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(Pro Hac Vice Pending)

9 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
10 **IN AND FOR THE COUNTY OF MARICOPA**

11 JOHN TJ DOE, a married man,
12
13 Plaintiff,

14 v.

15 THE ROMAN CATHOLIC CHURCH OF
16 THE DIOCESE OF PHOENIX, a corporation
17 sole; THE ROMAN CATHOLIC DIOCESE
18 OF LAFAYETTE-IN-INDIANA, INC., an
19 Indiana corporation; REVEREND JAMES
20 GREAR, a single man; JOHN DOE 1-100;
21 JANE DOE 1-100; and BLACK & WHITE
22 Corporations 1-100,
23 Defendants.

Case No.:

COMPLAINT

(Tort – Negligence – Non-Motor
Vehicle)

24 Plaintiff, for his complaint, states and alleges the following:

JURISDICTION

- 25 1. Plaintiff, John TJ Doe, is a resident of Apache County, Arizona. The acts,
26 events, and or omissions occurred in Apache County, Maricopa County, and
27 Pima County, Arizona. This cause of action arises out of acts, events or
28 omissions that occurred in Apache County, Maricopa County, and Pima
County, Arizona.
2. Defendant the Roman Catholic Church of the Diocese of Phoenix (Diocese of

1 Phoenix) is a sole corporation. The presiding Bishops of the Diocese of
2 Phoenix during the relevant times at issue in this Complaint are Bishop Edward
3 A. McCarthy (1969-1976), Bishop James S. Rausch (1977-1981), Bishop
4 Thomas J. O'Brien (1982-2003), and Bishop Thomas J. Olmsted (2003 –
5 present).

6 3. The Diocese of Phoenix is incorporated in the State of Arizona and has its
7 principal place of business in Phoenix, Maricopa County, Arizona. The
8 Diocese of Phoenix was canonically erected on December 2, 1969 by Pope
9 Paul VI. The territory of the Diocese of Phoenix encompasses approximately
10 43,000 square miles including Maricopa, Mohave, Yavapai, and Coconino
11 Counties. The Diocese of Phoenix owns, operates, and or controls ninety-three
12 (93) parishes, twenty-nine (29) Catholic Elementary Schools, and Six (6)
13 Catholic High Schools.

14 4. The Diocese of Phoenix has several programs that seek out the participation of
15 children including, but not limited to, schools and other educational programs.
16 The Diocese, through its officials, has complete control over those activities
17 and programs involving children. The Diocese has the power to appoint, train,
18 supervise, monitor, remove, and terminate each and every person working with
19 children within the Diocese.

20 5. Defendant Diocese of Phoenix, acting through its Bishops, priests, brothers,
21 clerics, provincials, employees, and agents of any kind caused acts, events, or
22 omissions to occur in Apache County, Maricopa County, and Pima County,
23 Arizona out of which these claims arise.

24 6. Defendant the Roman Catholic Diocese of Lafayette-In-Indiana (Diocese of
25 Lafayette) is an Indiana not-for-profit religious corporation. The presiding
26 Bishops of the Diocese of Lafayette during the relevant times at issue in this
27 Complaint are Bishop John G. Bennett (1944-1957), Bishop John J. Carbery
28 (1957-1965), Bishop Raymond J. Gallagher (1965-1982), and Bishop George

1 A. Fulcher (1983 – 1984); Bishop William L. Higi (1984 – 2010); and Bishop
2 Timothy Doherty (2010 – present).

3 7. The Diocese of Lafayette is incorporated in the State of Indiana and has its
4 principal place of business at 610 Lingle Avenue in Lafayette, Indiana. The
5 Diocese of Lafayette was canonically erected on October 21, 1944 by Pope
6 Pius XII. The territory of the Diocese of Lafayette encompasses
7 approximately 9,832 square miles and comprised of twenty-four counties in
8 north central Indiana. The Diocese of Lafayette owns, operates, and or
9 controls sixty-three (63) parishes, Catholic Elementary Schools, and Catholic
10 High Schools.

11 8. The Diocese of Lafayette has several programs that seek out the participation
12 of children including, but not limited to, schools and other educational
13 programs. The Diocese, through its officials, has complete control over those
14 activities and programs involving children. The Diocese has the power to
15 appoint, train, supervise, monitor, remove, and terminate each and every
16 person working with children within the Diocese.

17 9. Defendant Diocese of Lafayette, acting through its Bishops, priests, brothers,
18 clerics, provincials, employees, and agents of any kind caused acts, events, or
19 omissions to occur in Apache County, Maricopa County, and Pima County,
20 Arizona out of which these claims arise.

21 10. Defendant Father James Gear is or was a Roman Catholic priest who caused
22 acts, events, or omissions to occur in Arizona out of which these claims arise.
23 At all times alleged, Defendant Father James Gear was employed by and was
24 the actual or apparent agent of Defendants Diocese of Phoenix and or Diocese
25 of Lafayette and acting within the course and scope of his employment and or
26 actual or apparent authority with Defendants Diocese of Phoenix and or
27 Diocese of Lafayette.

28 11. At all times material, Father James Gear, was an adult male resident of

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Arizona.

- 12. Father James Gear was ordained a Catholic priest in the Diocese of Lafayette in approximately 1970. In approximately 1976 the Bishop of the Diocese of Lafayette sent Father James Gear to Arizona to work under his authority and the authority of the Bishop of the Diocese of Phoenix.
- 13. Defendant Father James Gear was and or is under the supervision, employ, or control of Defendants Diocese of Phoenix and or Diocese of Lafayette when he committed the wrongful acts, events, and or omissions alleged herein.
- 14. At all times alleged, Defendant Diocese of Phoenix, Defendant Diocese of Lafayette and Defendant Father James Gear, their Bishops, Archbishops, priests, brothers, clerics, provincials, employees, and or agents were acting within the course and scope of employment or alternatively, acting within their actual or apparent authority. At all times alleged Father James Gear was acting as an agent or employee of Defendants Dioceses of Phoenix, Diocese of Lafayette, and acting within the course and scope of his employment and or actual or apparent authority with those Defendants. The wrongful acts, events, or omissions committed by Defendants and by those priests, brothers, clerics, Bishops, Archbishops, employees and agents who acted individually and in conspiracy with the other to hide and cover up Father James Gear's history, pattern, and propensity to sexually abuse Catholic children were done within the course and scope of their authority with their employing entities, or incidental to that authority and were acquiesced in, affirmed, and ratified by those entities.
- 15. Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein, there existed a unity of interest and ownership among Defendants and each of them, such that any individuality and separateness between Defendants, and each of them, ceased to exist. Defendants, and each of them, were the successors-in-interest and or alter egos of the other

1 Defendants, and each of them, in that they purchased, controlled, dominated
2 and operated each other without any separate identity, observation of
3 formalities, or other manner of division. At all times alleged, Defendants acted
4 in concert with their co-defendants and others to commit the wrongful acts. To
5 continue maintaining the façade of a separate and individual existence between
6 and among Defendants, and each of them, would serve to perpetuate a fraud
7 and an injustice.

