

AOC-82-105

COMMONWEALTH OF KENTUCKY
COURT OF JUSTICE

CR 4.02; CR OFFICIAL FORM 1



CIVIL SUMMONS

CASE NO 02C107074

COUNTY Jefferson

COURT CLERK OF COURT

RECEIVED AUG TWELVE 1121

MS-6 and
Wife of MS-6

PLAINTIFF

VS

Roman Catholic Bishop of Louisville,
A Corporation Sole

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 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.

DATE: AUG 20 1974

Clerk: JUNY 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.

Jefferson Circuit Court

11707074

Division COURT
Plaintiffs TWELVE (12)

MS-6

Louisville, KY 40207

and

Wife of MS-6

Louisville, KY 40207

vs.

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. Elizabeth of Hungary Parish

Serve: Pastor, St. Elizabeth of Hungary Parish
1620 E. Burnett Avenue
Louisville, KY 40217

and

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

Serve: Secretary of State
New Capitol Bldg.
Frankfort, KY 40601

and

Reverend Louis Miller
c/o Louis Miller
4230 Rudy Lane
Louisville, Kentucky 40207

MILLER.DOC 0317

Count I

Comes the Plaintiff, MS-6 [REDACTED], by counsel, and states as follows for his complaint:

1. From at least June of 1976, the Defendant, Reverend Miller, was assigned to the St. Elizabeth of Hungary Parish in Louisville, Kentucky.

2. At all times relevant to this action, the Roman Catholic Bishop of Louisville, a Corporation Sole, through St. Elizabeth of Hungary Parish, operated St. Elizabeth of Hungary Parish and employed the Defendant, Reverend Louis Miller, as its priest and counselor.

3. In June of 1977, 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. Elizabeth of Hungary Parish, the Defendant, Reverend Louis Miller sexually abused the Plaintiff.

4. The Defendants, the United States Catholic Conference, Inc., the Roman Catholic Bishop of Louisville, a Corporation Sole, and St. Elizabeth of Hungary Parish were negligent in their training, hiring, and placement, and supervision of the Defendant, Reverend Louis Miller, and that such negligence and carelessness was the direct and proximate cause of the injuries suffered by the Plaintiff.

5. The Defendants, the United States Catholic Conference, Inc., the Roman Catholic Bishop of Louisville, a Corporation Sole and St. Elizabeth of Hungary Parish were negligent in their failure to warn parishioners in general and the Plaintiff, MS-6 [REDACTED] in particular, of the sexual tendencies of the Defendant, Reverend Louis Miller, and that such negligence and carelessness was the direct and proximate cause of the injuries suffered by the Plaintiff.

6. The Defendants, the United States Catholic Conference, Inc., the Roman Catholic Bishop of Louisville, a Corporation Sole, and St. Elizabeth of Hungary Parish, both individually and collectively, intentionally concealed the sexual tendencies of the Defendant, Reverend Louis Miller, and others like him, and that such concealment was the direct and proximate cause of the injuries suffered by the Plaintiff.

7. 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.

8. 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-6 [REDACTED], demands judgment against the Defendants, 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 any and all further relief to which he may appear entitled.

Count II

Comes the Plaintiff, Wife of MS-6 [REDACTED], and states as follows for her complaint:

9. She reiterates each and every allegation as set out in Count I of this complaint.

10. States that she is the wife of MS-6 [REDACTED], and has been continuously since December 6, 1985.

11. Before the injuries suffered by the Plaintiff, MS-6 [REDACTED], he was able to aid, assist, and perform services for this Plaintiff around their house and home, and he gave this Plaintiff society, companionship, and they enjoyed a conjugal relationship.

12. As a direct and proximate result of her husband's injuries caused by the Defendants' negligence, he has not been able to aid, assist, and perform services for this Plaintiff around their house and home, nor has he been able to give society, companionship, or enjoy a conjugal relationship with this Plaintiff as they did before his injuries, all to the damage of this Plaintiff in an amount in excess of the jurisdictional amount of this Court.

Kevin George

Kevin George
700 Republic Building
429 W. Muhammad Ali Blvd.
Louisville, Kentucky 40202
(502) 569-2727

CERTIFICATE

Pursuant to KRS Chapter 411, I am hereby notifying The Hartford, 301 Hurstbourne Lane, Louisville, KY 40222, by certified mail, return receipt requested, that suit has been filed. The Hartford may hold subrogation rights to any award or settlement received as a result of the lawsuit. Failure on the part of The Hartford to assert subrogation rights by intervening in the lawsuit pursuant to Kentucky Civil Rule 24 will result in a loss of those rights with respect to any final award or settlement received as a result of the lawsuit. Notification sent this 23 day of August, 1990.

Kevin George

Kevin George