

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Robert Krankvich)
)
 Plaintiff,)
)
 The Augustinians, a/k/a/ Order of St.)
 Augustine d/b/a Province of Our)
 Mother of Good Counsel of the Augustinian)
 Order a/k/a Augustinians of the Midwest)
 Province, and Providence Catholic High)
 School a/k/a Providence High School, Inc.)
 a/k/a Providence Catholic Schools, Inc.,)
)
 Defendants.)

No.:

2018L003659
CALENDAR/ROOM C
TIME 00:00
PI Other

COMPLAINT

The Plaintiff Robert Krankvich, by and through his attorneys, Frost Pearlman LLC and Jeff Anderson & Associates, P.A., and for his Complaint against the Augustinians a/k/a Order of St. Augustine d/b/a Province of Our Mother of Good Counsel of the Augustinian Order a/k/a Augustinians of the Midwest Province and Providence Catholic High School a/k/a Providence High School, Inc. a/k/a Providence Catholic Schools, Inc. states as follows:

PARTIES

1. Plaintiff Robert Krankvich is an adult male resident of the state of Illinois. At all times material, Plaintiff was a minor and a resident of Illinois.
2. At all times material, Defendant Augustinians a/k/a Order of St. Augustine d/b/a Province of Our Mother of Good Counsel of the Augustinian Order a/k/a Augustinians of the Midwest Province (hereinafter "Augustinians") was and continues to be a Roman Catholic religious order of priests and brothers affiliated with the Roman Catholic Church, doing business in the State of Illinois as the Province of Our Mother of Good Counsel of the Augustinian Order with its principal place of business at 5401 South Cornell Avenue, Chicago, Illinois 60615. The

prior provincial is the top official of the Augustinians and is given authority over all matters dealing with the Augustinians as a result of his position. The Augustinians function as a business by engaging in numerous revenue producing activities and soliciting money in exchange for its services. The Augustinians have programs which seek out the participation of children. The Augustinians, through its officials, have control over these programs involving children and the authority to appoint, supervise, monitor and fire each person working with children in these programs.

3. At all times material, Providence Catholic High School a/k/a Providence High School, Inc. a/k/a Providence Catholic Schools, Inc. (hereinafter "Providence") was and continues to be an organization authorized to conduct business and conducting business in the State of Illinois, with its principal place of business at 1800 West Lincoln Highway, New Lenox, Illinois 60451. Defendant Providence includes, but is not limited to, the School corporation and any other organizations and/or entities operating under the same or similar name with the same or similar principal place of business. At all times material, Defendant Providence was and continues to be under the direct authority, control and province of the Augustinians and the Provincial of the Augustinians.

FACTS

4. Father Richard McGrath, *o.s.a.* (hereinafter "Fr. McGrath") is a Roman Catholic priest of the Augustinian Order. At all times material, Fr. McGrath was under the supervision, employ, agency and control of the Augustinians and Providence. Fr. McGrath was at all relevant times an employee, agent, or apparent agent of the Augustinians and Providence.

5. Father McGrath was ordained a Roman Catholic Priest of the Augustinian Order in approximately 1973.

6. Fr. McGrath was employed by the Augustinians at St. Rita High School in Chicago, IL from approximately 1974 to approximately 1985.

7. Fr. McGrath was employed by Defendants as the principal of Providence Catholic High School in New Lenox, IL from approximately 1986 to 2008 and as president of the school from 2009 to 2017.

8. From approximately 2013 to present, Fr. McGrath also served as Province Treasurer of the Augustinian's Province of Our Mother of Good Counsel.

9. Defendants placed Fr. McGrath in positions where he had access to and worked with children as an integral part of his work.

10. Plaintiff Robert Krankvich was raised in a devout Roman Catholic family and attended Providence Catholic High School in New Lenox, Illinois. Plaintiff and his family came into contact with Fr. McGrath as an agent and representative of Defendants.

11. Plaintiff developed great admiration, trust, reverence and respect for Defendants and their agents, including Fr. McGrath.

12. Fr. McGrath took advantage of the admiration, trust, reverence and respect that Plaintiff had for him and the Roman Catholic Church and sexually abused Plaintiff on multiple occasions between approximately 1995 and 1996, when Plaintiff was approximately 13 to 15 years old.

