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1ST CIRCUIT COURT
STATE OF HAWAII
FILED

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Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JOHN ROE NO. 46,

Plaintiff,

vs.

CATHOLIC FOREIGN MISSION
SOCIETY OF AMERICA, INC., a/k/
a/ MARYKNOLL FATHERS AND
BROTHERS; ROMAN CATHOLIC CHURCH
IN THE
STATE OF HAWAII; a Hawaii not
for profit corporation; JANE
DOES 1-10; DOE CORPORATIONS
1-10; DOE PARTNERSHIPS 1-10;
DOE NON-PROFIT ENTITIES 1-10;
and DOE GOVERNMENTAL ENTITIES
1-10

Defendants.

CIVIL NO. 16-1-0674-04 ECN
(Non-Motor Vehicle Tort)

COMPLAINT; SUMMONS; DEMAND FOR
JURY TRIAL

COMPLAINT

Plaintiff John Roe No. 46, a fictitious name used to
protect Plaintiff's privacy interests, alleges the following

against Defendants CATHOLIC FOREIGN MISSION SOCIETY OF AMERICA, INC., a/k/a/ MARYKNOLL FATHERS AND BROTHERS, and ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII:

PARTIES

- a. Plaintiff John Roe No. 46 (hereinafter referred to as "Plaintiff") is an adult male who resides in the State of Hawaii. Plaintiff was a minor and a resident of the County of Honolulu, State of Hawaii at the time of the sexual abuse alleged herein.
- b. At all times material to the Complaint, Defendant CATHOLIC FOREIGN MISSION SOCIETY OF AMERICA, INC., a/k/a/ MARYKNOLL FATHERS AND BROTHERS (hereinafter "Maryknoll" or "Maryknoll Fathers") was and continues to be a Roman Catholic religious mission of priests and brothers affiliated with the Roman Catholic Church, with its principal place of business at Maryknoll Society Center & Administrative Offices, Maryknoll, New York 10545-3605. The Maryknoll Fathers were the religious mission of priests to which Father J. Michael Henry (hereinafter "Henry") was a member. As a member of the Maryknoll Fathers, at all times relevant Henry was an agent of the Maryknoll Fathers, representing them to the community and parishioners such as Plaintiff, and subject to the control and discipline of the Maryknoll

Fathers. Such control included but was not limited to choosing where he was to live and work, what functions he could perform as a priest, in what manner he could hold himself out as a representative of the church, and deciding whether and how long he could work or function as a priest. As a member of the Maryknoll Fathers, Henry was also dependent on the Maryknoll Fathers for his financial and spiritual well-being. At all times material, Henry was an agent of and under the direct control and supervision of the Maryknoll Fathers.

- c. At all times material to the Complaint, Defendant The Roman Catholic Church in The State of Hawaii (hereinafter referred to as "Diocese") was and continues to be a diocese of the Roman Catholic Church, a not for profit religious corporation, authorized to conduct business and conducting business in the State of Hawaii with its principal place of business at 1184 Bishop Street, City and County of Honolulu, State of Hawaii. At all times material, Henry was an agent of and under the direct control and supervision of the Diocese.
- d. Plaintiff has attempted to ascertain the names and identities of possible defendants who are presently unknown to Plaintiff. Plaintiff's efforts include reviewing

records and interviewing witnesses including other potential victims.

- e. Plaintiff alleges, upon information and belief, that the conduct of other defendants, presently unknown to Plaintiff, was or may have been a proximate or legal cause of the harm that he has suffered as alleged herein.
- f. Plaintiff has satisfied the requirements of Hawaii Revised Statutes, Section 657-1.8.

FACTS

- 1. At all times material, Fr. J. Michael Henry was a Catholic priest, educated, trained, ordained, and employed by the Diocese and Maryknoll and under their direct supervision, employ, agency, and control.
- 2. Plaintiff alleges, upon information and belief, Henry worked as a priest at St. Anthony of Padua parish and/or school ("St. Anthony") in the Diocese of Honolulu in for many decades beginning as early as 1950.
- 3. Generally, Henry's employment duties with the Defendants included teaching and working with children. Henry was a priest at St. Anthony and provided guidance for the spiritual and emotional needs of children, including Plaintiff, entrusted to his care.

