

1 William A. Barton, OSB No. 72020  
2 Kevin K. Strever, OSB No. 85339  
3 BARTON & STREVER, P.C.  
4 P.O. Box 870  
5 Newport, OR 97365  
6 Telephone: (541) 265-5377  
7 Facsimile: (541) 265-5614  
8 E-Mail: [bartonstrever@actionnet.net](mailto:bartonstrever@actionnet.net)

9 Jeffrey R. Anderson, MSB No. 2057  
10 REINHARDT AND ANDERSON  
11 E-1000 First National Bank Bldg.  
12 332 Minnesota Street  
13 St. Paul, Minnesota 55101  
14 Telephone: (651) 227-9990  
15 Facsimile: (651) 297-6453  
16 E-Mail: [jeff.r.anderson@ralawfirm.com](mailto:jeff.r.anderson@ralawfirm.com)

17 Attorneys for Plaintiff

18 IN THE UNITED STATES DISTRICT COURT  
19 FOR THE DISTRICT OF OREGON

20 JOHN V. DOE,

21 Plaintiff,

22 vs.

23 HOLY SEE, (State of the Vatican City), Its  
24 Instrumentalities and/or Agents - Does 1-10;  
25 ARCHDIOCESE OF PORTLAND IN OREGON,  
26 an Oregon Corporation; THE ROMAN  
27 CATHOLIC ARCHBISHOP OF PORTLAND IN  
28 OREGON, and successors, a corporation sole,  
29 dba THE ARCHDIOCESE OF PORTLAND  
30 IN OREGON; THE CATHOLIC BISHOP OF  
31 CHICAGO, a corporation sole; THE ORDER OF  
32 THE FRIAR SERVANTS OF MARY, d/b/a  
33 THE ORDER OF THE FRIAR SERVANTS OF  
34 MARY, U.S.A., PROVINCE, INC.,

35 Defendants.

Case No.:

**COMPLAINT**

**JURY TRIAL DEMANDED**

36 Plaintiff, for his causes of action against Defendants, alleges that:

37 **PARTIES**

38 **1.**

39 Plaintiff John V. Doe is an adult male citizen of the State of Washington. Plaintiff was a  
40 minor at the time of all sexual abuse alleged below.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**2.**

At all times material, Defendant Holy See (State of the Vatican City), (hereinafter “Holy See”) is a foreign country. The true names and capacities, whether individual, corporate, associate or otherwise, of Defendants Does 1-10 are unknown to Plaintiff who therefore sues said Defendants by such fictitious names. When the true names and capacities of said Defendants have been ascertained, Plaintiff will seek leave of court to amend this complaint to allege the true names and capacities. Plaintiff is informed and believes and based thereon alleges that each of the Defendants, as an agent and/or instrumentality of Defendant Holy See, designated as a Doe herein is liable in some manner for the acts, occurrences and omissions hereinafter alleged. Any reference or allegation against Defendant Holy See includes Does 1 through 10.

**3.**

Defendant Holy See is the ecclesiastical, governmental, and administrative capital of the Roman Catholic Church. Defendant Holy See is the composite of the authority, jurisdiction, and sovereignty vested in the Pope and his delegated advisors to direct the world-wide Roman Catholic Church. Defendant Holy See has unqualified power over the Catholic Church including each and every individual and section of the church. Defendant Holy See directs, supervises, supports, promotes and engages in providing religious and pastoral guidance, education and counseling services to Roman Catholics world-wide in exchange for all or a portion of the revenues derived from its members for these services. The Holy See engages in these activities through its agents, cardinals, bishops and clergy, including religious order priests, brothers and sisters, who engage in pastoral work under the authority of its bishop. The Holy See is supported through the contributions of the faithful which are received through donations from the dioceses. Defendant Holy See promotes and safeguards the morals and standards of conduct of the clergy of the catholic church. Defendant Holy See does this by and through its agents and instrumentalities, including the Congregation for the Clergy and the Congregation for Religious both delegated by the Pope and acting on his behalf. It creates, divides and re-aligns dioceses, archdioceses and ecclesiastical provinces. It also gives final approval to the creation, division or suppression of provinces of