13. Incidents of sexual molestation alleged in this Complaint occurred on property owned by, operated by, or under the control of Defendants.

Special Relationship between the Augustinians, Providence and the then-minor Plaintiff

14. While Plaintiff was a student, Defendants had exclusive custody and control of Plaintiff under such circumstances as to deprive his parents of their normal opportunities for

protection of their minor son. This includes, without limitation, the deprivation of a parent of their normal opportunity to protect their child from the sexual abuse of a predator or pedophile.

15. By accepting custody of Plaintiff, each Defendant had a special relationship with Plaintiff.

16. During school, while Defendants had exclusive custody of Plaintiff, Defendants had a fiduciary duty to Plaintiff.

17. Defendants owed Plaintiff a duty of reasonable care because they had superior knowledge about the risk that Fr. McGrath posed to Plaintiff, the risk of abuse in general in their programs and the risks that their facilities posed to minor children.

18. Each Defendant owed Plaintiff a duty of reasonable care because they solicited youth and parents for participation in their youth programs; encouraged youth and parents to have the youth participate in their programs; undertook custody of minor children, including Plaintiff; promoted their facilities, schools and programs as being safe for children; held their agents, including Fr. McGrath, out as safe to work with children; encouraged parents and children to spend time with their agents; and encouraged their agents, including Fr. McGrath, to spend time with, interact with, and recruit children.

19. Each Defendant owed Plaintiff a duty to protect him from harm because Defendants' actions created a foreseeable risk of harm to Plaintiff. As a vulnerable child participating in the programs and activities Defendants offered to minors, Plaintiff was a foreseeable victim. As a vulnerable child who Fr. McGrath had access to through Defendants' facilities and programs, Plaintiff was a foreseeable victim.

20. Defendants knew or should have known that some of the leaders and people working at Catholic institutions were not safe.

21. Defendants knew or should have known that they did not have sufficient information about whether or not their leaders and people working at Catholic institutions were safe.

22. Defendants knew or should have known that there was a risk of child sex abuse to children participating in Catholic programs and activities.

23. Defendants knew or should have known that it did not have sufficient information about whether or not there was a risk of child sex abuse for children participating in Catholic programs and activities.

24. Defendants knew or should have known that they had numerous agents who had sexually molested children. Defendants knew or should have known that child molesters have a high rate of recidivism. They knew or should have known that there was a specific danger of child sex abuse to children participating in their youth programs.

25. On information and belief, Fr. McGrath sexually abused other children before, during, and after he sexually abused Plaintiff.

26. In December 2017, Fr. McGrath abruptly retired from his position as President of Providence Catholic High School after a student reported that she observed Fr. McGrath viewing child pornography on his cellular phone at a Providence wrestling match.

27. The New Lenox Police Department investigated the report but closed their investigation in approximately February 2018 because Fr. McGrath refused to provide the detectives with the cellular phone.

28. Before Plaintiff was sexually abused by Fr. McGrath, Defendants had actual and/or constructive knowledge of material facts regarding Fr. McGrath's inappropriate and

sexually abusive behaviors, but failed to act on that knowledge to protect children including Plaintiff.

29. Defendants were under an affirmative duty to interfere and intervene when they knew or reasonably should have known of sexually abusive conduct.

30. Defendants held their leaders and agents out as people of high morals, as possessing immense power, teaching families and children to obey these leaders and agents, teaching families and children to respect and revere these leaders and agents, soliciting youth and families, and holding out the people that worked in their programs as safe.

31. Plaintiff and his family reasonably relied on these representations and Defendants' omissions.

32. Defendants were in a specialized or superior position to receive and did receive specific information regarding misconduct by their priests that was of critical importance to the well-being, protection, care and treatment of innocent victims, including Plaintiff. This knowledge was not otherwise readily available to Plaintiff. Defendants exercised their special and superior position to assume control of said knowledge and any response thereto.

33. Defendants created the misperception in the mind of Plaintiff and his family that he and other children were safe with priests in general and with Fr. McGrath in particular.

34. To the contrary, Plaintiff was a victim of a known and preventable hazard that Defendants created and allowed to continue.

