

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE TRIAL COURT

HAMPDEN, ss.

SUPERIOR COURT DEPARTMENT

CIVIL ACTION NO. ~~21~~ 0049

JOHN DOE,)
Plaintiff)
vs.)
ROMAN CATHOLIC BISHOP)
OF SPRINGFIELD,)
a CORPORATION SOLE;)
ARCHBISHOP MITCHELL T. ROZANSKI;)
PATRICIA MCMANAMY;)
MONSIGNOR CHRISTOPHER CONNELLY;)
JEFFREY TRANT; KEVIN MURPHY;)
MARK DUPONT; JOHN J. EGAN, ESQ.;)
and JOHN HALE,)
Defendants)

HAMPDEN COUNTY
SUPERIOR COURT
FILED

JAN 28 2021

John J. Egan
CLERK OF COURTS

COMPLAINT AND DEMAND FOR JURY TRIAL

INTRODUCTION

This is an action in which Plaintiff, John Doe, seeks recovery for: the abuse, including repeated, brutal multiple-perpetrator rapes, inflicted upon him by the late Christopher J. Weldon, formerly the Roman Catholic Bishop of Springfield, a corporation sole (the "RCBS"), Father Clarence Forand, Father Edward Authier, and other agents, servants, and employees of the RCBS when he was a boy; Plaintiff's victimization as an adult by the RCBS and others through their deliberate indifference toward his credible complaint; and the further traumatization Plaintiff suffered as a result of the RCBS's and others' abhorrent attempts to cover-up Weldon's heinous acts and to cover-up the conclusion of the Diocese of Springfield Review Board (the "Review Board") that Plaintiff's allegations are credible.

PARTIES

1. Plaintiff is an individual who resides in Massachusetts. To protect his privacy, he files his Complaint under a pseudonym.
2. Defendant, the Roman Catholic Bishop of Springfield, is a corporation sole duly organized pursuant to Chapter 368 of the Acts of 1898, with a usual place of business at 65 Elliot St, Springfield, MA 01105. Bishop William D. Byrne is the current Roman Catholic Bishop of Springfield.
3. Defendant, Archbishop Mitchell T. Rozanski (“Rozanski”), was the Roman Catholic Bishop of Springfield from August 12, 2014 to December 13, 2020. He is currently the Archbishop of the Diocese of St. Louis. Rozanski resides in St. Louis County, Missouri.
4. Defendant, Patricia Finn McManamy (“McManamy”), was an employee of the RCBS from 2006 to 2019, and served as its Director of Counseling, Prevention and Victim Services. She resides in Hampden County, Massachusetts.
5. Defendant, Reverend Monsignor Christopher Connelly (“Connelly”), is an employee of the RCBS and resides in Hampden County, Massachusetts.
6. Defendant, Jeffrey Trant (“Trant”), is the Director of the Office of Safe Environment and Victim Assistance (“OSEVA”) of the RCBS and resides in Hampden County, Massachusetts.
7. Defendant, Kevin Murphy (“Murphy”), was the RCBS’ Investigator. He resides in Hampden County, Massachusetts.
8. Defendant, Mark Dupont (“Dupont”), is the Communications Director for the RCBS and resides in Hampden County, Massachusetts.

9. Defendant, John J. Egan, Esq, (“Egan”), is legal counsel for the RCBS and resides in Hampden County, Massachusetts.
10. Defendant, John Hale (“Hale”), was the Chairman of the Review Board at all relevant times and was an agent, servant, or employee of the RCBS. He resides in Hampden County, Massachusetts.