1 religious orders. Defendant Holy See promotes the sacred liturgy, directs and coordinates the  
2 spreading of its faith and other things necessary to promote the faith. It creates, appoints, assigns  
3 and re-assigns bishops, superiors of religious orders, and through the bishops and superiors of  
4 religious orders has the power to directly assign and remove individual clergy. All bishops, clergy,  
5 and priests, including religious order priests, vow to show respect and obedience to the Pope and  
6 their bishop. Defendant Holy See also examines and is responsible for the work and discipline and  
7 all those things which concern bishops, superiors of religious orders, priests and deacons of the  
8 religious clergy. In furtherance of this duty, Defendant Holy See requires bishops to file a report,  
9 on a regular basis, outlining the status of, and any problems with, clergy. Defendant Holy See  
10 promulgates and enforces the laws and regulations regarding the education, training and standards  
11 of conduct and discipline for its members and those who serve in the governmental, administrative,  
12 judicial, educational and pastoral workings of the Catholic church world-wide. Defendant Holy See  
13 is also directly responsible for removing superiors of religious orders, bishops, archbishops and  
14 cardinals from service and/or making them ineligible for positions of leadership in the various  
15 divisions and offices of the Catholic church.

16 **4.**

17 At all times material, Defendant Archdiocese of Portland in Oregon, was a citizen of the state  
18 of Oregon in that it is a corporation incorporated under the laws of the state of Oregon and having  
19 its principal place of business in the state of Oregon. At all times material, the Roman Catholic  
20 Archbishop of Portland in Oregon, and successors, was a citizen of the state of Oregon in that it is  
21 a corporation incorporated under the laws of the state of Oregon and having its principal place of  
22 business in the state of Oregon and doing business as the Archdiocese of Portland in Oregon  
23 (hereinafter, collectively the “Archdiocese”). Defendant Archdiocese provided pastoral services to  
24 Plaintiff and his immediate family through its parishes.

25 **5.**

26 At all times material, Defendant Catholic Bishop of Chicago (hereinafter “Catholic Bishop”)  
27 was and continues to be a citizen of the state of Illinois in that it is a corporation incorporated under  
28 the laws of the state of Illinois and having its principal place of business in the state of Illinois.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**6.**

At all times material, Defendant The Order of the Friar Servants, d/b/a The Order of the Friar Servants of Mary, U.S.A., Province, Inc. (hereinafter "Order") was and continues to be a citizen of the state of Illinois in that its principal place of business is in the state of Illinois and operating world-wide, including Benburb, Ireland, Chicago, Illinois and Portland, Oregon with its main headquarters in Italy. Defendant Order is known as a religious Order "Of Pontifical Right" which means that it is under the ultimate authority of Defendant Holy See and not a diocesan bishop. The head of an order, including Defendant Order, is called the Master General or the equivalent. His office is in Rome. He is elected but his election is approved by Defendant Holy See. The individual provinces of an order are headed by provincials who are elected by their members and approved by the head of the order. For an order, such as Defendant Order, and its priests to operate within a diocese, it must obtain the approval of the local bishop within that diocese or area.

**JURISDICTION AND VENUE**

**7.**

This court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332 because the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and the Plaintiff herein, a citizen of the state of Washington, is diverse in state citizenship from Defendants, citizens of the states of Oregon and Illinois, and a foreign country.

**8.**

This Court has personal jurisdiction over the Defendants because a tort was committed by the Defendants against Plaintiff in this district. This Court has jurisdiction over the Defendant Holy See and/or Does 1-10 in that the actions that the Plaintiff complains of involve an activity for which the law provides an exception to sovereign immunity.

**9.**

Venue is proper in this district pursuant to 28 U.S.C. § 1391 because a substantial part of the events or omissions giving rise to the claim occurred within this district.

1 **FACTS**

2 **10.**

3 At all times material, Defendants employed priests, including one Father Andrew Ronan  
4 ("Ronan"), to provide religious and pastoral services. Father Ronan was employed by all Defendants  
5 as a priest. The duties of Ronan's employment included but were not restricted to teaching the word  
6 of God and the law of the church, providing pastoral services, spiritual care, guidance and  
7 counseling, and obtaining financial support for the Church. At all times material, Ronan was a  
8 Roman Catholic priest, employed by and an agent of Defendant Holy See and Defendant Order,  
9 under their direct supervision and control. Ronan was a Roman Catholic priest and employee of  
10 Defendant Catholic Bishop from on or about 1961-1965 and Defendant Archdiocese of Portland,  
11 from on or about 1965 to 1966. As a Roman Catholic priest, Ronan was under the direct  
12 supervision, employ and control of Defendant Archdiocese and Defendant Catholic Bishop. At all  
13 times material, Ronan was an adult at the time of the sexual abuse alleged herein. As a Religious  
14 Order priest, Ronan was under the supervision of both the superiors of his order and the bishops of  
15 dioceses wherein he was serving.

