

Space Reserved for Court Filing Purposes:

**IN THE CIRCUIT COURT OF CLEBURNE COUNTY, ARKANSAS
CIVIL DIVISION**

JOHN DOE 308

PLAINTIFF

V.

CASE NO. 12CV-20- 149

**DIOCESE OF LITTLE ROCK and
SAINT PATRICKS CATHOLIC CHURCH**

DEFENDANTS

**COMPLAINT FOR DAMAGES
AND
DEMAND FOR JURY TRIAL**

Comes now the Plaintiff, John Doe 308, (hereafter referred to as "JD 308"), via his attorney, William Z. White, who in support of this Complaint for Damages and Demand for Jury Trial, state and allege as follows:

PARTIES, JURISDICTION, AND VENUE

1. JD 308 is a resident of Cleburne County, Arkansas.
2. JD 308 has elected to proceed using the pseudonym John Doe 308 in this matter because it concerns allegations of a sensitive and highly personal nature that are of the utmost privacy. *See Doe v. Weiss*, 2010 Ark.150. Further, JD 308's identity has or soon will be made known to the Defendants, under separate cover, conditioned on a proper protective order or agreement
3. Defendant Diocese of Little Rock, (hereafter referred to as "Diocese of LR"), a Roman Catholic Diocese, is an unincorporated non-profit business entity licensed to and doing

business in the State of Arkansas. Further, Diocese of Little Rock's address is 2500 N. Tyler St., Little Rock, Arkansas 72207.

4. The Defendant, Saint Patrick Catholic Church, (hereafter referred to as "SPCC"), is a Roman Catholic parish within the Diocese of LR. Further, SPCC is an unincorporated Arkansas business entity whose address is 211 West 19th St. North Little Rock, Arkansas 72114.

5. The Cleburne County Circuit Court has jurisdiction of this matter pursuant to Ark. Const. Art. 7 § 11, which provides that circuit courts shall have jurisdiction in all civil cases, and pursuant to Ark. Code Ann. § 16-13-201(a), which provides that the circuit courts of Arkansas shall have original jurisdiction of all justiciable matters not otherwise assigned to other courts pursuant to the Arkansas Constitution.

6. Venue is proper in Cleburne County, Arkansas, pursuant to Ark. Code Ann. § 16-60-101. JD 308 resided in Cleburne County, Arkansas, at the time of the event or omission giving rise to this Complaint.

7. This action was commenced within the applicable statute of limitations pursuant to Ark. Code Ann. § 16-56-120 and §16-56-130. JD 308 discovered the effect of the injury or condition attributable to the childhood sexual abuse within the last three (3) years.

8. The present lawsuit currently involves the following issues: (1) Vicarious Liability; (2) Negligence; (3) Negligent Supervision and Retention of Employee; (4) Negligent Failure to Protect; and (5) Negligence/Premises Liability.

BACKGROUND FACTS

9. Fr. Joseph M. Fr. Corneti, Jr. (hereafter referred to as "Fr. Corneti"), was an ordained Roman Catholic priest employed by and an agent of Defendants Diocese of LR and

SPCC from 1993 to 1995. Fr. Fr. Corneti was ordained in 1972 and remained in the priesthood until his suicide on April 2, 2002.

10. At all times material, Fr. Fr. Corneti was an ordained Roman Catholic priest employed by and an agent of Defendants Diocese of Little Rock and St. Joseph's Catholic Church from 1995 to April 2, 2002.

11. From 1972 to 1974, Fr. Fr. Corneti was assigned to Immaculate Conception Church in Fort Smith, Arkansas.

12. From 1974 to 1978, Fr. Fr. Corneti was assigned to Our Lady of the Holy Souls in Little Rock, Arkansas.

13. From 1978 to 1981, Fr. Fr. Corneti was assigned to St. Agnes Catholic Church in Mena, Arkansas.

14. From 1978 to 1981, Fr. Fr. Corneti was assigned to All Saints Catholic Church in Mount Ida, Arkansas.

15. From 1981 to 1987, Fr. Fr. Corneti was assigned as Diocesan Vocations Director and Director of Youth Ministries.

16. From 1981 to 1982, Fr. Fr. Corneti was assigned to St. John Catholic Center in Little Rock, Arkansas.

17. In 1982, Fr. Fr. Corneti was assigned to St. Anne in North Little Rock, Arkansas.

18. From 1982 to 1983, Fr. Fr. Corneti was assigned to St. Boniface in New Dixie, Arkansas.

19. From 1982 to 1983, Fr. Fr. Corneti was assigned to the missions of St. Francis, Little Italy, and Petit Jean, Arkansas

