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Attorney for Plaintiff Robert Roe

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

ROBERT ROE, an individual proceeding
under a pseudonym,

Plaintiff,

v.

ROMAN CATHOLIC ARCHBISHOP OF
PORTLAND IN OREGON, AND
SUCCESSORS, A CORPORATION SOLE,
an Oregon Corporation, d/b/a
ARCHDIOCESE OF PORTLAND IN
OREGON; ARCHDIOCESE OF
PORTLAND IN OREGON, an Oregon
Corporation,

Defendants.

Case No. 3:13-cv-1930

COMPLAINT

(Sexual Battery of a Child; Intentional
Infliction of Emotional Distress;
Negligence)

DEMAND FOR JURY TRIAL

Plaintiff alleges as follows:

JURISDICTION AND VENUE

1.

This Court has jurisdiction over claims against Defendant Roman Catholic Archbishop of Portland in Oregon, and Successors, a Corporation Sole, an Oregon Corporation, d/b/a Archdiocese of Portland in Oregon for conduct by the Archdiocese' agents prior to April 25, 2005, pursuant to 28 U.S.C. § 1334(b) and paragraph 6.4.3 of the "Third Amended and Restated Joint Plan of Reorganization of Debtor, Tort Claimants Committee, Future Claimants Representative, and Parish and Parishioners Committee" ("the Plan"). The Plan was confirmed by Hon. Elizabeth L. Perris in the "Order Confirming Third Amended and Restated Joint Plan of Reorganization of Debtor, Tort Claimants Committee, Future Claimants Representative, and Parish and Parishioners Committee" on April 17, 2007, in the United States Bankruptcy Court for the District of Oregon, Case Number 04-37154-elp11. Venue is proper pursuant to 28 U.S.C. § 1409(a), together with the foregoing provision of the confirmed bankruptcy plan.

COMMON ALLEGATIONS

2.

Plaintiff Robert Roe (hereinafter "Plaintiff") is an adult male citizen of the United States and a resident of the State of Oregon, born in the year 1965. Plaintiff is proceeding under a pseudonym pursuant to the accepted practices of the federal courts

of the United States allowing those who have been victims of sexual assault and/or who fear reprisals from the particular litigation to commence cases under assumed names, so as to protect their identity. Plaintiff has reasonable fears over his identity being used publicly in the caption of this lawsuit on both grounds. Plaintiff's identity is already known to Defendants, and they will not be hampered in their case by Plaintiff's use of a pseudonym or by redactions in documents submitted to this Court.

3.

At all times relevant to this complaint, Defendant Roman Catholic Archbishop of Portland in Oregon, and Successors, a Corporation Sole, an Oregon Corporation, d/b/a Archdiocese Of Portland in Oregon, and its related entity the Archdiocese Of Portland in Oregon, were Oregon corporations with principal places of business in Portland, Multnomah County, Oregon. Defendants merged in 1991, at which time the merged corporations became the "Roman Catholic Archbishop of Portland in Oregon, and Successors, a Corporation Sole," and the "Archdiocese Of Portland in Oregon" became the merged corporation's assumed business name. The merged defendants are hereinafter collectively referred to as the "Archdiocese" or "Defendant Archdiocese."

4.

At all times relevant to this complaint, Maurice Grammond (hereinafter "Fr. Grammond") was a Roman Catholic priest incardinated in the Archdiocese and assigned by the Archdiocese to Our Lady of Victory parish in Seaside, Oregon, where

he served as a parish priest and parish administrator (i.e. pastor). At all times relevant to this complaint, Fr. Grammond was employed by, and an agent and servant of, the Archdiocese. During that employment and agency, Fr. Grammond provided ministerial services to Plaintiff, and was acting within the course and scope of his employment or agency in performing duties for and on behalf of the Archdiocese, including counseling Plaintiff and the provision and payment of services for the parish.

5.

