

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

JOHN DOE MR,
c/o Matthew White
500 Taylor Street, Suite 301
Columbia, SC 29201

Plaintiff,

v.

THE ROMAN CATHOLIC DIOCESE OF
GREENSBURG
723 East Pittsburgh Street
Greensburg, PA 15601

BISHOP EDWARD C. MALESIC
723 East Pittsburgh Street
Greensburg, PA 15601

ST. JOHN THE BAPTIST AND ST.
JOSEPH (f/k/a SAINT JOSEPH'S
ROMAN CATHOLIC CHURCH)
416 South Broadway
Scottdale, PA 15683

and

DONALD WUERL
4110 Warren St. NW
Washington, D.C. 20016

Defendants.

Case No.: 2020 CA 002848 B

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, by his attorneys Janet, Janet & Suggs, LLC, and Paulson & Nace, PLLC as and for their complaint as to Defendants, respectfully show this Honorable Court and allege upon information and belief as follows:

1. The Sexual Abuse Statute of Limitations Amendment Act of 2018 amended D.C.

Official Code § 12-301(a)(11) such that “the recovery of damages arising out of sexual abuse that occurred while the victim was less than 35 years of age” is permitted up until “the date the victim attains the age of 40 years.” Section 5(a)(2) of the Act additionally states that claims for recovery of damages which would have been time-barred before the Act’s passage but are not time-barred now were revived.

2. This case arises out of the sexual abuse that Plaintiff JOHN DOE MR suffered as a minor. He has not yet attained the age of 40 years.

3. The claim is for negligence; negligent supervision, monitoring, training, and retention; breach of fiduciary duty; constructive fraud; and civil conspiracy to commit fraud, all of which Defendants herein committed upon Plaintiff in or around 1991 to 1997, and for which Plaintiff seeks compensatory and punitive damages.

THE PARTIES

4. At all times relevant to the wrongful conduct complained of herein, Plaintiff JOHN DOE MR was a resident of Westmoreland County in the Commonwealth of Pennsylvania. He currently resides in Hawaii and continues to suffer damages there.

5. Plaintiff alleges that he suffers damages arising out of sexual abuse that occurred while he was a minor.

6. Defendant DIOCESE OF GREENSBURG (hereinafter, “DIOCESE”), collectively with BISHOP EDWARD C. MALESIC (hereinafter “DIOCESAN DEFENDANTS”), is a non-profit organization with its principal office located at 723 East Pittsburgh Street, Greensburg, Westmoreland County, PA 15601, doing business as an organized religion including but not limited to the ownership, management and operation of parishes and

Catholic schools within various counties, including Armstrong, Fayette, Indiana, and Westmoreland.

7. Defendant BISHOP EDWARD C. MALESIC (hereinafter, “MALESIC”) is an individual currently residing at 723 East Pittsburgh Street, Greensburg, Westmoreland County, PA 15601. He is the current bishop of the Diocese of Greensburg.

8. Defendant ST. JOHN THE BAPTIST AND ST. JOSEPH (f/k/a SAINT JOSEPH’S ROMAN CATHOLIC CHURCH) (hereinafter, “PARISH”) is a parish organized pursuant to Pennsylvania state law operating a Catholic church, currently located at 416 South Broadway, Scottdale, PA 15683. This Defendant is a successor entity to St. Joseph Roman Catholic Church, which, at the time of events at issue, was located in Everson, PA.

9. Defendant DONALD WUERL (hereinafter, “WUERL”) served as Bishop of the Diocese of Pittsburgh from 1988 to 2006 and Archbishop of the Roman Catholic Archdiocese of Washington, D.C. from 2006 to 2018. He currently resides at 4110 Warren St. NW, Washington, D.C. 20016.

10. Non-party Joseph L. Sredzinski (hereinafter, “Sredzinski”) was a priest who served at Saint Joseph’s Roman Catholic Church between 1989 and 1999. He died in 2015.

11. The non-party Bishops of the DIOCESE, by virtue of their office, were empowered by the Vatican to supervise and control all Diocesan priests and order priests assigned to the DIOCESE (including Sredzinski), as well as all employees and/or agents of the DIOCESE, all Diocesan properties and entities (including parishes and schools), and various other Diocesan entities located in the various counties covered by the DIOCESE. Hugh L. Lamb served as Bishop of the DIOCESE for the period of 1951 to 1959; he died on December 8, 1959. William G. Connare served as Bishop of the DIOCESE for the period of 1960 to 1987; he died on June 12, 1995.

Anthony Bosco served as Bishop of the DIOCESE from 1987 to 2004; he died on July 2, 2013; Lawrence E. Brandt served as Bishop of the DIOCESE from 2004 to 2015; he announced his retirement on April 24, 2015.

12. Non-party the Vatican is an independent state and as such enjoys sovereignty under the exclusive jurisdiction of the Holy See. The Vatican was led by a pope at the times relevant to this Complaint, and acted in concert with the other entities and individuals as identified herein.

JURISDICTION AND VENUE

13. The causes of action from which this claim arose occurred in Washington, D.C.

14. This Court has general personal jurisdiction over WUERL because he is a resident of Washington, D.C. The Court also has personal jurisdiction over all other Defendants because the events at issue all transpired in Washington, D.C. during trips to Washington, D.C. coordinated by the DIOCESE and the PARISH.

15. This Court has subject matter jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

RELATIONSHIP BETWEEN THE PARTIES

16. The designated bishop of the DIOCESE was responsible for assigning, transferring, and/or suspending all clergy within the DIOCESE. Clergy serve at the Bishop's pleasure and are subject to their authority.

17. The DIOCESE, PARISH, and bishops of the DIOCESE were in a superior position to receive sensitive information regarding immoral and criminal conduct pertaining to Sredzinski and other priests that was of critical importance to the well-being of Plaintiff and other children. This information was not available to the Plaintiff or the public.

18. The DIOCESE, PARISH, and bishops of the DIOCESE explicitly and implicitly through their words, actions, and teachings represented to Plaintiff that each of their priests, including Sredzinski, were benevolent and trustworthy stewards of the church who would only act in the best interests of the children whom they served.

19. The DIOCESE, PARISH, bishops of the DIOCESE, and the priests and nuns employed by the DIOCESE taught Plaintiff to revere, trust, obey, and respect all priests.