35. Further, as a result of the indoctrination, reverence and trust Plaintiff and his family placed in Defendants, and as a result of Defendants' silence regarding sexual abuse by its priests including Fr. McGrath, Plaintiff and his family had no reason to believe that Defendants

were aware or involved in facilitating the criminal sexual behavior and the wide-ranging efforts to conceal that criminal conduct from them or others.

Defendants' Knowledge of Sexual Abuse

36. At the time of the formation of the Augustinians and Providence in the United States, the hierarchy of the Roman Catholic Church, including the officials of each Defendant, had actual knowledge that priests sexually abused children.

37. Armed with this actual knowledge, Defendants hid the information from its parishioners and students, including Plaintiff and his family.

38. The top officials of each Defendant had a pattern and practice of hiding and not disclosing facts that sexually abusive priests served in active ministry. Defendants have misrepresented and underreported the true nature and number of sexually abusive priests that have served in active ministry for Defendants.

39. Despite credible reports of child sexual abuse, Defendant Augustinians has not publicly disclosed the names of or information about its priests and brothers who have been credibly accused of sexually molesting minors. As a result, the identities and histories of these accused priests are concealed and children are at risk of being sexually abused.

40. On information and belief, the Augustinians failed to report multiple allegations of sexual abuse of children by its agents to the proper civil authorities. As a result, children are at risk of being sexually molested.

Sexual Abuse of Plaintiff

41. Plaintiff first met Fr. McGrath as the President of Providence Catholic High School in approximately 1994.

42. Fr. McGrath used his position as a priest and as president of the school to isolate and manipulate children, including Plaintiff.

43. As a student, Plaintiff had regular interaction with clergy, including Fr. McGrath.

44. Fr. McGrath gained access to Plaintiff solely by virtue of his employment with Defendants.

45. On information and belief, Fr. McGrath's inappropriate conduct with children was known to employees at Providence.

46. On multiple occasions between 1995 and 1996, Fr. McGrath sexually abused Plaintiff on the premises of Providence.

Fraudulent Misrepresentation and Non-Disclosure of Knowledge

47. On information and belief, Defendants, through their leaders, provincials, agents and officials, had actual knowledge of sexual abuse by their priests at all relevant times prior to 1994.

48. Armed with actual knowledge, Defendants hid this information from students, including Plaintiff and his family.

49. In each of the years until the date of the filing of this Complaint in 2018, Defendants have misrepresented and underreported the true nature of the problem of sexual abuse of children by their clerics.

50. Defendants have had and presently have a financial incentive to misrepresent and withhold the true nature of the scope of this problem, and its contribution to and responsibility

for the problem and the resulting harm to children like Plaintiff.

51. Because of Defendants' special relationship and assumed duty described above, Defendants had a duty to disclose all that they knew, or reasonably should have known, about sexual abuse by their priests.

52. Defendants had a duty to Plaintiff and his family to warn them about the problem of sexual abuse by their priests, and had a similar duty not to downplay, underreport, or otherwise misinform or withhold facts regarding those issues to Plaintiff or his family.

53. On information and belief, the failure of Defendants to take action regarding Fr. McGrath's sexual abuse of Plaintiff is consistent with its practice of failing to respond to reports of sexual misconduct and abuse.

54. Had Defendants and their agents not misrepresented and concealed their knowledge of the dangers posed to Plaintiff by child molesting priests such as Fr. McGrath and thus Defendants' role in causing the abuse and later-resulting injuries, Plaintiff would have discovered this information earlier, and within the limitations period; and therefore would have filed his cause of action against Defendants earlier than he did without the aid of any applicable discovery rule.

55. Because of Defendants' misrepresentations and concealment, Plaintiff (a) was unaware of his claim against Defendants when he turned 18; (b) did not know or suspect that Defendants had done something wrong until 2018; and (c) because of the misrepresentations and concealment of Defendants, was otherwise not aware that the acts of Defendants caused him to suffer injury.

Detrimental Reliance

56. Before, during and after approximately 1994 to 1996, Plaintiff and his family detrimentally relied on the false statements and non-disclosure of Defendants about priests who had sexually abused children.

57. If Plaintiff's parents were told at any time prior to or during Plaintiff's attendance at Providence what Defendants knew or reasonably should have known at the time about child sexual abuse by their priests or about child sexual abuse by Fr. McGrath, more particularly described above, they would not have permitted Plaintiff to be alone with any priest, including Fr. McGrath.