At all times relevant to this complaint, Plaintiff was a minor. Plaintiff was baptized Catholic, and received first communion at Our Lady of Victory. In or around the end of Plaintiff's third grade school year, he was a student at Gearhart Elementary School in the Seaside, Oregon area.

6.

The Archdiocese empowered Fr. Grammond to perform all duties of a priest, including pastoral and religious services, education, spiritual, moral and ethical guidance, religious instruction, altar boy training, guidance, and other duties of a parish priest. The Archdiocese knew that as part of his duties as a priest, Fr. Grammond would be in a position of trust and confidence with children and their families, including Plaintiff in this case. Further, the Archdiocese knew that Fr. Grammond would minister to children in the community—particularly Catholic children, and including Plaintiff in this case—during times of personal or familial difficulty.

Defendants retained the right to control the means, methods, and physical details of any duties or actions performed by a priest with faculties, including Grammond, operating within the geographic boundaries of the Archdiocese.

7.

At all times relevant to this complaint, the Archdiocese invited Plaintiff, his family, and all other members of the public to enter into a special relationship with the Roman Catholic Church through the Archdiocese, in part by inviting Plaintiff and his family to entrust the Church with their spiritual matters and encouraging Plaintiff to submit to the rules of the Church in exchange. At all times relevant to this complaint, one of the teachings of the Roman Catholic Church was a firm and consistent obedience to any instruction from a Roman Catholic priest. Plaintiff was raised with this belief, and it formed the basis for his relationship with Fr. Grammond in this case. In particular, the Archdiocese encouraged Plaintiff—consistent with the Archdiocese’s teachings on how children should act toward priests—to respect, obey, and revere any priest of the Roman Catholic faith.

8.

For the purpose of furthering his assigned duties as a priest, Fr. Grammond befriended Plaintiff, gained Plaintiff’s trust and confidence as a spiritual guide and as a valuable and trustworthy mentor, and counseled Plaintiff emotionally and spiritually after Plaintiff lost his home and possessions to fire at the end of Plaintiff’s third grade

school year. Throughout Plaintiff's fourth grade school year, Fr. Grammond frequently visited Plaintiff at Plaintiff's public elementary school, and obtained the approval and permission of the school's administration to remove Plaintiff from class for these counseling sessions. As a result, Plaintiff was conditioned to comply with Fr. Grammond's direction and to view and respect him as a person of authority in spiritual, moral and ethical matters. The above course of conduct, culminating in the sexual abuse as described below, is hereinafter collectively referred to as "grooming." Fr. Grammond's grooming of Plaintiff included befriending Plaintiff, continuing counseling Plaintiff, and providing Plaintiff with cigarettes and alcohol. Additionally, Fr. Grammond was authorized and required, as part of his agency duties on behalf of the Archdiocese, to pay bills for services received on behalf of Our Lady of Victory parish, and to engage in personal interactions with those providing such services.

9.

From approximately 1976 through 1978, while Plaintiff was age 11 to 13, Fr. Grammond—acting within the course and scope of this employment and agency, and using the authority and position of trust as a priest for the Archdiocese, through grooming—induced, directed, and forced Plaintiff to engage in various sexual acts with Fr. Grammond.

10.

Specifically, Fr. Grammond would require Plaintiff to bring his bicycle into the

priest's private quarters Our Lady of Victory on a monthly basis when the priest paid for the parish's newspaper subscription. During these times, Fr. Grammond would take the opportunity to talk to Plaintiff about how he was doing and any problems in his life, and plied Plaintiff with cigarettes and offers of whiskey. Then at some point during the visit, Fr. Grammond would force Plaintiff onto his bed and proceed to anally rape and otherwise sexually abuse Plaintiff. As of the filing of this complaint Plaintiff estimates he was raped on at least approximately 20 occasions, at times violently. Often after several of these instances, Grammond would threaten to kill Plaintiff and his family if Plaintiff ever told anyone. Terrified for his life and the lives of his family, Plaintiff remained silent.

11.