20. Through their words and deeds, the DIOCESE, PARISH, and bishops of the DIOCESE, and the priests and nuns employed by the DIOCESE, invited and encouraged Plaintiff to accept each priest assigned to PARISH and/or other positions within the DIOCESE, including Sredzinski, to be in good standing, to be men who were worthy of being entrusted with children, and to be worthy of the responsibility for Plaintiff's physical and spiritual safety, thereby inducing Plaintiff to entrust himself to the company and care of Sredzinski, and to subject himself to his instructions while on church property and/or in his accompaniment.

21. As a result of his position as Plaintiff's parish priest and the corresponding trust Plaintiff placed in him, Sredzinski was able to learn private and personal information about Plaintiff that made him a more vulnerable target for abuse.

22. As a result of his position as Plaintiff's parish priest and the corresponding trust Plaintiff placed in him, Sredzinski was able to use church facilities and church-sponsored events to further his sexual and criminal conduct with Plaintiff.

23. At all times relevant, Plaintiff entrusted his well-being to the DIOCESE, PARISH, bishops of the DIOCESE, and the priests and nuns employed by the DIOCESE (especially Sredzinski), and they had a corresponding obligation to be solicitous for, as well as protective of, Plaintiff in the exercise of their positions of trust, confidentiality, and moral authority.

24. A confidential, special, and/or fiduciary relationship existed between the DIOCESE, its bishops, and its priests with Plaintiff.

25. The DIOCESE, PARISH, bishops of the DIOCESE, and priests and nuns employed by the DIOCESE owed a secular duty to Plaintiff, grounded upon the duty of good faith and fair dealing, to act with the highest degree of trust and confidence. This relationship included the duty to warn, disclose, and protect PARISH children from sexual abuse and exploitation by clerics whom Defendants promoted as being chaste, moral, and trustworthy.

26. The DIOCESE, PARISH, and bishops of the DIOCESE solicited funds from their parishioners through assessments, direct appeals, and/or tuition, which was a primary incentive to focus on the reputation of the Catholic Church to the detriment of all other priorities.

27. The Vatican, as the governing body of the Catholic Church, was responsible for, among other things, maintaining the safety and well-being of members of the Catholic Church and oversight of all dioceses, clergy, and appointed church leaders.

FACTS SPECIFIC TO THE PLAINTIFF

28. Plaintiff was born June 6, 1980.

29. In or around 1989 to 1990, when Plaintiff was around 9 to 10 years old, he developed what he believed to be a close relationship with Father Joseph Sredzinski, his priest at the PARISH. Plaintiff was impoverished and had been abandoned by his father, and Sredzinski accepted Plaintiff's presence warmly and made Plaintiff feel welcome to spend time at the church and rectory.

30. In reality, Sredzinski was grooming Plaintiff for sexual abuse.

31. In or around 1991, when Plaintiff was approximately 11 years old, Sredzinski took Plaintiff to the rectory and exposed Plaintiff to pornography featuring men having sex with other

men. Sredzinski then removed his clothes, told Plaintiff to remove his clothes, and kissed Plaintiff all over Plaintiff's body, including on Plaintiff's anus.

32. The sexual abuse escalated quickly. On another occasion shortly after the first nudity/kissing incident, Sredzinski anally raped Plaintiff.

33. Sredzinski would also force Plaintiff to perform fellatio on him, claiming Plaintiff was Sredzinski's servant through God and needed to internalize Sredzinski's seed.

34. Sexual abuse at the hands of Sredzinski took place for six years, from when Plaintiff was 11 years to when he was 17 years old.

35. On many occasions, Sredzinski would also invite other priests to the rectory and they would each take turns raping Plaintiff.

36. Plaintiff was abused many times on approximately thirty trips to Washington, D.C., both church-sponsored trips and otherwise, including vacations.

37. Sredzinski would take Plaintiff to an annual Catholic pro-life rally as well as other political events in Washington, D.C., trips that Sredzinski coordinated in conjunction with the DIOCESE, bishops of the DIOCESE, and/or the PARISH.

38. Sredzinski also took Plaintiff and other boys to Washington, D.C. for basketball and bowling competitions with other churches, which Sredzinski coordinated in conjunction with the DIOCESE, bishops of the DIOCESE, and/or the PARISH.

39. On every trip to D.C., Plaintiff and Sredzinski shared a hotel room and slept in the same bed.

40. On every trip to D.C., Sredzinski repeatedly violently raped Plaintiff and forced Plaintiff to perform fellatio.

41. Two other altar boys once witnessed Sredzinski sexually assaulting Plaintiff and

spread this information around Plaintiff's school. As a result, Plaintiff was mocked with homophobic slurs.

42. On a few occasions, WUERL was physically present in the Washington, D.C. room and personally witnessed Sredzinski sodomizing Plaintiff. Instead of doing anything to stop the abuse from happening, WUERL masturbated.

43. Plaintiff reported the sexual abuse, or attempted to do so, to church and secular authorities on multiple occasions.

44. At age 13, Plaintiff left a message about the abuse with a woman in the office of Bishop Anthony G. Bosco (then-current bishop of the DIOCESE), along with his name and contact information, but his call was never returned. He then left a second message which also went unreturned.

45. At age 15, Plaintiff confronted WUERL about the abuse when WUERL came to the PARISH to celebrate a mass. WUERL denied that anything had happened and told Plaintiff that he must be either lying or hallucinating.

46. Also at age 15, Plaintiff reported the abuse to a nun named Sister Barbara Mary Koval as well as a guidance counselor at the Catholic high school he was attending at that time (Geibel Catholic High School). Plaintiff was not taken seriously and told he must be mentally disturbed and/or hallucinating.

47. According to the Pennsylvania grand jury investigative report on child sexual abuse in the Catholic Church published on August 14, 2018 (hereinafter, the "Grand Jury Report"), Tim Shoemaker, then mayor of Everson, PA, contacted Father Roger Statnick, then a priest of the DIOCESE, on May 29, 1991 to inform Statnick of his concerns about Sredzinski's inappropriate relationships with multiple local boys, including about an incident wherein

Sredzinski was found in a parked car with a young boy at a cemetery late at night.

48. According to the Grand Jury Report, undated handwritten notes in the Diocesan file on Sredzinski revealed that a witness had informed the DIOCESE of inappropriate sexual touching between Sredzinski and the boy in the parked car incident.