20. From 1983 to 1985, Fr. Fr. Corneti was assigned to St. Patrick in North Little Rock, Arkansas.

21. From 1985 to 1986, Fr. Fr. Corneti was assigned to St. John Catholic Church in Russellville, Arkansas.

22. From 1985 to 1986, Fr. Fr. Corneti was assigned to St. Augustine Church in Dardanelle, Arkansas.

23. From 1986 to 1987, Fr. Fr. Corneti was assigned to St. Anne Catholic Church in North Little Rock, Arkansas.

24. From 1987 to 1989, Fr. Fr. Corneti was assigned to Holy Trinity Seminary in Irving, Texas.

25. From 1989 to 1991, Fr. Fr. Corneti was assigned to St. Paul in Pocahontas, Arkansas.

26. From 1991 to 1994, Fr. Fr. Corneti was assigned to Our Lady of the Holy Souls in Little Rock, Arkansas.

27. From 1994 to 1995, Fr. Fr. Corneti was on a "leave of absence."

28. From 1996 to 2001, Fr. Fr. Corneti was assigned to St. Raphael in Springdale, Arkansas.

29. From 1995 to April 2, 2002, Fr. Fr. Corneti was assigned to St. Joseph's Catholic Church in Tontitown, Arkansas.

30. As of the date this lawsuit was filed there are at least six (6) known victims of Fr. Fr. Corneti's sexual abuse.

31. At all times relevant to this matter, Fr. Corneti remained under the direct supervision, employ, and control of the Defendants Diocese of LR and SPCC.

32. JD 308 was raised in a devout Roman Catholic family, regularly celebrated mass, received the sacraments, and participated in church-related activities.

33. JD 308 and his family were parishioners of SPCC in 1983 and 1984.

34. JD 308 attend school at SPCC's during the 1983/1984 school year.

35. JD 308 was an altar boy under Fr. Corneti at SPCC in 1983 and/or 1984.

36. JD 308, therefore, developed great admiration, trust, reverence, and respect for the Roman Catholic Church and its agents, including the Archbishop/Bishop, and Fr. Corneti.

37. During his time as an altar boy for SPCC, Fr. Corneti forced JD 308 to have oral and anal sex with him no less than three (3) times Further, JD 308 was 13 or 14 years old at the time of said sexual abuse.

38. The first and second sexually abusive encounters between JD 308 and Fr. Corneti happened in Fr. Fr. Corneti's living quarters, which were located on the grounds of SPCC.

39. During Fr. Fr. Corneti's second sexually abusive encounter with JD 308, another SPCC priest discovered JD 308 in Fr. Fr. Corneti's living quarters. Upon doing so, the priest chastised JD 308 and told him not to return to Fr. Fr. Corneti's living quarters. Further, no action was then taken by the priest or SPCC toward Fr. Corneti for having a minor child in his living quarters.

40. Upon information and belief, then Associate Pastor Francis Malone was the above-mentioned priest that discovered JD 308 in Fr. Fr. Corneti's living quarters.

41. JD 308's third currently remembered sexually abusive encounter with Fr. Fr. Corneti occurred in SPCC church after mass rehearsal.

42. Unable to deal with the guilt, shame, and threat of continued abuse by agents of the Defendants, JD 308 fled from the North Little area when he moved in with his father shortly after the last sexually abusive encounter by Fr. Corneti.

43. JD 308, unable to deal with the guilt, shame, and trauma that he suffered as a result of Fr. Corneti's abuse, started abusing drugs and alcohol at the age of fifteen (15). Further, JD 308 has been arrested twice for drug related charges. The latter ended in a prison sentence. JD 308 was released from prison in 2019 and, with the aid of therapy for sexual abuse, has remained sober ever since.