FACTS

ALLEGATIONS INVOLVING RAPE AND SEXUAL ABUSE BY BISHOP WELDON AND OTHERS

11. When Plaintiff was a child, he attended St. Anne Parish in Chicopee, Massachusetts with his family and served as an altar boy.
12. At all times relevant to the sexual abuse of Plaintiff, Plaintiff was approximately 9 to 11 years old.
13. At all times relevant to the sexual abuse of Plaintiff, Weldon was the Roman Catholic Bishop of Springfield.
14. At all relevant times, Weldon was responsible for the supervision of all agents, servants, employees, and priests within the Diocese of Springfield.
15. At all relevant times, Father Clarence Forand (“Forand”) was a priest at St. Anne Parish.
16. At all relevant times, Father Edward Authier (“Authier”) was the Pastor of St. Anne Parish.
17. Plaintiff’s narrative, “that of a nine-year-old, scared boy” is summarized in a report prepared by the Honorable Peter A. Velis (Retired) (“Judge Velis”) for the RCBS (the “Velis Report”), which is attached hereto as Exhibit 1.

18. Plaintiff was subjected to heinous acts of abuse perpetrated upon him, including severe anal penetration by multiple perpetrators including Weldon, Forand, and Authier. Plaintiff was taken to a rectory bedroom at St. Anne Parish and various other locations where they and others violently raped and assaulted him. Weldon raped him “multiple times [in] multiple locations.”
19. On several occasions, Plaintiff was driven to locations outside of the St. Anne Parish campus.
20. Plaintiff was taken to Camp Holy Cross in Goshen, Massachusetts, where he was raped by Weldon.
21. Plaintiff was also taken to a building adjacent to St. Anne’s multiple times, where Weldon and others brutally raped Plaintiff.
22. Plaintiff was terrified and, on one occasion, desperately resisted, grabbing onto door frames to try to prevent Weldon from taking him into a room at the end of the hall.
23. Weldon forcibly dragged Plaintiff down the hallway to a room where at least one other altar boy and two priests were present.
24. Once inside the room, Weldon commanded one of the altar boys or priests that were present to get Plaintiff onto the bed.
25. The altar boys and priests grabbed Plaintiff, flipped him onto his stomach, and pinned him to the bed where he was brutally raped by Weldon and others.
26. Plaintiff desperately, unsuccessfully fought against the repeated rape.

ALLEGATIONS INVOLVING THE RCBS’ INDIFFERENCE TOWARD AND/OR INTENTIONAL CONCEALMENT OF PLAINTIFF’S COMPLAINTS

27. On or about March 12, 2013, Plaintiff was watching television coverage of Pope Francis’ election.

28. The coverage included a program on the Vatican that triggered Plaintiff's memories of violence and sexual abuse he suffered as a child in the 1960s while an altar boy at St. Anne Parish.
29. After his memories of sexual abuse began to emerge, Plaintiff met with Monsignor Ronald Yargeau ("Yargeau"), the head altar boy when Plaintiff served as an altar boy, and recounted details of the abuse.
30. Yargeau referred Plaintiff to Connelly, an employee of the RCBS.
31. In November of 2014, Plaintiff met with Connelly and McManamy and again recounted details of his abuse, including specific allegations regarding Weldon.
32. Though both McManamy and Connelly were mandated reporters, neither reported Plaintiff's complaints regarding Weldon, Forand, or Authier to the Hampden County District Attorney's office after this meeting. See M.G.L. c. 119, §§ 21, 51A.
33. Plaintiff had a second meeting with McManamy in 2016.
34. In 2016, McManamy attempted to placate Plaintiff by granting certain requests he made at the initial November 2014 meeting.
35. Again, she failed to report the alleged abuse.
36. McManamy finally reported Plaintiff's complaints to the District Attorney in August of 2018, nearly four years after Plaintiff's initial contact with the RCBS.
37. McManamy has admitted her failure to comply with her obligations under the law.
38. At some point, McManamy completed two Sexual Abuse Victim Intake Sheets both of which identified Weldon, Forand and Authier as the accused.