58. Plaintiff did not learn of Defendants' involvement in his sexual abuse until 2018, when he learned of information regarding Defendants' noncompliance with policies and procedures to protect children from sexual abuse.

59. Plaintiff also did not know or have reason to know until recently, when he learned of Fr. McGrath's resignation from Providence, that he had been the victim of any wrongful conduct by Defendants.

Damages

60. As a direct result of Defendants' conduct described herein, Plaintiff has suffered and continues to suffer great pain of mind and body, severe and permanent emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, humiliation, physical, personal and psychological injuries. Plaintiff was prevented, and will continue to be prevented, from performing normal daily activities and obtaining the full enjoyment of life, and/or has incurred and will continue to incur expenses for psychological treatment, therapy, and

counseling, and, on information and belief has and/or will incur loss of income and/or loss of earning capacity.

Equitable Estoppel

61. As more particularly described above, on information and belief, Defendants concealed material facts about the true nature of sexual abuse by their priests, including Fr. McGrath.

62. Defendants knew that by concealing their knowledge of sexually abusive priests, including Fr. McGrath, that it was misrepresenting facts to the public regarding the existence and extent of sexual abuse by their priests and the safety and protection of children.

63. At no time before 2018, did Plaintiff know that the representations made by Defendants were untrue.

64. Defendants intended or reasonably expected the representations to be acted upon by Plaintiff, an abused person, his parents, or other victims of clergy sexual abuse.

65. Plaintiff and his family reasonably relied upon the representations of Defendants in good faith and to their detriment.

66. Plaintiff has been prejudiced by his reliance on the representations of Defendants and fraudulent misrepresentations of Defendants described above when he was sexually abused and thereafter prevented from discovering the causes of the abuse he suffered, including Defendants' wrongful conduct, and from bringing this lawsuit prior to 2018.

67. Defendants have denied knowledge of Fr. McGrath's inappropriate behavior with children and made no efforts to notify parents, parishioners, students, or the public when it learned that Fr. McGrath had engaged in inappropriate sexual conduct with children.

68. As a result, Defendants should be equitably estopped from asserting a statute of limitations defense.

69. Based on the foregoing allegations, any statute of limitations defenses are also precluded by application of 735 ILCS 5/13-215 which tolled Plaintiff's cause of action against Defendants.

COUNT I: PUBLIC NUISANCE (COMMON LAW)
AGAINST THE AUGUSTINIANS

Plaintiff incorporates paragraphs 1 through 69 of this Complaint as if fully set forth under this count and further alleges that:

70. Residents of Illinois, and the greater Midwest have a common right to be free from conduct that unreasonably interferes with the general public's right to public health, public safety, and conduct that disrupts the peace and comfort of members of the general public.

71. The Augustinians continue to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the general public the sexual misconduct committed by, the identities of, and the pedophilic/ephebophilic tendencies of Fr. McGrath and the Augustinians' other agents, against minor children; and/or 2) conceal from proper civil authorities sexual assaults and abuse committed by Fr. McGrath and the Augustinians' other agents against minor children; and/or 3) attack the credibility of victims of the Augustinians' agents; and/or 4) protect the Augustinians' agents from criminal prosecution for their sexual assaults and abuse against children; and/or 5) allow known child molesters to live freely in the community unknown to the public.

72. The negligence and/or deception and concealment by the Augustinians was and is a significant and unreasonable interference with the health, safety, peace, and comfort of the general public, including, but not limited to, residents of Illinois and all other members of the

general public who live in communities where the Augustinians' accused molesters live. The Augustinians' failure to report multiple allegations of sexual assault and abuse of children to proper authorities as well as its failure to inform the public about sexual abuse, or clerics accused of sexual abuse of minors has prevented the public from knowing of a real danger, and has thereby significantly endangered the safety and health of the general public by allowing child molesters to avoid prosecution and remain living freely in unsuspecting communities. These child molesters, known to the Augustinians, but not to the public, pose a threat of abuse to the general public.

73. The negligence and/or deception and concealment by the Augustinians was and is specially injurious to Plaintiff's health because he was sexually assaulted by the Augustinians' agent, Fr. McGrath.

74. The Augustinians' significant and unreasonable interference with the health, safety, peace and comfort of the general public was also specially injurious to Plaintiff's health in that when he finally discovered the negligence and/or deception and concealment, he experienced mental, emotional and/or physical distress that he had been the victim of the Augustinians' negligence and/or deception and concealment.

