
4 orally copulate FATHER JOHN E. RUHL, FATHER JOHN E. RUHL orally copulating Plaintiff,
5 and FATHER JOHN E. RUHL forcibly sodomizing Plaintiff. The sexual abuse of Plaintiff lasted
6 for approximately 2 years, until Plaintiff was approximately ten (10) years old. On some occasions
7 before sexually molesting Plaintiff, FATHER JOHN E. RUHL plied Plaintiff with communion
8 wine.

9 34. Upon information and belief that FATHER JOHN E. RUHL was removed from
10 ministry by Defendant ROMAN CATHOLIC BISHOP OF ORANGE in 1992 for molesting
11 children.

12 35. But at no time since removing FATHER JOHN E. RUHL from ministry did
13 Defendant ROMAN CATHOLIC BISHOP OF ORANGE report FATHER JOHN E. RUHL to law
14 enforcement or civil authorities. Nor did Defendant ROMAN CATHOLIC BISHOP OF ORANGE
15 warn vulnerable children or the general public of FATHER JOHN E. RUHL's dangerous
16 propensities, or seek to remove him from the priesthood permanently. Instead, Defendant ROMAN
17 CATHOLIC BISHOP OF ORANGE permitted FATHER JOHN E. RUHL to remain a Catholic
18 priest and supported him financially, despite its knowledge that FATHER JOHN E. RUHL was a
19 danger to children. FATHER JOHN E. RUHL's current degree of access to vulnerable children are
20 unknown because Defendant ROMAN CATHOLIC BISHOP OF ORANGE has chosen to cover up
21 FATHER JOHN E. RUHL's sexual abuse of children and obscure FATHER JOHN E. RUHL's
22 whereabouts for decades.

23 36. FATHER JOHN E. RUHL was ordained a Roman Catholic priest of Congregation of
24 the Mission (a/k/a the Vincentians) in 1964. He left the Vincentians and was incardinated into
25 Defendant ROMAN CATHOLIC BISHOP OF ORANGE in 1983. FATHER JOHN E. RUHL took
26 a vow of obedience to the Bishop of Defendant ROMAN CATHOLIC BISHOP OF ORANGE.
27 Pursuant to protocol and practice of Defendant ROMAN CATHOLIC BISHOP OF ORANGE and
28 the broader Catholic Church, the vow of obedience of a priest is applicable at all times. This vow of

1 obedience under Church protocol and practice dictates that a priest is at all times, in dealings with
2 all persons, a priest representative of the Bishop and the Diocese. At no time before 1992 did the
3 Bishop of Defendant ROMAN CATHOLIC BISHOP OF ORANGE restrict the public ministry of
4 FATHER JOHN E. RUHL. At all material times, Defendant ROMAN CATHOLIC BISHOP OF
5 ORANGE knew and understood that FATHER JOHN E. RUHL was a danger and was exercising
6 his public ministry, including while working at St. Joseph in Placentia, California.

7 37. Under Church protocol and practice, in return for the vow of obedience by a priest,
8 the Bishop accepts responsibility for the care and welfare of a priest as well as to supervise the
9 priest's ministry. A diocesan priest may not engage in any form of public ministry without the
10 permission of his Bishop. By allowing a priest to engage in public ministry, such as by allowing
11 him to wear his priestly attire and hold himself out as a priest, the Bishop is certifying that the priest
12 is in good standing and sexually safe.

13 38. The sexual abuse of Plaintiff alleged herein was done for the sexual gratification of
14 FATHER JOHN E. RUHL and was, at least in part, based on the gender of Plaintiff, who was a
15 minor boy at the time.

16 39. The child sexual abuse alleged was a violation of the California Penal Code,
17 including but not limited to Penal Code Sections 286, 288(a), 647.6, and potentially others.

18 40. Plaintiff did not, and was unable to, give free or voluntary consent to the sexual acts
19 perpetrated against him by FATHER JOHN E. RUHL as Plaintiff was a minor child at the time of
20 the abuse alleged herein.

21 41. As a direct and proximate result of his sexual abuse by FATHER JOHN E. RUHL,
22 which was enabled and facilitated by Defendants, Plaintiff has suffered and will continue to suffer
23 psychological, mental and emotional distress, including but not limited to nightmares, anger, stress,
24 fear, shame, humiliation, depression, distress, anxiety, sadness, trust and control issues. He has and
25 will continue to incur expenses for mental, psychological, psychiatric and medical care as a result of
26 the sexual abuse he suffered, according to proof at trial.

27 42. As a direct and proximate result of his sexual abuse by FATHER JOHN E. RUHL,
28 which was enabled and facilitated by Defendants, Plaintiff has been damaged in his employment,

1 specifically losing wages, earnings, and economic benefits according to proof at the time of trial.
2 Plaintiff has lost wages as a result of the abuse he suffered and will continue to lose wages in an
3 amount to be determined at trial. Plaintiff has suffered economic injury, all to Plaintiff's general,
4 special and consequential damage in an amount to be proven at trial, but in no event less than the
5 minimum jurisdictional amount of this Court.

6 43. In June 2017, Plaintiff, for the first time in his life, reasonably discovered that his
7 psychological injuries or illnesses occurring after the age of majority, as alleged herein, were cause
8 by the sexual abuse he suffered at the hands of FATHER JOHN E. RUHL and Defendants. As a
9 layperson with no specialized training in psychology or the medical field, Plaintiff was blameless
10 for not making this nexus at an earlier date than he did, and had no way of making such nexus at an
11 earlier time.