39. McManamy later claimed that she could not remember whether Plaintiff had named Weldon as one of his abusers, despite the fact that both the draft and final intake reports identify Weldon as an “accused abuser.”
40. In April of 2018, over four years after his initial complaint, McManamy referred Plaintiff’s complaint to Murphy who was engaged as an investigator by the RCBS.
41. Murphy interviewed Plaintiff at the home of one of the members of Plaintiff’s support group. “Murphy’s investigation was *limited* to the *one* interview he had with [Plaintiff].”
42. After his interview with Plaintiff, Murphy presented a report to the Review Board.
43. There were actually four separate reports ostensibly written by Murphy.
44. Two of the reports (“Report 1a” and “Report 1b”) indicate, in consecutive sentences, that Plaintiff stated both that he was molested by Weldon and that he was not molested by Weldon. “[Plaintiff] further stated that he was brought to other locations by Fr. Forand and molested there by three unknown priests and Bishop Christopher Weldon. [Plaintiff] stated that Bishop Weldon never molested him but tried to hug him and pull him within reach. On several occasions he would back up and the Bishop turned his attention to another youth who was in the room.”
45. The fact that Plaintiff was “molested” by Weldon was removed from two of the reports (“Report 2a” and “Report 2b”) entirely.
46. Plaintiff attended the June 13, 2018, meeting of the Review Board to recount the abuse he suffered as a child.

47. Plaintiff described the abuse perpetrated on him by Weldon, Forand, and Authier in an emotional narrative before the Review Board. In his opening statement, Plaintiff stated, "I was raped."
48. The minutes from the June 13th Review Board meeting unequivocally confirm that Plaintiff described being groomed for sexual behavior and abused by Forand and detailed "subsequent abuse by Fr. Edward Authier as well as Bishop Christopher Weldon."
49. Upon information and belief, Murphy forwarded the modified report (either Report 2a or Report 2b) omitting reference to Plaintiff's allegations of molestation by Weldon to McManamy three months after the Review Board's June meeting.
50. Upon information and belief Murphy and McManamy and/or others intentionally manipulated the reports in order to discredit Plaintiff and to suppress Plaintiff's allegations regarding Weldon.
51. The Board held a final meeting on September 12, 2018.
52. Plaintiff requested that the RCBS attempt to ascertain the identity of the other priests that raped him. To date, the RCBS has failed to undertake any effort to do so.
53. Four years after Plaintiff first identified Weldon, Forand, and Authier as serial rapists, the Review Board finally found that Plaintiff's allegations "as detailed in narrative relating to Bishop Christopher Weldon, Rev. Edward Authier, and Rev. Clarence Forand" were "compelling and credible."
54. In failing to take action and/or intentionally concealing Plaintiff's complaint over a period of four years, the RCBS demonstrated a callous disregard towards Plaintiff's suffering, further victimizing Plaintiff.

**ALLEGATIONS INVOLVING FALSE STATEMENTS ABOUT PLAINTIFF MADE TO
THE BERKSHIRE EAGLE**

55. At all relevant times, Dupont was the Communications Director for the RCBS.
56. On May 29, 2019, Larry Parnass (“Parnass”), a reporter for the Berkshire Eagle, emailed Dupont to inquire as to why Weldon had not been added to the list of credibly accused priests despite the fact that the Review Board had found plaintiff’s narrative to be “compelling and credible.”
57. Parnass was aware of Plaintiff’s identity.
58. On May 30, 2019, Dupont sent an email to Rozanski, Trant, Egan, and Catherine Farr (“Farr”), Director of Human Resources for the RCBS, regarding Parnass’ inquiry.
59. In that email, Dupont stated, “I’d like to respond along the lines...but so as to be clear there is no finding by the review board of a credible allegation of sexual abuse against Bishop Christopher Weldon.”
60. In response to Dupont’s email, Egan replied, in part, **“I suggest: The Review Board has never found that Bishop Weldon engaged in improper contact with anyone. In the complaint in question, the allegation was that Bishop Weldon knew or should have known that other priests engaged in such conduct but that he failed to remove them from ministry.”**
61. Rozanski responded to Egan’s email, “Yes, thank you. This is a good response. Bp. (Bishop) Mitch.”
62. Rozanski, Dupont, Trant, and Egan knew or should have known that the assertions contained in Dupont and Egan’s emails were patently false, as is evidenced by, amongst other things, both the Board’s June 13 meeting minutes and its September 18 letter to Plaintiff.