8 16. Defendants JOHN DOE 1-100, JANE DOE 1-100, and BLACK AND WHITE
9 CORPORATIONS 1-100, are fictitious names designating an individual or
10 individuals or legal entities not yet identified who have acted in concert with
11 the named Defendants either as principals, agents, co-participants, or co-
12 conspirators whose true names Plaintiff may insert when identified.

13 17. Plaintiff is informed and believes, and on that basis alleges, that at all times
14 alleged herein, Defendants and each of them and JOHN DOES 1-100, JANE
15 DOES 1-100, and BLACK and WHITE CORPORATIONS 1-100, inclusive,
16 were the agents, representatives and or employees of each and every other
17 Defendant. In doing the things hereinafter alleged, Defendants, and each of
18 them, JOHN DOES 1-100, JANE DOES 1-100, and BLACK and WHITE
19 CORPORATIONS 1-100, inclusive, were acting within the course and scope
20 of said alternative personality, capacity, indemnity, agency, representation and
21 or employment and were within their actual or apparent authority.

22 18. Plaintiff incorporates all other paragraphs as if fully set forth herein.

23 19. At all times material, Father James Grear is and or was a Roman Catholic cleric
24 employed by Defendants Diocese of Phoenix and or Diocese of Lafayette.
25 Father James Grear remained under the direct supervision, employ, and control
26 of Defendants acting within the course and scope of his employment and or
27 actual or apparent authority with Defendants Diocese of Phoenix and or
28 Defendant Diocese of Lafayette.

- 1 20. Defendants placed Father James Gear in positions of trust where he had access
2 to and worked with children as an integral part of his work.
- 3 21. During the 1975-1976 school year, Father James Gear worked at St. John's
4 Indian School in Laveen, Arizona in the Diocese of Phoenix. In the fall of 1976,
5 Father James Gear was assigned by Defendants to work as a staff member of
6 the Diocese of Phoenix Religious Education Department, which worked with
7 public school students and adults. From approximately 1977 to 1979, through
8 his employment with the Diocese of Phoenix Religious Education Department,
9 Father James Gear was assigned to work at Chinle High School in Chinle,
10 Arizona.
- 11 22. Plaintiff was a student at Chinle High School in Chinle, Arizona, where Father
12 James Gear was assigned to work. Plaintiff and his family came in contact
13 with Father James Gear as an agent and representative of Defendants, and at
14 Chinle High School.
- 15 23. Plaintiff participated in youth activities, educational activities, and or church
16 activities with Father James Gear at Chinle High School. Plaintiff, therefore,
17 developed great admiration, trust, reverence, and respect for the Father James
18 Gear as a Roman Catholic priest, including Defendants and their agents.
19 During and through these activities, Plaintiff, as a minor and vulnerable child,
20 was dependent on Defendants and Father James Gear, Defendants had custody
21 of Plaintiff and accepted the entrustment of Plaintiff and, therefore, had
22 responsibility for Plaintiff and authority over Plaintiff.
- 23 24. From approximately 1977 to 1982, beginning when Plaintiff was
24 approximately 14 years old, Father James Gear engaged in unpermitted sexual
25 contact with Plaintiff on numerous occasions, including, but not limited to
26 sexual contact as defined by Arizona Revised Statutes § 13-1401 and or § 13-
27 1405.
- 28 25. Plaintiff's relationship to Defendants and Father James Gear, as a vulnerable

1 child, student and participant in school activities and religious ceremonies, was
2 one in which Plaintiff was subject to the ongoing influence of Defendants and
3 Father James Grear .

4 26. The culture of the Catholic Church over Plaintiff created pressure on Plaintiff
5 not to report the abuse Plaintiff suffered.

6 27. The Bishop of Phoenix has a responsibility to ensure that priests of the Diocese
7 of Phoenix are living a chaste life. The Bishop of Phoenix also has a
8 responsibility to make sure that the priests working within the Diocese of
9 Phoenix are fulfilling the promise of celibacy.

10 28. The Bishop of Phoenix has ultimate authority over the Diocese of Phoenix. The
11 Bishop of Phoenix has three primary roles, teaching, sanctifying and governing.
12 As teacher, the Bishop of Phoenix is the primary teacher in the Diocese and
13 overlooks all of the teaching function of the Diocese of Phoenix. In his role as
14 governor of the Diocese of Phoenix, the Bishop of Phoenix manages the
15 business of the Diocese including making assignments of clergy, and
16 assignments to other offices within the diocesan structure.

17 29. The Bishop of Phoenix has sole authority to decide how the Diocese of Phoenix
18 is governed.

19 30. The parishes of the Diocese of Phoenix are under the leadership, supervision
20 and authority of the Bishop of Phoenix. Although each parish is separately
21 incorporated, each parish has three voting members. The voting members of
22 each parish are the pastor of the parish, the vicar general, who acts on behalf of
23 the bishop, and the Bishop of Phoenix.

24 31. The Bishop of Phoenix has a special relationship with the students who are
25 taught by Roman Catholic priests.

26 32. Catholic priests who were assigned to teach children are part of the teaching
27 function of the Diocese of Phoenix.

28 33. When the Diocese of Phoenix was erected on December 2, 1969, the 182

1 diocesan and religious order priests that were part of the Diocese of Phoenix
2 ministered and worked under the supervision of the Bishop of Phoenix.

3 34. Religious order priests, such as priests from the Society of Jesus (Jesuits),
4 Franciscan Friars, or Society of the Divine Savior (Salvatorians) are assigned
5 or appointed to a parish, school or other facility by the Bishop of Phoenix.