49. According to the Grand Jury Report, on January 14, 1994, Bishop Bosco wrote a letter to Sredzinski's sister about the DIOCESE's actions in looking into the parked car incident, in which Bosco "repeatedly emphasized the danger Sredzinski's actions posed to the Diocese in terms of civil and criminal liability" and "indicated the focus of the Diocese's response was to protect the Church and its reputation, with the interest of Sredzinski's possible victims being secondary."

50. All of the counts described below involved gross negligence, reckless and willful disregard for Plaintiff's health and safety, and egregious conduct directed at both Plaintiff and other children, all of which evinced a high degree of moral turpitude.

51. As a direct result of the negligent, grossly negligent, intentional, careless, and/or reckless conduct of the DIOCESE, PARISH, and their agents, servants, volunteers, and/or employees, including but not limited to Sredzinski, Plaintiff has suffered serious and permanent physical and emotional injuries, including but not limited to:

- a. Ongoing humiliation, embarrassment, shame, and guilt;
- b. Emotional distress;
- c. Severe mental anguish and despair;
- d. Severe anxiety, nervousness, fearfulness, and panic attacks;
- e. Post-traumatic stress disorder;
- f. Depression;

- g. Hypertension;
- h. Irritability;
- i. Personality changes;
- j. Physical pain, nausea, and loss of sleep;
- k. A loss of enjoyment of life;
- l. A loss of faith;
- m. Difficulty in trusting and interacting with others, including those in positions of authority and/or those in intimate relationships with Plaintiff;
- n. A loss of educational opportunities;
- o. A loss of earnings and earning capacity; and
- p. Other damages.

**COUNT I
NEGLIGENCE
(AGAINST DIOCESE AND PARISH)**

52. PLAINTIFF hereby incorporates by reference, as if fully set forth herein, each and every allegation asserted in the preceding and following paragraphs, including each and every factual and legal allegation hereinbefore and hereinafter alleged, and hereby re-adopts and re-alleges each such allegation.

53. The DIOCESE and PARISH, by and through their agents, servants, and/or employees, knew or reasonably should have known of Sredzinski's sexual interest in children, and that Sredzinski was capable of committing immoral and criminal acts upon Plaintiff and other children.

54. Plaintiff's care, welfare, and/or physical custody were entrusted to the DIOCESE and PARISH at all times he was under their care and supervision, was on properties and premises operated by them, and/or was on trips to Washington, D.C. coordinated by them.

55. The DIOCESE and PARISH voluntarily accepted the entrusted care of Plaintiff, and each had a duty to protect Plaintiff during the time that he was entrusted to their care or responsibility. Said Defendants owed Plaintiff, a minor child, a special duty of care, in addition to the duty of ordinary care for a child they accepted a responsibility to care for and protect as a reasonably prudent parent would care for him.

56. The DIOCESE and PARISH owed Plaintiff a duty to protect him from harm because they invited Plaintiff onto their property and/or under their care despite knowing Sredzinski represented a potential harm to Plaintiff and other children.

57. The DIOCESE and PARISH owed Plaintiff a duty to protect him from the harm Sredzinski inflicted upon him.

58. Said Defendants systematically breached their duty to Plaintiff by:

- a. Ignoring Plaintiff's multiple reports that Sredzinski was sexually abusing him;
- b. Ignoring signs that Plaintiff had been abused, was being abused, and was at risk of further abuse by Sredzinski;
- c. Enabling Sredzinski with unrestricted access to children and placing him in a position of trust and control, even after the DIOCESE learned of specific information concerning his inappropriate relationships with minor boys;
- d. Allowing Sredzinski to come into contact with Plaintiff without effective supervision, even after the DIOCESE learned of specific information concerning his inappropriate relationships with minor boys;
- e. Failing to properly train and re-train staff who work with children about child supervision and detecting child sexual and psychological abuse;
- f. Failing to properly monitor and/or supervise Sredzinski, even after the DIOCESE

learned of specific information concerning his inappropriate relationships with minor boys;

- g. Failing to properly monitor and/or supervise the trips to Washington, D.C. while Plaintiff was in Sredzinski's care;
- h. Failing to prevent Sredzinski from committing sexually abusive acts upon Plaintiff;
- i. Failing to properly investigate the actions of agents, servants, and/or employees to ensure that children were subjected to safe and appropriate counselors;
- j. Failing to have procedures where children could file complaints about sexual abuse and have their complaints properly investigated;
- k. Failing to monitor for and subsequently investigate acts of sexual abuse and sexual violence committed by Sredzinski, and thereafter reveal such facts to Plaintiff, the public, and/or law enforcement agencies;
- l. Failing to implement and/or enforce protocols to ensure that children would not fall victim to sexual predators;
- m. Failing to provide a safe environment where children were not subjected to violent sexual abuse;
- n. Holding Sredzinski out to Plaintiff, other parishioners, and the public as being of sufficient moral and ethical repute;
- o. Failing to remove Sredzinski from contact with Plaintiff immediately after these Defendants were put on notice that Sredzinski was a sexual predator; and
- p. Other acts of negligence.

59. It was reasonably foreseeable that if the DIOCESE and PARISH did not adequately exercise or provide the duty of care owed to children in their care, including but not limited to

Plaintiff, the children entrusted to their care would be vulnerable to sexual abuse by servants, agents, and/or employees they selected.

60. The aforementioned negligence of the DIOCESE and PARISH directly and proximately caused Plaintiff to sustain severe and permanent damages as described above.

WHEREFORE, Plaintiff demands judgment for compensatory and punitive damages against the DIOCESE and PARISH, jointly and severally, in an amount exceeding the monetary jurisdictional limits of any and all lower Courts that would otherwise have jurisdiction, in amounts to be determined upon trial of this action, together with interest, costs, and any other appropriate relief.

COUNT II
NEGLIGENT SUPERVISION, MONITORING, TRAINING and RETENTION
(AGAINST DIOCESE AND PARISH)

61. PLAINTIFF hereby incorporates by reference, as if fully set forth herein, each and every allegation asserted in the preceding and following paragraphs, including each and every factual and legal allegation hereinbefore and hereinafter alleged, and hereby re-adopts and re-alleges each such allegation.

62. Since well before the incidents involving the Plaintiff, the DIOCESE and PARISH were familiar with the acute problem of numerous priests, seminarians, deacons, teachers, nuns, and employees sexually violating children within the DIOCESE.

63. Before, during, and after Plaintiff's exposure to Sredzinski, the DIOCESE, the PARISH, and each bishop of the DIOCESE were on notice of a policy wherein, for the sake of the reputation of the Church and its schools, known child predators, whether priests, seminarians, nuns, deacons, teachers, or volunteers were protected from disclosure, with all information concerning their crimes against children hidden within the Church's secret archive records.