63. The Berkshire Eagle published a story on Weldon on May 29, 2019. A copy of the article is attached hereto as Exhibit 2.
64. When the Berkshire Eagle published the story, it was in possession of the September 18th letter, which plainly articulated the Board's finding that Plaintiff's allegations against Weldon, Forand, and Authier were credible.
65. Parnass asked Dupont why the September 18th letter, which named Weldon as well as Forand and Authier, did not constitute a finding of abuse involving Weldon.
66. On May 30, 2019, Dupont sent an email to Parnass, in which he falsely asserted: "You should know that there is NO finding of sexual abuse of any person involving Bishop Weldon-NONE. And the letter you reference does not say otherwise. **In fact even the unnamed victim acknowledged that Weldon did not abuse him in statements made to our investigator.** [Redacted] has misrepresented to you the Review Board letter and then without waiting for our reply you published his false narrative."
67. Dupont knew or should have known that these statements are false.
68. On May 30, 2019, Dupont sent an email to Hale, the Review Board, and Egan, which included the Board's letter and one of Murphy's reports, and which stated: "Jack the Weldon allegation is a bit more complicated, please read Kevin's report."
69. "Kevin's report" referred to Murphy's report, all versions of which clearly stated, minimally, that Plaintiff reported that Weldon was often present when he was molested and tried to hug him and pull him within reach.
70. Armed with this knowledge, Egan, in a continuing effort to create a false narrative, responded: "**Mark, I would take out the reference to Bishop Weldon being present. It sounds like he was watching. At the end it should be that the individual said**

that Bishop Weldon never abused him. On the possibility of Bishop being present I would say the allegation was Bishop had actual knowledge of the abuse or he should have known because he was present at a gathering where some abuse took place. Can we say it was a large gathering? I can't tell. Also, I think we should lead with an allegation of abuse in the 1960s and the victim didn't recover his memories until around 2017 or 2018."

71. On May 31, 2019, Dupont drafted a response to Larry Parnass on behalf of Hale, which contained the following false statement: **"Let me be clear, the Review Board has never found that the late Bishop Christopher Weldon, deceased since 1982, engaged in improper contact with anyone."**
72. cursory review of Murphy's report, the June 13 meeting minutes and the September 18 letter renders it clear that this statement was fabricated.
73. On June 4, 2019, Parnass continued to press Dupont on the inconsistencies between the RCBS' position on Plaintiff's allegations and the Review Board's findings.
74. In response, Dupont stated "[the claim of abuse by Weldon] is not reflected in either what he told our investigator and the recollection of Mr. Hale regarding the June 2018 meeting."
75. Earlier that same day, Hale sent an email to Dupont which included the statement that **"Review Board minutes taken by Ms. Mary Ashe, an impartial observer, June 13, 2018, eighth paragraph states, '[Plaintiff] went on to describe subsequent abuse by Fr. Edward Authier as well as Bishop Christopher Weldon.' The minutes were approved by the Review Board, accepted by a second motion and voted as accurate by a majority (Yeas) of the members."**