12 **FACTUAL ALLEGATIONS APPLICABLE TO DEFENDANT ROMAN CATHOLIC**
13 **BISHOP OF ORANGE, AND DOES 3 THROUGH 100**

14 44. FATHER JOHN E. RUHL, at all times material hereto, was an employee, agent
15 and/or representative of Defendants. FATHER JOHN E. RUHL did engage in unlawful sexual
16 conduct with Plaintiff when Plaintiff was a minor. Defendant ROMAN CATHOLIC BISHOP OF
17 ORANGE, and Does 3 through 100 are vicariously liable for the abuse committed by FATHER
18 JOHN E. RUHL through the theories of ratification and authorization. FATHER JOHN E. RUHL's
19 sexual misconduct with plaintiff occurred while he was functioning on behalf of Defendants, and
20 was made possible because of that agency to Defendants. Defendants did ratify and authorize
21 FATHER JOHN E. RUHL's sexual abuse of Plaintiff. Defendants did this by failing to discharge
22 dismiss, discipline, suspend and/or supervise FATHER JOHN E. RUHL or other priests know by
23 Defendants to have sexually abused Children, or to have been accused of sexually abusing children;
24 by taking further actions to protect FATHER JOHN E. RUHL from responsibility for his sexual
25 assault of Plaintiff and other minors, such as failing to acknowledge the existence of such
26 complaints, failing to report such complaints to civil or criminal authorities, and concealing
27 FATHER JOHN E. RUHL's whereabouts after removing him from ministry; by providing financial
28 support to FATHER JOHN E. RUHL for years after receiving at least one complaint for child

1 sexual abuse against FATHER JOHN E. RUHL; and by failing at any time to take steps to remove
2 FATHER JOHN E. RUHL from the priesthood, thereby permanently preventing him from using his
3 authority within Defendants to gain access to minors and sexually abuse them. By taking the above
4 wrongful, negligent, and/or intentional actions, after having knowledge or reason to know of such
5 sexual abuse of Plaintiff and/or other minors, Defendants did ratify and authorize FATHER JOHN
6 E. RUHL's conduct of sexually assaulting minor children. By ratifying FATHER JOHN E. RUHL's
7 sexual abuse of children, the ROMAN CATHOLIC BISHOP OF ORANGE in legal effect
8 committed and caused the sexual abuse of Plaintiff when he was a minor.

9 45. Defendants and each of them have failed to uphold numerous mandatory duties
10 imposed upon them by state and federal law, and by written policies and procedures applicable to
11 the Defendants, including but not limited to:

- 12 a. Duty to protect minor children in their care;
- 13 b. Duty to provide adequate supervision to minor children in their care;
- 14 c. Duty to ensure that any direction given to employees is lawful and that adults act
15 fairly, responsibly and respectfully toward other adults and minor children;
- 16 d. Duty to train teachers, mentors, advisors and administrators so that they are aware of
17 their individual responsibility for creating and maintaining a safe environment;
- 18 e. Duty to supervise employees and minor children in its care, enforce rules and
19 regulations prescribed for childcare organizations, exercise reasonable control over
20 minor children in its care as is reasonably necessary to maintain order, protect
21 property, or protect the health and safety of employees and minor children or to
22 maintain proper and appropriate conditions conducive to learning and child
23 development;
- 24 f. Duty to properly monitor minor children, prevent or correct harmful situations or call
25 for help when a situation is beyond their control;
- 26 g. Duty to ensure that personnel are actually on-hand and supervising minors;
- 27 h. Duty to provide enough supervision to minor children, including Plaintiff;
- 28 i. Duty to supervise diligently;

- j. Duty to act promptly and diligently and not ignore or minimize problems;
- k. Duty to refrain from violating Plaintiffs right to protection from bodily restraint or harm, from personal insult, from defamation, and from injury to his personal relations (Civil Code Section 43)
- l. Duty to abstain from injuring the person or property of Plaintiff, or infringing upon any of his rights (Civil Code Section 1708); and
- m. Duty to report suspected incidents of child abuse and more specifically childhood sexual abuse (Penal Code Sections 11666, 11667).

46. As a minor at Defendant ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, where Defendant FATHER JOHN E. RUHL was employed, retained, and worked, Plaintiff was under FATHER JOHN E. RUHL's, as well as Defendant ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100's direct supervision, care and control, thus creating a special relationship, fiduciary relationship and/or special care relationship with Defendants, and each of them. Additionally, as a minor child under the custody, care and control of Defendants, Defendants stood *in loco parentis* with respect to Plaintiff while he was at ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100. As the responsible parties and/or employers controlling FATHER JOHN E. RUHL, Defendants were also in a special relationship with Plaintiff, and owed special duties to Plaintiff.

47. Plaintiff is informed, believes and thereon alleges that Defendants knew or should have known, or were otherwise on notice, that FATHER JOHN E. RUHL had engaged in unlawful sexual-related conduct with minors in the past, and/or was continuing to engage in such conduct with Plaintiff, and failed to take reasonable steps, and to implement reasonable safeguards, to avoid acts of unlawful sexual conduct in the future by FATHER JOHN E. RUHL, such as that which occurred with Plaintiff, including but not limited to preventing or avoiding placement of FATHER JOHN E. RUHL in a function or environment in which contact with children was an inherent part of that function or environment. Defendants had a duty to disclose these facts to Plaintiff, his parents and others, but negligently and/or intentionally suppressed, concealed or failed to disclose this information for the express purposes of facilitating FATHER JOHN E. RUHL's sexual abuse of

1 children, maintaining FATHER JOHN E. RUHL's image as an ethical, wholesome, safe, and
2 trusted spiritual leader at and within Defendant ROMAN CATHOLIC BISHOP OF ORANGE and
3 Does 3 through 100. The duty to disclose this information arose from the special, trusting,
4 confidential, fiduciary, and *in loco parentis* relationship between Defendants and Plaintiff.

5 48. Instead, Defendant ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
6 through 100 ignored and/or concealed the sexual abuse of Plaintiff and others by FATHER JOHN
7 E. RUHL that had already occurred, and continued to allow numerous children, including the
8 Plaintiff, to be in private, secluded areas with FATHER JOHN E. RUHL, despite knowledge of
9 FATHER JOHN E. RUHL's prior sexually abusive acts toward minors. Plaintiff is informed,
10 believes and thereon alleges that Defendants and each of them were given notice of incidents of
11 inappropriate conduct by FATHER JOHN E. RUHL, including such facts alleged herein.

12 49. Plaintiff is informed, believes and thereon alleges that prior to and during the sexual
13 assault, molestation and abuse of Plaintiff, Defendants knew or should have known that FATHER
14 JOHN E. RUHL violated his role as a teacher, mentor, advisor and counselor to minors, and used
15 his position of authority and trust acting on behalf of Defendants to gain access to children,
16 including plaintiff, on and off the premises of Defendants, in which he cause plaintiff to touch him,
17 to allow him to touch Plaintiff in a sexual manner, and engaged in sexual conduct and abuse,
18 including assault molestation and sexual abuse, with such children, including Plaintiff.