44. Upon information and belief before JD 308 was sexually abused by Fr. Corneti, the Defendants had actual or constructive knowledge of material facts regarding Fr. Corneti's sexual misconduct, impulses, and behavior.

45. As of 2019, there are at least six (6) known victims of Fr. Corneti's sexual abuse (including John Doe 308).

46. At all times relevant to this matter, Defendants Diocese of LR and/or SPCC were the legal owner and/or tenant/occupier of the church and school located at 211 West 19th St, North Little Rock, AR 72114.

47. By holding Fr. Corneti out as safe to work with children, and by undertaking the custody, supervision of, and/or care of the minor JD 308, the Defendants entered into a special relationship with the minor JD 308.

48. As a result of JD 308 being a minor, and by the Defendant's undertaking the care and guidance of the then vulnerable JD 308, JD 308 was uniquely vulnerable, without his parents and incapable of self-protection.

49. The Defendants, by holding themselves out as being able to provide a safe environment for children, solicited and/or accepted this position of empowerment. This empowerment prevented JD 308 from effectively protecting himself.

50. The Defendants thereby entered into a special relationship with JD 308.

51. By holding themselves out as a safe, moral, and trusted institution to JD 308's parents, the Defendants induced JD 308's parents to entrust their child to the Defendants and thereby deprived JD 308 of the protection of his family.

52. The problem of clergy sexual abuse of minors is well-documented throughout the history of the Roman Catholic Church.

53. As far back as 1051, St. Peter Damian wrote in the *Book of Gomorrah* that clergy who defiled boys should be dismissed from holy orders. (*Book of Gomorrah*, Ch. 6).

54. In 1961, the Vatican issued an instruction on the training of candidates for the priesthood, which was based upon the 1917 Code of Canon Law which stated:

“Advancement to religious vows and ordination should be barred to those who are afflicted with evil tendencies to homosexuality or pederasty, since for them the common life and priestly ministry would constitute serious dangers.”

55. In 1962, Pope John XXIII approved the publication *De Modo Procedendi in Causis Solicitationis*, a special procedural law for solicitation of sex in the confessional. This document contained prohibitions prohibiting clergy from having sex with minors under the age of sixteen (16). This document was distributed to every bishop and major religious superior in the world and was to be kept by them with the deepest secrecy. In addition, this document reflected the Catholic church's insistence on maintaining the highest degree of secrecy regarding the worst sexual crimes perpetrated by clergy.

56. In 1947, a priest named Fr. Gerald Fitzgerald founded a religious order of priests called the Servants of the Paracletes. This religious order was founded in order to assist and treat Catholic clergy who experienced mental health problems. By 1952, Fr. Fitzgerald wrote that he had already treated a handful of priests who had sexually abused minors. By 1963, the Paracletes were treating so many sexually abusive clergy that they developed a shorthand code, "code 3," to describe the offense. By 1966, the Paracletes began specializing in treatment of pedophile Catholic clergy.

57. As early as 1971, the issue of sexual misconduct by clergy was being discussed in the Commonwealth of Massachusetts. Bishop Bernard Flanagan, Bishop of Worcester (Massachusetts) testified that as early as February 1971, there had been discussions about sexual misconduct among priests. According to Bishop Flanagan, "I think by 1971 I had heard of other cases of this type [sic] sexual misconduct and I knew that they were taking place in other dioceses too."

58. That same year, Dr. Conrad Baars and Dr. Anna Terruwe presented a scholarly paper titled "The Role of the Church in the Causation, Treatment and Prevention of the Crisis in the Priesthood" to the 1971 Synod of Bishops at the Vatican and to the U.S. Conference of Catholic Bishops about psychiatric problems in Catholic clergy and how psychosexual immaturity manifested itself in heterosexual and homosexual activity. In 1990, psychologist and priest, Richard Sipe, published a study involving one thousand five hundred (1,500) priests that concluded that six (6%) percent of priests were sexually involved with minors.