76. Parnass repeatedly asked Dupont whether the Review Board hearings were taped and whether anyone kept notes of the meetings. Frustrated by the evasive responses he asked: "Do the notes record, or not record, that allegation against Weldon?"
77. Through his communications earlier that day with Hale, Dupont was aware that the meeting minutes, which had been accepted as accurate by the Review Board, included the statement that Plaintiff had described abuse by Weldon.
78. Dupont responded, **"The notes are limited but don't indicate the victim contradicting his previous statement to our investigator that they had not been molested by the former bishop."**
79. Dupont, through his communications with Hale earlier that day, was aware that this statement was false.
80. Based on Dupont's representations to Parnass, a second article was published in the Berkshire Eagle containing Hale's blatantly false statement that "the Review Board never found that the late Bishop Christopher Weldon...engaged in improper contact with anyone." A copy of that article is attached hereto as Exhibit 3.
81. Rozanski, Trant, Dupont, Hale, and Egan conspired to undermine Plaintiff's credibility and to cover up the RCBS' knowledge that Weldon had, in fact raped Plaintiff.
82. Rozanski, Trant, Dupont, Hale, and Egan intentionally attempted to brand Plaintiff a liar, one of the most reprehensible things that can be done to a victim of abuse.
83. Together, Rozanski, Trant, Dupont, Hale, and Egan attempted to silence Plaintiff's voice to cover up the RCBS' intentional suppression of the credible complaint and the fact that Weldon had committed the wrongs identified hereinabove.
84. Such actions further traumatized Plaintiff.

85. Parnass' discovery of the undeniable efforts to silence Plaintiff ultimately led to an investigation by Judge Velis, which was further traumatizing for Plaintiff as he was forced to once again relive the atrocities he suffered as a young child.
86. After an extensive and lengthy investigation, Judge Velis concluded, "I find the allegations of the Complainant of sexual molestation committed upon him by Bishop Christopher J. Weldon, both as a principal, and as a 'coventurer' that included anal rape, indecent assault and battery, and intentional infliction of emotional distress are *unequivocally credible*."
87. Following the issuance of the Velis Report, Rozanski wrote to Plaintiff:

At this time, Judge Velis has concluded his investigation and delivered his report. I find your allegation that Christopher J. Weldon, former bishop of Springfield, sexually abused you when you were a child credible. As a bishop and representative of the Church, please accept my apology for the terrible abuse you had to endure as a young child. Further, I sincerely apologize for the chronic mishandling of your report by the diocese time and time again since 2014.

Letter from Most Rev. Mitchell T. Rozanski, to [Plaintiff], June 25, 2020, attached hereto as Exhibit 4.

88. Since the Velis Report, the RCBS has promoted its purported efforts to address clergy sexual abuse in the press while ignoring Plaintiff and failing to fully investigate his allegations.

I. CLAIMS ARISING FROM THE SEXUAL ASSAULT OF PLAINTIFF.

**COUNT I: ASSAULT AGAINST THE ROMAN CATHOLIC BISHOP OF
SPRINGFIELD, A CORPORATION SOLE**

89. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 88 of the Complaint and incorporates them herein by reference.

90. The RCBS intentionally engaged in overt acts constituting attempted battery or an immediately threatened battery of Plaintiff causing him to be in fear of immediate bodily harm or offensive bodily contact.

91. As a direct and proximate result of the RCBS' assault, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

**COUNT II: BATTERY AGAINST THE ROMAN CATHOLIC BISHOP OF
SPRINGFIELD, A CORPORATION SOLE**

92. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 91 of the Complaint and incorporates them herein by reference.

93. The RCBS intentionally and unjustifiably used force against Plaintiff's person through his repeated brutal rapes and other physical abuse of Plaintiff.

94. As a direct and proximate result of the RCBS' battery, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

COUNT III: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST THE ROMAN CATHOLIC BISHOP OF SPRINGFIELD, A CORPORATION SOLE

95. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 94 of the Complaint and incorporates them herein by reference.
96. The RCBS intended to cause Plaintiff emotional distress by engaging in extreme and outrageous behavior, including anal rape and other physical abuse, or he knew or should have known that emotional distress was the likely result of his conduct.
97. The RCBS' conduct was extreme and outrageous, was beyond all possible bounds of decency and utterly intolerable in a civilized society.
98. The RCBS' conduct caused Plaintiff emotional distress.
99. The emotional distress suffered by Plaintiff was severe and of a nature that no reasonable person could be expected to endure it.
100. As a direct and proximate result of the RCBS' conduct, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

COUNT IV: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AGAINST THE ROMAN CATHOLIC BISHOP OF SPRINGFIELD, A CORPORATION SOLE

101. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 100 of the Complaint and incorporates them herein by reference.