64. Before, during, and after Plaintiff's exposure to Sredzinski, the DIOCESE, the

PARISH, and each bishop of the DIOCESE were on notice of a policy wherein, for the sake of the reputation of the Church and its schools, known child predators, whether priests, seminarians, nuns, deacons, teachers, or volunteers were protected from being reported to police, district attorneys, and/or child welfare authorities.

65. Supervision of agents, servants, and/or employees within Defendant's control was mandatory and created an unqualified duty upon them.

66. The DIOCESE and PARISH, by and through their agents, servants, and/or employees, had a duty to engage in reasonable supervision, monitoring, training, and retention for any priests or other employees who interacted with children or accepted responsibility for children under their care.

67. The DIOCESE and PARISH, by and through their agents, servants, and/or employees, knew or reasonably should have known of Sredzinski's sexual interest in children, his molestation and sexual violence upon victims before, during, and after the time he was abusing Plaintiff, and that he was capable of committing molestation and sexual violence against Plaintiff and/or other children.

68. The DIOCESE and PARISH failed to properly observe, supervise, and monitor premises and/or Church-sponsored events where it was known, knowable, and/or foreseeable that vulnerable children could fall victims to sexual abuse without proper supervision.

69. Said Defendants systematically breached their duty to Plaintiff by:

- a. Enabling Sredzinski with unrestricted access to children and placing him in a position of trust and control, even after the DIOCESE learned of specific information concerning his inappropriate relationships with minor boys;
- b. Allowing Sredzinski to come into contact with Plaintiff without effective

supervision, even after the DIOCESE learned of specific information concerning his inappropriate relationships with minor boys;

- c. Failing to properly train and re-train staff who work with children about child supervision and detecting child sexual and psychological abuse;
- d. Failing to properly monitor and/or supervise Sredzinski, even after the DIOCESE learned of specific information concerning his inappropriate relationships with minor boys;
- e. Failing to properly monitor and/or supervise the trips to Washington, D.C. while Plaintiff was in Sredzinski's care;
- f. Failing to prevent Sredzinski from committing sexually abusive acts upon Plaintiff;
- g. Failing to properly investigate the actions of agents, servants, and/or employees to ensure that children were subjected to safe and appropriate counselors;
- h. Failing to have procedures where children could file complaints about sexual abuse and have their complaints properly investigated;
- i. Failing to monitor for and subsequently investigate acts of sexual abuse and sexual violence committed by Sredzinski, and thereafter reveal such facts to Plaintiff, the public, and/or law enforcement agencies;
- j. Failing to implement and/or enforce protocols to ensure that children would not fall victim to sexual predators;
- k. Failing to provide a safe environment where children were not subjected to violent sexual abuse;
- l. Holding Sredzinski out to Plaintiff, other parishioners, and the public as being of sufficient moral and ethical repute;

m. Failing to remove Sredzinski from contact with Plaintiff and other children immediately after these Defendants were put on notice that Sredzinski was a sexual predator; and

n. Other acts of negligence.

70. The aforementioned negligent supervision, monitoring, training, and retention of the DIOCESE and PARISH directly and proximately caused Plaintiff to sustain severe and permanent damages as described above.

WHEREFORE, Plaintiff demands judgment for compensatory and punitive damages against the DIOCESE and PARISH, jointly and severally, in an amount exceeding the monetary jurisdictional limits of any and all lower Courts that would otherwise have jurisdiction, in amounts to be determined upon trial of this action, together with interest, costs, and any other appropriate relief.

**COUNT III
BREACH OF SPECIAL DUTY
(AGAINST DIOCESE AND PARISH)**

71. PLAINTIFF hereby incorporates by reference, as if fully set forth herein, each and every allegation asserted in the preceding and following paragraphs, including each and every factual and legal allegation hereinbefore and hereinafter alleged, and hereby re-adopts and re-alleges each such allegation.

72. While he was a minor, Plaintiff was entrusted by his parents to the control and supervision of the DIOCESE, the PARISH, and Sredzinski. During the times that Plaintiff was entrusted to Sredzinski, Sredzinski was under the supervision and control of the DIOCESE and PARISH.

73. Plaintiff's relationship with the DIOCESE and the PARISH extended well beyond that of an ordinary parishioner. While Plaintiff was a minor, he was a devout Catholic as well as

an altar boy. He would typically spend every day at the PARISH and with Sredzinski. He took many trips with Sredinski to Washington, D.C. in order to further the Catholic Church's legislative agenda. He also attended Geibel Catholic High School. He was instructed in catechism classes and otherwise that the bishop of the DIOCESE and priests employed by the DIOCESE were moral authorities whom he was obliged to trust and respect. He also participated in athletic activities coordinated and sponsored by the PARISH and/or the DIOCESE. All of these facts led Plaintiff to regard the DIOCESE and the PARISH as entities with superior positions of influence and authority in his life.

74. There existed a special and/or confidential and/or fiduciary relationship of trust, confidence, and reliance between Plaintiff and the DIOCESE and PARISH. This entrustment of Plaintiff to the DIOCESE and PARISH's care and supervision required them at all times to act in the best interests of the Plaintiff and to protect him due to his age of minority and vulnerability.

75. Pursuant to this special and/or confidential and/or fiduciary relationship, the DIOCESE and PARISH had a duty to ensure Plaintiff's well-being, care, and safety.

76. Pursuant to this special and/or confidential and/or fiduciary relationship, the DIOCESE and PARISH were responsible to act in the best interests of Plaintiff at all times.

77. The DIOCESE and PARISH breached their special and/or confidential and/or fiduciary duties to Plaintiff for all the reasons previously stated.

78. The aforementioned breach of special duty of the DIOCESE and PARISH directly and proximately caused Plaintiff to sustain severe and permanent damages as described above.

WHEREFORE, Plaintiff demands judgment for compensatory and punitive damages against the DIOCESE and PARISH, jointly and severally, in an amount exceeding the monetary jurisdictional limits of any and all lower Courts that would otherwise have jurisdiction, in amounts

to be determined upon trial of this action, together with interest, costs, and any other appropriate relief.