6 35. Before a priest from another diocese or a priest from a religious order is allowed
7 to work in the diocese and be appointed within the diocese the Bishop of
8 Phoenix has a responsibility to ensure that the priest is fit to perform his priestly
9 duties.

10 36. Under the direction, supervision, control, authority and appointment made by
11 the Bishop of Phoenix, Father James Gear worked in the Diocese of Phoenix,
12 including but not limited to his position as Associate Director for the Division
13 of Religious Education and in schools in the Diocese of Phoenix and Arizona.

14 37. By assigning Father James Gear to leadership positions, educational positions,
15 and other assignments, the Bishop of Phoenix and or the Bishop of Lafayette
16 represented to Catholics, non-Catholics and the public, including Plaintiff and
17 his family that Father James Gear had the requisite moral, spiritual, emotional
18 and intellectual qualities to serve as a teacher, religious educator, principal,
19 campus minister, spiritual guide and or administrator in the Diocese of Phoenix
20 and/or as a representative and agent of the Diocese of Phoenix. The Diocese of
21 Phoenix and or the Diocese of Lafayette, through its bishops, priests, brothers,
22 clerics, agents, and or employees of any kind were negligent in allowing Father
23 James Gear into the diocese and were negligent in allowing Father James
24 Gear to serve in the diocese because the Diocese of Phoenix and or the Diocese
25 of Lafayette knew, should have known, and or was deliberately ignorant that
26 Father James Gear posed an unreasonable risk of harm to Catholic children,
27 including Plaintiff. By assigning him to work in the Diocese of Phoenix and
28 other assignments, the Diocese of Phoenix and or the Diocese of Lafayette

- 1 intentionally, recklessly, or negligently misrepresented.
- 2 38. Upon information and belief, Defendants knew, should have known, and or
3 were deliberately ignorant that Father James Gear engaged in sexual
4 misconduct and was not fit to work as a priest before he was assigned by the
5 Bishop of Phoenix to work in the Diocese of Phoenix.
- 6 39. The Bishop of Phoenix and or the Bishop of Lafayette assigned Father James
7 Gear to teaching positions and or parishes and or missions in Arizona
8 including but not limited to Associate Director of Religious Education,
9 principal and or vice principal positions where Father James Gear had contact
10 with children, including Plaintiff, through his work.
- 11 40. Defendant Diocese of Phoenix and or Defendant Diocese of Lafayette, through
12 its bishops, archbishops, priests, brothers, provincials, employees, and or
13 agents of any kind, knew or should have known that Father James Gear would
14 have contact with children while assigned to teaching positions including
15 religious education positions in Catholic Churches, parishes, schools, and
16 missions in the Diocese of Phoenix.
- 17 41. Defendants Diocese of Phoenix and or the Diocese of Lafayette through its
18 Bishops, priests, deacons, agents, and or employees engaged in a pattern and
19 practice of transferring pedophile priests throughout the Diocese of Phoenix,
20 State of Arizona, State of Indiana, and or United States in an attempt to cover
21 up clergy sexual misconduct. Defendants Diocese of Phoenix and or Diocese
22 of Lafayette allowed other pedophile priests from other Diocese and or
23 religious orders to work in the Diocese of Phoenix.
- 24 42. On May 30, 1970, a Roman Catholic Bishop ordained Father James Gear a
25 Roman Catholic priest.
- 26 43. The Diocese of Phoenix and the Diocese of Lafayette, through their Bishops,
27 priests, deacons, agents, and or employees worked together to transfer Father
28 James Gear to the Diocese of Phoenix, including Native American

1 communities where Father James Grear's history of sexual misconduct was not
2 known and not likely to be discovered by members of the community.

3 44. Defendants, in keeping with the official and unofficial policies of the Roman
4 Catholic Church, attempted to conceal and cover-up Father James Grear's
5 sexual abuse of children.

6 45. The Roman Catholic Church, including Defendants, maintain a culture of
7 secrecy and concealment in all matters involving the sexual misdeeds of priests
8 and clerics. The culture of secrecy and concealment of clergy sexual abuse has
9 been the official and unofficial policy of the Roman Catholic Church, and each
10 Defendant, for decades.

11 46. In 2000 a Maricopa County Grand Jury investigated the Diocese of Phoenix
12 and its bishop, Bishop Thomas J. O'Brien. The Maricopa Grand Jury
13 investigated whether Bishop Thomas J. O'Brien or the Diocese failed to report
14 to law enforcement authorities criminal sexual misconduct by priests and other
15 Diocesan personnel and whether Bishop Thomas J. O'Brien or the Diocese
16 placed or transferred priests or other Diocesan personnel in or to a position to
17 commit additional criminal conduct after becoming aware of prior criminal
18 conduct. The Grand Jury's investigation developed evidence that Bishop
19 Thomas J. O'Brien failed to protect victims of criminal sexual misconduct by
20 others associated with the Roman Catholic Diocese of Phoenix.

21 47. On May 3, 2003, Bishop Thomas J. O'Brien signed an agreement with the
22 Maricopa County Attorney's Office. In the agreement Bishop O'Brien
23 acknowledged that he "allowed Roman Catholic priests under [his] supervision
24 to work with minors after becoming aware of allegations of sexual misconduct.
25 [He] further acknowledged that priests who had allegations of sexual
26 misconduct made against them were transferred to ministries without full
27 disclosure to their supervisor or to the community in which they were
28 assigned."

1 48. In October 2001, the Diocese of Lafayette removed Father James Grear from
2 ministry. On September 28, 2018, seven years after he was removed from
3 ministry, the Diocese of Lafayette revealed that Father James Grear was
4 accused of child sexual abuse.

5 **Defendants Diocese of Phoenix, Diocese of Lafayette**
6 **covered up and fraudulently concealed**
7 **Father James Grear 's history and propensity of sexual abuse**
8 **before and after coming to Arizona.**

9 49. Plaintiff incorporates all other paragraphs as if fully set forth herein.