102. The RCBS had and/or assumed a duty of care to minister to, supervise, and interact with Plaintiff properly and safely.
103. The RCBS negligently breached such duty by failing to exercise the care of a reasonable person in his interactions with Plaintiff.
104. As a result of the RCBS' negligence, Plaintiff suffered emotional distress.
105. A reasonable person with have suffered emotional distress as a result of the conduct of the RCBS.
106. Plaintiff has suffered physical harm as a result of the mental distress caused by the RCBS including, but not limited to, anxiety, posttraumatic stress disorder, and depression.
107. As a direct and proximate result of the RCBS' conduct, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

**COUNT V: CONSPIRACY AGAINST THE ROMAN CATHOLIC BISHOP OF
SPRINGFIELD, A CORPORATION SOLE**

108. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 107 of the Complaint and incorporates them herein by reference.
109. There was a common design or agreement between the RCBS and other priests, including but not limited to Forand and Authier, to sexually assault Plaintiff and to inflict emotional distress upon him.

110. The RCBS provided substantial assistance or encouragement in furtherance of this design or agreement.
111. As a direct and proximate result of the RCBS' concerted action, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

**COUNT VI: NEGLIGENT SUPERVISION AGAINST THE ROMAN CATHOLIC
BISHOP OF SPRINGFIELD, A CORPORATION SOLE**

112. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 111 of the Complaint and incorporates them herein by reference.
113. At all times relevant to this action, the RCBS was responsible for the hiring, retention, direction, and supervision of priests assigned to or affiliated with St. Anne Parish, where those priests directed, supervised, counseled, and otherwise interacted with minor children, including Plaintiff.
114. At all times relevant to this action, the RCBS had a duty of care to properly hire, retain, direct, and supervise Forand, Authier and others so as to ensure that they were of good reputation and character and would and did interact appropriately with the minor children of St. Anne Parish, including Plaintiff.
115. At all times relevant to this action, the RCBS knew or should have known that Forand Authier and others would and did interact with minor children, including Plaintiff.

116. At all times relevant to this action, the RCBS had a special relationship with Plaintiff and with Forand and Authier.
117. The RCBS negligently breached his duty of care to properly hire, retain, direct, and supervise Forand Authier and others by failing to exercise the care of a reasonable person so as to ensure that they were of good reputation and character and would interact and did interact appropriately with the minor children of St. Anne Parish, including Plaintiff.
118. The RCBS knew or should have known that Forand Authier and others were of bad character and reputation and unfit to interact with minor children, including Plaintiff, and that Forand Authier and others engaged in or were engaging in the sexual assault of Plaintiff as described above.
119. The RCBS knew or should have known that Forand Authier and others' conduct as described above would result in causing Plaintiff severe mental and emotional suffering, and physical harm.
120. As a direct and proximate result of the RCBS' negligent conduct, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

**COUNT VII: BREACH OF FIDUCIARY DUTY AGAINST THE ROMAN CATHOLIC
BISHOP OF SPRINGFIELD, A CORPORATION SOLE**

121. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 120 of the Complaint and incorporates them herein by reference.
122. The RCBS had and/or assumed a duty to act for Plaintiff's benefit.
123. Plaintiff was taught by the RCBS to trust and respect the RCBS and to consider him his caretaker and moral authority. Plaintiff had reason to place trust, confidence, and reliance on the RCBS.
124. The RCBS directly took Plaintiff into his care and custody at St. Anne Parish and when travelling with Plaintiff to various locations in western Massachusetts.
125. Plaintiff relied on the RCBS to protect him from harm.
126. The RCBS breached his fiduciary duty to Plaintiff by sexually assaulting Plaintiff and by allowing others to do so in the presence of the RCBS.
127. As a direct and proximate result of the RCBS' breach of fiduciary duty, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

