



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

J.P.,

Plaintiff,

v.

CORPORATION OF THE CATHOLIC  
ARCHBISHOP OF SEATTLE, a sole  
corporation, and JOHN DOE as Personal  
Representative of the ESATE OF JAMES  
KNELLEKAN,

Defendants.

NO. **07-2-08380-4 SEA**

**COMPLAINT FOR DAMAGES**

Plaintiff alleges as follows:

**I. PARTIES**

1. Plaintiff J.P. is currently a resident of Chelan County, Washington.
2. Defendant Corporation of the Catholic Archbishop of Seattle (hereinafter referred to as the "Archdiocese") is a sole, nonprofit Washington corporation with its principal place of business in King County, Washington.
3. John Doe is the Personal Representative of the Estate of James Knelleken, deceased.

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**II. JURISDICTION AND VENUE**

4. This court has jurisdiction over defendants because defendant the Corporation of the Catholic Archbishop of Seattle was at all relevant times doing business in Washington.

5. Venue is proper in King County pursuant to RCW 4.12.020, because the incidents alleged in the Complaint took place in King County, Washington.

**III. FACTS**

6. J.P. was born in Seattle, Washington and was introduced to the Catholic religion through Catholic Youth Activities (CYO) activities. J.P. first met Father James Knelleken at a CYO dance in about the mid-1950s, when J.P. was a minor child, at St. Catherine's Church located in Seattle. On occasion, Father Knelleken would meet J.P. in the church parking lot prior to the sexual molestation.

7. Over the course of the next five to six months, Fr. Knelleken sexually molested J.P. on numerous occasions.

8. For the alleged purpose of furthering his assigned duties as a priest, Father James Knelleken sought and gained the trust, friendship, admiration and obedience of the Plaintiff in this case. Plaintiff was conditioned to comply with Father Knelleken's direction and to view and respect him as a person of authority in spiritual, moral and ethical matters. This course of conduct is hereinafter referred to as "Grooming."

9. While acting within the course and scope of his employment and agency, and using his authority and position of trust as a priest for the Archdiocese, Father James Knelleken took advantage of Plaintiff, through the Grooming process and by using direct or indirect threats or promises, to engage in various sexual acts.

10. Within the past year, Plaintiff has begun to understand that many problems he has had in his life, and continues to have, were caused by Father James Knelleken sexually abusing him as a boy.

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1 11. Despite knowledge of the abuse, the Archdiocese did not seek out Father James  
2 Knelleken's victims, when it learned or should have learned of the abuse and did not attempt to  
3 mitigate the damage inflicted on them.

4 12. Upon information and belief, Father James Knelleken is deceased. The acts and  
5 omissions of Knelleken set forth herein are alleged with equal force and effect against the Personal  
6 Representative of the Estate of James Knelleken.

7 **IV. COUNT ONE: NEGLIGENCE OF DEFENDANT ARCHDIOCESE**

8 Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count,  
9 and further alleges:

10 13. The Archdiocese knew or should have known that Father James Knelleken was a  
11 pedophile, and despite such knowledge, the Archdiocese negligently retained and failed to  
12 adequately supervise Father Knelleken in his positions of trust and authority with the Archdiocese.

13 14. It was and is well known to the Archdiocese that a number of Catholic priests have  
14 displayed signs and symptoms associated with pedophilia and have sexually abused minor children.  
15 Defendant Archdiocese failed to timely adopt policies and procedures to identify potential and actual  
16 sexual offenders, prevent their access to children and/or remove them from the priesthood and assist  
sexual abuse victims.

17 15. The Archdiocese failed to properly investigate Father James Knelleken's background  
18 to ascertain whether he was suitable to be placed in a position of trust and confidence among  
19 children and their families. The Archdiocese failed to properly supervise Father Knelleken to  
ascertain whether he was suitable to be charged with the care and guidance of children.

20 16. Defendant Archdiocese negligently empowered Father James Knelleken to perform  
21 all duties of a priest, including pastoral and religious services, education, spiritual, moral and ethical  
22 guidance, religious instruction, and other duties of a priest. Defendant Archdiocese knew that as part  
23 of his duties as a priest, Father Knelleken would be in a position of trust and confidence with

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1 parishioners, their families, and members of the community at large, including the Plaintiff in this  
2 case.