Fr. Grammond's grooming and interactions with Plaintiff at the parish rectory were committed in direct connection and at least in part for the purposes of fulfilling his employment and agency with the Archdiocese; were committed within the time and space limits of his employment and agency as a priest; were done directly in the performance of his duties as parish priest and parish administrator; generally consisted of actions of a kind and nature which Fr. Grammond was required to perform as a priest and parish administrator; and were done at the direction of, and pursuant to, the power vested in him by the Archdiocese. Fr. Grammond used the grooming process to accomplish his acts of sexual abuse of Plaintiff. The sexual abuse resulted from a

progressive series of actions that began with and continued to involve Fr. Grammond's performance of the ordinary and authorized duties of a priest, and the abuse occurred during occasions when Fr. Grammond had authority over Plaintiff or was authorized to interact with Plaintiff in his official position as a priest for the Archdiocese.

12.

As a result of Fr. Grammond's sexual abuse, molestation, breach of authority, trust and position as priest and authority figure to Plaintiff, Plaintiff has suffered severe and debilitating emotional injury, pain and suffering, physical and emotional trauma, and permanent psychological damages distinct in time and logic from the sexual abuse itself, all to Plaintiff's noneconomic damages in the approximate amount of \$6,000,000.00, the exact amount to be determined by the jury at trial.

13.

As an additional result and consequence of Fr. Grammond's sexual abuse, molestation, breach of authority, trust and position as priest and authority figure to Plaintiff, Plaintiff has incurred and/or will incur in the future costs for counseling, psychological and psychiatric medical treatment, and lost wages, all to Plaintiff's economic damages in the approximate amount of \$350,000.00, the exact amount to be proven to and determined by the jury at trial.

14.

In 2012, Plaintiff discovered the causal connection between his abuse, as set forth

in paragraphs 9 and 10 above, and the damages suffered as a result of the abuse, as set forth in paragraphs 12 and 13, above. Prior to that time, Plaintiff did not discover, and reasonably could not discover, the connection between his abuse and resulting injuries because psychological conditions arising from being abused by a trusted priest prevented that discovery, despite any external events. On information and belief, the conditions afflicting Plaintiff may have included, but are not limited to, one or more of the following: severe and complete dissociative amnesia, anxiety disorder(s), avoidance, denial, depression, other dissociative disorder(s), mood disorder(s), post-traumatic stress disorder, traumatic amnesia, self-blame, and/or substance abuse disorder(s). These conditions are among the standard and normal consequences of child sexual abuse as recognized by the mental health community and any or all of these conditions commonly prevent reasonable persons in Plaintiff's position from being able to ascertain harm arising from the abuse until well into adulthood. Plaintiff's discovery in 2012 was well within the standard time frames in which child abuse victims discover the causal connection between their child abuse and resulting injuries.

FIRST CLAIM FOR RELIEF
Sexual Battery of a Child/Respondeat Superior
Against Archdiocese Defendants

15.

Plaintiff realleges and incorporates by reference paragraphs 1 through 14, above.

16.

Fr. Grammond's repeated raping of Plaintiff constituted harmful or offensive contact to Plaintiff's person. Plaintiff did not, and legally could not, consent to such sexual contact.

17.

Fr. Grammond's performance of his agency duties on behalf of the Archdiocese led to and resulted in the sexual abuse of Plaintiff as described in paragraphs 9 and 10, above.

18.

As a direct result of the sexual abuse, Plaintiff suffered the damages alleged in paragraphs 12 and 13, above.

SECOND CLAIM FOR RELIEF

*Intentional Infliction of Emotional Distress/Respondeat Superior
Against All Defendants*

19.

Plaintiff realleges and incorporates by reference paragraphs 1 through 18, above.

20.

Fr. Grammond, while engaging in his counseling and grooming of Plaintiff, knowingly and intentionally caused severe emotional distress to Plaintiff when he then sexually abused Plaintiff. Plaintiff did, in fact, suffer severe emotional distress as a

result of this abuse, and the sexual abuse of a child is beyond the bounds of all socially tolerable conduct.