10 50. Defendant Diocese of Phoenix, Defendant Diocese of Lafayette and Defendant
11 Father James Grear, individually and in concert with each other, acting through
12 its priests, Bishops, Archbishops, provincials, employees, or agents of any kind
13 knew, should have known, and or were deliberately ignorant that Father James
14 Grear sexually abused children. Defendants the Diocese of Phoenix, Diocese
15 of Lafayette, and Father James Grear also knew, should have known, and or
16 were deliberately ignorant Father James Grear's propensity to sexually abuse
17 children.

18 51. Defendant Diocese of Phoenix, Defendant Diocese of Lafayette and Defendant
19 Father James Grear, priests, Bishops, Archbishops, provincials, employees, or
20 agents of any kind did not disclose, warn, or report the sexual abuse or Father
21 James Grear's propensity to sexually abuse children. Instead, acting
22 individually and in concert with each other and other priests, bishops, dioceses,
23 and archdioceses, and co-conspirators, Defendants kept the news of Father
24 Father James Grear's sexual abuse and propensity to engage in sexual abuse
25 from church members and students, including Plaintiff and his family.

26 52. Defendant Diocese of Phoenix, Defendant Diocese of Lafayette and Defendant
27 Father James Grear, their priests, Bishops, Archbishops, and agents of any kind
28 followed the orders, commandments, directives, policies, or procedures of the
Roman Catholic Church mandated by the priests, Bishops, Archbishops,

1 Cardinals, Vatican, the Holy See, the Holy Office, and the Holy Father
2 requiring that all matters and details regarding clergy sexual abuse be kept
3 absolutely secret. The secrets of priest sexual abuse were commonly regarded
4 as a secret of the Holy Office. In keeping with the policies, procedures and
5 directives of the Roman Catholic Church, Defendants, and each of them, kept
6 information about Father James Grear's sexual abuse of children or his
7 propensity to sexual abuse children secret.

8 53. Defendant Diocese of Phoenix, Defendant Diocese of Lafayette and Defendant
9 Father James Grear, their priests, Bishops, Archbishops, and agents of any kind
10 also followed the orders, commandments, directives, policies, or procedures of
11 the Roman Catholic Church mandated by the Vatican, the Holy See, the Holy
12 Office, Bishops, Archbishops, Cardinals and the Holy Father allowing a priest
13 accused of sexual abuse to be transferred to a new assignment without ever
14 disclosing the priest's history of sexual abuse.

15 54. Defendant Diocese of Phoenix, Defendant Diocese of Lafayette and Defendant
16 Father James Grear acted individually and in concert with one another and
17 others including but not limited to other priests, bishops, archbishops, diocese,
18 and archdiocese to engage in a pattern and practice of protecting priests and
19 clerics who sexually abused parishioners and children by ratifying, concealing,
20 failing to report, or failing to investigate clergy sexual abuse, molestation, and
21 or sexual misconduct.

22 55. The Defendant Diocese of Phoenix and or Defendant Diocese of Lafayette
23 acting through its agents and or employees, including priest, bishops,
24 archbishops, clerics, allowed priests under their supervision and control to have
25 contact with minors after becoming aware of allegations of sexual misconduct.

26 56. The Bishop of the Diocese of Phoenix and or the Bishop of the Diocese of
27 Lafayette, individually and in concert with other bishops, priest, clerics,
28 employees, and agents of any kind transferred pedophile priests to situations

1 where children could be further victimized.

2
3 **Defendants are estopped from alleging the statute of limitations as a defense**
4 **because they fraudulently concealed Father James Grear's abuse of children and**
5 **his propensity to sexually abuse children.**

6 57. Plaintiff incorporates all other paragraphs as if fully set forth herein.

7 58. Defendants Diocese of Phoenix, Defendant Diocese of Lafayette and
8 Defendant Father James Grear, through its priests, Bishops, Archbishops, and
9 agents of any kind assigned Father James Grear to ministries throughout the
10 United States, including positions located in the Diocese of Phoenix.

11 59. Defendants, and each of them, did not reveal to the congregation of faithful
12 Catholics, students, and parents, including Plaintiff and his family, that Father
13 James Grear engaged in sexual contact with children.

14 60. Defendants, and each of them, knew, should have known and or were
15 deliberately ignorant that Father James Grear continued to sexually abuse and
16 or have sexual contact with children.

17 61. Defendants, and each of them, individually and in conspiracy with the other
18 priests, bishops, archbishops, and agents of any kind, led the congregation of
19 faithful Catholics, students and parents to believe that Father James Grear was
20 fit to serve as a Roman Catholic priest ministering and educating children in
21 the Diocese of Phoenix and throughout Arizona. In keeping with the orders,
22 commandments, directives, policies, or procedures of the Roman Catholic
23 Church mandated by the priests, Bishops, Archbishops, Cardinals, Vatican, the
24 Holy See, the Holy Office, and the Holy Father requiring that all matters and
25 details regarding clergy sexual abuse be kept absolutely secret, Defendants
26 individually and in conspiracy with each other and other priests, bishops,
27 archbishops, diocese, and agents of any kind, did not reveal to the congregation
28 of faithful Catholics, students and parents in the Diocese of Phoenix and or in

1 Arizona, including Plaintiff and his family, that Father James Gear sexually
2 abused children.

3 62. Defendants are equitably estopped from alleging the statute of limitations as a
4 defense in this case because of the inequitable conduct of Defendants, because
5 of their attempts to fraudulently conceal the abuse and breaches of fiduciary
6 duties.

7 63. All Defendants, with their pattern and practice of ignoring, covering up, and or
8 fraudulently concealing Father James Gear's sexual abuse of Plaintiff and
9 other children, demonstrated deliberate indifference, conscious disregard, and
10 reckless disregard to Plaintiff's mental and physical well-being.

11 64. All Defendants' pattern and practice of ignoring, covering up, and fraudulently
12 concealing repeated and frequent sexual abuse perpetrated by Father James
13 Gear and other clergy was done pursuant to the Catholic Church's official and
14 unofficial policies and practices.

15 **COUNT I**
16 **SEXUAL ASSAULT / SEXUAL ABUSE / SEXUAL CONDUCT**
17 **WITH A MINOR**
(A.R.S. §§ 13-1404, 13-1405, 13-1406, 13-1410 and the common law)

18 65. Plaintiff incorporates all other paragraphs as if fully set forth herein.

19 66. Defendant Father James Gear intentionally, knowingly, recklessly, or
20 negligently engaged in sexual contact with Plaintiff.