75. Plaintiff has also suffered and continues to suffer special, particular and peculiar psychological, emotional and pecuniary harm different in kind from the general public, after learning of the Augustinians' concealment of names and information about clerics accused of sexually molesting minors and as a result of the Augustinians' significant and unreasonable interference with Plaintiff's and the general public's rights, which continues as long as decisions are made and actions are taken to keep the information about the abuse and the accused priests and brothers concealed. As a result of the negligence and/or deception and concealment,

Plaintiff has suffered and continues to suffer lessened enjoyment of life, and/or impaired health, and/or emotional distress, and/or physical symptoms of emotional distress, and/or pecuniary loss including medical expenses and/or wage loss.

76. Plaintiff's injuries are also particular to him and different from certain members of the public who have not been harmed by the nuisance. People who have not been harmed by the nuisance include those who have not suffered any injury at all, those who are unaware of the nuisance, those who do not believe that the Augustinians ever concealed anything about child sex abuse, and those who think that any concealment only occurred decades ago.

77. The continuing public nuisance created by the Augustinians was, and continues to be, the proximate cause of the significant and unreasonable interference with the health, safety, peace and comfort of the general public and of Plaintiff's special injuries and damages as alleged.

78. In doing the aforementioned acts, the Augustinians acted negligently and/or intentionally, maliciously and with conscious disregard for Plaintiff's rights.

79. As a result of the above-described conduct, Plaintiff has suffered injuries and damages more particularly described above and such other damages to which experts in this case may testify.

WHEREFORE, Plaintiff Robert Krankvich respectfully requests injunctive relief against the Augustinians in the form of a Court Order requiring the Augustinians to publicly release the identities, histories and documents regarding each accused child molesting cleric and each such cleric's pattern of grooming and sexual behavior.

COUNT II: NEGLIGENCE
AGAINST ALL DEFENDANTS

Plaintiff incorporates paragraphs 1 through 69 of this Complaint as if fully set forth under this count and further alleges that:

80. Defendants accepted minor parishioners, held Providence Catholic High School out as a safe place for children, and held Fr. McGrath out as a fit priest.

81. Defendants agreed to and did undertake to provide for the supervision, care and physical safety of children at and upon the premises of Providence, including Plaintiff.

82. Defendants, by and through their agents, servants and employees, knew or should reasonably have known of Fr. McGrath's dangerous and exploitative propensities as a child molester.

83. At all relevant times, Defendants owed a duty of reasonable care to Plaintiff to protect Plaintiff from harm, including inappropriate sexual contact and abuse by Fr. McGrath.

84. Defendants' breach of their duties include, but are not limited to: failure to have sufficient policies and procedures to prevent child sex abuse, failure to properly implement the policies and procedures to prevent child sex abuse, failure to take reasonable measures to make sure that the policies and procedures to prevent child sex abuse were working, failure to adequately inform families and children of the risks of child sex abuse, failure to investigate risks of child molestation, failure to properly train the workers at institutions and programs within Defendants' geographical confines, failure to have any outside agency test their safety procedures, failure to protect children in their programs from sexual abuse, failure to adhere to the applicable standard of care for child safety, failure to investigate the amount and type of information necessary to represent the institutions, programs, leaders and people as safe, failure to train their employees properly to identify signs of child molestation by fellow employees,

failure by relying upon mental health professionals, and failure by relying on people who claimed that they could treat child molesters.

85. Defendants failed to use ordinary care in determining whether their facilities were safe and/or whether they had sufficient information to represent their facilities as safe. Defendants' failures include, but are not limited to: failure to have sufficient policies and procedures to prevent abuse at their facilities, failure to investigate risks at their facilities, failure to properly train the workers at their facilities, failure to have any outside agency test their safety procedures, failure to investigate the amount and type of information necessary to represent their facilities as safe, failure to train their employees properly to identify signs of child molestation by fellow employees, failure by relying upon mental health professionals, and/or failure by relying upon people who claimed they could treat child molesters.

86. Defendants also breached their duties to Plaintiff by failing to warn him and his family of the risk that Fr. McGrath posed and the risks of child sexual abuse by clerics. They also failed to warn them about any of the knowledge that Defendants had about child sex abuse.