59. The Defendants allowed Fr. Corneti to have unsupervised and unlimited access to minor children who attended official church functions at SPCC.

60. Despite clear warning signs, the Defendant's took no action to discover Fr. Cornneti's pedophilia, make a determination whether he was fit to work with children, and/or protect children from him. This lack of action on the part of the Defendant's increased the likelihood that JD 308 would be harmed.

61. The Defendants owed JD 308 a duty of reasonable care because they had superior knowledge of the risk that Fr. Cornneti posed to JD 308.

62. The Defendants had the duty to protect the moral purity of JD 308, as well as other, Roman Catholic children within the Diocese of LR and SPCC.

63. The Defendants owed JD 308 a duty of reasonable care because they solicited youth and parents for participation in their youth programs.

64. The Defendants owed JD 308 a duty of reasonable care because they undertook custody of minor children, JD 308 included.

65. The Defendants owed JD 308 a duty of reasonable care because they promoted their facilities and programs as being safe for children.

66. The Defendants owed JD 308 a duty of reasonable care because they held out their agents, including Fr. Cornneti, as safe to work with children.

67. The Defendants owed JD 308 a duty of reasonable care because they encouraged parents and children to spend time with its agents; and/or encouraged their agents, including Fr. Cornneti, to spend time with, interact with, and recruit children.

68. The Defendants had a duty to protect JD 308 from harm because the Defendants' actions created a foreseeable risk of harm to JD 308.

69. The Defendants breached their duties by exposing JD 308 to a priest the Defendants knew or should have known was a pedophile.

70. The Defendants breached their duties by recruiting, hiring, and maintaining Fr. Corneti in a position of authority over children.

71. The Defendants breached their duties by exposing Fr. Corneti to children.

72. The Defendants breached their duties by leaving Fr. Corneti alone with children unsupervised.

73. The Defendants breached their duties by inducing JD 308 and his parents to entrust JD 308 to Fr. Corneti.

74. The Defendants breached their duties by failing to follow policies and procedures designed to prevent child sex abuse and/or failing to implement sufficient policies and procedures to prevent child sex abuse.

75. The Defendants breached their duties by failing to take reasonable measures to make sure that policies and procedures to prevent child sex abuse were working.

76. The Defendants breached their duties by failing to adequately inform families and children of the known risks of child sex abuse within the Diocese of LR.

77. The Defendants breached their duties by holding out their employees and agents, including Fr. Corneti, as safe and wholesome for children to be with.

78. The Defendants breached their duties by failing to investigate risks of child molestation.

79. The Defendants breached their duties by failing to properly train the workers at institutions and programs within the Defendants' geographical confines.

80. The Defendants breached their duties by failing to have any outside agency test their safety procedures.

81. The Defendants breached their duties by failing to protect the children in their programs from child sex abuse. Thereby failing to adhere to the applicable standard of care for child safety.

82. The Defendants breached their duties by failing to investigate the amount and type of information necessary to represent their institutions, programs, leaders, and people as safe.

83. The Defendants breached their duties by failing to respond to and/or investigate information of improper conduct of an employee or agent with children, including Fr. Corneti.

84. The Defendants breached their duties by failing to properly train their employees to identify signs of child molestation by fellow employees.

85. The Defendants breached their duty to use ordinary care in determining whether their facilities were safe and/or to determine whether they had sufficient information to represent their facilities as safe.

86. The Defendants breached their duty of care by recruiting, hiring, and maintaining Fr. Corneti at their facilities.

87. The Defendants breached their duty of care by maintaining a dangerous condition on the premises of their facilities (i.e., a priest Defendants knew or should have known posed a risk of pedophilic harm to children).

88. The Defendants breached their duty of care by holding out their facilities as a safe and moral place for children, which they were not.

89. The Defendants breached their duty of care by failing to have sufficient policies and procedures to prevent abuse at their facilities.

90. The Defendants breached their duty of care by failing to investigate risks at their facilities.

91. The Defendants breached their duty of care by failing to properly train the workers at their facilities.

92. The Defendants breached their duty of care by failing to investigate the amount and type of information necessary to represent their facilities as safe.