21 67. Defendant Father James Gear intentionally, knowingly, recklessly, or
22 negligently engaged in sexual contact with Plaintiff John TJ Doe, without his
23 consent and when he was a minor incapable of consenting to such sexual
24 contact.

25 68. As a direct and proximate cause of Defendants' wrongful acts Plaintiff suffered
26 and will continue to suffer in the future physical and emotional injury
27 including, but not limited to great pain of mind and body, shock, emotional
28 distress, embarrassment, loss of self-esteem, disgrace, humiliation, anger, rage,

1 frustration, loss of enjoyment of life, loss of consortium, loss of love and
2 affection, sexual dysfunction, past and future medical expenses for
3 psychological treatment, therapy, and counseling.

4 69. The allegations set forth in this Count constitute traditional negligence and
5 negligence per se for violation of A.R.S. § 13-3623 and other relevant statutes
6 and laws, including the common law, enacted for the protection of a specific
7 class of persons of which Plaintiff is a member.

8
9 **COUNT II**
10 **NEGLIGENCE AGAINST DEFENDANTS**
11 **DIOCESE OF PHOENIX & DIOCESE OF LAFAYETTE**

12 70. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set
13 forth under this count.

14 71. Each Defendant owed Plaintiff a duty of reasonable care to protect the Plaintiff
15 from injury.

16 72. Each Defendant owed Plaintiff a duty of care because each Defendant had a
17 special relationship with Plaintiff.

18 73. Defendants also had a duty arising from the special relationship that existed
19 with Plaintiff, Plaintiff's parents, and other parents of young, innocent,
20 vulnerable children to properly train and supervise its clerics. This special
21 relationship arose because of the high degree of vulnerability of the children
22 entrusted to their care. As a result of this high degree of vulnerability and risk
23 of sexual abuse inherent in such a special relationship, Defendants had a duty
24 to establish measures of protection not necessary for persons who are older and
25 better able to safeguard themselves.

26 74. Each Defendant owed Plaintiff a duty to protect Plaintiff from harm because
27 each Defendant also had a special relationship with Father James Grear

28 75. Defendants owed Plaintiff a duty of reasonable care because they solicited
youth and parents for participation in their youth programs; encouraged youth

1 and parents to have the youth participate in their programs; undertook custody
2 of minor children, including Plaintiff; promoted their facilities and programs
3 as being safe for children; held their agents, including Father James Gear, out
4 as safe to work with children; encouraged parents and children to spend time
5 with their agents; and/or encouraged their agents, including Father James
6 Gear, to spend time with, interact with, and recruit children.

7 76. By accepting custody of the minor Plaintiff, Defendants established an *in loco*
8 *parentis* relationship with Plaintiff and in so doing, owed Plaintiff a duty to
9 protect Plaintiff from injury. Further, Defendants entered into a fiduciary
10 relationship with Plaintiff by undertaking the custody, supervision of, and/or
11 care of the minor Plaintiff. As a result of Plaintiff being a minor, and by
12 Defendants undertaking the care and guidance of the Plaintiff, Defendants also
13 held a position of empowerment over Plaintiff. Further, Defendants, by
14 holding themselves out as being able to provide a safe environment for
15 children, solicited and/or accepted this position of empowerment. Defendants,
16 through its employees, exploited this power over Plaintiff and, thereby, put the
17 minor Plaintiff at risk for sexual abuse.

18 77. By establishing and/or operating the Diocese of Phoenix, accepting the minor
19 Plaintiff as a participant in their programs, holding their facilities and programs
20 out to be a safe environment for Plaintiff, accepting custody of the minor
21 Plaintiff *in loco parentis*, and by establishing a fiduciary relationship with
22 Plaintiff, Defendants entered into an express and/or implied duty to properly
23 supervise Plaintiff and provide a reasonably safe environment for children,
24 who participated in their programs. Defendants owed Plaintiff a duty to
25 properly supervise Plaintiff to prevent harm from foreseeable dangers.
26 Defendants had the duty to exercise the same degree of care over minors under
27 their control as a reasonably prudent person would have exercised under
28 similar circumstances.

- 1 78. By establishing and operating the Diocese of Phoenix, which offered
2 educational programs to children and which may have included a school,
3 religious education, and or religious ceremonies, and by accepting the
4 enrollment and participation of the minor Plaintiff as a participant in those
5 educational programs, Defendants owed Plaintiff a duty to properly supervise
6 Plaintiff to prevent harm from generally foreseeable dangers.
- 7 79. Each Defendant owed Plaintiff a duty to protect Plaintiff from harm because
8 Defendants invited Plaintiff onto their property and Father James Gear posed
9 a dangerous condition on Defendants' property.
- 10 80. Each Defendant breached its duties to Plaintiff. Defendants failed to use
11 ordinary care in determining whether their facilities were safe and/or
12 determining whether they had sufficient information to represent their facilities
13 as safe. Defendants' breach of their duties include, but are not limited to:
14 failure to protect Plaintiff from a known danger, failure to have sufficient
15 policies and procedures in place to prevent child sex abuse, failure to properly
16 implement policies and procedures to prevent child sex abuse, failure to take
17 reasonable measures to ensure that policies and procedures to prevent child sex
18 abuse were working, failure to adequately inform families and children of the
19 risks of child sex abuse, failure to investigate risks of child molestation, failure
20 to properly train the employees at institutions and programs within
21 Defendants' geographical confines, failure to train the minors within
22 Defendants' geographical confines about the dangers of sexual abuse by
23 clergy, failure to have any outside agency test their safety procedures, failure
24 to protect the children in their programs from child sex abuse, failure to adhere
25 to the applicable standard of care for child safety, failure to investigate the
26 amount and type of information necessary to represent the institutions,
27 programs, leaders and people as safe, failure to train their employees properly
28 to identify signs of child molestation by fellow employees, failure by relying

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

3 81. Defendants also breached their duty to Plaintiff by failing to warn Plaintiff and
4 Plaintiff's family of the risk that Father James Grear posed and the risks of
5 child sexual abuse in Catholic institutions. They also failed to warn them about
6 any of the knowledge that Defendants had about child sexual abuse.

7 82. Defendants breached their duties to Plaintiff by failing to use reasonable care.
8 Defendants' failures include, but are not limited to, failing to properly
9 supervise Father James Grear, failing to properly supervise Plaintiff, and
10 failing to protect Plaintiff from a known danger.