4. Plaintiff was raised in a devout Roman Catholic family. As a result of his upbringing, Plaintiff developed great admiration, trust, reverence, and respect for the Roman Catholic Church and its agents, and came to know Henry as a person of great influence and persuasion, authority figure, priest, spiritual advisor, and/or counselor.
5. During approximately 1962 through 1965, when Plaintiff was approximately 7 to 10 years old he and his family were parishioners at St. Anthony. Henry, using his position of authority, trust, reverence, and control as a Roman Catholic priest, engaged in unpermitted, harmful and offensive sexual contact upon the person of Plaintiff. The sexual contact and/or acts constituted or would have constituted a criminal offense under part V of chapter 707 (Haw. Rev. Stat. Sections 707-730 (2013)).
6. Prior to Henry's sexual abuse of Plaintiff, the Defendants knew or should have known about the Henry's inappropriate interactions with children and sexual abuse of children.
7. Prior to the Henry's sexual abuse of Plaintiff, the Defendants knew or should have known that Henry was a child molester and/or knew or should have known that Henry was a danger to children.

8. Before Plaintiff was sexually abused by Henry, the Defendants knew or should have known material facts regarding Henry's sexual misconduct, impulses, and behavior, but failed to act on that knowledge thereby increasing the likelihood that Plaintiff would be harmed. The Defendants' failure to act on that knowledge also contributed to Plaintiff's injuries and inability to appreciate the abuse and resulting injuries sustained; or obtain help for the abuse and injuries suffered.
9. Henry's practice of sexually accessing and abusing children was known or should have been known to the Defendants.
10. The Defendants grossly negligently or recklessly believed that Henry was fit to work with children and/or that any previous problems he had were fixed and cured; that Henry would not sexually molest children and that Henry would not injure children; and/or that Henry would not hurt children.
11. The sexual abuse and exploitation of Plaintiff reflected a greater pattern of conduct by the Defendants that occurred for multiple years. At all times relevant, Plaintiff was entrusted to the Defendants' care, custody, and control while Henry was under the direct supervision, employ and control of the Defendants.

12. The Defendants engaged in a pattern and practice of fraudulent conduct in order to conceal the criminal and harmful acts of their agents and employees. The Defendants, by and through their agents, misrepresented and/or failed to present the facts of known sexual misconduct to victims, their families, students, the public and/or law enforcement authorities in furtherance of a scheme to protect predatory priests and other clergy from criminal prosecution, to maintain or increase charitable contributions and/or avoid public scandal thereby creating and perpetuating a conspiracy of silence and/or misrepresentation.
13. By holding Henry out as a qualified priest, teacher, counselor, and/or administrator employed by the Defendants, and by undertaking the instruction and spiritual and emotional guidance of the minor Plaintiff, the Defendants entered into a special relationship with Plaintiff. As a result of Plaintiff being a minor, and by the Defendants undertaking the care and guidance of the then vulnerable Plaintiff, the Defendants held a position of empowerment over Plaintiff.
14. Further, the Defendants, by holding their organization out as being able to provide a safe environment for children, solicited and/or accepted this position of empowerment.

15. The Defendants and their agents and representatives held themselves out to children and their parents, including Plaintiff, as counselors and instructors on matters that were spiritual, moral, and ethical. Accordingly, Plaintiff placed trust in the Defendants so that they gained superiority and influence over Plaintiff. Defendants, by maintaining and encouraging such a relationship with Plaintiff and preventing the then minor Plaintiff from effectively protecting herself, entered into a fiduciary relationship with Plaintiff.
16. This fiduciary relationship with Plaintiff established a duty of good faith and fair dealing and the duty to act with the highest degree of trust and confidence. This fiduciary relationship included the duty to warn, the duty to disclose, and the duty to protect children from sexual abuse and exploitation by Catholic employees whom Defendants promoted as being safe with children. The Defendants' fiduciary relationship with Plaintiff was based upon a justifiable trust by Plaintiff and superiority and influence by Defendants.
17. At all times material, by accepting custody of the then minor Plaintiff, the Defendants accepted custody *in loco parentis*, as a parent, and owed Plaintiff the duty of full

disclosure of all information they had or should have had regarding history of sexual misconduct.

