

88-09544

AOC-82-105

COMMONWEALTH OF KENTUCKY
COURT OF JUSTICE

CR 4.02; CR OFFICIAL FORM 1



CIVIL SUMMONS

CASE NO. _____
COUNTY Jefferson
COURT Circuit

JEFFERSON CIRCUIT COURT
DIVISION THREE (3)

Male Survivor 3

PLAINTIFF

VS

ROMAN CATHOLIC BISHOP OF LOUISVILLE,
A CORPORATION SOLE
Serve: Rt. Rev. Thomas C. Kelly
212 E. College Street
P.O. Box 1073
Louisville, KY 40201

DEFENDANT

COMMONWEALTH OF KENTUCKY
THE ABOVE-NAMED DEFENDANTS:

You are hereby notified that a legal action has been filed against you in this court demanding relief as shown on the document delivered to you with this summons. Unless a written defense is made by you or by an attorney in your behalf within 20 days following the day this paper is delivered to you, judgment by default may be taken against you for the relief demanded in the attached complaint.

The name(s) and address(es) of the party or parties demanding such relief against you or his(their) attorney(s) are shown on the document delivered to you with this summons.

DEC - 9 1988

DATE: _____ Clerk: TONY MILLER, CIRCUIT CLERK
JEFFERSON COUNTY
By [Signature] _____ D.C.

PROOF OF SERVICE

This summons was served by delivering a true copy and the complaint (or other initiating document) to:

This _____ day of _____, 19 _____

Served By: _____

No.

88 09544

Jefferson Circuit Court

JEFFERSON CIRCUIT COURT
Division
DIVISION THREE (3)

MS-3

Plaintiff

v.

Complaint

Roman Catholic Bishop of Louisville,
A Corporation Sole

Serve: Rt. Rev. Thomas C. Kelly
212 E. College Street
P.O. Box 1073
Louisville, KY 40201

Defendants

and

St. Rita Parish

Serve: Pastor, St. Rita Catholic Church
8709 Preston Highway
Louisville, KY 40219

and

St. Dominic Parish

Serve: Pastor, St. Dominic Catholic Church
Springfield, Kentucky 40069

and

United States Catholic Conference, Inc.
1312 Massachusetts Avenue, N.W.
Washington, D.C. 20005

Serve: Secretary of State
New Capitol Building
Frankfort, Kentucky 40601

and

Reverend Daniel C. Clark

Serve: Jefferson County Jail
Hall of Justice
6th & Jefferson Streets
Louisville, Kentucky 40202

CLARK.DOC 0191

1. From at least February 1, 1982 to May 1982, the Defendant, Rev. Daniel C. Clark, was assigned to the St. Rita Parish in Louisville, Kentucky. Thereafter, he was assigned to St. Dominic Parish in Springfield, Kentucky.

2. At all times relevant to this action, the Roman Catholic Bishop of Louisville, a Corporation Sole, through St. Rita Parish and St. Dominic Parish, operated St. Rita Parish and St. Dominic Parish and employed the Defendant, Rev. Daniel C. Clark, as its priest and counselor.

3. From February 1982 to May 1982, while operating within the scope of his employment as a Roman Catholic priest and counselor and as an agent of the Defendant, the Roman Catholic Bishop of Louisville, a Corporation Sole, and of the Defendant, St. Rita Parish, the Defendant, Rev. Daniel C. Clark sexually abused the Plaintiff.

4. In June 1982, while operating within the scope of his employment as a Roman Catholic priest and counselor, and as an agent of the Defendant, the Roman Catholic Bishop of Louisville, a Corporation Sole, and of the Defendant, St. Dominic Parish, the Defendant, Rev. Daniel C. Clark, sexually abused the Plaintiff.

5. The Defendants, the Roman Catholic Bishop of Louisville, a Corporation Sole, St. Rita Parish and St. Dominic Parish were negligent in their hiring, placement and supervision of the Defendant, Rev. Daniel C. Clark, and that such negligence and carelessness was the direct and proximate cause of the injuries suffered by the Plaintiff.

6. The Defendants, the Roman Catholic Bishop of Louisville, a Corporation Sole, St. Rita Parish and St. Dominic Parish were negligent in their failure to warn parishioners of the sexual tendencies of the Defendant, Rev. Daniel C. Clark, and that such negligence and carelessness was the direct and proximate cause of the injuries suffered by the Plaintiff.


7. The Defendants, the United States Catholic Conference, Inc., the Roman Catholic Bishop of Louisville, a Corporation Sole, St. Rita Parish and St. Dominic Parish, both individually and collectively, intentionally concealed the sexual tendencies of the Defendant, Rev. Daniel C.

Clark, and others like him, and that such concealment was the direct and proximate cause of the injuries suffered by the Plaintiff.

8. As a result of the negligence and gross negligence of the Defendants, the Plaintiff was sexually abused and as a result of such abuse, he has suffered, suffers and will suffer much mental and physical anguish, has incurred, is incurring and will incur expenses for medical treatment, has lost wages and will suffer a decrease in his capacity to earn money all to his damage in an amount in excess of the jurisdictional amount of this Court.

9. The actions of all of the Defendants were willful and wanton for which the Plaintiff demands exemplary damages in an amount in excess of the jurisdictional amount of this Court.

Wherefore, the Plaintiff, **MS-3**, demands judgment against the Defendants, the Roman Catholic Bishop of Louisville, a Corporation Sole, St. Rita Parish, St. Dominic Parish, United States Catholic Conference, Inc., and Rev. Daniel C. Clark, jointly and severally for compensatory damages in a reasonable amount in excess of the jurisdictional amount of this court and for exemplary damages in a reasonable amount in excess of the jurisdictional amount of this court, trial by jury, and all further relief to which the Plaintiff may appear entitled.



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