11 83. Defendants additionally violated a legal duty by failing to report known and/or
12 suspected abuse of children by Father James Grear and/or its other agents to
13 the police and law enforcement.

14 84. Defendants knew or should have known that Father James Grear was a danger
15 to children before Father James Grear sexually assaulted Plaintiff.

16 85. Prior to the sexual abuse of Plaintiff, Defendants learned or should have learned
17 that Father James Grear was not fit to work with children. Defendants, by and
18 through their agents, servants and/or employees, became aware, or should have
19 become aware of Father James Grear's propensity to commit sexual abuse and
20 of the risk to Plaintiff's safety. At the very least, Defendants knew, should
21 have known, and or were deliberately ignorant that they did not have sufficient
22 information about whether or not their leaders and people working in the
23 Diocese of Phoenix and through Arizona, including elementary school and
24 high schools were safe.

25 86. Defendants knew, should have known, and or were deliberately ignorant that
26 there was a risk of child sex abuse for children participating in Catholic
27 programs and activities within the Diocese. At the very least, Defendants knew
28 should have known, and or were deliberately ignorant that they did not have

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sufficient information about whether or not there was a risk of child sex abuse for children participating in Catholic programs and activities within the Diocese.

87. Defendants knew or should have known that Defendants 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 for children participating in their youth programs.

88. However, despite this knowledge, Defendants negligently deemed that Father James Grear was fit to work with children; and/or that any previous suitability problems Father James Grear had were fixed and cured; and/or that Father James Grear would not sexually molest children; and/or that Father James Grear would not injure children.

89. 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. Additionally, as a vulnerable child who Father James Grear had access to through Defendants' facilities and programs, Plaintiff was a foreseeable victim.

90. As a direct and proximate cause of Defendants' wrongful acts Plaintiff suffered and will continue to suffer in the future physical and emotional injury including, but not limited to great pain of mind and body, shock, emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, anger, rage, frustration, loss of enjoyment of life, loss of consortium, loss of love and affection, sexual dysfunction, past and future medical expenses for psychological treatment, therapy, and counseling.

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COUNT III
NEGLIGENT TRAINING AND SUPERVISION OF EMPLOYEES
AGAINST DEFENDANTS DIOCESE OF PHOENIX &
DIOCESE OF LAFAYETTE

91. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.
92. At all times material, Father James Gear was employed by Defendants and was under each Defendant's direct supervision, employ, and control when he committed the wrongful acts alleged herein. Father James Gear engaged in the wrongful conduct while acting in the course and scope of his employment with Defendants and/or accomplished the sexual abuse by virtue of his job-created authority.
93. Defendants had a duty, arising from their employment of Father James Gear, to ensure that he did not sexually molest children.
94. Further, Defendants owed a duty to train and educate employees and administrators and establish adequate and effective policies and procedures calculated to detect, prevent, and address inappropriate behavior and conduct between clerics and children.
95. The abuse complained of herein occurred on Defendants' property and/or with the use of their chattels.
96. Defendants breached their duties to Plaintiff by actively maintaining and employing Father James Gear in a position of power and authority through which Father James Gear had access to children, including Plaintiff, and power and control over children, including Plaintiff.
97. Defendants were negligent in the training, supervision, and instruction of their employees. Defendants failed to timely and properly educate, train, supervise, and/or monitor their agents or employees with regard to policies and procedures that should be followed when sexual abuse of a child is suspected or observed. Defendants were additionally negligent in failing to supervise,

1 monitor, chaperone, and/or investigate Father James Grear and/or in failing to
2 create, institute, and/or enforce rules, policies, procedures, and/or regulations
3 to prevent Father James Grear 's sexual abuse of Plaintiff. In failing to properly
4 supervise Father James Grear , and in failing to establish such training
5 procedures for employees and administrators, Defendants failed to exercise the
6 degree of care that a reasonably prudent person would have exercised under
7 similar circumstances.

8 98. As a direct and proximate cause of Defendants' wrongful acts Plaintiff suffered
9 and will continue to suffer in the future physical and emotional injury
10 including, but not limited to great pain of mind and body, shock, emotional
11 distress, embarrassment, loss of self-esteem, disgrace, humiliation, anger, rage,
12 frustration, loss of enjoyment of life, loss of consortium, loss of love and
13 affection, sexual dysfunction, past and future medical expenses for
14 psychological treatment, therapy, and counseling.

15
16 **COUNT IV**
17 **NEGLIGENT RETENTION OF EMPLOYEES**
18 **AGAINST DEFENDANTS DIOCESE OF PHOENIX**
19 **& DIOCESE OF LAFAYETTE**

20 99. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set
21 forth under this count.

22 100. At all times material, Father James Grear was employed by Defendants and
23 was under each Defendant's direct supervision, employ, and control when he
24 committed the wrongful acts alleged herein.

25 101. Defendants negligently retained Father James Grear with knowledge of Father
26 James Grear's propensity for the type of behavior which resulted in Plaintiff's
27 injuries in this action. Defendants failed to investigate Father James Grear's
28 past and/or current history of sexual abuse and, through the exercise of
reasonable diligence, should have known of Father James Grear's propensity

1 for child sexual abuse. Defendants should have made an appropriate
2 investigation of Father James Grear and failed to do so. An appropriate
3 investigation would have revealed the unsuitability of Father James Grear for
4 continued employment and it was unreasonable for Defendants to retain Father
5 James Grear in light of the information they knew or should have known.

6 102. Defendants negligently retained Father James Grear in a position where he had
7 access to children and could foreseeably cause harm which Plaintiff would not
8 have been subjected to had Defendants taken reasonable care.

9 103. In failing to timely remove Father James Grear from working with children or
10 terminate the employment of Father James Grear, Defendants failed to exercise
11 the degree of care that a reasonably prudent person would have exercised under
12 similar circumstances.

13 104. As a direct and proximate cause of Defendants' wrongful acts Plaintiff suffered
14 and will continue to suffer in the future physical and emotional injury
15 including, but not limited to great pain of mind and body, shock, emotional
16 distress, embarrassment, loss of self-esteem, disgrace, humiliation, anger, rage,
17 frustration, loss of enjoyment of life, loss of consortium, loss of love and
18 affection, sexual dysfunction, past and future medical expenses for
19 psychological treatment, therapy, and counseling.