18. Further, the Defendants and their agents were in a specialized or superior position to receive and did receive specific information regarding misconduct by priests and other agents and employees that was of critical importance to the well-being, protection, care and treatment of innocent minor victims, including Plaintiff. This knowledge was not otherwise readily available. The Defendants exercised their special or superior positions to assume control of said knowledge and any response thereto.
19. Plaintiff, on the other hand, was in a subordinate position of weakness, vulnerability, and inequality and lacked such knowledge. Further, the ability of Plaintiff or his family to monitor the use or misuse of the power and authority of the Defendants was compromised, inhibited or restricted by the Defendants.
20. The 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 to their programs, marketing to youth and families, recruiting youth

and families, and holding out the people that worked in the programs as safe.

21. The Defendants owed Plaintiff a duty of reasonable care because they had superior knowledge about the risk that Henry posed to Plaintiff, the risk of abuse in general in their programs and/or the risks that their facilities posed to minor children.
22. The Defendants 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 and programs as being safe for children; held their agents, including Henry, out as safe to work with children; encouraged parents and children to spend time with their agents; and/or encouraged its agents, including Henry, to spend time with, interact with, and recruit children.
23. The Defendants breached their fiduciary duty to Plaintiff by failing to act upon or insufficiently acting upon or responding to, information obtained by virtue of their superior status, known only or secretly to them, that was

indicative of a pattern of wrongful, unlawful or criminal behavior on their part.

24. The Defendants also breached their duties to Plaintiff by failing to warn Plaintiff and his family of the risk that Henry posed and the risks of child sexual abuse by clerics. They also failed to warn Plaintiff about any of the knowledge that the Defendants had about child sexual abuse in general, and in their programs.
25. The Defendants also breached their duties to Plaintiff by failing to report Henry's abuse of children to the police and law enforcement.
26. The Defendants breached this duty, as well as other duties, through inaction, manipulation, intimidation, evasion, intended deception, undue influence, and duress or otherwise, as more fully described and set forth elsewhere in this complaint, resulting in negative consequences to the welfare and well-being of Plaintiff.
27. The Defendants knew or should have known that some of the leaders and people working at Catholic institutions within the Defendants' organization were a danger to those in their care.
28. The 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 within the Defendants' organization were a danger to those in their care.

29. The Defendants knew or should have known that there was a risk of child sex abuse for children participating in Catholic programs and activities within the Defendants' organization.
30. The Defendants knew or should have known that they had numerous agents who had sexually molested children. They 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 for children participating in their youth programs.
31. The Defendants were grossly negligent and made grossly negligent representations to Plaintiff and his family during each and every year of Plaintiff's minority.
32. By tradition, Roman Catholics and those within their custody and control, including Plaintiff, are taught to hold religious figures in the highest esteem as earthly representatives of God, and that religious figures, unlike lay people, belong to a separate and higher state in life, which the Defendants represent to be of divine origin and which they represent, entitle them to special privileges.

For these and other reasons relating to the practices of the Church, religious figures and other persons in leadership positions in the Church have traditionally occupied positions of great trust, respect and allegiance among parents and youth, including Plaintiff.

33. By placing Henry as a priest, the Defendants, through their agents, affirmatively represented to minor children and their families, including Plaintiff and his family, that Henry did not have a history of molesting children, that the Defendants did not know that Henry had a history of molesting children, and that the Defendants did not know that Henry was a danger to children.
34. By allowing Henry to remain in active ministry, the Defendants, through their agents, made continuing affirmative representations to minor children and their families, including Plaintiff and his family, that Henry did not have a history of molesting children, that the Defendants did not know that Henry had a history of molesting children and that the Defendants did not know that Henry was a danger to children.
35. The Defendants, through their agents, made representations directly to Plaintiff and his family. The Defendants knew or should have known that the representations made to

Plaintiff's parents would influence Plaintiff and the amount and type of contact that Plaintiff had with Henry, Henry's access to Plaintiff, and Henry's ability to molest Plaintiff.

