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8 *Attorney for Plaintiff G.G.*

FILED  
SUPERIOR COURT  
OF GUAM

2017 APR -5 AM 11: 49

CLERK OF COURT

BY: \_\_\_\_\_

9 **IN THE SUPERIOR COURT OF GUAM**

10 G.G.,

11 Plaintiff,

12 vs.

13 ROMAN CATHOLIC ARCHBISHOP OF  
14 AGANA, a Corporation sole, aka  
15 ARCHBISHOP OF AGANA, a Corporation  
16 sole, aka BISHOP OF GUAM, a Corporation  
17 sole and JOHN DOES 1 through 20,

18 Defendants.

CIVIL CASE NO. CV 0329-17

**VERIFIED COMPLAINT FOR DAMAGES  
AND EQUITABLE RELIEF**

19 **VERIFIED COMPLAINT**

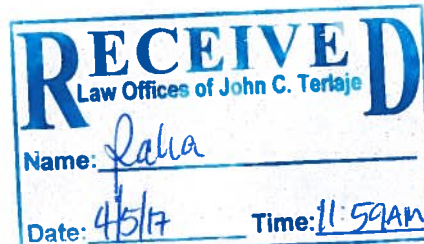
20 Comes now Plaintiff G.G., by and through his attorney, ANTHONY C. PEREZ, ESQ., and  
21 for a Verified Complaint against the above-named Defendants, hereby affirms and avers as follows:

22 **I. JURISDICTION**

- 23 1. This Court has jurisdiction under 7 G.C.A. §3105.

24 **II. PARTIES**

- 25 2. Plaintiff G.G. ("Plaintiff"), is and at all times relevant was a resident of Mangilao,  
26 Guam. Plaintiff is an individual adult male, who brings these claims pursuant to 7 G.C.A. §11301.1  
27 as he was subjected to child sex abuse by Father Andrew Mannetta ("Father Andy") while an altar  
28 boy and parishioner of the Roman Catholic parish located at Santa Teresita Church, Mangilao,  
Guam. Plaintiff identifies himself by a pseudonym as the allegations contained in this Verified



1 Complaint are graphic and Plaintiff wishes to maintain his privacy and anonymity with respect to  
2 the public.

3 3. Defendant Roman Catholic Archbishop of Agana aka Archbishop of Agana aka  
4 Bishop of Guam ("Archdiocese") is, and at all times relevant was a Corporation Sole, organized  
5 and existing pursuant to the laws of the Territory of Guam, and the corporate entity under which  
6 the Archdiocese of Guam operated. At all times material hereto, Archdiocese was designated by  
7 the Roman Catholic Church ("the Church") to operate a Catholic archdiocese and/or diocese in  
8 Guam, and Archdiocese was acting by and through, had a special relationship with, and had a  
9 degree of responsibility or control over, the perpetrators, priests, employees, agents, and/or other  
10 persons described herein, including Father Andy, whose acts or omissions are alleged herein and  
11 are the subject of this Verified Complaint, and therefore, Archdiocese is liable for said acts and  
12 omissions under the doctrine of respondeat superior, vicarious liability, and ostensible agency.  
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14 4. Plaintiff is presently unable to ascertain the identities and capacities of Defendants  
15 JOHN DOES 1-20 and, therefore, has named said Doe Defendants fictitiously; said Doe Defendants  
16 are in some manner presently unknown to Plaintiff, responsible for the injuries and damages  
17 described herein, and/or are related to the named Defendants and are the principals, agents,  
18 representatives, subsidiaries, parent companies, employers, employees, partners, limited partners,  
19 joint venturers, insurers, and/or independent contractors of the named Defendant, and/or had duties  
20 of reasonable care to Plaintiff and the breach of one or more of the foregoing duties caused the  
21 injuries and damages described herein. Plaintiff will name said Doe Defendants when their  
22 identities and capacities are determined.  
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### 25 **III. MATERIAL FACTS**

26 5. On or about 1987, when Plaintiff was 14 years of age, Plaintiff was a parishioner  
27 and served as an altar boy at Santa Teresita Church, in Mangilao, Guam. Father Andy was the  
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1 parish priest at Santa Teresita Church during this time period and resided at the rectory adjacent to  
2 Santa Teresita Church.

3 6. G.G. was an altar boy at Santa Teresita from 1984 to 1987, and aspired to become a  
4 priest. In 1987, G.G. began residing in the rectory with Father Andy to learn first-hand about the  
5 priesthood. G.G.'s family consented to the cohabitation between Father Andy and G.G., and were  
6 proud of their son for his interest in the priesthood.

7 7. Father Andy took G.G. under his wing for the purported purposes of teaching him  
8 about the ways of being a Priest. During this period, Father Andy would always compliment G.G.,  
9 give him money, and permit G.G. to use his vehicle though he did not have a driver's license.

10 8. One evening in 1987, at approximately 9:00 P.M., Father Andy knocked on G.G.'s  
11 bedroom door in the rectory while he was getting ready to sleep, and instructed G.G. to have dinner.  
12 When he finished eating, Father Andy instructed G.G. to sit by him on the couch.

13 9. While on the couch, Father Andy began massaging G.G.'s shoulders and hands.  
14 Father Andy then told G.G. to face him and place his feet on Father Andy's lap. Father Andy began  
15 massaging G.G.'s feet, then calves and shins, and then thighs, while his hands progressed to  
16 massaging G.G.'s groin.