20 **COUNT V**
21 **BREACH OF FIDUCIARY DUTY**
22 **(All Defendants)**

23 105. Plaintiff incorporates all other paragraphs as if fully set forth herein.

24 106. Defendants' relationship with Plaintiff was one of spiritual guide, counselor,
25 and shepherd. As a fiduciary to Plaintiff, Defendants owed a duty to
26 investigate, obtain, and disclose sexual misconduct, sexual assault, sexual
27 abuse, molestation, sexual propensities, and other inappropriate acts of its
28 priests, including Defendant Father James Grear . As fiduciary, counselor and

1 spiritual guide, Defendants owed Plaintiff a duty to work solely for his benefit.
2 107. Defendants breached their fiduciary duties owed to Plaintiff.

3 108. As a direct and proximate cause of Defendants' breach Plaintiff suffered and
4 will continue to suffer in the future physical and emotional injury, including
5 but not limited to, great pain of mind and body, shock, emotional distress,
6 embarrassment, loss of self-esteem, disgrace, humiliation, anger, rage,
7 frustration, loss of enjoyment of life, loss of consortium, loss of love and
8 affection, sexual dysfunction, past and future medical expenses for
9 psychological treatment, therapy, and counseling.

10 **COUNT VI**
11 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
12 **(All Defendants)**

13 109. Plaintiff incorporates all other paragraphs as if fully set forth herein.

14 110. Defendants' wrongful conduct, including sexual abuse, conspiracy to conceal
15 sexual abuse, failure to report Father James Grear's sexual abuse of children,
16 acquiescence, affirmance, and ratification of Father James Grear's sexual abuse
17 exceeds the bounds of decency and were extreme and outrageous causing
18 Plaintiff to suffer severe emotional and psychological distress.

19 111. As a direct and proximate cause of Defendants' wrongful conduct Plaintiff
20 suffered and will continue to suffer in the future physical and emotional injury,
21 including but not limited to great pain of mind and body, shock, emotional
22 distress, embarrassment, loss of self-esteem, disgrace, humiliation, anger, rage,
23 frustration, loss of enjoyment of life, loss of consortium, loss of love and
24 affection, sexual dysfunction, past and future medical expenses for
25 psychological treatment, therapy, and counseling.

26 **COUNT VII**
27 **ENDANGERMENT**
28 **(All Defendants)**

112. Plaintiff incorporates all other paragraphs as if fully set forth herein.

1 113. Defendants have a duty to protect children from foreseeable and unjustifiable
2 risks of harm.

3 114. In 2000, a Maricopa County Grand Jury investigated the Diocese of Phoenix
4 and its Bishop Thomas J. O'Brien. The Maricopa Grand Jury investigated
5 whether Thomas J. O'Brien or the Diocese failed to report to law enforcement
6 authorities criminal sexual misconduct by priests and other Diocesan personnel
7 and whether Thomas J. O'Brien or the Diocese placed or transferred priests or
8 other Diocesan personnel in or to a position to commit additional criminal
9 conduct after becoming aware of prior criminal conduct. The Grand Jury's
10 investigation developed evidence that Thomas J. O'Brien failed to protect
11 victims of criminal sexual misconduct by others associated with the Roman
12 Catholic Diocese of Phoenix. On May 3, 2003, Bishop Thomas J. O'Brien
13 signed an agreement with the Maricopa County Attorney's Office. In the
14 agreement Bishop O'Brien "acknowledged that he allowed Roman Catholic
15 Priests under his supervision to have contact with minors after becoming aware
16 of allegations of criminal sexual misconduct. He [] further acknowledges
17 transferring offending priests to situations where children could be further
18 victimized."

19 115. Defendants knew, should have known and or were deliberately ignorant that
20 Father James Gear posed a significant risk of injury to Catholic children,
21 including Plaintiff. Defendants attempted to conceal and cover-up Father James
22 Gear's sexual deviancy and sexual abuse of children to avoid scandal and
23 prevent others from discovering Father James Gear's sexual abuse of children,
24 his history of child sexual abuse, and his propensity to sexual abuse children.

25 116. Defendants, individually and or in agreement with each other, assigned Father
26 James Gear to the missions, schools, and or parishes in the Diocese of Phoenix
27 and throughout Arizona including, but not limited to Associate Director for the
28 Division of Religious Education.

1 117. Defendants knew, should have known and or were deliberately ignorant that
2 Father James Gear posed a substantial risk of significant physical and
3 psychological injury to Catholic children, including Plaintiff.

4 118. Defendants, individually and in concert with the each other, negligently,
5 recklessly, or intentionally endangered the health and well-being of children,
6 including Plaintiff by exposing them to Father James Gear who was a
7 substantial risk of significant physical and mental injury to children including
8 Plaintiff.

9 119. Defendants, individually and in concert with each other, negligently,
10 recklessly, and or intentionally endangered the health and well-being of
11 Catholic children, including Plaintiff, by employing and engaging in pattern
12 and practice, customs and traditions, of ignoring, covering up, and or
13 fraudulently concealing clergy sexual abuse. Father James Gear as part of the
14 pattern and practice of transferring priests who engaged in sexual misconduct
15 in an attempt to conceal and or cover up the sexual misdeeds of Catholic priests.

16 120. As a direct and proximate cause of Defendants' negligent, reckless, and or
17 intentional endangerment, Plaintiff suffered and will continue to suffer in the
18 future great pain of mind and body, shock, emotional distress, embarrassment,
19 loss of self-esteem, disgrace, humiliation, anger, rage, frustration, loss of
20 enjoyment of life, loss of consortium, loss of love and affection, sexual
21 dysfunction, past and future medical expenses for psychological treatment,
22 therapy, and counseling.

23
24 **COUNT VIII**
25 **CHILD ABUSE**
26 **(A.R.S. § 13-3623 and the common law)**
27 **(All Defendants)**

28 121. Plaintiff incorporates all other paragraphs as if fully set forth herein.

122. Father James Gear had the care and custody of Plaintiff both because he was

1 student under the control and authority of Father James Grear , given to him by
2 Defendants Diocese of Phoenix and Defendant Diocese of Lafayette and
3 because he attended education and training from Father James Grear and
4 others.