19 50. With actual or constructive knowledge that FATHER JOHN E. RUHL had
20 previously engaged in dangerous and inappropriate conduct, including sexually abusing other
21 minors at Defendant ROMAN CATHOLIC BISHOP OF ORANGE's owned and controlled
22 premises, Defendants conspired to and did knowingly fail to take reasonable steps, and failed to
23 implement reasonable safeguards to avoid acts of unlawful sexual conduct by FATHER JOHN E.
24 RUHL, including but not limited to preventing or avoiding placement of FATHER JOHN E. RUHL
25 in a function and environment in which contact with minor children was an inherent aspect of that
26 function or environment.

27 51. Plaintiff further alleges that Defendants failed to report and did hide and conceal
28 from Plaintiff, Plaintiff's parents, other minor children in their care and their parents, law

1 enforcement authorities, civil authorities, and others, the true facts and relevant information
2 necessary to bring FATHER JOHN E. RUHL to justice for the sexual misconduct he committed
3 with minors and to protect those entrusted in their care, including Plaintiff.

4 52. Plaintiff further alleges that Defendants also implemented various measures designed
5 to, or which effectively made, make FATHER JOHN E. RUHL's conduct harder to detect,
6 including but not limited to:

- 7 a. Permitting FATHER JOHN E. RUHL to remain in a position of authority and trust
8 after Defendants knew or should have known he was a molester of children;
- 9 b. Holding FATHER JOHN E. RUHL out to Plaintiff, his parents, other children and
10 parents, the community and the public as being in good standing and trustworthy;
- 11 c. Placing FATHER JOHN E. RUHL in a separate and secluded environment,
12 including placing him in charge of minors, mentoring programs, advising programs,
13 educational programs, and youth programs where they purported to supervise the
14 children which allowed FATHER JOHN E. RUHL to sexually and physically
15 interact with and abuse the children, including Plaintiff;
- 16 d. Permitting FATHER JOHN E. RUHL to come into contact with minors, including
17 Plaintiff, without adequate supervision;
- 18 e. Failing to inform or otherwise concealing from Plaintiff's parents and law
19 enforcement the fact that Plaintiff and other were or may have been sexually abused
20 after Defendants knew or should have known that FATHER JOHN E. RUHL may
21 have sexually abused Plaintiff or others, thereby enabling Plaintiff to continue to be
22 endangered and sexually abused, and/or creating the circumstances where Plaintiff
23 and others were less likely to received medical/mental health care and treatment, thus
24 exacerbating the harm to Plaintiff;
- 25 f. Failing to take reasonable steps and to implement reasonable safeguards to avoid
26 acts of unlawful sexual conduct by FATHER JOHN E. RUHL with minor children,
27 including students, altar boys and parishioners;

1 g. Failing to put in place a system or procedure to supervise or monitor employees,
2 volunteers, representatives or agents to insure that they did not sexually abuse minors
3 in Defendants' care, including Plaintiff.

4 53. By using his position within Defendants' institutions, Defendants, including
5 FATHER JOHN E. RUHL, demanded and required that Plaintiff respect FATHER JOHN E. RUHL
6 in his position as a priest, teacher, spiritual advisor, confidant, counselor and mentor of Defendant
7 ROMAN CATHOLIC BISHOP OF ORANGE and Does 3- 100.

8 54. Plaintiff is informed, believes and thereon alleges that Defendants and each of them
9 were or had reason to have been aware of FATHER JOHN E. RUHL's wrongful conduct at or
10 about the time it was occurring, and thereafter, but took no action to obstruct, inhibit or stop such
11 continuing wrongful conduct, or to help Plaintiff endure the trauma from such conduct. Despite the
12 authority and ability to do so, Defendants negligently and/or willfully refused to, and/or did no act
13 effectively to stop the sexual assaults on Plaintiff, to inhibit or obstruct such abuse, or to protect
14 Plaintiff from the results of that trauma.

15 55. During the period of abuse of Plaintiff at the hands of FATHER JOHN E. RUHL,
16 Defendants had the authority and ability to obstruct or stop FATHER JOHN E. RUHL's sexual
17 abuse of Plaintiff, but negligently and/or willfully failed to do so, thereby allowing the abuse to
18 occur and continue unabated. This failure was part of Defendants' plan and arrangement to conceal
19 wrongful acts, to avoid or interfere with detections, to block public disclosure, to avoid scandal, to
20 avoid disclosure of their tolerance of child sexual abuse, to preserve a false appearance of propriety,
21 and to avoid investigation and action by public authority, including law enforcement. Plaintiff is
22 informed, believes, and alleges thereon that such actions were motivated by the desire to protect the
23 reputation of Defendants and each of them, and to protect the monetary support of Defendants while
24 fostering an environment where such abuse could continue to occur.

25 56. Plaintiff is informed, believes and thereon alleges that at the time of FATHER JOHN
26 E. RUHL's violations of the Penal Code and other provisions of California law, Defendants knew or
27 should have known, or were otherwise on notice of prior acts of child sexual abuse committed by
28 FATHER JOHN E. RUHL, and despite such knowledge and/or notice, placed Plaintiff in FATHER

1 JOHN E. RUHL's custody and/or made Plaintiff available to FATHER JOHN E. RUHL and then
2 failed to take reasonable steps or implement reasonable safeguards to protect Plaintiff from
3 FATHER JOHN E. RUHL sexual abuse. Plaintiff is informed, believes and thereon alleges that
4 these acts and/or omissions on the part of Defendants were committed in spite of their ability to
5 exercise control over the personal and business affairs of FATHER JOHN E. RUHL. Accordingly,
6 Defendants are liable for FATHER JOHN E. RUHL's sexual abuse of Plaintiff in that their
7 wrongful, intentional and/or negligent acts were a legal cause of Plaintiff's abuse.