93. The Defendants breached their duty of care by and failing to train their employees properly to identify signs of child molestation by fellow employees.

94. The Defendants breached their duties to JD 308 by holding out clergy members, including Fr. Cornneti, as safe, moral, and trustworthy people.

95. The Defendants breached their duties to JD 308 by failing to warn JD 308 and his family of the risk that Fr. Cornneti posed and the known risks of child sexual abuse by clerics in general.

96. The Defendants also failed to warn JD 308 about any of the knowledge that the Defendants had about child sex abuse perpetrated by clergy or Fr. Cornneti.

97. The Defendants breached their duties to JD 308 by failing to report Fr. Cornneti's abuse of children to the police and law enforcement.

98. The Defendants further breached their duties by hiding a pedophile and engaging in a cover-up of abuse perpetrated by Fr. Cornneti.

99. The Defendants knew or should have known that some of the leaders and people working at Catholic institutions within the Diocese of LR were not safe for children.

100. The Defendants knew or should have known that there was a risk of child sex abuse for children participating in Catholic programs and activities within the Diocese of LR.

101. The Defendants knew or should have known that they had other agents who had sexually molested children.

102. The Defendants knew or should have known that child molesters have a high rate of recidivism.

103. The Defendants knew or should have known that there was a specific danger of child sex abuse for children participating in Defendants' youth programs.

104. The Defendants held their leaders and agents out as people of high morals, as possessing immense power, teaching families and children to obey these leaders and agents, teaching families and children to respect and revere these leaders and agents, soliciting youth and families to their programs, schools, marketing to youth and families, recruiting youth and families, and holding out the people that worked in the programs as safe for children/youth.

105. The Defendants made negligent representations to JD 308 and his family during each and every year he was involved with the Roman Catholic Church. JD 308 and/or his family relied upon these representations, which resulted in JD 308 being put in a vulnerable situation with Fr. Corneti who harmed him.

106. Fr. Corneti engaged in unpermitted, harmful, and offensive sexual contact with JD 308 on the physical premises of and around him. Fr. Corneti sexually assaulted JD 308 when JD 308 was a minor and without JD 308's consent.

107. The Defendants allowed Fr. Corneti to have unsupervised and unlimited access to young children at SPCC located at the time within the Diocese of LR.

108. At all times relevant to this matter, Fr. Corneti was on duty as a priest twenty-four (24) hours per day, seven (7) days per week.

109. At all times relevant to this matter, Fr. Corneti remained under the direct supervision, employ, and control of the Defendants Diocese of LR and SPCC.

110. At all times relevant to this matter, the Defendants had the right to control the means and manner of Fr. Corneti's performance.

111. At all times relevant to this matter, the Defendants paid Fr. Corneti's salary and paid for Fr. Fr. Corneti's health insurance and other benefits.

112. At all times relevant to this matter, Defendants furnished an office, living quarters, and other materials, supplies, and tools required for Fr. Corneti to perform in his position as a priest.

113. At all times relevant to this matter, the Defendants controlled the premises where Fr. Corneti performed as a priest.

114. At all times relevant to this matter, the Defendants had the power to terminate the employment of Fr. Corneti.

115. Upon information and belief, before JD 308 was sexually abused by Fr. Corneti, the Defendants had actual or constructive knowledge of material facts regarding Fr. Corneti's sexual misconduct, impulses, and behavior, but failed to act on that knowledge and exposed JD 308 as a child to Fr. Corneti, thereby increasing the likelihood that JD 308 would be harmed.

116. As a direct result of the Defendants' negligence, breached duties, the sexual abuse, sexual exploitation, and the Defendants' conduct, JD 308 has suffered and will continue to suffer great pain of mind and body, severe and permanent emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, humiliation and psychological injuries, was prevented and will continue to be prevented from performing

normal daily activities and obtaining the full enjoyment of life, has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT I: VICARIOUS LIABILITY

117. The proceeding paragraphs are incorporated here in as if set forth word for word pursuant to Ark. R. Civ. P. 10.

118. The Defendants employed Fr. Corneti to operate programs, including youth, altar boy and spiritual counseling programs at SPCC.