21.

Fr. Grammond's performance of his agency duties on behalf of the Archdiocese led to and resulted in the sexual abuse of Plaintiff as described in paragraphs 9 and 10, above.

22.

As a direct result of the sexual abuse, Fr. Grammond's intentional infliction of emotional distress, and his breach of authority, trust, and position as priest and authority figure to Plaintiff, Plaintiff suffered the damages alleged in paragraphs 12 and 13, above.

THIRD CLAIM FOR RELIEF

Negligence

Against All Defendants

23.

Plaintiff realleges and incorporates by reference paragraphs 1 through 22, above.

24.

Defendant Archdiocese created a special relationship with Plaintiff by inviting Plaintiff to form a trust relationship with its agent, Fr. Grammond. As part of this relationship, the Archdiocese had a duty to inform Plaintiff of reasonably foreseeable

known dangers in forming a relationship with its agent. In the first alternative, Fr. Grammond was acting as the agent of Defendant Archdiocese at Our Lady of Victory parish when Grammond engaged in his repeated rape of Plaintiff. Defendant Archdiocese had a duty to warn those who came in contact with their agent at the place of employment of any danger, or had a duty to monitor Grammond as a known danger while at work. In the second alternative, Defendant Archdiocese created a dangerous condition by allowing Fr. Grammond to run a parish by himself in a small community, and given Grammond's past history of abuse, it was reasonably foreseeable that Grammond would pose a danger to boys with whom he came into contact. In the third alternative, Defendant Archdiocese had a duty to warn or remedy all non-obvious, known or foreseeable, unreasonable risks of physical harm and unsafe conditions on its property, and Grammond posed a known risk of molestation to boys at Our Lady of Victory. In the fourth alternative, Fr. Grammond posed an unreasonable risk of harm, and a reasonable person in Defendant Archdiocese's position would warn of the risk because of the likelihood of harm, the severity of the possible harm, the lack of any significant financial burden involved in warning about Fr. Grammond, and Defendant's position as owner of a church open to the public. Defendant Archdiocese had a duty to warn all those who interacted with Grammond based on the Archdiocese's knowledge of the danger he posed by Grammond in particular, and based on the known risk of sexual abuse posed by child molesting priests in the church over the prior several

decades in general.

25.

Notwithstanding the Archdiocese's awareness of the unlikelihood of abuse victims from disclosing their abuse at the time it occurred, the Archdiocese knew prior to the sexual abuse of Plaintiff that Fr. Grammond had been sexually abusing boys for decades, and did nothing to stop Fr. Grammond, remove him from contact with children, warn local Catholics in his area about the danger he posed to young boys, or prevent his future sexual abuse of boys, including Plaintiff. In particular, the Archdiocese had at least the following notice and knowledge that Fr. Grammond was a sexual predator who posed a risk to minor parishioners:

A. In approximately 1957, one of the minor C_____ (last name redacted) boys, J.C., went on a camping trip with Fr. Grammond and several other boys. When J.C. was late in arriving home, his father and his mother questioned J.C. about the reason he was late, and J.C. responded that Fr. Grammond had let him drive his car while sitting on his lap, and also that Fr. Grammond would make him and other boys swim naked, then would dry them off himself. J.C. further told his parents that Fr. Grammond had a game he played with the boys that whoever won or lost would have to sleep with Fr. Grammond. J.C.'s father went to his parish priest, Fr. V.L. Moffenbeier, and told him how Fr. Grammond was "messing with these boys [.]". In response, Fr. Moffenbeier told the father, "I'll take care of it." At the time, Fr. V.L.

Moffenbeier was an Archdiocesan priest assigned by the Archdiocese to Holy Cross parish and was an agent and servant of the Archdiocese, acting in that capacity.