**COUNT IV
CONSTRUCTIVE FRAUD
(AGAINST DIOCESE AND PARISH)**

79. PLAINTIFF hereby incorporates by reference, as if fully set forth herein, each and every allegation asserted in the preceding and following paragraphs, including each and every factual and legal allegation hereinbefore and hereinafter alleged, and hereby re-adopts and re-alleges each such allegation.

80. As described above, the DIOCESE and PARISH each had a special and/or confidential and/or fiduciary relationship of trust and confidence with Plaintiff.

81. Plaintiff's position in the relationship with the DIOCESE and PARISH was one of subordinate weakness and dependence, whereas said Defendant was in a position of superior knowledge and influence; accordingly, they did not deal on equal terms.

82. The DIOCESE and PARISH held themselves out as an institution that would protect vulnerable children, but their failure to investigate and remove Sredzinski is but one example of a course of conduct that had the intent and effect of deceiving and misleading Plaintiff and the public about their focus on the protection of children.

83. The DIOCESE and PARISH had an accumulation of knowledge of the sexual abuse of children by their employees and clerics, critical information it kept from Plaintiff, his parents, and the public. Further, when these Defendants did comment on the issue of child sexual abuse within the Church, their schools, orphanages, convents, and other Catholic-operated or sponsored agencies and institutions, they falsely assured the general public, parishioners, parents, and law enforcement authorities that they would responsibly deal with offending clerics and other agents.

84. Plaintiff justifiably relied on these Defendants' representations that they would protect children from harm and not subject them to unsupervised contact with individuals who had a proclivity to commit acts of sexual abuse and sexual violence against children.

85. The aforementioned constructive fraud of the DIOCESE and PARISH directly and proximately caused Plaintiff to sustain severe and permanent damages as described above.

WHEREFORE, Plaintiff demands judgment for compensatory and punitive damages against the DIOCESE and PARISH, jointly and severally, in an amount exceeding the monetary jurisdictional limits of any and all lower Courts that would otherwise have jurisdiction, in amounts to be determined upon trial of this action, together with interest, costs, and any other appropriate relief.

COUNT V
CIVIL CONSPIRACY TO COMMIT FRAUD
(AGAINST ALL DEFENDANTS)

86. PLAINTIFF hereby incorporates by reference, as if fully set forth herein, each and every allegation asserted in the preceding and following paragraphs, including each and every factual and legal allegation hereinbefore and hereinafter alleged, and hereby re-adopts and re-alleges each such allegation.

87. All Defendants were part of an agreement with other co-conspirators, including the Vatican and other U.S. dioceses, to engage in a coordinated effort to conceal allegations of sexual assault and abuse from the public, including by making representations that churches and Catholic schools were safe, that priests were to be trusted, and that incidents of sexual abuse were not symptomatic of a recurring problem in the Catholic Church. The conspiracy started before Plaintiff was abused and continues to this day.

88. Defendants, as well as the Vatican and other U.S. dioceses, have, for decades and continuing to the present day, adopted policies and practices intended to conceal sexual abuse

committed by its agents. These policies and practices endangered numerous children in the past and were created with the knowledge that such policies would cause the repeated commission of a variety of intentional and negligent torts.

89. Defendants (as well as other U.S. dioceses) conspired to publicly deny responsibility for and conceal the immoral and sexually abusive crimes committed by their priests and employees against children and did so with the coordination of various popes and officials of the Vatican. Such purposeful and overt acts effectively protected child predators within the Catholic Church and elicited further abuse of innocent children.

90. The conspiracy not only included the Vatican, the DIOCESE, the PARISH, WUERL, MALESIC, and other former bishops of the DIOCESE, but also the Vicar Generals and other priests assigned by each respective Bishop or Archbishop to receive complaints from child abuse survivors, interview victims or their parents, and interview the accused cleric or employee dealing with immoral, evil, and harmful conduct involving children. Each had a duty and responsibility to parishioners to report those who would do harm to children to police, district attorneys, and child welfare authorities. All failed to take such action. All permitted these child predators to remain in the clerical state, in employment, or as volunteers, thereby creating foreseeable risk to the children each child predator came into contact with through their assignments.

91. The Vatican received laicization petitions and other information directly from dioceses and archdioceses throughout the United States containing information about priests and clerics known to be child molesters, but nevertheless chose not to implement procedures to protect children or to notify police, district attorneys, or child welfare authorities. This decision or directive was known to the Archdiocese of Washington, D.C. and indeed each diocese in the

United States, including DIOCESE.

92. Each Defendant undertook overt acts in furtherance of the common scheme, including but not limited to the following: 1) concealing the sexual assaults of and the identities and patterns of its sexually abusive priests, seminarians, nuns, employees, and volunteers; 2) concealing sexual assaults and abuse committed by its agents from proper civil authorities; 3) attacking the credibility of victims of Defendants' agents; 4) protecting Defendants' agents from criminal prosecution for sexual assaults and abuse against children; 5) allowing known child molesters to live freely in the community without informing the public; 6) after receiving reports or notice of sexual misconduct by clerics, transferring them to new locations without warning parishioners or the public of the threat posed by such sexual abusers; 7) making affirmative representations regarding Defendants' agents' fitness for employment in positions that include working with children, while failing to disclose negative information regarding sexual misconduct by clerics; and 8) concealing Defendants' actions and their agents' actions from survivors of past abuse, thereby causing additional injuries and harm.

93. In an April 1, 2010 Baltimore Sun article by Matthew Hay Brown entitled *Pope Paul VI Alerted to Clergy Abuse in 1960s*, it is reported that Rev. Gerald M.C. Fitzgerald met with Pope Paul VI in 1963 to discuss the problem of pedophilia in the priesthood, and additionally sent a follow-up letter recommending that any offending priests be removed from the ministry. Rather than accept Rev. Fitzgerald's recommendations, Pope Paul VI updated the Vatican's procedure for dealing with allegations of childhood sexual abuse, ensuring that any procedure to investigate such claims would be handled with the utmost secrecy, by threat of excommunication.

94. Pope Francis issued a public statement on or about August 20, 2018 regarding the child sexual abuse crisis within the Catholic Church, stating that the Church "must

acknowledge our past sins and mistakes” and admitting the Church “showed no care for the little ones” and “abandoned them.” This was an admission of the complicity in the conspiracy to commit fraud of the Vatican.