17 10. Father Andy then instructed G.G. to lay on his lap, where Father Andy began  
18 massaging G.G.'s head and face, including inserting his finger into G.G.'s nose and extracting  
19 mucus. During this assault, G.G. was terrified. G.G. got off Father Andy's lap and went to bed.  
20 The next morning, he asked his mother to pick him up, and he ceased residing in the rectory with  
21 Father Andy, quit being an altar boy, and no longer had any interest in the priesthood.  
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**IV. FIRST CAUSE OF ACTION – NEGLIGENCE AND GROSS NEGLIGENCE**

11. The conduct of Father Andy described herein constitutes criminal sexual assault under the Guam Code Annotated.

12. The Archdiocese had a special relationship and custodial relationship with Plaintiff, which relationship gave rise to a duty of care on the part of Defendants to (a) warn Plaintiff and Plaintiff's parents of the risk of harm posed by Father Andy, and (b) protect Plaintiff from the predations of Father Andy. The Archdiocese also had a duty of ordinary and/or reasonable care to Plaintiff which required the Archdiocese to prevent Father Andy from having any contact with Plaintiff, supervising Father Andy to prevent him from abusing children and altar boys, including Plaintiff, removing him from the priesthood, and/or placing him in a parish where he did not have access to children.

13. Father Andy has been accused of sexual abuse by other altar boys, resulting in civil settlements arising out of such abuse. Father Andy has further undergone treatment for sexual issues and alcohol abuse, and has admitted to providing alcohol to minor boys.

14. Although the Archdiocese knew or should have known of Father Andy's heinous and despicable conduct, the Archdiocese, and the Archdiocese's representatives, agents, and employees, failed to take any steps to warn its parishioners of the risk of harm to children, failed to adequately supervise and/or prevent Father Andy from having contact with children, failed to offer medical treatment, psychological treatment, and/or counseling to Father Andy's victims, and failed to laicize/defrock Father Andy and expose him as a sexual predator.

15. The Archdiocese had a practice and pattern of harboring child abusers and protecting their identities, thereby exposing unwitting parents and their vulnerable children to further harm at the hands of said abusers. At all times material hereto, Father Andy was an agent, employee, authorized representative, and/or was under the responsibility or control of the Archdiocese, while

1 acting under the shield and protection of his clerical agency. Rather than taking reasonable and  
2 appropriate steps to protect children, the Archdiocese engaged in a pattern and practice of  
3 protecting perpetrators, including Father Andy, including at times shuttling the perpetrators to  
4 distant and sometimes remote locations, putting children at further risk of harm. The Archdiocese  
5 exposed the perpetrator to children, including Plaintiff, to exploitation and sexual abuse.

6 16. The Archdiocese's conduct constitutes negligence, gross negligence, recklessness,  
7 and willful and wanton disregard for the rights and safety of Plaintiff.

8 17. As a legal and proximate result of the Archdiocese' wrongful conduct, Plaintiff has  
9 sustained severe and permanent injuries, and is entitled to compensation for past and future medical  
10 and psychological treatment expenses, past and future wage loss, other out-of-pocket expenses,  
11 pain and suffering, emotional distress and mental anguish, embarrassment and humiliation, the loss  
12 of future enjoyment of life, and other special and general damages allowed by law in amounts to  
13 be proven at trial.

14 18. In addition, the Archdiocese' acted with malice, oppression, and/or fraud, entitling  
15 Plaintiff to exemplary and punitive damages.

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18 **V. SECOND CAUSE OF ACTION – EQUITABLE RELIEF**

19 19. Plaintiff incorporates by reference all other paragraphs of this Complaint as if fully  
20 set forth herein.

21 20. Plaintiff is entitled to equitable relief from this Court, for non-monetary redress and  
22 the protection of Plaintiff and other similarly situated members of the public, as follows:

- 23 a. For a period of not less than ten (10) years from entry of judgment,  
24 the Archdiocese post on the home page of their web sites, if any, the names  
25 of ALL known members of the Archdiocese who are identified in this  
26 Complaint or are otherwise known to the Archdiocese as sexual abusers;  
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- 1 (A) For special and general damages in amounts to be proven at trial;  
2 (B) For an award of exemplary and punitive damages in an amount to be proven  
3 at trial;  
4 (C) For costs of litigation and attorneys' fees; and,  
5 (D) For such additional and further relief deemed just and appropriate under the  
6 circumstances.

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8 **VII. DEMAND FOR JURY TRIAL**

9 Plaintiff G.G., through his counsel, ANTHONY C. PEREZ, ESQ., hereby demands a jury  
10 trial of six persons in the above-entitled action. The amount in controversy exceeds Twenty-Five  
11 Dollars.

12 Respectfully submitted this 5<sup>th</sup> day of April, 2017.

13  
14 By: 

15 ANTHONY C. PEREZ, ESQ.  
16 *Attorney for Plaintiff G.G.*

17 **VERIFICATION**

18 G.G., declares and attests that he is the PLAINTIFF in the foregoing Verified Complaint;  
19 that he has read the Verified Complaint, and knows the contents therein to be true and correct.

20 I declare under penalty of perjury, this 3<sup>rd</sup> day of April, 2017, that the foregoing is true and  
21 correct to the best of my knowledge.

22  
23 By: 

24 G.G.  
25 *Plaintiff*