3 17. As a direct and proximate result of the Archdiocese's negligent retention and  
4 supervision of Father James Knelleken, Plaintiff has suffered severe harm entitling Plaintiff to  
5 special and general damages.

6 18. The Archdiocese failed to warn parishioners and the community at large of Father  
7 James Knelleken's pedophilia. The Archdiocese knew or should have known that Father Knelleken  
8 had sexually molested boys and, by entrusting boys (including Plaintiff) to Father Knelleken's  
9 guidance and supervision, the Archdiocese breached its duty to Plaintiff. Further, the Archdiocese  
10 failed to alert parents of the children of the potential abuse by Father Knelleken, thereby reducing the  
11 likelihood that victims would be able to seek treatment and remedy, to the extent possible, for their  
12 injuries.

13 19. Father James Knelleken's sexual assaults on the Plaintiff, and the Archdiocese's  
14 failure to take action to prevent the abuse, inflicted extreme emotional injuries on the Plaintiff.

15 20. As a direct and proximate result of the Archdiocese's failure to warn, and its negligent  
16 entrustment of Father James Knelleken, Plaintiff has suffered severe harm, entitling Plaintiff to  
17 recover special and general damages.

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**V. COUNT TWO: EQUITABLE ESTOPPEL AND**  
**FRAUDULENT CONCEALMENT**

Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this  
count, and further alleges:

21 21. Defendant Archdiocese engaged in a plan of action to cover up incidents of priestly  
22 sexual abuse of minors and prevent disclosure, prosecution and civil litigation including, but not  
23 limited to: denial of abuse, reassignment of abusive priests, religious coercion and the failure to seek  
24 out and redress victims. Based on these actions, defendant Archdiocese has engaged in fraudulent

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1 concealment and is equitably estopped from asserting the defense of the statute of limitations.

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4 **VI. COUNT TWO: RESPONDEAT SUPERIOR**

5 Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count  
6 and further alleges:

7 22. At all times material hereto, Father James Knelleken was employed as a priest by the  
8 Archdiocese, and was acting within the course and scope of his employment as a priest when he  
9 groomed Plaintiff for abuse and when Plaintiff was sexually abused. Father Knelleken used his  
10 position of authority to engage J.P. in sexual conduct. The Archdiocese is liable for the tortious  
11 conduct of Father Knelleken under the Doctrine of Respondeat Superior.

12 23. Father James Knelleken used the Grooming process to accomplish his sexual  
13 molestation of the Plaintiff. Father Knelleken's Grooming was (1) committed in direct connection  
14 and for the purposes of fulfilling Father Knelleken's employment and agency with the Archdiocese;  
15 (2) committed within the time and space limits of his employment and agency as a priest; (3) done  
16 directly in the performance of his duties as a priest; (4) was generally actions of a kind and nature  
17 which Father Knelleken was required to perform as a priest; and (5) was done at the direction of, and  
18 pursuant to, the power vested in him by the Archdiocese.

19 24. As a direct and proximate result of defendant Archdiocese's tortious conduct under  
20 the Doctrine of Respondeat Superior, Plaintiff has suffered severe harm, and is entitled to special and  
21 general damages.

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24 **VI. DAMAGES**

25 25. As a direct and proximate result of defendants' fault, Plaintiff has suffered severe and  
permanent harm, entitling Plaintiff to recover special and general damages.

1 WHEREFORE, Plaintiff demands judgment against defendants, and each of them, for  
2 damages as follows:

- 3 1. Plaintiff's special damages, in an amount to be proven at trial, including all  
4 prejudgment interest thereon at the highest rate allowed by law;
- 5 2. Plaintiff's general damages, in an amount to be proven at trial; and
- 6 3. Such other and further relief as the Court deems just and equitable under the  
7 circumstances.

8 DATED this 2 day of March, 2007.

9 ROGERS & FLECK, PLLC

10  
11 Mary K. Fleck  
12 James S. Rogers, WSBA #5335  
13 Mary K. Fleck, WSBA #24639  
14 Attorneys for Plaintiff