8 57. Defendants owned Plaintiff a special duty of care. Plaintiff, as a minor at all times
9 material hereto, was placed in the physical custody, control, and dominion of Defendants and their
10 agents, employees, and/or servants, and was placed in such custody, control and dominion in
11 locations including, but not limited to the rectory at St. Joseph. Defendants stood *in loco parentis*
12 with Plaintiff, a minor in the custody, control, and under the dominion of Defendants. As the
13 individuals and entities responsible for the custody, supervision, care and dominion of minor
14 children in their care, Defendants owned Plaintiff a special duty of care, as they were entrusted with
15 Plaintiff's safety, security and care.

16 **RESERVATION OF RIGHT TO PLEAD PUNITIVE DAMAGES**

17 58. Based on information and belief, Defendant ROMAN CATHOLIC BISHOP OF
18 ORANGE is a religious corporation, organized under the laws of California, and believed to be
19 afforded the protection of Code of Civil Procedure Section 425.14. Plaintiff expressly reserves the
20 right to file a Motion to Amend the Complaint, in order to allege facts sufficient to constitute
21 punitive damages against Defendant ROMAN CATHOLIC BISHOP OF ORANGE, in accord with
22 evidence that substantiates a finding of the clear and convincing evidentiary requirement of Civil
23 Code Section 3294.

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FIRST CAUSE OF ACTION
NEGLIGENCE

(As to ROMAN CATHOLIC BISHOP OF ORANGE AND DOES 3-100)

59. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent paragraphs of this Complaint as if fully set forth herein.

60. The conduct, actions, and omissions of Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, served to create an environment in which Defendant FATHER JOHN E. RUHL was afforded years of continuous secluded access to minor children, including Plaintiff, when he was a minor of approximately 8 to 10 years of age at the time he was sexually abused, molested and assaulted by FATHER JOHN E. RUHL. These actions include arranging for the secluded access by FATHER JOHN E. RUHL with Plaintiff, including arranging for Plaintiff to serve mass with FATHER JOHN E. RUHL, for Plaintiff to stay at the church after religious services had concluded and to spend time in the rectory with FATHER JOHN E. RUHL, without his parents or any other adults present on several occasions.

61. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, were aware and/or on notice of FATHER JOHN E. RUHL's proclivities for engaging in sexual acts with minors prior to the first occasion on which Plaintiff was placed in FATHER JOHN E. RUHL's custody through the acts of Defendants. Accordingly, at the time FATHER JOHN E. RUHL and Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, performed the acts alleged herein it was or should have been reasonable foreseeable to Defendants that by continuously exposing and making Plaintiff available to FATHER JOHN E. RUHL, Defendants were placing Plaintiff in grave risk of being sexually abused by FATHER JOHN E. RUHL. By knowingly subjecting Plaintiff to such a foreseeable danger, Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, were duty-bound to take reasonable steps and implement reasonable safeguards to protect Plaintiff from FATHER JOHN E. RUHL. Further as alleged herein, Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, at all times exercised a sufficient degree of control over FATHER JOHN E. RUHL's personal and business affairs to prevent the acts of abuse by keeping FATHER JOHN E. RUHL aware from Plaintiff. Defendants ROMAN CATHOLIC

1 BISHOP OF ORANGE and Does 3 through 100, inclusive, however, failed to take any reasonable
2 steps or implement any reasonable safeguards for Plaintiff's protection whatsoever, and continued
3 to make Plaintiff accessible to FATHER JOHN E. RUHL for the purposes of sexual abuse.

4 **NEGLIGENCE PER SE: MANDATORY REPORTING OF CHILD ABUSE**

5 62. Under the Child Abuse and Neglect Reporting Act, Defendants ROMAN
6 CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, were child care custodians
7 and were under a statutory duty to report known or suspected incidents of sexual abuse of minors,
8 among other things, to a child protective agency, pursuant to California Penal Code's Child Abuse
9 and Neglect Reporting Act ("CANRA"), and/or not to impede the filings of any such report.
10 Pursuant to Penal Code Section 11166.5, Defendants ROMAN CATHOLIC BISHOP OF ORANGE
11 and Does 3 through 100 were under a statutory duty to provide their employees with various
12 acknowledgements of reporting requirements.

13 63. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
14 inclusive, knew or should have known that their agent, employee, counselor, advisor, mentor,
15 teacher, FATHER JOHN E. RUHL, has sexually molested, assaulted and abused or caused
16 touching, battery, harm and other injuries to minors, including Plaintiff, giving rise to a duty to
17 report such conduct under California Penal Code Section 11166.

18 64. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
19 inclusive, knew or should have known in the exercise of reasonable diligence that an undue risk to
20 minors, including Plaintiff, existed because Defendants ROMAN CATHOLIC BISHOP OF
21 ORANGE and Does 3 through 100, inclusive did not comply with California's mandatory reporting
22 requirements under CANRA.

23 65. By failing to report the continuing sexual abuse, which Defendants ROMAN
24 CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, knew of or should have
25 known of, and by ignoring the fulfillment of the mandated compliance with the reporting
26 requirements provided under CANRA, Defendants ROMAN CATHOLIC BISHOP OF ORANGE
27 and Does 3 through 100, inclusive, created the risk and danger contemplated by CANRA, and as a
28 result, unreasonably and wrongfully exposed Plaintiff (and other minors) to sexual abuse.

1 66. Plaintiff was a member of the class of persons for whose protection CANRA was
2 specifically adopted to protect.

3 67. Had Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through
4 100, inclusive, adequately reported the sexual abuse of Plaintiff (and other minors) as required by
5 CANRA, further harm to Plaintiff (and other minors) would have been avoided.

6 68. As a proximate result of Defendants ROMAN CATHOLIC BISHOP OF ORANGE
7 and Does 3 through 100's, inclusive, failure to comply with the mandatory reporting requirements
8 of Penal Code Section 11166, Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does
9 3 through 100, inclusive, wrongfully denied Plaintiff and other minors the intervention of child
10 protective services. Such public agencies would have changed the then-existing arrangements and
11 conditions that provided the access and opportunities for the sexual abuse of Plaintiff by FATHER
12 JOHN E. RUHL.

13 69. The physical, mental, and emotional damages and injuries resulting from the sexual
14 abuse of Plaintiff by FATHER JOHN E. RUHL were the type of occurrence and injuries that
15 CANRA was designed to prevent.