5 123. Defendants had the care and custody of Plaintiff both because they
6 assigned and/or permitted Father James Grear to serve at missions, parishes,
7 and or schools in the Diocese of Phoenix and through Arizona and because of
8 their pattern, practice, custom, and tradition of training and educating children
9 in the Catholic faith. Defendants had the care and custody of Plaintiff through
10 traditional agency law.

11 124. Father James Grear is a Roman Catholic cleric who caused acts, events, or
12 omissions to occur in Arizona out of which these claims arise. At all times
13 alleged, Defendant Father James Grear was employed by and was the actual or
14 apparent agent of Defendants Diocese of Phoenix and or Diocese of Lafayette
15 and acting within the course and scope of his employment and or actual or
16 apparent authority with Defendants Diocese of Phoenix and or Diocese of
17 Lafayette.

18 125. Defendants Diocese of Phoenix and Defendant Diocese of Lafayette engaged
19 in a pattern and practice of transferring pedophile priests throughout the
20 Diocese of Phoenix, State of Arizona, and United States in an attempt to cover
21 up clergy sexual misconduct.

22 126. In 2000 a Maricopa County Grand Jury investigated the Diocese of Phoenix
23 and its Bishop Thomas J. O'Brien. The Maricopa Grand Jury investigated
24 whether Thomas J. O'Brien or the Diocese failed to report to law enforcement
25 authorities criminal sexual misconduct by priests and other Diocesan personnel
26 and whether Thomas J. O'Brien or the Diocese placed or transferred priests or
27 other Diocesan personnel in or to a position to commit additional criminal
28 conduct after becoming aware of prior criminal conduct. The Grand Jury's

1 investigation developed evidence that Thomas J. O'Brien failed to protect
2 victims of criminal sexual misconduct by others associated with the Roman
3 Catholic Diocese of Phoenix. On May 3, 2003, Bishop Thomas J. O'Brien
4 signed an agreement with the Maricopa County Attorney's Office. In the
5 agreement Bishop O'Brien "acknowledged that he allowed Roman Catholic
6 Priests under his supervision to have contact with minors after becoming aware
7 of allegations of criminal sexual misconduct. He [] further acknowledges
8 transferring offending priests to situations where children could be further
9 victimized."

10 127. Under circumstances likely to produce serious and significant physical and
11 psychological injury and while Plaintiff was under the care and custody of all
12 Defendants, Defendants and each of them negligently, recklessly, and or
13 intentionally caused, permitted, allowed, and/or established patterns, practices,
14 customs, and traditions that placed Plaintiff in a situation in which sexual abuse
15 was likely to occur, thereby placing Plaintiff's person, physical health, and
16 mental/emotional health in danger; to wit, Defendants transferred pedophile
17 priests, including Father Father James Gear to new parishes failing to protect
18 Catholic children, including Plaintiff.

19 128. Defendants, and each of them, intentionally, recklessly and or negligently
20 endangered and sexually abused Plaintiff.

21 129. As a direct and proximate cause of Defendants' sexual abuse of Plaintiff,
22 Plaintiff suffered and will continue to suffer in the future great pain of mind
23 and body, shock, emotional distress, embarrassment, loss of self-esteem,
24 disgrace, humiliation, anger, rage, frustration, loss of enjoyment of life, loss of
25 consortium, loss of love and affection, sexual dysfunction, past and future
26 medical expenses for psychological treatment, therapy, and counseling.

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**COUNT IX
ASSAULT**

(A.R.S. §§ 13-1204, 13-1203, and the common law)

(All Defendants)

130. Plaintiff incorporates all other paragraphs as if fully set forth herein.

131. At all times relevant to this complaint, Father James Grear was over the age of 18 and John Plaintiff was under the age of 18.

132. Father James Grear, as an agent or employee of Defendants acting within the course and scope of his actual or apparent authority, intentionally, knowingly and or recklessly caused serious physical and mental/emotional injury to Plaintiff.

133. Father James Grear, as an agent or employee of Defendants acting within the course and scope of his actual or apparent authority intentionally, knowingly, recklessly and or negligently placed Plaintiff in reasonable apprehension of imminent physical injury.

134. Father James Grear, as an agent or employee of Defendants acting within the course and scope of his actual or apparent authority intentionally, knowingly, recklessly and/or negligently touched Plaintiff with the intent to injure, insult or provoke.

135. The allegations set forth in this Count constitute negligence and negligence per se for violation of A.R.S. §§ 13-1204, 13-1203 and other relevant statutes and laws, including the common law, enacted for the protection of a specific class of persons of which Plaintiff is a member.

136. As a direct and proximate cause of Defendants' abuse of Plaintiff, Plaintiff suffered and will continue to suffer in the future great pain of mind and body, shock, emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, anger, rage, frustration, loss of enjoyment of life, loss of consortium, loss of love and affection, sexual dysfunction, past and future medical expenses for psychological treatment, therapy, and counseling.

1 **PRAYER FOR RELIEF**

2 1. Plaintiff requests judgment in favor of Plaintiff and against Defendants as
3 follows to:

- 4 a. For Plaintiff's general and special damages in an amount to be
5 proven at trial by jury;
- 6 b. For Plaintiff's incurred costs together with interest at the highest
7 lawful rate on the total amount of all sums awarded from the date of
8 judgment until paid;
- 9 c. For the fair and reasonable monetary value of Plaintiff's past,
10 present, and future pain and suffering in an amount to be proven at
11 trial by jury;
- 12 d. For the medical expenses incurred up to the date of trial and any
13 additional expenses necessary for future medical care and treatment;
- 14 e. For punitive damages or exemplary damages to be set by a jury in
15 an amount sufficient to punish Defendants for their outrageous
16 conduct and to make an example out of them so that others do not
17 engage in similar conduct in the future;
- 18 f. For such other and further relief as this Court may deem just and
19 proper.

20 **DATED** this 1st day of October, 2020.

21
22 **MONTOYA, LUCERO & PASTOR, P.A.**

JEFF ANDERSON & ASSOCIATES, P.A.

23 By: /s/Robert E. Pastor

By: /s/Jeffrey R. Anderson

24 Robert E. Pastor
25 Attorneys for Plaintiff

Jeffrey R. Anderson
Attorneys for Plaintiff