95. The Grand Jury Report specifically mentions Defendant WUERL over 200 times and finds that he allowed numerous priests whom he knew to be abusive to continue in active ministry or to remain in good standing when they were transferred to other dioceses. Although WUERL defended his actions, Pennsylvania Attorney General Josh Shapiro said in an August 19, 2018 statement to CNN: “Cardinal Wuerl is not telling the truth. Many of his statements in response to the Grand Jury Report are directly contradicted by the Church’s own documents and records from their Secret Archives. Offering misleading statements now only furthers the cover up.”

96. Mounting pressure, including a Change.org petition which garnered over 140,000 signatures, forced WUERL to resign in disgrace from the position of Archbishop of Washington, D.C. on October 12, 2018.

97. WUERL continues to “further[] the cover-up” to this day, including, on May 20, 2020, by threatening, through his attorneys, to bring a frivolous defamation suit against Plaintiff for reporting the aforementioned allegations to the DIOCESE.

98. Defendant MALESIC has publicly admitted that 21 priests and clerics within the DIOCESE were “credibly” accused of sexual misconduct with minors. However, the list purposely excludes important information about the priests and clerics on that list. Information has been withheld about the credibly accused priests’ patterns of grooming and sexual abuse, which means that children remain at risk of being sexually assaulted. MALESIC and the DIOCESE similarly have not fully disclosed when and how they and their agents, servants, and/or employees learned

of the information about the accused priests, which would assist the public's investigation into the rampant problem of abuse of children in the Catholic Church.

99. The DIOCESE's list also excluded the following pertinent information:
- a. The names of seminarians, nuns, deacons, foster parents, employees, or volunteers that abused children;
 - b. How many complaints of abuse were received for each accused person;
 - c. Each assignment where the abuse is alleged to have occurred;
 - d. Whether parishioners were notified at each assignment, and when;
 - e. Whether the information or report turned over to law enforcement authorities, and when;
 - f. The DIOCESE's standards for determining whether allegations are credible and substantiated; and
 - g. The names of any clerics who have been accused in a way that the DIOCESE does not believe to be credible or substantiated.

100. In the case at hand, Defendants and their agents, servants, and/or employees acted with a common purpose in conspiring to conceal the improper and illegal activities taking place within the DIOCESE and PARISH.

101. Defendants entered into the conspiracy with the common purpose of concealing from the public the nature and scope of sexual abuse of minors in the DIOCESE.

102. Defendants entered into the conspiracy with the common purpose of continuing to hold out sexually abusive priests, clerics, employees, and volunteers within the DIOCESE as trustworthy.

103. Defendants entered into the conspiracy with the common purpose of delaying or

preventing individuals from reporting sexual abuse to civil authorities, waiting for the statute of limitations to expire.

104. It was essential for the Defendants to engage in such a conspiracy because doing so allowed Defendants to retain their positions of authority, trust, respect, and influence within their respective communities and on the national or international stage.

105. By engaging in this conspiracy, the Defendants directly caused and perpetuated the commission of fraud, as well as other torts, including assault, battery, sexual abuse, and other wrongful acts.

106. Defendants intentionally entered into agreements of complicity and performed the actions set forth above, which agreements were passed on from one Archbishop to the next successor.

107. The Defendants' aforementioned civil conspiracy to commit fraud benefited the Church and its agents and directly and proximately caused Plaintiff to sustain severe and permanent damages as described above.

93. The aforesaid conspiracy is a continuing conspiracy that continues to this day.

WHEREFORE, Plaintiff demands judgment for compensatory and punitive damages against all Defendants, jointly and severally, in an amount exceeding the monetary jurisdictional limits of any and all lower Courts that would otherwise have jurisdiction, in amounts to be determined upon trial of this action, together with interest, costs, and any other appropriate relief.

Dated: June 3, 2020

/s/ Matthew M. White
Matthew M. White (D.C. Bar #1013585)
Richard M. Serbin (pro hac vice to be applied for)
Andrew S. Janet (pro hac vice to be applied for)
Janet, Janet & Suggs, LLC
500 Taylor Street, Suite 301
Columbia, SC 29201

Telephone: (803) 726-0050
Facsimile: (803) 727-1059
Email: mwhite@jjsjustice.com

/s/ Christopher T. Nace

Christopher T. Nace, Bar No. 977865
1025 Thomas Jefferson St., NW
Suite 810
Washington, DC 20007
202-463-1999 – Telephone
202-223-6824 – Facsimile
ctnace@paulsonandnace.com
Attorneys for Plaintiff

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: June 3, 2020

/s/ Matthew M. White

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Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

JOHN DOE MR

Plaintiff

vs.

Case Number **2020 CA 002848 B**

THE ROMAN CATHOLIC DIOCESE OF GREENSBURG, et al.

Defendant

THE ROMAN CATHOLIC DIOCESE OF GREENSBURG
723 East Pittsburgh Street
Greensburg, PA 15601

SUMMONS

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Christopher T. Nace

Name of Plaintiff's Attorney

1025 Thomas Jefferson St. NW Ste 810

Address

Washington, DC 20007

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如需翻译, 请打电话 (202) 879-4828

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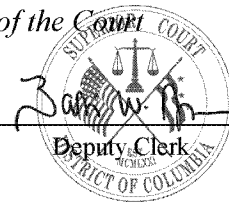
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By

Clerk of the Court



Deputy Clerk

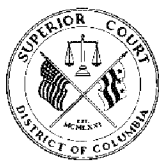
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DIVISIÓN CIVIL
 Sección de Acciones Civiles
 500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
 Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

 Demandante
 contra

Número de Caso: _____

 Demandado

CITATORIO

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SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante _____

Por: _____
 Subsecretario

Dirección _____

Teléfono _____

Fecha _____

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Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

JOHN DOE MR

Plaintiff

vs.

Case Number 2020 CA 002848 B

THE ROMAN CATHOLIC DIOCESE OF GREENSBURG, et al.

Defendant

BISHOP EDWARD C. MALESIC
723 East Pittsburgh Street
Greensburg, PA 15601

SUMMONS

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Christopher T. Nace

Name of Plaintiff's Attorney

1025 Thomas Jefferson St. NW Ste 810

Address

Washington, DC 20007

(202) 463-1999

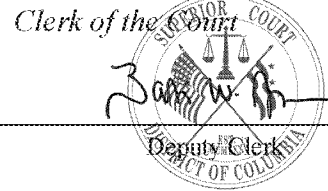
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By

Date

06/22/2020

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DIVISIÓN CIVIL

Sección de Acciones Civiles

500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001

Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

_____ Demandante
contra

Número de Caso: _____

_____ Demandado

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Dirección _____

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JOHN DOE MR

Plaintiff

vs.