16 **11.**

17 In approximately 1955/1956, while employed with Defendant Archdiocese of Armagh, at  
18 Our Lady of Benburb, Priory, Ireland, Ronan sexually molested a youth. The parents of the youth  
19 and/or the youth reported the abuse and left it up to those at Benburb to deal with Ronan. On  
20 information and belief, Ronan admitted to abusing the youth. According to files and records  
21 maintained by the Roman Catholic Church, Ronan was removed from Benburb due to his  
22 admissions. Moreover, in the same files and records, Ronan admitted that this problem went back  
23 to his early life, and even though he overcame it for many years, it was still deeply rooted within  
24 him. Again, according to the same records and files, Ronan was never to be trusted.

25 **12.**

26 In approximately 1963-1964, Ronan was removed from Benburb and placed in Defendant  
27 Catholic Bishop, in Defendant Order's Chicago province, at St. Philip's High School, an all boys  
28 high school. While at St. Philip's High School, Ronan molested at least three male students.

1 Each report was made independent of the other. When Ronan was confronted with the  
2 allegations, he admitted to abusing the youths. According to files and records maintained by the  
3 Roman Catholic Church, when confronted, Ronan admitted that he did not understand why he was  
4 assigned to work at a boys' high school in a counselor's private office, where temptation to molest  
5 children would be maximized, given his previous record of molestation in Benburb. Upon  
6 information and belief, Defendant Catholic Bishop, acting in accordance with the policies, practices,  
7 and procedures of Defendant Holy See, failed to remove or discipline Ronan, or to warn others,  
8 including Defendant Archdiocese, of Ronan's propensities. As a result of this conduct, Ronan was  
9 subsequently able to have contact with Plaintiff.

10 **13.**

11 Despite knowing of Ronan's dangerous propensities to abuse children, in approximately  
12 1965, Defendant Holy See and Defendant Order placed Ronan in Defendant Archdiocese at St.  
13 Albert's Church in Portland, Oregon. Plaintiff came to know Ronan as his priest, counselor and  
14 spiritual adviser. Plaintiff was raised in a devout Roman Catholic family, and regularly celebrated  
15 mass, received the sacraments, participated in church-related activities. Plaintiff, therefore,  
16 developed great admiration, trust, reverence and respect for the Roman Catholic Church and its  
17 agents. Thus, Ronan was a person of great influence and persuasion as a holy man and authority  
18 figure.

19 **14.**

20 In late 1965 or early 1966, when Plaintiff was approximately 15 to 16 years old, Ronan, using  
21 his position of authority, trust, reverence, and control as a Roman Catholic priest, engaged in harmful  
22 sexual contact upon the person of Plaintiff on repeated occasions. The sexual contact occurred in  
23 several places including the monastery and surrounding areas in Portland, Oregon, United States of  
24 America.

25 **15.**

26 The sexual abuse of Plaintiff, and the circumstances under which the abuse occurred caused  
27 Plaintiff to develop various psychological coping mechanisms and symptoms of psychological  
28 distress, including great shame, guilt, self-blame, depression, repression and disassociation. As a

1 result, Plaintiff was unable to perceive or know the existence or nature of his psychological and  
2 emotional injuries and their connection to the sexual abuse perpetrated upon him by Ronan.

3 **16.**

4 As a direct result of the sexual abuse described herein, Plaintiff has suffered and will  
5 continue to suffer severe and permanent emotional distress, physical manifestations of emotional  
6 distress, embarrassment, loss of self-esteem, and other psychological injuries; was prevented and will  
7 continue to be prevented from performing his normal daily activities and obtaining the full  
8 enjoyment of life; has incurred and will continue to incur expenses for medical and psychological  
9 treatment, therapy and counseling; and has incurred and will continue to incur loss of income and  
10 loss of earning capacity.

11 **COUNT I: VICARIOUS LIABILITY (RESPONDEAT SUPERIOR) AGAINST**  
12 **DEFENDANT ARCHDIOCESE FOR THE ACTS OF THEIR AGENT RONAN**

13 Plaintiff incorporates each and every allegation contained in Paragraphs 1 through 16 of this  
14 complaint as if set forth in full herein.

15 **17.**

16 For the purpose of furthering his assigned duties as priest and pastor, Ronan identified  
17 Plaintiff's family as one with a young male child, sought and gained the trust and confidence of  
18 Plaintiff's mother as friend, spiritual guide, youth pastor, confessor, and priest; sought and gained  
19 parental consent for Plaintiff to participate in counseling and other activities, and to spend time alone  
20 with him; and sought and gained the parental directive to Plaintiff that he respect Ronan's authority  
21 and guidance and comply with his instruction.