36. The Defendants were in a specialized position where they had knowledge unknown to Plaintiff. The Defendants were in a position to have this knowledge because they were Henry's employers and were responsible for Henry. Plaintiff, as a child, was not in a position to have information about Henry's inappropriate tendencies towards children.

37. Had Plaintiff and/or his family known what the Defendants knew or should have known - that Henry had sexually molested children before Plaintiff and/or that Henry was a danger to children- Plaintiff would not have been sexually molested.

38. Despite having actual or constructive knowledge of Henry's pedophilic propensities and/or previous instances of molestation of other children, the Defendants concealed the danger that Henry and other offending clerics, priests, brothers, and/or consecrated members of religious communities presented by holding them out as in good standing, thus enabling offenders to retain their continued, unrestricted access to minor children.

39. As a result of his early instruction and indoctrination, Plaintiff was taught to rely upon, and did rely upon, the representations and teachings of the Defendants including, but not limited to, representations regarding clerics, priests, brothers, and/or consecrated members of religious communities in general and Henry in particular (including the representation that Henry was a priest in good standing). Plaintiff also expected and believed that the Defendants would not tolerate criminal misconduct that represented a known threat to children by clerics, priests, brothers, and/or consecrated members of religious communities. Accordingly, even after Henry had sexually molested Plaintiff, Plaintiff assumed that he was somehow the guilty party, rather than Henry.
40. Further, as a result of that early instruction and indoctrination, Plaintiff assumed that Henry's sexual molestations were isolated occurrences and that the Defendants were unaware and uninvolved, regarding both the criminal sexual conduct and the wide-ranging efforts to conceal that criminal conduct from Plaintiff and others.
41. In approximately 2002, Defendant Diocese publicly admitted that there were 5 clerics who worked in the Diocese who had been credibly accused of sexually molesting minors. Upon

information and belief the Diocese has not released these names to the public. As a result, children are at risk of being sexually molested. Plaintiff believes the Diocese is aware of more than 5 clerics who have been accused of sexual molestation of minors.

42. The sexual abuse of Plaintiff and the circumstances under which the abuse occurred caused Plaintiff to develop confusion, various coping mechanisms and symptoms of psychological disorders, including post-traumatic stress disorder, anxiety, depression, repression and disassociation. As a result, Plaintiff formed a reasonable and rational fear that he would be disbelieved and was unable to fully perceive or know that 1) the conduct of Henry was pervasive; 2) Defendants knew or had reason to know that Henry was a pedophile prior to Plaintiff's abuse; 3) Defendants were responsible for the abuse; and 4) the injuries Plaintiff suffered were the result of the abuse. Because Plaintiff's emotional and psychological injuries at times manifested themselves in ways seemingly unconnected to the sexual abuse by Henry, Plaintiff was unable to perceive or know the existence or nature of his psychological and emotional injuries and the causal connection to the sexual abuse.

43. As a direct result of the Defendants' conduct, Plaintiff has suffered and continues to suffer from injuries including, but not limited to: great pain of mind and body; severe and permanent emotional distress; physical manifestations of emotional distress; psychological injuries, including post-traumatic stress disorder and depression; feelings of shame, embarrassment, and powerlessness; was prevented and will continue to be prevented from performing normal daily activities and obtaining the full enjoyment of life; will incur expenses for medical and psychological treatment, therapy and counseling; and has incurred and will continue to incur loss of income and/or loss of earning capacity.