THE ROMAN CATHOLIC DIOCESE OF GREENSBURG, et al.

Defendant

Case Number **2020 CA 002848 B**

ST. JOHN THE BAPTIST AND ST. JOSEPH
(f/k/a SAINT JOSEPH'S ROMAN CATHOLIC
CHURCH)

416 South Broadway
Scottsdale, PA 15683

SUMMONS

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Address

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Telephone

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By

Clerk of the Court
[Signature]
Deputy Clerk

Date

06/22/2020

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Demandante
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Por: _____
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Superior Court of the District of Columbia
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
Telephone: (202) 879-1133 Website: www.dccourts.gov

JOHN DOE MR

Plaintiff

vs.

Case Number 2020 CA 002848 B

THE ROMAN CATHOLIC DIOCESE OF GREENSBURG, et al.

Defendant

DONALD WUERL
4110 Warren St. NW
Washington, D.C. 20016

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Christopher T. Nace

Name of Plaintiff's Attorney

1025 Thomas Jefferson St. NW Ste 810

Address

Washington, DC 20007

(202) 463-1999

Telephone

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Đề có một bài dịch, hãy gọi (202) 879-4828

번역을 원하 시면, (202) 879-4828 로 전화 주십시오

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

By

Clerk of the Court

Deputy Clerk

Date

06/22/2020

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation
Vea al dorso la traducción al español



TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA

DIVISIÓN CIVIL

Sección de Acciones Civiles

500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001

Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

_____ Demandante
contra

Número de Caso: _____

_____ Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante _____

Por: _____ Subsecretario

Dirección _____

Fecha _____

Teléfono _____

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Đề có một bản dịch, hãy gọi (202) 879-4828

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የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE OPONERSE A ESTA ACCIÓN, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedir ayuda al respecto.

Vea al dorso el original en inglés
See reverse side for English original

Superior Court of the District of Columbia

CIVIL DIVISION- CIVIL ACTIONS BRANCH

INFORMATION SHEET

JOHN DOE MR

Case Number: **2020 CA 002848 B**

VS

Date: June 3, 2020

THE ROMAN CATHOLIC DIOCESE OF GREENSBURG, et al.

☐ One of the defendants is being sued
in their official capacity.

Name: <i>(Please Print)</i> Christopher T. Nace, Esq.		Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff <input type="checkbox"/> Self (Pro Se) <input type="checkbox"/> Other: _____
Firm Name: Paulson & Nace, PLLC		
Telephone No.: 202-463-1999	Six digit Unified Bar No.: 977865	

TYPE OF CASE: ☐ Non-Jury ☒ 6 Person Jury ☐ 12 Person Jury
Demand: \$ 10,000,000 Other: _____

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: _____ Judge: _____ Calendar #: _____

Case No.: _____ Judge: _____ Calendar#: _____

NATURE OF SUIT: *(Check One Box Only)*

A. CONTRACTS

COLLECTION CASES

- | | | |
|---|---|---|
| <input type="checkbox"/> 01 Breach of Contract | <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent | <input type="checkbox"/> 16 Under \$25,000 Consent Denied |
| <input type="checkbox"/> 02 Breach of Warranty | <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent | <input type="checkbox"/> 18 OVER \$25,000 Consent Denied |
| <input type="checkbox"/> 06 Negotiable Instrument | <input type="checkbox"/> 27 Insurance/Subrogation | <input type="checkbox"/> 26 Insurance/Subrogation |
| <input type="checkbox"/> 07 Personal Property | Over \$25,000 Pltf. Grants Consent | Over \$25,000 Consent Denied |
| <input type="checkbox"/> 13 Employment Discrimination | <input type="checkbox"/> 07 Insurance/Subrogation | <input type="checkbox"/> 34 Insurance/Subrogation |
| <input type="checkbox"/> 15 Special Education Fees | Under \$25,000 Pltf. Grants Consent | Under \$25,000 Consent Denied |
| | <input type="checkbox"/> 28 Motion to Confirm Arbitration | |
| | Award (Collection Cases Only) | |

B. PROPERTY TORTS

- | | | |
|---|---|--------------------------------------|
| <input type="checkbox"/> 01 Automobile | <input type="checkbox"/> 03 Destruction of Private Property | <input type="checkbox"/> 05 Trespass |
| <input type="checkbox"/> 02 Conversion | <input type="checkbox"/> 04 Property Damage | |
| <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a) | | |

C. PERSONAL TORTS

- | | | |
|---|--|--|
| <input type="checkbox"/> 01 Abuse of Process | <input type="checkbox"/> 10 Invasion of Privacy | <input type="checkbox"/> 17 Personal Injury- (Not Automobile, Not Malpractice) |
| <input type="checkbox"/> 02 Alienation of Affection | <input type="checkbox"/> 11 Libel and Slander | <input type="checkbox"/> 18 Wrongful Death (Not Malpractice) |
| <input type="checkbox"/> 03 Assault and Battery | <input type="checkbox"/> 12 Malicious Interference | <input type="checkbox"/> 19 Wrongful Eviction |
| <input type="checkbox"/> 04 Automobile- Personal Injury | <input type="checkbox"/> 13 Malicious Prosecution | <input type="checkbox"/> 20 Friendly Suit |
| <input type="checkbox"/> 05 Deceit (Misrepresentation) | <input type="checkbox"/> 14 Malpractice Legal | <input type="checkbox"/> 21 Asbestos |
| <input type="checkbox"/> 06 False Accusation | <input type="checkbox"/> 15 Malpractice Medical (including Wrongful Death) | <input type="checkbox"/> 22 Toxic/Mass Torts |
| <input type="checkbox"/> 07 False Arrest | <input checked="" type="checkbox"/> 16 Negligence- (Not Automobile, Not Malpractice) | <input type="checkbox"/> 23 Tobacco |
| <input type="checkbox"/> 08 Fraud | | <input type="checkbox"/> 24 Lead Paint |

SEE REVERSE SIDE AND CHECK HERE IF USED

Information Sheet, Continued

C. OTHERS

- | | |
|---|---|
| <input type="checkbox"/> 01 Accounting | <input type="checkbox"/> 17 Merit Personnel Act (OEA) |
| <input type="checkbox"/> 02 Att. Before Judgment | (D.C. Code Title 1, Chapter 6) |
| <input type="checkbox"/> 05 Ejectment | <input type="checkbox"/> 18 Product Liability |
| <input type="checkbox"/> 09 Special Writ/Warrants
(DC Code § 11-941) | <input type="checkbox"/> 24 Application to Confirm, Modify,
Vacate Arbitration Award (DC Code § 16-4401) |
| <input type="checkbox"/> 10 Traffic Adjudication | <input type="checkbox"/> 29 Merit Personnel Act (OHR) |
| <input type="checkbox"/> 11 Writ of Replevin | <input type="checkbox"/> 31 Housing Code Regulations |
| <input type="checkbox"/> 12 Enforce Mechanics Lien | <input type="checkbox"/> 32 Qui Tam |
| <input type="checkbox"/> 16 Declaratory Judgment | <input type="checkbox"/> 33 Whistleblower |

II.