16 70. As a result of Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
17 through 100's, inclusive, failure to comply with the mandatory reporting requirements of Penal
18 Code Section 11166 constituted a per se breach of Defendants ROMAN CATHOLIC BISHOP OF
19 ORANGE and Does 3 through 100's, inclusive, duties to Plaintiff.

20 71. As a direct and proximate result of the failure of Defendants ROMAN CATHOLIC
21 BISHOP OF ORANGE and Does 3 through 100's, inclusive, failure to protect Plaintiff from the
22 acts of child sexual abuse to which he was subject by FATHER JOHN E. RUHL, Plaintiff has
23 suffered and will continue to suffer severe mental and emotional distress including, but not limited
24 to, severe anxiety, stress, anger, fear, low self-esteem, shame, humiliation, depression and other
25 physical distress; expenses for mental health professionals and other medical treatment; and loss of
26 past and future earnings and other economic benefits according to proof at the time of trial.

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SECOND CAUSE OF ACTION
NEGLIGENT SUPERVISION

(As to Defendants ROMAN CATHOLIC BISHOP OF ORANGE and DOES 3-100)

72. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent paragraphs of this Complaint as if fully set forth herein.

73. By virtue of Plaintiff's special relationship with Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, and Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100's, inclusive, relation to FATHER JOHN E. RUHL, Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, owed Plaintiff a duty to provide reasonable supervision of FATHER JOHN E. RUHL, to use reasonable care in investigating FATHER JOHN E. RUHL's background, and to provide adequate warning to the Plaintiff, and others, of FATHER JOHN E. RUHL's dangerous propensities and unfitness.

74. Plaintiff is informed, believes and thereon alleges that Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, by and through their respective agents, servants and employees, knew or should have known of FATHER JOHN E. RUHL's dangerous and exploitive propensities and/or that FATHER JOHN E. RUHL was an unfit agent. Despite such knowledge, Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, negligently failed to supervise FATHER JOHN E. RUHL in his position of trust and authority as an authority figure and supervisor of minor children, where he was able to commit wrongful acts against Plaintiff. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, failed to provide reasonable supervisions of FATHER JOHN E. RUHL, failed to use reasonable care in investigating FATHER JOHN E. RUHL, and failed to provide adequate warning to Plaintiff, and others, of FATHER JOHN E. RUHL's dangerous propensities and unfitness. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, further failed to take reasonable measures to prevent the sexual abuse, molestation and harassment of minor children, including Plaintiff.

75. Plaintiff is informed, believes and thereon alleges that Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, were put on notice, and

1 knew or should have known, that FATHER JOHN E. RUHL had previously engaged and was
2 continuing to engage in unlawful sexual conduct with minor children for his own personal
3 gratification, that it was or should have been foreseeable that he was engaging, or would engage in
4 illicit sexual activities with Plaintiff, and others, under the cloak of his authority, confidence, an
5 trust bestowed upon him by and through Defendants ROMAN CATHOLIC BISHOP OF ORANGE
6 and Does 3 through 100, inclusive, and each of them.

7 76. Plaintiff is informed, believes and thereon alleges that Defendants ROMAN
8 CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, were placed on actual or
9 constructive notice that FATHER JOHN E. RUHL had abused children prior to, and/or during the
10 time he was in contact with Plaintiff. Plaintiff is informed and thereon alleges that Defendants
11 ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, were informed of
12 sexual abuse, harassment and molestations committed by FATHER JOHN E. RUHL or of conduct
13 that would put a reasonable person on notice of such propensity to abuse, harass, and molest.

14 77. Even though Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
15 through 100, inclusive, knew or should have known of these activities by FATHER JOHN E.
16 RUHL, Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
17 inclusive, did nothing to investigate, supervise or monitor FATHER JOHN E. RUHL to ensure the
18 safety of those on their premises, entrusted in their care, and/or participating in their programs.

19 78. As an institution entrusted with the care of minors, where staff, employees, agents,
20 and management, such as FATHER JOHN E. RUHL, were placed in contact with minor children,
21 Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive,
22 expressly and implicitly represented that these individuals, including FATHER JOHN E. RUHL,
23 were not a sexual threat to children and others who would fall under FATHER JOHN E. RUHL's
24 influence, control, direction, and guidance.

25 79. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
26 inclusive, negligently failed to supervise FATHER JOHN E. RUHL in his position of trust ad
27 authority as an employee, agent, counselor, mentor and advisor, and/or other authority figure, where
28 FATHER JOHN E. RUHL was able to commit wrongful acts against Plaintiff. Defendants ROMAN

1 CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, failed to take reasonable
2 measures to prevent sexual harassment, molestation, and abuse of minors, including Plaintiff.

3 80. At no time during the periods of time alleged did Defendants ROMAN CATHOLIC
4 BISHOP OF ORANGE and Does 3 through 100, inclusive, have in place a system or procedures to
5 reasonably investigate, supervise and monitor individuals in contact with minor children, including
6 FATHER JOHN E. RUHL, to prevent pre-sexual grooming and sexual harassment, molestation and
7 abuse of children, nor did they implement a system or procedure to oversee or monitor conduct
8 toward minors and others in Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
9 through 100's, inclusive, care.

10 81. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
11 inclusive, were or should have known to be aware and understand how vulnerable children were to
12 sexual harassment, molestation and abuse by mentors, advisors, teachers, counselor and other
13 persons of authority within Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
14 through 100.

15 82. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through
16 100's, inclusive, breached their duty to Plaintiff by, *inter alia*, failing to adequately monitor and
17 supervise FATHER JOHN E. RUHL and failing to stop FATHER JOHN E. RUHL from
18 committing wrongful sexual acts with minors, including Plaintiff. Plaintiff is informed and believes
19 that employees, staff and agents of Defendants ROMAN CATHOLIC BISHOP OF ORANGE and
20 Does 3 through 100's, inclusive, suspected the abuse was occurring at the time and failed to
21 investigate the matter further. Based on these facts, Defendants ROMAN CATHOLIC BISHOP OF
22 ORANGE and Does 3 through 100, inclusive, knew or should have known of FATHER JOHN E.
23 RUHL's incapacity to supervise and stop employees of Defendants ROMAN CATHOLIC BISHOP
24 OF ORANGE and Does 3 through 100's, inclusive, from committing wrongful sexual acts with
25 minors.