II. CLAIMS ARISING FROM THE MISHANDLING AND COVER-UP OF PLAINTIFF'S ALLEGATIONS.

COUNT VIII: NEGLIGENCE AGAINST ALL DEFENDANTS

128. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 127 of the Complaint and incorporates them herein by reference.

129. Defendants owed and/or assumed duties of care to Plaintiff including, but not limited to, duties to: report Plaintiff's allegations to the Hampden County District Attorney's Office; properly investigate Plaintiff's complaint; accurately document their investigation; refrain from falsifying or altering the documentation relevant to their investigation; accurately convey the results of their investigation; refrain from misrepresenting Plaintiff's allegations and the results of their investigation to the public and the press; refrain from covering up the fact that Weldon was an abuser; and refrain from attempting to cover-up Plaintiff's allegations regarding Weldon and the Review Board's conclusions that those allegations are credible.
130. Defendants negligently breached such duties by failing to exercise the care of a reasonable person.
131. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendants in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

**COUNT IX: NEGLIGENT SUPERVISION AGAINST THE ROMAN CATHOLIC
BISHOP OF SPRINGFIELD, A CORPORATION SOLE**

132. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 131 of the Complaint and incorporates them herein by reference.
133. At all times relevant to this action, the RCBS was responsible for the direction and supervision of the Review Board and each of the individual defendants.

134. At all times relevant to this action, the RCBS had and/or assumed a duty of care to properly direct and supervise the other defendants so as to ensure that they: reported Plaintiff's allegations to the Hampden County District Attorney's Office; properly investigated Plaintiff's complaint; accurately documented their investigation; refrained from falsifying or altering the documentation relevant to their investigation; accurately conveyed the results of their investigation; refrained from misrepresenting Plaintiff's allegations and the results of their investigation to the public and the press; refrained from covering up the fact that Weldon was an abuser; and refrained from attempting to cover-up Plaintiff's allegations regarding Weldon and the Board's conclusions that those allegations are credible.
135. The RCBS negligently breached his duty of care by failing to exercise the care of a reasonable person.
136. The RCBS knew or should have known of the conduct of the other individual defendants as described above.
137. The RCBS knew or should have known that the conduct of the other individual defendants as described above would result in causing Plaintiff severe mental and emotional suffering.
138. As a direct and proximate result of the RCBS' negligent conduct, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

COUNT X: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS

139. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 138 of the Complaint and incorporates them herein by reference.
140. Defendants owed and/or assumed duties of care to Plaintiff including, but not limited to, duties to: report Plaintiff's allegations to the Hampden County District Attorney's Office; properly investigate Plaintiff's complaint; accurately document their investigation; refrain from falsifying or altering the documentation relevant to their investigation; accurately convey the results of their investigation; refrain from misrepresenting Plaintiff's allegations and the results of their investigation to the public and the press; refrain from covering up the fact that Weldon was an abuser; and refrain from attempting to cover-up Plaintiff's allegations regarding Weldon and the Review Board's conclusions that those allegations are credible.
141. Defendants negligently breached such duties by failing to exercise the care of a reasonable person.
142. As a result of defendants' negligence, Plaintiff suffered emotional distress.
143. A reasonable person with have suffered emotional distress as a result of the defendants' conduct.
144. Plaintiff has suffered physical harm as a result of the mental distress caused by the defendants including, but not limited to, anxiety and depression.

145. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendants in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

COUNT XI: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AGAINST ALL DEFENDANTS

146. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 145 of the Complaint and incorporates them herein by reference.