119. The Defendants created a master-servant relationship with Fr. Corneti, employing him to interact and supervise children participating in programs at SPCC.

120. The unwanted contact by Fr. Corneti upon JD 308 occurred during his regular working hours and at the place of his employment with the Defendants while performing duties of a priest on behalf of his employers

121. The sexual abuse by Fr. Fr. Corneti occurred in the course and scope of his employment with the Defendants.

122. The sexual abuse by Fr. Corneti was generally foreseeable to the Defendants.

123. The sexual abuse by Fr. Corneti was closely connected to what he was employed to do as a priest with the Defendants, and/or was otherwise naturally incidental to his job duties.

124. Fr. Corneti's conduct was motivated, at least in part, by a desire to serve his employer's business interests or otherwise meet the objectives of his employment, however misguided.

125. Alternatively, Fr. Corneti's conduct constituted an authorized, minor deviation from his employment that was authorized and/or ratified by the Defendants.

126. As a direct and proximate result of Fr. Corneti's conduct, JD 308 has suffered damages for which his employer is now liable.

127. As result of Defendants' conduct, JD 308 has suffered and will continue to suffer great pain of mind and body, severe and permanent emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, humiliation and psychological injuries, was prevented and will continue to be prevented from performing normal daily activities and obtaining the full enjoyment of life, has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT II - NEGLIGENCE

128. The proceeding paragraphs are incorporated here in as if set forth word for word pursuant to Ark. R. Civ. P. 10.

129. The Defendants owed JD 308 a duty of ordinary care as described herein.

130. The Defendants breached their duties of due care.

131. The Defendants breach of their duties were the proximate cause of JD 308's injuries described herein.

132. JD 308's injuries were foreseeable to the Defendants.

133. As a proximate result of the Defendants' negligence, breached duties, the sexual abuse, sexual exploitation, and Defendants' conduct, JD 308 has suffered and will continue to suffer great pain of mind and body, severe and permanent emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, humiliation and psychological injuries, was prevented and will continue to be prevented from performing normal daily activities and obtaining the full enjoyment of life, has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT III - NEGLIGENT SUPERVISION AND RETENTION OF EMPLOYEE

134. The proceeding paragraphs are incorporated here in as if set forth word for word pursuant to Ark. R. Civ. P. 10.

135. The Defendants had a duty to use reasonable care in retaining its employees in positions where they were exposed to children who were unsupervised by their parents.

136. The Defendants by and through their agents, servants and employees, knew or reasonably should have known of Fr. Corneti's dangerous and exploitive propensities and/or that Fr. Corneti was an unfit agent.

137. Despite such knowledge, the Defendants breached their duty to properly supervise Fr. Corneti and failed to use reasonable care in investigating Fr. Corneti.

138. Under the circumstances, Fr. Corneti's sexual abuse of JD 308 was foreseeable to the Defendants.

139. As a result of the above-described conduct, JD 308 has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing JD 308's daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT IV - NEGLIGENT FAILURE TO PROTECT

140. The proceeding paragraphs are incorporated here in as if set forth word for word pursuant to Ark. R. Civ. P. 10.

141. The Defendants had a duty to protect the minor JD 308 from harm based upon the special relationship between the Defendants and JD 308, whereby the minor JD 308 was in the custody of an agent of the Defendants and without the normal protections of his family.

142. The Defendants breached their duty to protect JD 308.

143. It was foreseeable that the minor JD 308 would be sexually abused if the Defendants failed to properly protect the minor JD 308 while he was in the custody of the Defendants.

144. As a result of the above-described conduct, JD 308 has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing JD 308's daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT V - NEGLIGENCE/PREMISES LIABILITY

145. The preceding paragraphs are incorporated here in as if set forth word for word pursuant to Ark. R. Civ. P. 10.

146. The Defendants had the duty to exercise ordinary care to maintain SPCC in a reasonably safe condition for the benefit of invitees.