26 83. As a result of the above-described conduct, Plaintiff has suffered and continues to
27 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
28 distress, embarrassment, loss of self-esteem, disgrace, humiliation, loss of enjoyment of life; has

1 suffered and continues to suffer and was prevented and will continue to be prevented from
2 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and
3 earning capacity, and/or has incurred and will continue to incur expenses for medical and
4 psychological treatment, therapy, and counseling.

5 **THIRD CAUSE OF ACTION**
6 **NEGLIGENT RETENTION/HIRING**

7 **(As to Defendants ROMAN CATHOLIC BISHOP OF ORANGE and DOES 3-100)**

8 84. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent
9 paragraphs of this Complaint as if fully set forth herein.

10 85. By virtue of Plaintiff's special relationship with Defendants ROMAN CATHOLIC
11 BISHOP OF ORANGE and Does 3 through 100, inclusive, and each of them, and Defendants
12 ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100's, inclusive, relation to
13 FATHER JOHN E. RUHL, Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
14 through 100, inclusive, owed Plaintiff a duty not to hire and/or retain FATHER JOHN E. RUHL
15 given his dangerous and exploitive propensities, which Defendants ROMAN CATHOLIC BISHOP
16 OF ORANGE and Does 3 through 100, inclusive, knew or should have known had they engaged in
17 a meaningful and adequate investigation of his background prior to his hiring.

18 86. As an institution entrusted with the care of minors, where staff, employees, agents
19 and management, such as FATHER JOHN E. RUHL were placed in contact with minors,
20 Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive,
21 expressly and implicitly represented that these individuals, including FATHER JOHN E. RUHL,
22 were not a sexual threat to children and others who would fall under FATHER JOHN E. RUHL's
23 influence, control, direction and guidance.

24 87. Plaintiff is informed, believes and on that basis alleges, that at no time during the
25 periods of time alleged did Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
26 through 100, inclusive, have in place a system or procedure to reasonably investigate, supervise
27 and/or monitor those individuals in direct contact with minor children, including FATHER JOHN
28 E. RUHL, to prevent pre-sexual grooming and/or sexual harassment, molestation and abuse of
children, nor did they implement a system or procedure to oversee or monitor conduct toward

1 minors and others in Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through
2 100's, inclusive, care.

3 88. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
4 inclusive, and each of them were or should have been aware and understood how vulnerable minor
5 children were to sexual abuse, harassment, and molestation by persons of authority, including
6 FATHER JOHN E. RUHL, within the control of Defendants ROMAN CATHOLIC BISHOP OF
7 ORANGE and Does 3 through 100, inclusive.

8 89. Plaintiff is informed and believes, and on that basis alleges, other children and/or
9 employees of Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
10 inclusive, complained of FATHER JOHN E. RUHL's sexual improprieties prior to the sexual abuse
11 of Plaintiff. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
12 inclusive, knew, or at the very least should have known of FATHER JOHN E. RUHL's prior
13 history of sexual misconduct with minors prior to Plaintiff's abuse.

14 90. Plaintiff is informed, believes and on thereon alleges that Defendants ROMAN
15 CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, were put on notice, and
16 knew or should have known that FATHER JOHN E. RUHL had previously engaged and continued
17 to engage in unlawful sexual conduct with minors and others, for his own personal gratification, and
18 that it was or should have been foreseeable that he was engaging, or would engage in illicit sexual
19 activities with Plaintiff, and others, under the cloak of his authority, confidence, and trust, bestowed
20 upon him by and through Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
21 through 100, inclusive.

22 91. Plaintiff is informed and believes, and on that basis alleges that Defendants ROMAN
23 CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive, were placed on actual
24 and/or constructive notice that FATHER JOHN E. RUHL had abused, harassed, molested and/or
25 was molesting minor children, both before and during the same time period FATHER JOHN E.
26 RUHL sexually abused Plaintiff.

27 92. Even though Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
28 through 100, inclusive, knew or should have known of these activities by FATHER JOHN E.

1 RUHL, Plaintiff is informed, believes and thereon alleges that Defendants ROMAN CATHOLIC
2 BISHOP OF ORANGE and Does 3 through 100, inclusive, failed to use reasonable care in
3 investigating FATHER JOHN E. RUHL and did nothing to investigate, supervise or monitor
4 FATHER JOHN E. RUHL to ensure the safety of the minor children in FATHER JOHN E.
5 RUHL's charge, including Plaintiff.

6 93. As a result of the above-described conduct, Plaintiff has suffered and continues to
7 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
8 distress, embarrassment, loss of self-esteem, disgrace, humiliation, loss of enjoyment of life; has
9 suffered and continues to suffer and was prevented and will continue to be prevented from
10 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and
11 earning capacity, and/or has incurred and will continue to incur expenses for medical and
12 psychological treatment, therapy, and counseling.

13 **FOURTH CAUSE OF ACTION**
14 **NEGLIGENT FAILURE TO TRAIN, WARN OR EDUCATE**
(As to Defendants ROMAN CATHOLIC BISHOP OF ORANGE and DOES 3-100)

15 94. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent
16 paragraphs of this Complaint as if fully set forth herein.

17 95. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
18 inclusive, owed Plaintiff a duty to take reasonable protective measures to protect Plaintiff and other
19 minor children in their charge from the risk of sexual abuse, harassment and molestation by
20 FATHER JOHN E. RUHL by properly warning, training or educating Plaintiff and other minors
21 about how to avoid such a risk.

22 96. Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100,
23 inclusive, breached their duty to take reasonable protective measures to protect Plaintiff and other
24 minor children in their charge from the risk of sexual abuse, harassment, and molestation by
25 FATHER JOHN E. RUHL, such as the failure to properly warn, train or educate Plaintiff and other
26 minor children in their charge about how to avoid such a risk.

27 97. Defendants breached their duty to take reasonable protective measure to protect
28 Plaintiff and other minor children in their charge from the risk of sexual harassment, molestation

1 and abuse by FATHER JOHN E. RUHL by failing to supervise and/or stop employees of
2 Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, inclusive,
3 including FATHER JOHN E. RUHL from committing wrongful sexual acts with minor children,
4 including Plaintiff.