B. In approximately 1962 or 1963, Fr. Grammond was visiting the D_____ family in Portland and went up to say goodnight to the D boys. When young J.D. came downstairs the next morning, he reported to his mother that Fr. Grammond had sexually abused him the night before. The mother went to Fr. John R. Thatcher, the priest of the family's regular parish, St. Ignatius, and reported the matter to him. Fr. Thatcher told J.D.'s mother that he "would take care of it" for the family. At the time, Fr. Thatcher was the priest assigned by the Archdiocese to St. Ignatius parish and was an agent and servant of the Archdiocese, acting in that capacity.

C. In approximately 1965 or 1966 while assigned to the Oakridge parish, Fr. Grammond befriended the F_____ family, including Mrs. F's minor son, R.M. Fr. Grammond would frequently spend the night at the family's residence in Dexter, (near Oakridge) Oregon. Because the family did not have an extra bedroom, Fr. Grammond would sleep with R.M. in his bed. Mrs. F. eventually became concerned about Fr. Grammond's actions toward R.M., including his spending a considerable amount of time with R.M., taking him on camping and skiing trips, buying him expensive gifts, and trying to convince Mrs. F. to let R.M. to come live with him. Perhaps most disturbing to Mrs. F was when Fr. Grammond put a lock on the inside of R.M.'s bedroom door while spending the night on one occasion. Mrs. F. reported her

suspicion that Fr. Grammond was doing improper things with her son to Fr. Charles Scott, the principal of her son's school, St. Francis High School in Eugene. At Fr. Scott's request, Mrs. F. then reported the matter to Msgr. Edmund J. Murnane, then a dean of the Archdiocese and an Archdiocesan official in various other capacities who was an agent and servant of the Archdiocese, acting in that capacity.

D. In December, 1968, Msgr. Edmund Van der Zanden, an official of the Archdiocese, received a letter from a Clatsop County judge describing Fr. Maurice Grammond's interference with the children of a local family. A letter from the boy's father followed, addressed to Archbishop Dwyer, stating that Fr. Grammond had kept one of his sons overnight in the rectory against the wishes of the boy's family. The problem continued, and Department of Public Welfare and Juvenile Court officials both wrote to Msgr. Van der Zanden reporting Fr. Grammond's continuing interference with the child. According to a response written to the Department of Public Welfare officials by Msgr. Van der Zanden on April 19, 1969, Archbishop Dwyer had written to Fr. Grammond, "cautioning him with regard to his obvious indiscretions. . . ." In a second letter dated May 19, 1969, Msgr. Van der Zanden again reported that the Archbishop had written to Fr. Grammond. No such letter appears in Fr. Grammond's file.

E. In 1969 or 1970 in Eugene, Oregon, Fr. Vincent Cunniff was contacted personally by young D.R., a minor boy, and his mother, who reported to Fr. Cunniff that Fr. Grammond had sexually abused D.R. Fr. Cunniff promptly drove to Portland

and reported the situation personally to Archbishop Dwyer. Archbishop Dwyer subsequently met with the family of D.R. at the parish office in Eugene where they related to Archbishop Dwyer the abuse of D.R. by Fr. Grammond. There is no reference in Fr. Grammond's personnel file to any of this.

F. In approximately 1970, 10 year-old T.K. and his mother told Msgr. George Smith that Fr. Grammond had sexually abused T.K. Msgr. Smith was a priest for whom T.K. had served as an altar boy during at least one mass at Seaside, and was assigned by the Archdiocese to the Arch Cape mission. Msgr. Smith later reported that he had confronted Fr. Grammond with T.K.'s reported abuse and that Fr. Grammond had vehemently denied it, suggesting that T.K. had an overactive imagination and should seek counseling. This response angered T.K.'s mother, who threatened to go to the police. In response, Msgr. Smith said to her, "Go right ahead, but you're a single mother, you work in bars, you're a maid, and nobody is going to believe you over us." There is no documentation in Fr. Grammond's personnel file of the report to Msgr. Smith by T.K. and his mother.