87. Defendants also breached their duties to Plaintiff by actively maintaining and employing Fr. McGrath in a position of power and authority through which Fr. McGrath had access to children, including Plaintiff, and power and control over children, including Plaintiff.

88. The employment of Fr. McGrath at Defendants' school created a dangerous condition to which Plaintiff was exposed.

89. Fr. McGrath obtained access to Plaintiff and was able to seclude and sexually abuse him as a direct result of his position as a priest and authority figure at Providence.

90. As a direct and proximate result of each Defendant's conduct, Plaintiff has sustained and continues to sustain the injuries and damages alleged herein and such other damages to which experts in this case may testify.

WHEREFORE, Plaintiff Robert Krankvich, requests that judgment be entered in favor of the Plaintiff and against Defendants jointly and severally in an amount in excess of the jurisdictional limits of this Court and such other relief as this Court deems just and equitable.

COUNT III: NEGLIGENCE REGARDING ACTIONS
OUTSIDE THE SCOPE OF EMPLOYMENT
RESTATEMENT OF TORTS (SECOND) §317
AGAINST ALL DEFENDANTS

Plaintiff incorporates paragraphs 1 through 69 of this Complaint as if fully set forth under this count and further alleges that:

91. It was the duty of Defendants, through the acts of their employees and agents, to exercise reasonable care for the protection and benefit of minor children, including Plaintiff.

92. In the alternative, the actions of Fr. McGrath described above were outside the scope of Fr. McGrath's employment with Defendants, but were such acts for which Defendants have legal responsibility.

93. Defendants, as masters, also had a duty to use reasonable care to supervise and control Fr. McGrath, their servant, so as not to create an unreasonable risk of bodily harm to others, including specifically minor children such as Plaintiff.

94. Defendants knew or had reason to know that they had the ability to control Fr. McGrath, and knew or should have known of the necessity and opportunity for exercising such control.

95. Fr. McGrath used premises owned by, operated by, and under the control of Defendants, and the instruments of his employment as a priest granted to him by Defendants, including his status, authority, and influence as a priest, to access and abuse Plaintiff.

96. Fr. McGrath was on the premises of Providence by his appointment as President by Defendants, and Defendants knew that it had the ability to control Fr. McGrath, and that he was or was likely to have access to minors to which he had and was given access by Defendants.

97. Defendants knew or reasonably should have known that allowing sexually abusive priests to be in remote or private locations outside the presence of other adults, and allowing sexually abusive priests unfettered access to children created a risk of harm to those children.

98. Such harm occurred in the form of sexual abuse of Plaintiff by a priest of Defendants that was neither supervised nor controlled for such wrongful conduct.

99. Defendants' breach of their duties include, but are not limited to: failure to have sufficient policies and procedures to prevent child sex abuse, failure to properly implement the policies and procedures to prevent child sex abuse, failure to take reasonable measures to make sure that the policies and procedures to prevent child sex abuse were working, failure to adequately inform families and children of the risks of child sex abuse, failure to investigate risks of child molestation, failure to properly train the workers at institutions and programs within Defendants' geographical confines, failure to have any outside agency test their safety procedures, failure to protect children in their programs from sexual abuse, failure to adhere to the applicable standard of care for child safety, failure to investigate the amount and type of information necessary to represent the institutions, programs, leaders and people as safe, failure to train their employees properly to identify signs of child molestation by fellow employees,

failure by relying upon mental health professionals, and failure by relying on people who claimed that they could treat child molesters.

100. Defendants failed to use ordinary care in determining whether their facilities were safe and/or whether they had sufficient information to represent their facilities as safe. Defendants' failures include, but are not limited to: failure to have sufficient policies and procedures to prevent abuse at their facilities, failure to investigate risks at their facilities, failure to properly train the workers at their facilities, failure to have any outside agency test their safety procedures, failure to investigate the amount and type of information necessary to represent their facilities as safe, failure to train their employees properly to identify signs of child molestation by fellow employees, failure by relying upon mental health professionals, and/or failure by relying upon people who claimed they could treat child molesters.

101. As a direct and proximate result of one or more of the foregoing wrongful acts and omissions, Plaintiff suffered injuries and damages more particularly described above; and other damages to which experts in this case may testify.