5 98. As a result of the above-described conduct, Plaintiff has suffered and continues to
6 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
7 distress, embarrassment, loss of self-esteem, disgrace, humiliation, loss of enjoyment of life; has
8 suffered and continues to suffer and was prevented and will continue to be prevented from
9 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and
10 earning capacity, and/or has incurred and will continue to incur expenses for medical and
11 psychological treatment, therapy, and counseling.

12 **FIFTH CAUSE OF ACTION**
13 **SEXUAL BATTERY**
14 **(As to Defendant FATHER JOHN E. RUHL)**

15 99. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent
16 paragraphs of this Complaint as if fully set forth herein.

17 100. During Plaintiff's time as a parishioner and altar boy at Defendants ROMAN
18 CATHOLIC BISHOP OF ORANGE and Does 3 through 100, Defendant FATHER JOHN E.
19 RUHL intentionally, recklessly and wantonly did acts which were intended to, and did result in
20 harmful and offensive contact with intimate parts of Plaintiff's person. Plaintiff was subjected to
21 numerous instances of sexual abuse by Defendant FATHER JOHN E. RUHL, during Plaintiff's
22 time as a minor with Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through
23 100, including but not limited to instances FATHER JOHN E. RUHL plying Plaintiff with
24 communion wine, forcing Plaintiff to orally copulate FATHER JOHN E. RUHL, FATHER JOHN
25 E. RUHL orally copulating Plaintiff, and FATHER JOHN E. RUHL forcibly sodomizing Plaintiff.

26 101. Defendant FATHER JOHN E. RUHL did the aforementioned acts with the intent to
27 cause a harmful or offensive contact with an intimate part of Plaintiff's person and would offend a
28 reasonable sense of personal dignity. Further, said acts did cause a harmful or offensive contact with
an intimate part of Plaintiff's person that would offend a reasonable sense of personal dignity.

1 Defendants and each of them. The sexual harassment and abuse included but was not limited to
2 FATHER JOHN E. RUHL plying Plaintiff with communion wine, FATHER JOHN E. RUHL
3 forcing Plaintiff to orally copulate FATHER JOHN E. RUHL, FATHER JOHN E. RUHL orally
4 copulating Plaintiff, and FATHER JOHN E. RUHL forcibly sodomizing Plaintiff.

5 108. The incidents of sexual abuse alleged herein occurred while Plaintiff was under the
6 control of Defendant, as well as that of the agents of Defendants ROMAN CATHOLIC BISHOP
7 OF ORANGE and Does 3 through 100 in their capacity as teachers, counselors, mentors, advisors
8 and administrators at Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3
9 through 100 and while acting on behalf of Defendants.

10 109. During Plaintiff's time as a minor a parishioner and altar boy at Defendants ROMAN
11 CATHOLIC BISHOP OF ORANGE and Does 3 through 100, Defendant FATHER JOHN E.
12 RUHL intentionally, recklessly and wantonly did acts which resulted in harmful and offensive
13 contact with intimate parts of Plaintiff's person, including but not limited to using his position of
14 authority and age to force Plaintiff to give into Defendant FATHER JOHN E. RUHL's sexual
15 suggestions.

16 110. Because of Plaintiff's relationship with Defendants and Plaintiff's age of minority,
17 Plaintiff was unable to easily terminate the relationship he had with Defendants.

18 111. Because of Defendant FATHER JOHN E. RUHL's age and position of authority,
19 physical seclusion of Plaintiff, Plaintiff's mental and emotional state, and Plaintiff's age of
20 minority, Plaintiff was unable to and did not give meaningful consent to Defendants' acts.

21 112. Even though Defendants knew or should have known of these activities by
22 Defendant FATHER JOHN E. RUHL, Defendants did nothing to investigate, supervise or monitor
23 Defendant FATHER JOHN E. RUHL to ensure the safety of minor children.

24 113. Because of Plaintiff's relationship with Defendants as a parishioner and altar boy at
25 Defendants, and Plaintiff's age of minority, Plaintiff was unable to easily terminate the relationship
26 he had with Defendants.

27 114. A corporation is a "person" within the meaning of Civil Code Section 51.9, which
28 subjects persons to liability for sexual harassment within a business, service or professional

1 relationship, and such an entity defendants may be held liable under this statute for the acts of its
2 employees. *C.R. v. Tenet Healthcare Corp.*, (2009) 169 Cal.App.4th 1094. Further, principles of
3 ratification apply when the principal ratifies the agent's originally unauthorized harassment, as
4 alleged to have occurred herein.

5 115. Defendants' conduct (and the conduct of their agents) was a breach of their duties of
6 Plaintiff.

7 116. As a result of the above-described conduct, Plaintiff has suffered and continues to
8 suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional
9 distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment
10 of life; has suffered and continues to suffer and was prevented and will continue to be prevented
11 from performing daily activities and obtaining the full enjoyment of life; will sustain loss of
12 earnings and earning capacity, and/or has incurred and will continue to incur expenses for medical
13 and psychological treatment, therapy, and counseling.

14 117. In subjecting Plaintiff to the wrongful treatment alleged herein, Defendant FATHER
15 JOHN E. RUHL, acted willfully and maliciously with the intent to harm Plaintiff, and in conscious
16 disregard of Plaintiff's rights, so as to constitute malice and oppression under Civil Code Section
17 3294. Plaintiff is therefore entitled to the recovery of punitive damages, in an amount to be
18 determined by the Court, against Defendant FATHER JOHN E. RUHL. As to Defendant ROMAN
19 CATHOLIC BISHOP OF ORANGE, Plaintiff reserved the right to file a Motion to Amend the
20 Complaint, pursuant to Code of Civil Procedure Section 425.14 and as reserved in this Complaint.

21 **SEVENTH CAUSE OF ACTION**
22 **BREACH OF FIDUCIARY DUTY**
(As to ALL Defendants)

23 118. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent
24 paragraphs of this Complaint as if fully set forth herein.