G. In the Spring of 1974, Archbishop Dwyer confronted Fr. Grammond with an allegation that a witness had observed him abuse a child. Fr. Grammond responded to Archbishop Dwyer, "How can you have a witness when I didn't abuse anyone?" Archbishop Dwyer responded, "Then be careful." There is no contemporaneous documentation of Archbishop Dwyer's 1974 meeting with Fr. Grammond in Fr.

Grammond's personnel file.

H. In approximately 1979-80, Mary Jo Stacey encountered F.M., a teenaged boy she knew from her parish church, at a local Dairy Queen. At the time, Mrs. Stacey served as the Coordinator of Religious Education at Our Lady of Victory parish in Seaside, where her supervisor was Fr. Grammond. Young F.M. appeared to be intoxicated, and Mrs. Stacey inquired whether he wished to have her call Fr. Grammond to take him home. F.M. replied, "Father Grammond screws around with boys." Mrs. Stacey did not follow up on this statement, instead calling the police to report F.M.'s condition. This was the third report Mrs. Stacey had received that Fr. Grammond sexually abused minor boys in his parish. She had also disregarded the first two reports, relayed to her by acquaintances before she became an employee of the Archdiocese, as "tacky" rumors.

26.

Prior to Fr. Grammond's sexual abuse of Plaintiff, the Archdiocese had learned and were aware that a significant number of their priests, including Fr. Grammond, were pedophiles or had pedophilic tendencies or histories and that those priests presented a risk of grooming minors for sexual abuse, as follows:

A. By the 1950s, and certainly by the early 1970s, the Archdiocese was aware of a systemic danger of child molestation by its priests. In 1957 and certainly by 1974, the Archdiocese was aware that Fr. Grammond had abused dozens of boys over

multiple postings in the preceding decades, with several documented reports of abuse between 1957 and 1974. In 1955 and certainly by 1974, the Archdiocese knew that Fr. Rocco Perone had abused a number of boys at St. Philip Neri Catholic Church before he was forced to leave Oregon in 1956. By the 1970s, the Archdiocese knew that Fr. Thomas Laughlin had molested perhaps a dozen children. By the 1960s and certainly by 1974, the Archdiocese knew that Fr. Aldo Orso-Manzonetta had molested boys for years, and had continued to allow them to spend the night in the rectory with him. By 1974, the Archdiocese also knew that its other priests were often engaging in similar sexual contact with minors because of numbers of other reports of child abuse involving priests and religious in the Archdiocese, as well as based on the interaction by and between the Archdiocese of Portland and other dioceses within the Catholic Church and the Catholic hierarchy. The Archdiocese kept extensive records on all such reports and complaints regarding priests in the diocese in a secured filing system.

B. Clerical abuse of children was a problem in the Catholic Church generally, and known to the hierarchy — including Archdiocese — though the problem was never discussed with the laity. For instance, the need to protect children from molestation was evident in 1917, when Church policy (the Code of Canon Law) was promulgated that forbade sexual contact between clerics and children. Another provision required priests to inform their bishop of reports that other priests had engaged in sexual contact with children. Adhering to these policies was considered a mandatory part of

employment with the Church. In 1922, *De modo procedendi in causis sollicitationis* ("The Manner of Proceeding in Cases of Solicitation") was published by the Holy See's Congregation of the Holy Office and was distributed to bishops worldwide. It described procedures for the ecclesiastical prosecution of priests who solicited sexual contact from parishioners, and required strict secrecy, including from the victim. In 1962, *Instructio de Modo Procedendi in Causis Sollicitationis* ("Instructions on the Manner of Proceeding in Cases of Solicitation," also known as "the 1962 Vatican protocol"), Title V, was distributed to bishops worldwide, setting forth procedures for processing clerics who violated the prohibition against solicitation for sexual purposes. Included in the 1962 Vatican protocol was a section that addressed sexual contact with children. As with the 1922 directive, strict secrecy was imposed by the 1962 Vatican protocol. In 1983, the Church issued revised policy directives, making the sexual abuse of a child by a priest into an internal crime. Policy at this time obligated a bishop to investigate allegations of child abuse. Failure to observe the mandatory application of canons itself violated Church policy. All of these rules were enacted to protect children entrusted to the care of the Church, and the Archdiocese was required to follow these canons to ensure the protection of children in the care of the Archdiocese.