147. JD 308 was a business invitee of the Defendants when Fr. Corneti engaged him in unwanted sexual abuse.

148. The Defendants owed JD 308 a duty to protect JD 308 from dangerous conditions on their premises that they knew about, or in the exercise of reasonable care could have discovered.

149. The Defendants owed JD 308 a duty to provide a reasonably safe environment where he would be free from the threat of unwanted sexual contact while on the Defendants' premises.

150. The Defendants owed JD 308 a duty to take reasonable precautions to ensure safety while on the premises of the Defendants.

151. Prior to the sexual misconduct perpetrated by Fr. Corneti upon JD 308, the Defendants knew, or in the exercise of reasonable care, should have known, of the general problem of priests and other clergy engaging in sexual misconduct with children.

152. Prior to the sexual misconduct perpetrated by Fr. Corneti upon JD 308, the Defendants knew, or in the exercise of reasonable care, should have known, that Fr. Corneti was unfit for the intimate duties assigned to him, that he did not exhibit appropriate behavior with children, and otherwise posed a risk of perpetrating unwanted sexual contact upon children.

153. The Defendants breached the duty owed to JD 308 by failing to make the premises reasonably safe for JD 308 despite what they knew or should have known about the existence of a potential threat of harm to JD 308 on their premises.

154. The Defendants breached the duty they owed to JD 308 by failing to warn JD 308 of the dangers and risks involved in participating in programs at SPCC given their superior knowledge of the potential risk of harm to JD 308.

155. At all times relevant to this matter, the Defendants had inadequate policies and procedures to protect children entrusted to their care and protection, including JD 308, which substantially contributed to the creation of a dangerous environment.

156. As a direct and proximate result of the negligence of the Defendants, JD 308 suffered severe and permanent psychological, emotional and physical injuries, shame, humiliation and the inability to lead a normal life, and has incurred and/or will incur costs for treatment and will continue to do so in the future. These injuries are permanent and ongoing in nature, and said injuries have and will cause damage to JD 308.

DEMAND FOR JURY TRIAL

157. Pursuant to Ark. R. Civ. P. 38, JD 308 demands a trial by jury.

RELIEF REQUESTED


158. John Doe 308 claims he is entitled to recover for the following damages, all of which were proximately caused by the negligent, intentional, willful, wanton, extreme, and/or outrageous acts of the Defendants and /or their agents:

- a. Damages for past emotional distress after the sexual abuse and injury and/or continuing through the present.
- b. Damages for pain and suffering due to his injuries.
- c. Compensatory damages for medical and other out of pocket expenses.
- d. Damages for future pain and suffering and emotional and psychological trauma.
- e. Damages for medical expenses to be incurred in the future.
- f. Compensatory damages for sexual abuse.
- g. Punitive damages in an amount to be determined by proof at trial.
- h. Lost wages in an amount to be determined by proof at trial.

- i. Attorneys fees for bringing this action.
- j. Any and all other damages allowed under state and federal law.

WHEREFORE, the John Doe 308 respectfully request that this Court: (1) enter its judgment against the Defendants, Diocese of Little Rock and Saint Patrick Catholic Church, jointly and severely, in a sufficient sum to fully compensate John Doe 308's damages; (2) enter its judgment against the Defendants, Diocese of Little Rock and Saint Patrick Catholic Church, jointly and severely, in an amount to be determined at trial to compensate John Doe 308 for his pain and suffering; (3) award John Doe 308 his costs (including a reasonable attorney's fee) for the necessitation of this action; (4) award John Doe's pre- and post judgment interest against the Defendants, Diocese of Little Rock and Saint Patrick Catholic Church, jointly and severely; and (5) grant John Doe 308 any and all other equitable, legal, and proper relief entitled whether specifically prayed for herein or not.

Respectfully submitted on behalf of the
JD 308, John Doe 308.

By: 
William "Zac" White - Attorney & Counselor at Law
William Z. White (AR Bar No. 2007255)
P.O. Box 1087 (Postal)
706 West Quitman Street (Physical)
Heber Springs, AR 72543
(501) 365-3934 Office
(501) 365-3935 Facsimile
Email: wzwhite@wzwhite.com