147. Defendants intended to cause Plaintiff emotional distress or should have known that emotional distress was the likely result of their conduct by engaging in extreme and outrageous behavior, including but not limited to, failing to: report Plaintiff's allegations to the Hampden County District Attorney's Office; properly investigate Plaintiff's complaint; accurately document their investigation; refrain from falsifying or altering the documentation relevant to their investigation; accurately convey the results of their investigation; refrain from misrepresenting Plaintiff's allegations and the results of their investigation to the public and the press; refrain from covering up the fact that Weldon was an abuser; and refrain from attempting to cover-up Plaintiff's allegations regarding Weldon and the Review Board's conclusions that those allegations are credible.

148. Defendants' conduct was extreme and outrageous, was beyond all possible bounds of decency and utterly intolerable in a civilized society.

149. Defendants' conduct caused Plaintiff emotional distress.
150. The emotional distress suffered by Plaintiff was severe and of a nature that no reasonable person could be expected to endure it.
151. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendants in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

COUNT XII: CIVIL CONSPIRACY AGAINST ALL DEFENDANTS

152. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 151 of the Complaint and incorporates them herein by reference.
153. Defendants engaged in a common design or agreement to cover-up the fact that Weldon was an abuser, to cover-up Plaintiff's allegations regarding Weldon, to cover-up the Review Board's finding that those allegations are credible, to discredit Plaintiff by falsely claiming that he did not name Weldon as one of his abusers, to cover up the failure to take appropriate action on Plaintiff's complaint, and to inflict emotional distress upon Plaintiff.
154. Each of the defendants provided substantial assistance or encouragement in furtherance of this design or agreement.
155. As a direct and proximate result of Defendants' concerted action, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries,

financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendants in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

COUNT XIII: VIOLATION OF M.G.L. c. 12, § 111 AGAINST ALL DEFENDANTS

156. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 155 of the Complaint and incorporates them herein by reference.
157. Defendants interfered with or attempted to interfere with Plaintiff's exercise or enjoyment of his rights to bodily integrity.
158. Defendants interference was by threats, intimidation, or coercion.
159. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendants in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

COUNT XIV: DEFAMATION AGAINST THE ROMAN CATHOLIC BISHOP OF SPRINGFIELD, A CORPORATION SOLE/, TRANT, DUPONT, HALE, AND EGAN

160. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 159 of the Complaint and incorporates them herein by reference.
161. The RCBS, Trant, Dupont, Hale, and Egan published false and defamatory statements of and concerning Plaintiff to a third party, to the effect that Weldon was not an abuser,

and that Plaintiff had not accused Weldon of sexual abuse in his complaint to the RCBS or before the Review Board.

162. The RCBS, Trant, Dupont, Hale, and Egan knew that the statements were false or acted in reckless disregard as to whether the statements were true or false or acted negligently in failing to ascertain whether the statements were true or false before publishing them.

163. As a direct and proximate result of Defendants' defamation, Plaintiff has suffered and will continue to suffer severe and permanent mental distress and emotional injuries, financial expenses for medical and therapeutic care and treatment, as well as other damages.

WHEREFORE, Plaintiff demands judgment against the Defendants in an amount that will adequately compensate him for his damages, plus interest, costs and attorney's fees, and for such other and further relief as this Court deems just and proper.

JURY DEMAND

PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

THE PLAINTIFF,
JOHN DOE

By /s/ Nancy Frankel Pelletier
Nancy Frankel Pelletier, Esq., BBO# 544402

January 28, 2021

~and~

By /s/ David S. Lawless
David S. Lawless, Esq.-BBO #664754
Both of
Robinson Donovan, P.C.
1500 Main Street, Suite 1600
Springfield, Massachusetts 01115
Phone (413) 732-2301 Fax (413) 452-0342
npelletier@robinsondonovan.com
dlawless@robinsondonovan.com