27.

Despite all of the warnings and reports of Fr. Grammond's personal inappropriate conduct with or sexual abuse of boys, and despite all of the Church's and

this Archdiocese's knowledge of the dangers of sexual abuse of children by priests, the Archdiocese did nothing to warn Plaintiff or his family about the danger of priests taking sexual liberties with children, nor did it protect Plaintiff from such dangers by removing Grammond from ministry or by closely monitoring his activities with minors. Given the prevalence of its child abuse reports and knowledge by the mid-1970s, it was reasonably foreseeable that, absent warnings or other precautions, the class of children who were being counseled by priests, including Plaintiff, faced a danger of being sexually molested by that priest.

28.

The Archdiocese's failure to warn and/or protect Plaintiff caused or were substantial contributing factors in his abuse. Because of the duration and consistency of child molestation in the Archdiocese, the Archdiocese's knowing failure to warn of the danger of abusive priests and of Fr. Grammond in particular, to establish guidelines to minimize this danger, or to protect children created a foreseeable risk of harm to the safety of children interacting with the Archdiocese and its agents, including Plaintiff. Plaintiff was a member of the class of individuals to be protected by a warning, protective measures, the removal of Grammond, or the close monitoring of Grammond, and these measures would have prevented some or all of Fr. Grammond's repeated raping of Plaintiff.

29.

The Archdiocese was negligent in one or more of the following particulars:

- A. In allowing Fr. Grammond to remain as a priest even after they knew of his propensities to use his position as a priest to engage in acts of sexual abuse with minors;
- B. In allowing Fr. Grammond to interact with and supervise young boys in his position as priest when they knew of his propensity to use his position as a priest to engage in acts of sexual abuse;
- C. In permitting Fr. Grammond to have young boys spend private time with him on Our Lady of Victory parish premises and at other Archdiocesan facilities and events;
- D. In failing to report Fr. Grammond's purported sexual abuse of other boys to law enforcement or to otherwise remove Fr. Grammond from his position as a priest after receiving complaints and reports about Fr. Grammond's use of his position as a priest to engage in such abuse;
- E. In failing to properly supervise Fr. Grammond as a priest or to monitor his activities after learning of his propensity to use his positions as a priest to engage in acts of sexual abuse with boys; and
- F. In failing to notify the parents, students, and parishioners of Our Lady of Victory, or other Archdiocesan facilities and entities, or the Seaside/Gearhart

community after learning of Fr. Grammond's propensity to use his positions as a priest to engage in acts of sexual abuse.

30.

As a direct and proximate cause of the Archdiocese's failure to warn about, establish guidelines concerning child abuse, or otherwise protect children from the danger posed by Fr. Grammond, Plaintiff suffered the sexual molestation alleged in paragraphs 9 and 10, above.

31.

As a direct and foreseeable consequence of the Archdiocese's negligence, Plaintiff has suffered economic and non-economic damages as detailed in paragraphs 12 and 13, above.

JURY DEMAND

32.

Plaintiff demands trial by jury, pursuant to 28 U.S.C. § 1411.

DEMAND FOR JUDGMENT

33.

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

1. For non-economic damages in the estimated amount of \$6,000,000.00, the

actual amount to be determined by the jury;

2. For economic damages in the estimated amount of \$250,000.00, the actual amount to be determined by the jury.

3. Plaintiff's costs and disbursement incurred herein.; and

4. Any other relief the Court deems just and equitable.

DATED this 31st day of October, 2013.

ROGGENDORF LAW LLC

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