COUNT ONE

**NUISANCE AND REQUEST FOR INJUNCTIVE RELIEF
AS TO DEFENDANT ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII**

44. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.
45. Defendant continues to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the general public the sexual assaults committed by, the identity of, and the pedophilic/ephebophilic tendencies of Henry, and Defendant's other agents, some of whom are on its list of credibly accused clerics; 2) attack the

43. As a direct result of the Defendants' conduct, Plaintiff has suffered and continues to suffer from injuries including, but not limited to: great pain of mind and body; severe and permanent emotional distress; physical manifestations of emotional distress; psychological injuries, including post-traumatic stress disorder and depression; feelings of shame, embarrassment, and powerlessness; was prevented and will continue to be prevented from performing normal daily activities and obtaining the full enjoyment of life; will incur expenses for medical and psychological treatment, therapy and counseling; and has incurred and will continue to incur loss of income and/or loss of earning capacity.

COUNT ONE

**NUISANCE AND REQUEST FOR INJUNCTIVE RELIEF
AS TO DEFENDANT ROMAN CATHOLIC CHURCH IN THE STATE OF HAWAII**

44. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.
45. Defendant continues to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the general public the sexual assaults committed by, the identity of, and the pedophilic/ephebophilic tendencies of Henry, and Defendant's other agents, some of whom are on its list of credibly accused clerics; 2) attack the

credibility of the victims of Defendant's agents; and/or 3) protect Defendant's agents from criminal prosecution for their sexual assaults against children.

46. The negligence and/or deception and concealment by Defendant was and is unlawfully annoying, hurtful, inconvenient, and/or damaging to the general public, is wrongful and/or permits injuries and/or annoys the general public in its enjoyment of its legal rights, and/or is an obstruction to the free use of property by the general public, including, but not limited to, residents in the Diocese of Honolulu and all other members of the general public who live in communities where Defendant's credibly accused molesters live. It was and is unlawfully annoying and/or damaging, so as to interfere with the general public's comfortable enjoyment of life in that the general public cannot trust Defendant to warn parents of the presence of the current and/or former credibly accused molesters, nor to identify their current and/or former credibly accused molesters, nor to disclose said credibly accused molesters' assignment histories, nor to disclose their patterns of conduct in grooming and sexually assaulting children, all of which create an impairment of the safety of children in the neighborhoods in Hawaii and

where Defendant conducted, and continues to conduct, its business.

47. The negligence and/or deception and concealment by Defendant was and continues to be injurious to Plaintiff's health as Plaintiff was sexually assaulted by Defendant's agent, Henry.
48. The negligence and/or deception and concealment by Defendant was also injurious to Plaintiff's health in that when Plaintiff finally discovered the negligence and/or deception and concealment of Defendant, Plaintiff experienced mental and emotional distress that Plaintiff had been the victim of the Defendant's negligence and/or deception and concealment; that Plaintiff had not been able to help other minors being molested because of the negligence and/or deception and concealment; and that Plaintiff had not been able to because of the negligence and/or deception and concealment to receive timely medical treatment needed to deal with the problems Plaintiff suffered and continues to suffer as a result of the molestation.
49. Plaintiff also suffered particular and peculiar harm after learning of the Diocese's concealment of clerics credibly accused of sexually molesting minors, which continues as

long as these names remain concealed. As a result of the concealment, Plaintiff has suffered and continues to suffer lessened enjoyment of life, impaired health, emotional distress, and/or physical symptoms of emotional distress. Plaintiff has also experienced depression, anxiety, and/or anger.

50. The continuing public nuisance created by Defendant was, and continues to be, the proximate cause of the injuries and damages to the general public and of Plaintiff's injuries and damages as alleged.

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

52. As a result of the above-described conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT TWO

GROSS NEGLIGENCE
AS TO ALL DEFENDANTS

53. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.

54. Defendants assumed a duty to Plaintiff by:

a. holding Henry out to the public, including Plaintiff, as a competent and trustworthy employee,

representative, priest, administrator and/or counselor of high morals;

b. holding their facilities and school out as a safe environment for children;

c. taking and inviting children into their facilities;

d. entrusting children to the care of Henry during extracurricular activities; and

e. fostering environments in which Plaintiff was inhibited from reporting the sexual abuses by Henry.