WHEREFORE, Plaintiff Robert Krankvich demands judgment against Defendants jointly and severally in an amount in excess of the jurisdictional limits of this Court, and any other such relief as the Court deems just and equitable.

**COUNT IV: FRAUDULENT MISREPRESENTATION OR
NON-DISCLOSURE OF FACTS
RESTATEMENT OF TORTS (SECOND) §557A and §310
AGAINST ALL DEFENDANTS**

Plaintiff incorporates paragraphs 1 through 69 of this Complaint as if fully set forth under this count and further alleges that:

102. It was Defendants' duty to refrain from making fraudulent misrepresentations to Plaintiff and his family before 1994; and between 1994 and 2018.

103. Because of the special relationship that Defendants had with Plaintiff, as more particularly described above, Defendants had a duty to Plaintiff and his parents to disclose all it knew or reasonably should have known about sexual abuse by its priests.

104. Defendants breached the duty of care owed to Plaintiff, a minor, and his parents, and was guilty of one or more of the foregoing acts or omissions and/or was guilty of fraudulent misrepresentations and nondisclosure that will come out during the course of discover in this case.

105. Plaintiff and his parents, during the time he was a minor, detrimentally relied upon the fraudulent misrepresentation and non-disclosure of Defendants as more particularly described in paragraphs 56 to 59 above.

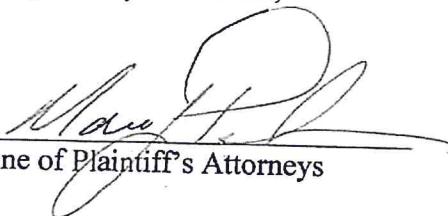
106. As a direct and proximate result of the foregoing wrongful acts and omissions, Plaintiff suffered injuries and damages more particularly described above, and such other damages to which experts in this case may testify.

WHEREFORE, Plaintiff Robert Krankvich demands judgment against Defendants jointly and severally in an amount in excess of the jurisdictional limits of this Court, and any other such relief as the Court deems just and equitable.

JURY DEMAND

Plaintiff hereby demands a jury trial.

Respectfully Submitted,


One of Plaintiff's Attorneys

Marc J. Pearlman
FROST PEARLMAN LLC
2201 Waukegan Road, Ste. 160
Bannockburn, IL 60015
(312) 261-4550
Firm ID No. 43936

Jeffrey R. Anderson
JEFF ANDERSON & ASSOCIATES, P.A.
366 Jackson St., Suite 100
St. Paul, MN 55101
(651) 227-9990
Firm ID No. 58733

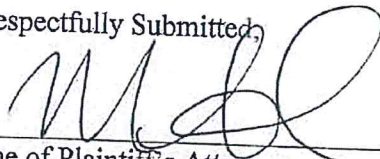
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Robert Krankvich)	Trial by Jury Demanded
)	
Plaintiff,)	
)	
The Augustinians, a/k/a/ Order of St.)	No.:
Augustine d/b/a Province of Our)	
Mother of Good Counsel of the Augustinian)	
Order a/k/a Augustinians of the Midwest)	
Province, and Providence Catholic High)	
School a/k/a Providence High School, Inc.)	
a/k/a Providence Catholic Schools, Inc.,)	
)	
Defendants.)	

AFFIDAVIT PURSUANT TO SUPREME COURT RULE 222(b)

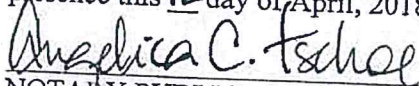
Pursuant to Supreme Court Rule 222 (b), counsel for the above named plaintiff certifies that plaintiff seeks money damages in excess of Fifty Thousand and 00/100ths Dollars (\$50,000.00).

Respectfully Submitted,



One of Plaintiff's Attorneys

Sworn to and subscribed in my presence this 12 day of April, 2018.



NOTARY PUBLIC



Marc J. Pearlman
FROST PEARLMAN LLC
2201 Waukegan Road, Ste. 160
Bannockburn, IL 60015
(312) 261-4550
Firm ID No. 43936

Jeffrey R. Anderson
JEFF ANDERSON & ASSOCIATES, P.A.
366 Jackson St., Suite 100
St. Paul, MN 55101
(651) 227-9990
Firm ID No. 58733