22 **18.**

23 For the purpose of furthering his assigned duties as priest and pastor, Ronan also sought and  
24 gained Plaintiff's trust, friendship, admiration, and obedience. As a result, Plaintiff was conditioned  
25 to comply with Ronan's direction and to look to him as an authority on matters spiritual, moral,  
26 ethical and temporal.





1 able to assume positions of trust and authority as a Roman Catholic priest, where he was able to  
2 commit the wrongful acts against the Plaintiff. Defendant failed to provide reasonable supervision  
3 of Ronan, failed to use reasonable care in investigating Ronan and failed to provide adequate  
4 warning to Plaintiff and his family. Upon information and belief, Defendant Catholic Bishop was  
5 acting in accordance with the policies, practices, and procedures of Defendant Holy See.

6 **24.**

7 As a direct result of this negligent conduct, Plaintiff has sustained and continues to sustain  
8 the injuries and damages described above in paragraphs 16, 21 and 22.

9 **COUNT III: VICARIOUS LIABILITY (RESPONDEAT SUPERIOR) AGAINST**  
10 **DEFENDANT ORDER FOR THE ACTS OF**  
11 **THEIR AGENT RONAN**

12 Plaintiff incorporates each and every allegation contained in Paragraphs 1 through 24 of this  
13 complaint as if set forth in full herein.

14 **25.**

15 For the purpose of furthering his assigned duties as priest and pastor, Ronan identified  
16 Plaintiff's family as one with a young male child, sought and gained the trust and confidence of  
17 Plaintiff's mother as friend, spiritual guide, youth pastor, confessor, and priest; sought and gained  
18 parental consent for Plaintiff to participate in counseling and other activities, and to spend time alone  
19 with him; and sought and gained the parental directive to Plaintiff that he respect Ronan's authority  
20 and guidance and comply with his instruction.

21 **26.**

22 For the purpose of furthering his assigned duties as priest and pastor, Ronan also sought and  
23 gained Plaintiff's trust, friendship, admiration, and obedience. As a result, Plaintiff was conditioned  
24 to comply with Ronan's direction and to look to him as an authority on matters spiritual, moral,  
25 ethical and temporal.

26 **27.**

27 Ronan at all materials times suffered from a mental disorder known as Pedophilia. This  
28 disorder caused him to be compelled to perpetrate sexual acts upon young boys. Using the power,  
authority and trust of his position as priest and youth pastor to Plaintiff and to his parents, Ronan

1 enticed, induced, directed, and coerced Plaintiff to engage in various sexual acts with him. Ronan's  
2 sexual molestation of Plaintiff occurred on multiple occasions over a period of several months.

3 **28.**

4 Using the power, authority and trust of his position as priest and youth pastor to the Plaintiff  
5 and to his parents, Ronan enticed, induced, directed and/or coerced Plaintiff to engage in various  
6 sexual acts with him from approximately 1965 to 1966. Defendant Order is therefore vicariously  
7 liable for the negligent acts and omissions of their agent Ronan.

8 **29.**

9 As a direct result of this sexual abuse and breach of trust, Plaintiff has sustained and  
10 continues to sustain the injuries and damages described above in paragraphs 16, 21 and 22.

11 **30.**

12 As a further result of the molestation, Plaintiff has incurred and/or will continue to incur costs  
13 for counseling and psychological treatment in an amount to be disclosed prior to trial, and has lost  
14 earning capacity in an amount to be disclosed prior to trial.

15 **COUNT IV: NEGLIGENCE AGAINST DEFENDANT ORDER**

16 Plaintiff incorporates each and every allegation contained in Paragraphs 1 through 30 of this  
17 complaint as if set forth in full herein.

18 **31.**

19 Defendant Order, by and through its agents, servants and employees, knew or reasonably  
20 should have known of Ronan's dangerous and exploitive propensities as a child sexual abuser and/or  
21 an unfit agent, and despite such knowledge, Defendant negligently retained and failed to warn those  
22 coming into contact with him, including but not limited to Defendant Archdiocese, Plaintiff herein  
23 and Plaintiff's family, of Ronan's propensities. Ronan was able to assume positions of trust and  
24 authority as a Roman Catholic priest, where he was able to commit the wrongful acts against  
25 Plaintiff. Defendant failed to provide reasonable supervision of Ronan, failed to use reasonable care  
26 in investigating Ronan and failed to provide adequate warning to Plaintiff and his family. Upon  
27 information and belief, Defendant Order was acting in accordance with the policies, practices and  
28 procedures of Defendant Holy See.