55. Defendants had a duty to exercise care in supervising Henry in his assignments and failed to prevent the injuries sustained by Plaintiff as a result of the foreseeable misconduct of its employee, Henry.

56. Defendants breached this duty by exposing Plaintiff to Henry, an unfit agent with dangerous and exploitive propensities.

57. Defendants were grossly negligent in deeming Henry a fit agent for ministry, teaching, and employment and in continuing to employ Henry in a position of trust and authority as a priest, teacher, counselor, and/or administrator without proper or adequate supervision,

thereby providing them the opportunity to commit the wrongful acts against Plaintiff as described herein.

58. The aforesaid occurrences were proximately caused by the willful, wanton, reckless, and grossly negligent conduct of Defendants, their agents, servants and/or employees, in failing to properly and adequately supervise the conduct of Henry as it related to the Plaintiff, other young children, other parishioners and/or other students.
59. As a result of the Defendants' grossly negligent retention and inadequate supervision of Henry, Plaintiff was sexually abused by Henry when Plaintiff was a minor.
60. As a result of Defendants' grossly negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT THREE

**GROSSLY NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
AS TO ALL DEFENDANTS**

61. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.
62. Defendants' conduct was extreme and outrageous.
63. A reasonable person would not expect or tolerate Defendants placing an individual who was known and/or should have been known to Defendants as a child molester, in contact with minors. A reasonable person would not expect or tolerate

Defendants allowing Henry to have unsupervised contact with minors and failing to supervise or prevent Henry from committing wrongful sexual acts with minors, including Plaintiff.

64. Defendants' conduct was grossly negligent and done for the purpose of causing with a substantial certainty or reckless or conscious disregard of the likelihood that Plaintiff would suffer the injuries and damages described herein.
65. As a direct and proximate result of the Defendants' conduct and the severe emotional distress, Plaintiff has suffered emotional, psychological and physical injury.

COUNT FOUR

GROSSLY NEGLIGENT MISREPRESENTATION AS TO ALL DEFENDANTS

66. Plaintiff incorporates all paragraphs of the Complaint as if fully set forth under this count.
67. Defendants, through their agents, represented to Plaintiff and his family that Henry did not have a history of molesting children and did not pose a danger to children.
68. Henry did have a history of molesting children and was dangerous to children.
69. Defendants' representations to Plaintiff, Plaintiff's family and others regarding Henry were false and Defendants were grossly negligent in its care and/or competence in

providing said representations.

70. As a direct and proximate result of Defendants' above-described conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT FIVE

PUNITIVE DAMAGES
AS TO ALL DEFENDANTS

71. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.

72. The conduct of Defendants constituted gross negligence, intentional, willful and wanton, or malicious misconduct or was conducted with such a want of care as to constitute a conscious indifference to the rights of others including Plaintiff warranting the imposition of punitive damages.

WHEREFORE, Plaintiff prays that this Court issue an order enjoining the Roman Catholic Church in the State of Hawaii from further concealing the names of all clerics credibly accused of child molestation and requiring that the Roman Catholic Church in the State of Hawaii publicly release the names of all credibly accused child molesting clerics, each such cleric's history of abuse, each such cleric's pattern of grooming and sexual behavior, and his last known address. This includes the release of names of all clerics accused of child molestation in the Roman Catholic Church in the State of Hawaii, those not on

Defendant's 2002 list of credibly accused clerics, and clerics that have been accused of child molestation since 2002. This also includes the release of the Roman Catholic Church in the State of Hawaii's documentation of and/or regarding the credibly accused clerics.

WHEREFORE, Plaintiff prays that judgment be entered in his favor, and against each and all Defendants, for general, special, and punitive damages, together with costs of suit, attorney's fees, pre- and post-judgment interest, and other relief pursuant to Rule 54 of the Hawaii Rules of Civil Procedure.

DATED: April 12, 2016. Honolulu, Hawaii.



Mark Gallagher, Esq.
Attorney for Plaintiff