

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ROSEAU

NINTH JUDICIAL DISTRICT  
Case Type: Personal Injury

\_\_\_\_\_  
Jane Doe 121,

Court File No.: \_\_\_\_\_

Plaintiff,

vs.

**SUMMONS**

Diocese of Crookston,

Defendant.  
\_\_\_\_\_

THE STATE OF MINNESOTA TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and required to serve upon Plaintiff's attorneys an Answer to the Complaint which is herewith served upon you within twenty (20) days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This case may be subject to Alternative Dispute Resolution (ADR) process under Rule 114 of the General Rules of Practice for the District Courts. The court administrator or your attorney can provide you with information about ADR options and a list of neutrals available in your area. ADR does not affect your obligation to respond to the Summons and Complaint within twenty (20) days.

Dated: 2/7/08

JEFF ANDERSON AND ASSOCIATES, P.A.



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STATE OF MINNESOTA

DISTRICT COURT

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Case Type: Personal Injury

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Jane Doe 121,

Court File No.: \_\_\_\_\_

Plaintiff,

vs.

**COMPLAINT**

Diocese of Crookston,

Defendant.

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Plaintiff, for her cause of action against Defendant, alleges that:

**PARTIES**

1. Plaintiff Jane Doe is an adult female resident of the State of Minnesota. Plaintiff Jane Doe was a minor at the time of all sexual abuse and sexual exploitation alleged herein.

2. At all times material, Defendant Diocese of Crookston (hereinafter referred to as "Diocese"), was and continues to be a Minnesota corporation, authorized to conduct business and conducting business in the State of Minnesota, with its principal place of business located at 1200 Memorial Drive, Crookston, MN 56716.

**FACTS**

3. At all times material, Father Joseph Palanivel Jeyapaul (hereinafter referred to as "Jeyapaul"), was a Roman Catholic priest under the direct supervision, authority, employ and control of Defendant Diocese.

4. Plaintiff Jane Doe was raised in a devout Roman Catholic family, was baptized, confirmed, regularly celebrated weekly mass and received the sacraments through the Roman

Catholic church.

5. During all times material, Jeyapaul, at the direction of Defendant Diocese, was assigned to Blessed Sacrament in Greenbush, MN as a parish priest.

6. Plaintiff Jane Doe came to know, trust, admire, respect and revere Defendant Jeyapaul as a Roman Catholic priest, a counselor and spiritual advisor.

7. Beginning in approximately 2004, when Jane Doe was a minor child, Jeyapaul sexually abused Jane Doe. This sexual abuse occurred at Blessed Sacrament Church within the Defendant Diocese.

8. On information and belief, prior to the wrongful acts committed upon Plaintiff Jane Doe, Defendant Diocese knew or should have known that Jeyapaul was engaging in misconduct similar to the misconduct alleged herein.

9. As a direct result of the sexual abuse and Defendant Diocese's actions, Plaintiff Jane Doe has suffered and continues to suffer severe emotional distress, embarrassment, loss of self-esteem, humiliation and psychological injuries with attendant physical manifestations, was prevented and will continue to be prevented from performing her normal daily activities and obtaining the full enjoyment of life, has sustained and will continue to sustain loss of earning capacity and has incurred and will continue to incur expenses for medical and psychological treatment, therapy and counseling.

**COUNT I: DEFENDANT DIOCESE**  
**NEGLIGENT SUPERVISION**

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

10. At all times material, Jeyapaul was employed by Defendant Diocese and/or was under

Defendant's direct supervision and control when he committed the wrongful acts alleged herein. Jeyapaul engaged in the wrongful conduct while acting in the course and scope of his employment with Defendant Diocese and/or accomplished the sexual abuse by virtue of his job-created authority. Defendant Diocese failed to exercise ordinary care in supervising Jeyapaul in his parish assignment and failed to prevent the foreseeable misconduct of Jeyapaul from causing harm to others.

11. As a direct result of Defendant's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT II: DEFENDANT DIOCESE**  
**NEGLIGENT RETENTION**

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

12. Defendant Diocese by and through its agents, servants and employees knew or should reasonably have known of Defendant Jeyapaul's dangerous and exploitative propensities as a child sexual abuser and/or an unfit agent, and despite such knowledge, Defendant Diocese failed to provide reasonable supervision of Jeyapaul, and failed to remove Jeyapaul from a position of trust and authority over vulnerable children, including Plaintiff.

13. As a direct result of Defendant Diocese's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT III: DEFENDANT DIOCESE**  
**NEGLIGENCE**

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

14. Further, by establishing and operating a church, encouraging the membership and

instruction of minor children within their facilities, accepting the membership of minor children, including Plaintiff, and by holding its facilities out to be a safe environments, Defendant Diocese entered into an express and/or implied duty to provide a reasonably safe environment to Plaintiff. Defendant Diocese further assumed this duty by holding Jeyapaul out to the public, including Plaintiff, as a competent and trustworthy agent, one who is safe for children. Defendant Diocese breached this duty by exposing Plaintiff to Jeyapaul, an unfit agent with dangerous and exploitive propensities.

15. Defendants knew that childhood sexual abuse was a problem among its agents. Defendants also knew that agents from other Dioceses often move or are moved because they have been caught molesting children or were moved because of suspicious activity with children. Defendants had a duty to investigate these agents including, Jeyapaul, before placing them with children. On information and belief, the Diocese breached this duty.

16. As a direct result of Defendant's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT IV: DEFENDANT DIOCESE**  
**VICARIOUS LIABILITY**

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

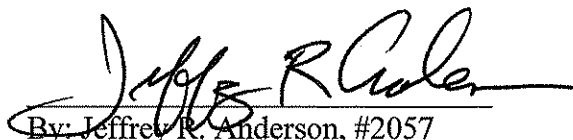
17. At all times material, Jeyapaul was employed by Defendant Diocese. Jeyapaul was under Defendant Diocese's direct supervision and control when he committed the wrongful acts described herein. Jeyapaul engaged in this conduct while in the course and scope of his employment with Defendant Diocese and/or accomplished the sexual abuse by virtue of his job-created authority. Jeyapaul's wrongful acts were foreseeable and Defendant Diocese knew or should have known of

the wrongful acts. Defendant Diocese is liable for the wrongful conduct of Defendant Jeyapaul under the law of vicarious liability, including the doctrine of respondeat superior.

WHEREFORE, Plaintiff demands judgement against Defendant individually, jointly and severally in an amount in excess of \$50,000 plus costs, disbursements, reasonable attorneys fees, interest, and whatever other relief the Court deems just and equitable.

Dated: 2/7/08

JEFF ANDERSON AND ASSOCIATES, P.A.



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#### ACKNOWLEDGMENT

The undersigned hereby acknowledges that sanctions, including costs, disbursements, and reasonable attorney fees, may be awarded pursuant to Minn. Stat. § 549.211 to the party against whom the allegations in this pleading are asserted.