25 119. As set forth more fully above, Defendants ROMAN CATHOLIC BISHOP OF
26 ORANGE and Does 3 through 100, in concert with FATHER JOHN E. RUHL, recruited, enticed,
27 and encouraged Plaintiff and Plaintiff's family to give their trust and confidence to Defendants,
28 including FATHER JOHN E. RUHL, so that Plaintiff could be taken from his family's care and

1 supervision and place under the care and supervision of Defendants, including FATHER JOHN E.
2 RUHL. In so doing, Defendants entered into a fiduciary relationship with Plaintiff whereby
3 Defendants owed Plaintiff an *in loco parentis* duty of care to take all reasonable steps and
4 implement all reasonable safeguards to protect Plaintiff while he was in the custody and are of
5 Defendants, including FATHER JOHN E. RUHL.

6 120. Plaintiff and Plaintiff's parents agreed to place their trust and confidence in
7 Defendants with the expectation that Defendants would properly supervise Plaintiff, regulate his
8 activities and behavior, and ensure his safety. Plaintiff and Plaintiff's parents agreed to this because
9 they believed in the integrity of Defendants ROMAN CATHOLIC BISHOP OF ORANGE and
10 Does 3 through 100, and therefore felt comfortable in entrusting minor Plaintiff to the care and
11 custody of Defendants.

12 121. As alleged herein, Defendant FATHER JOHN E. RUHL breached his duty to
13 Plaintiff by repeatedly subjecting Plaintiff to acts of child sexual abuse. As further alleged herein,
14 Defendants ROMAN CATHOLIC BISHOP OF ORANGE and Does 3 through 100, breached their
15 duty to Plaintiff by failing to take any reasonable steps or implement any reasonable safeguards to
16 protect Plaintiff from FATHER JOHN E. RUHL, and by allowing Plaintiff be to sexually abused by
17 FATHER JOHN E. RUHL on a recurring basis.

18 122. As a direct and proximate result of Defendants breach of their fiduciary duty to
19 Plaintiff, Plaintiff has suffered and will continue to suffer severe mental and emotional distress,
20 including but not limited to, anxiety, stress, anger, fear, low self-esteem, shame humiliation,
21 depression and physical distress; expenses for mental health professionals and other medical
22 treatment; loss of past and future earnings and other economic benefits according to proof at the
23 time of trial.

24 123. In subjecting Plaintiff to the wrongful treatment alleged herein, Defendant FATHER
25 JOHN E. RUHL acted willfully and maliciously with the intent to harm Plaintiff, and in conscious
26 disregard of Plaintiff's rights so as to constitute malice and oppression under Civil Code Section
27 3294. Plaintiff is therefore entitled to the recovery of punitive damages, in an amount to be
28 determined by the Court, against Defendant FATHER JOHN E. RUHL, in a sum to be shown

1 according to proof. As to ROMAN CATHOLIC BISHOP OF ORANGE, plaintiff reserves his right
2 to file a Motion to Amend the Complaint pursuant to Code of Civil Procedure section 425.14.

3 **EIGHTH CAUSE OF ACTION**
4 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
(Against ALL Defendants)

5 124. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent
6 paragraphs of this Complaint as if fully set forth herein.

7 125. Defendants' conduct toward Plaintiff, as described herein, was outrageous and
8 extreme.

9 126. A reasonable person would not expect or tolerate Defendants' putting FATHER
10 JOHN E. RUHL in position of authority at ROMAN CATHOLIC BISHOP OF ORANGE and Does
11 3-100, which enable FATHER JOHN E. RUHL to have access to minor children, including
12 Plaintiff, so that he could commit wrongful sexual acts with him, including the conduct described
13 herein above. Plaintiff held great trust, faith and confidence in Defendants, which, by virtue of
14 Defendants' wrongful conduct turned to fear.

15 127. A reasonable person would not expect or tolerate Defendants to be incapable of
16 supervising and preventing employees of Defendants', including FATHER JOHN E. RUHL, from
17 committing wrongful sexual acts with minor children in their charge, including Plaintiff, or to be
18 incapable of properly supervising FATHER JOHN E. RUHL to prevent such abuse from occurring.

19 128. Defendants' conduct described herein was intentional and malicious and done for the
20 purpose of causing or with the substantial certainty that it would cause Plaintiff to suffer
21 humiliation, mental anguish and emotional and physical distress.

22 129. As a result of the above-described conduct, Plaintiff suffered and continues to suffer
23 great pain of mind and body, shock, emotional distress, physical manifestations of emotional
24 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;
25 have suffered and continue to suffer and were prevented and will continue to be prevented from
26 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and
27 earning capacity, and have incurred and will continue to incur expenses for medical and
28 psychological treatment, therapy, and counseling.

130. In subjecting Plaintiff to the wrongful treatment described herein, Defendant FATHER JOHN E. RUHL acted willfully and maliciously with the intent to harm Plaintiff, and in conscious disregard of Plaintiff's rights, so as to constitute malice and oppression under Civil Code Section 3294. Plaintiff is therefore entitled to the recovery of punitive damages, in an amount to be determined by the Court, against Defendant FATHER JOHN E. RUHL, in a sum to be shown according to proof. As to Defendants ROMAN CATHOLIC BISHOP OF ORANGE, Plaintiff reserves the right to file a Motion to Amend the Complaint, pursuant to Code of Civil Procedure Section 425.14.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief against Defendants:

1. For past, present and future general damages in an amount to be determined at trial;
2. For past, present and future special damages, including but not limited to past, present and future lost earnings, economic damages and others in an amount to be determined at trial;
3. Any appropriate statutory damages;
4. For cost of suit;
5. For interest as allowed by law;
6. For punitive damages as to Defendant FATHER JOHN E. RUHL;
7. For attorney's fees pursuant to Code of Civil Procedure Section 1021.5, or otherwise as allowable by law; and
8. For such other and further relief as the Court may deem proper.

DATED: March 17, 2019

JEFF ANDERSON & ASSOCIATES

Mike Reck
MICHAEL G. FINNEGAN
MICHAEL RECK
JENNIFER E. STEIN
Attorneys for Plaintiff JOHN DOE
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DEMAND FOR TRIAL

Plaintiff JOHN DOE 1000 hereby demands a trial by jury in this matter.

DATED: March 17, 2019

JEFF ANDERSON & ASSOCIATES



MICHAEL G. FINNEGAN
MICHAEL RECK
JENNIFER E. STEIN
Attorneys for Plaintiff JOHN DOE
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