

02CT03246

AOC-105 Summons Type: CI  
Rev. 6-99

Commonwealth of Kentucky  
Court of Justice

CR 4.02: CR Official Form 1



CIVIL SUMMONS

Case No \_\_\_\_\_  
Court \_\_\_\_\_ Circuit  
County \_\_\_\_\_ Jefferson

JEFFERSON CIRCUIT COURT  
DIVISION TWO (2)

MS-15

PLAINTIFF

ROMAN CATHOLIC ARCHDIOCESE  
OF LOUISVILLE, KENTUCKY

VS

Serve: Brian Reynolds  
Chief Administrative Officer  
212 East College Street  
Louisville, Kentucky 40201

DEFENDANT

THE COMMONWEALTH OF KENTUCKY  
TO 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 on your behalf and filed in the clerk's office 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

Date: MAY 02 2002

Clerk: *Ty Miller*

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 \_\_\_\_\_

Served By: \_\_\_\_\_

CASE NO.

JEFFERSON CIRCUIT COURT

02CI03246

DIVISION ( )

MS-15

PETITIONER

vs.

COMPLAINT

ROMAN CATHOLIC ARCHDIOCESE  
OF LOUISVILLE, KENTUCKY

RESPONDENT

Serve: Archbishop Thomas Kelley  
212 East College Street  
Louisville, Kentucky 40201

Serve: Brian Reynolds  
Chief Administrative Officer  
212 East College Street  
Louisville, Kentucky 40201

JEFFERSON CIRCUIT COURT  
DIVISION TWO (2)

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Comes now the Plaintiff, MS-15 by counsel, and for his verified Complaint herein states as follows:

1. Plaintiff's claim for damages exceeds the jurisdictional limits of this Court.
2. At all times material hereto, the Roman Catholic Archdiocese of Louisville, Kentucky is an unincorporated association with its principal offices in Louisville, Jefferson County, Kentucky and is subject to suit under a common name, the Roman Catholic Archdiocese of Louisville (hereinafter referred to as "Archdiocese"); doing business as organized religion, including but not limited to the ownership, management and operation of parishes, houses of worship and owning, operating and managing Catholic schools, including St. Albert the Great in Louisville, Jefferson County, Kentucky.

3. During the 1980's, the Defendant had in their employ a priest, Thomas P. Creagh, who served the Defendant by providing management to various churches and schools in Louisville, Jefferson County, Kentucky including but not limited to St. Albert the Great.

4. During the 1980's, Creagh engaged in a pattern and course of conduct of sexually abusing children under the age of 18, including other young boys, which conduct was known by its agents, servants and employees of the Defendant Archdiocese, creating a duty pursuant to KRS 199.335 [now KRS 620.030], to report said child abuse to law enforcement authorities.

5. At all times material hereto, the Defendant Archdiocese's failure to report said child abuse to law enforcement authorities constitutes an act of concealment under KRS 412.190(2) and/or misleading or obstructive conduct, thereby tolling the statute of limitations.

6. At all times material hereto, the Defendant Archdiocese took no action to discipline or sanction Creagh or to inform the Plaintiff, his parents or other students and parents, that Creagh was sexually abusing other children attending churches and schools controlled by Creagh and/or they had reason to believe that Creagh was involved in such conduct.

7. During and after 1982, when the Plaintiff, [REDACTED] MS-15, was approximately 14 years of age and a parishioner at St. Albert the Great, owned, operated and managed by the Archdiocese of Louisville, and further while a student at Trinity High School, owned, operated and managed by the Archdiocese of Louisville, Creagh sexually molested, abused, battered and assaulted the Plaintiff causing injuries and damages as set forth herein below.

8. Subsequent to the parents of the Plaintiff complaining to the Defendant Archdiocese, the Defendant Archdiocese attempted to enter into an agreement with the Plaintiff's parents requesting that in exchange for money being paid to the parents and that the Plaintiff keeping confidential either said conduct or settlement with the Archdiocese as a result

of Creagh's molestation of the Plaintiff, the Archdiocese promised that Creagh would never again be in an environment with young children.

9 The Archdiocese has obviously breached said agreement as a result of Creagh now serving the Archdiocese at Holy Family Church and School, 3926 Poplar Level Road, Louisville, Jefferson County, Kentucky.

10 On Sunday, April 14, 2002, the Plaintiff first learned from an article published in the *Louisville Courier Journal* that another priest, Louis Miller, had been transferred out of two parishes because of alleged sexual misconduct. Until publication of that article on April 14, 2002 Plaintiff had no information to support a belief that the Defendant Archdiocese was engaged in concealing and transferring deviant priests with sexually abusive propensities.

11 To date, the Defendant Archdiocese has not complied with KRS 199.335 [now KRS 620.030] by reporting the child abuse of which it was aware in the 1980's.

12 The Defendant Archdiocese acted negligently and/or grossly negligently when it failed to take appropriate action against Creagh, failed to warn or inform students and parents and failed to report the incidents in the 1980's to state authorities.

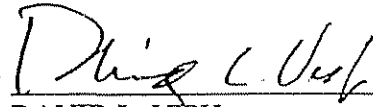
13 At all times material hereto, the Defendant Archdiocese was negligent and/or grossly negligent in hiring Creagh as a priest at St. Albert the Great, and in failing to properly supervise a known and/or suspected child abuser and in keeping such a sexual predator in the employ of the Archdiocese or permitting him to associate with students at Trinity High School.

14 As a direct and proximate result of the conduct of the Defendant Archdiocese as set forth herein above, the Plaintiff, MS-15, suffered serious mental distress, physical and mental pain and suffering from his childhood to the present and will continue to suffer serious mental distress and physical and mental pain and suffering for the remainder of his life.

In addition, Plaintiff will incur and will continue to incur expenses for psychological care and treatment as a result of the Defendant's conduct herein.

WHEREFORE, the Plaintiff, [REDACTED] MS-15, demands judgment against the Defendant Roman Catholic Archdiocese of Louisville for compensatory and punitive damages, for his costs herein expended, including attorney's fees and for any and all further relief to which the Plaintiff may appear entitled and a trial by jury of all issues triable as of right by jury.

Respectfully submitted,



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Counsel for Plaintiff

**VERIFICATION**

I, [REDACTED] MS-15, do hereby swear and affirm that I have read the foregoing and it is true and accurate to the best of my knowledge and belief.



GREGORY C. HALL

COMMONWEALTH OF KENTUCKY )

COUNTY OF JEFFERSON )

Subscribed and sworn to before me, the undersigned Notary Public, by

MS-15

this 2 day of May, 2002.

My commission expires:

May 16, 2006

[Signature]  
NOTARY PUBLIC, State-at-Large