1 **32.**

2 As a direct result of this negligent conduct, Plaintiff has sustained and continues to sustain  
3 the injuries and damages described above in paragraphs 16, 21 and 22.

4 **COUNT V: VICARIOUS LIABILITY (RESPONDEAT SUPERIOR)**  
5 **AGAINST DEFENDANT HOLY SEE**

6 Plaintiff incorporates each and every allegation contained in Paragraphs 1 through 32 of this  
7 Complaint as if set forth in full herein.

8 **33.**

9 At all times material, Defendant Holy See had the right to control its agents, Defendant  
10 Catholic Bishop, Defendant Archdiocese, Defendant Order and Ronan. At all times material,  
11 Ronan and Defendants Catholic Bishop, Archdiocese and Order, were the agents of Defendant Holy  
12 See, acting in furtherance of the purposes of the Defendant Holy See, doing the kind of acts they  
13 were engaged to perform, and were motivated, at least in part, to further the purposes of Defendant  
14 Holy See.

15 **34.**

16 Defendant Holy See, by and through its agents, granted Ronan faculties to perform as a  
17 Roman Catholic priest. Defendant Holy See, by and through its agents, also certified and held  
18 Ronan out to the community of the faithful as a fit and competent agent of Defendant Holy See and  
19 a minister of Christ. Ronan was acting as the agent in ministering to the community of the faithful,  
20 including performing sacraments, teaching the word of God and the law of the Church and providing  
21 aid, comfort and counseling, and obtaining financial support for the church.

22 **35.**

23 Plaintiff was molested by Ronan while Plaintiff was under the authority and influence of  
24 Ronan as a Roman Catholic priest which authority was granted to him by Defendant Holy See,  
25 Archdiocese and Order. The molestation of the Plaintiff occurred while Ronan was acting in the  
26 scope of his employment, the agency relationship with Defendant Holy See, Archdiocese and Order  
27 and/or this conduct was committed within the apparent authority arising from this employment  
28 and/or agency. Ronan was executing the very employment duties which he was assigned to perform.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**36.**

Therefore, due to the nature of the employment duties and, the vast disparity of power that existed in this relationship, Defendant Holy See is liable for the negligent and/or wrongful conduct of its agents, including Defendant Catholic Bishop, Defendant Archdiocese, Defendant Order, and its priest Father Ronan as described in the causes of action herein under the law of vicarious liability, including the doctrine of respondeat superior.

**37.**

As a direct result of this sexual abuse and breach of trust, Plaintiff has sustained and continues to sustain the injuries and damages described above in paragraphs 16, 21 and 22.

**COUNT VI: NEGLIGENCE AGAINST DEFENDANT HOLY SEE**

Plaintiff incorporates each and every allegation contained in Paragraphs 1 through 37 of this complaint as if set forth in full herein.

**38.**

Defendant Holy See, by and through its agents, servants and employees, knew or reasonably should have known of Ronan’s dangerous and exploitive propensities as a child sexual abuser and/or an unfit agent, and despite such knowledge, Defendant negligently retained Ronan and failed to warn those coming into contact with him, including but not limited to, Defendant Archdiocese, Defendant Bishop and Defendant Order, Plaintiff herein and Plaintiff’s family, of Ronan’s propensities. Ronan was therefore able to assume positions of trust and authority as a Roman Catholic priest, where he was able to commit the wrongful acts against the Plaintiff. Defendant Holy See failed to provide reasonable supervision of Ronan, failed to use reasonable care in investigating Ronan and failed to provide adequate warning to Plaintiff and his family.

**39.**

As a direct result of this negligent conduct, Plaintiff has sustained and continues to sustain the injuries and damages described above in paragraphs 16, 21 and 22.

1 **DEMAND FOR JURY TRIAL**

2 Plaintiff hereby demands a trial by jury in this matter.

3 **PRAYER**

4 Plaintiff prays for judgment against Defendants, and each of them, for non-economic and  
5 economic losses described herein and for Plaintiff's costs and disbursements.

6 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

7 BARTON & STREVER, P.C.

8  
9 By: \_\_\_\_\_  
10 William A. Barton, OSB No. 72020  
11 Attorneys for Plaintiff

12 BARTON & STREVER, P.C.

13  
14 By: \_\_\_\_\_  
15 Kevin K. Strever, OSB No. 85339  
16 Attorneys for Plaintiff

17 REINHARDT AND ANDERSON

18  
19 By: \_\_\_\_\_  
20 Jeffrey R. Anderson, MSB No. 2057  
21 Attorneys for Plaintiff