- | | | |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name | <input type="checkbox"/> 15 Libel of Information | <input type="checkbox"/> 21 Petition for Subpoena
[Rule 28-I (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic | <input type="checkbox"/> 19 Enter Administrative Order as
Judgment [D.C. Code § | <input type="checkbox"/> 22 Release Mechanics Lien |
| <input type="checkbox"/> 08 Foreign Judgment/International | 2-1802.03 (1) or 32-151.9 (a)] | <input type="checkbox"/> 23 Rule 27(a)(1)
(Perpetuate Testimony) |
| <input type="checkbox"/> 13 Correction of Birth Certificate | <input type="checkbox"/> 20 Master Meter (D.C. Code § | <input type="checkbox"/> 24 Petition for Structured Settlement |
| <input type="checkbox"/> 14 Correction of Marriage
Certificate | 42-3301, et seq.) | <input type="checkbox"/> 25 Petition for Liquidation |
| <input type="checkbox"/> 26 Petition for Civil Asset Forfeiture (Vehicle) | | |
| <input type="checkbox"/> 27 Petition for Civil Asset Forfeiture (Currency) | | |
| <input type="checkbox"/> 28 Petition for Civil Asset Forfeiture (Other) | | |

D. REAL PROPERTY

- | | |
|--|--|
| <input type="checkbox"/> 09 Real Property-Real Estate | <input type="checkbox"/> 08 Quiet Title |
| <input type="checkbox"/> 12 Specific Performance | <input type="checkbox"/> 25 Liens: Tax / Water Consent Granted |
| <input type="checkbox"/> 04 Condemnation (Eminent Domain) | <input type="checkbox"/> 30 Liens: Tax / Water Consent Denied |
| <input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale | <input type="checkbox"/> 31 Tax Lien Bid Off Certificate Consent Granted |
| <input type="checkbox"/> 11 Petition for Civil Asset Forfeiture (RP) | |

/s/ Christopher T. Nace

Attorney's Signature

June 3, 2020

Date



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
Telephone: (202) 879-1133 • Website: www.dccourts.gov

JOHN DOE MR

Vs.

C.A. No. 2020 CA 002848 B

THE ROMAN CATHOLIC DIOCESE OF GREENSBURG et al

INITIAL ORDER AND ADDENDUM

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure (“Super. Ct. Civ. R.”) 40-I, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge’s name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the summons, the complaint, and this Initial Order and Addendum. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in Super. Ct. Civ. R. 4(m).

(3) Within 21 days of service as described above, except as otherwise noted in Super. Ct. Civ. R. 12, each defendant must respond to the complaint by filing an answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in Super. Ct. Civ. R. 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an initial scheduling and settlement conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients **prior** to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference **once**, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than seven business days before the scheduling conference date.

No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each judge’s Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court’s website <http://www.dccourts.gov/>.

Chief Judge Robert E. Morin

Case Assigned to: Judge JOSE M LOPEZ

Date: June 22, 2020

Initial Conference: 9:30 am, Friday, October 09, 2020

Location: Courtroom 212

500 Indiana Avenue N.W.

WASHINGTON, DC 20001

ADDENDUM TO INITIAL ORDER AFFECTING ALL MEDICAL MALPRACTICE CASES

In accordance with the Medical Malpractice Proceedings Act of 2006, D.C. Code § 16-2801, et seq. (2007 Winter Supp.), "[a]fter an action is filed in the court against a healthcare provider alleging medical malpractice, the court shall require the parties to enter into mediation, without discovery or, if all parties agree[,] with only limited discovery that will not interfere with the completion of mediation within 30 days of the Initial Scheduling and Settlement Conference ("ISSC"), prior to any further litigation in an effort to reach a settlement agreement. The early mediation schedule shall be included in the Scheduling Order following the ISSC. Unless all parties agree, the stay of discovery shall not be more than 30 days after the ISSC." D.C. Code § 16-2821.

To ensure compliance with this legislation, on or before the date of the ISSC, the Court will notify all attorneys and *pro se* parties of the date and time of the early mediation session and the name of the assigned mediator. Information about the early mediation date also is available over the internet at <https://www.dccourts.gov/pa/>. To facilitate this process, all counsel and *pro se* parties in every medical malpractice case are required to confer, jointly complete and sign an EARLY MEDIATION FORM, which must be filed no later than ten (10) calendar days prior to the ISSC. D.C. Code § 16-2825 Two separate Early Mediation Forms are available. Both forms may be obtained at www.dccourts.gov/medmalmediation. One form is to be used for early mediation with a mediator from the multi-door medical malpractice mediator roster; the second form is to be used for early mediation with a private mediator. Both forms also are available in the Multi-Door Dispute Resolution Office, Suite 2900, 410 E Street, N.W. Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to earlymedmal@dcsc.gov. *Pro se* Plaintiffs who elect not to eFile may file by hand in the Multi-Door Dispute Resolution Office.

A roster of medical malpractice mediators available through the Court's Multi-Door Dispute Resolution Division, with biographical information about each mediator, can be found at www.dccourts.gov/medmalmediation/mediatorprofiles. All individuals on the roster are judges or lawyers with at least 10 years of significant experience in medical malpractice litigation. D.C. Code § 16-2823(a). If the parties cannot agree on a mediator, the Court will appoint one. D.C. Code § 16-2823(b).

The following persons are required by statute to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case. D.C. Code § 16-2824.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code § 16-2826. Any Plaintiff who is *pro se* may elect to file the report by hand with the Civil Actions Branch. The forms to be used for early mediation reports are available at www.dccourts.gov/medmalmediation.

Chief Judge Robert E. Morin