

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT
CIVIL ACTION NO. 21cv1011

JOHN DOE VII,)
Plaintiff)
)
v.)
)
ROMAN CATHOLIC ARCHBISHOP OF)
BOSTON, A CORPORATION SOLE, and)
DEFENDANT TWO,)
Defendants)

**COMPLAINT AND
JURY TRIAL DEMAND**

RECEIVED
CLERK OF THE COURT
NORFOLK COUNTY
JAN 10 2021 10 18

A. PARTIES

1. The Plaintiff, John Doe VII, is an individual with a residential address in Melrose, Middlesex County, Massachusetts.

2. Defendant Roman Catholic Archbishop of Boston, A Corporation Sole (hereinafter referred to as "Defendant RCAB") is a religious corporation organized pursuant to Massachusetts law with a principal place of business at 66 Brooks Drive, Braintree, Norfolk County, Massachusetts. At all relevant and material times, Defendant RCAB had a duty to hire, supervise, direct, and retain priests of the RCAB, including Father Patrick J. Tague (hereinafter referred to as "Father Tague").

3. Defendant Two is an individual the identity of whom is presently unknown to the Plaintiff, therefore, the Plaintiff files the above captioned action against Defendant Two by such fictitious name. At relevant and material times, Defendant Two was or had been a supervisor of the RCAB with a duty to hire, retain, supervise, and direct Father Tague.

B. STATEMENT OF FACTS

5. In approximately 1963 Father Tague was ordained a Roman Catholic priest of the RCAB.

6. In approximately 1965, Father Tague was assigned to or affiliated with St. Benedict's Parish, Somerville, Middlesex County, Massachusetts, where he served as a priest of the RCAB. At all relevant and material times, St. Benedict's Parish was a Roman Catholic parish of the RCAB.

7. Father Tague continued to serve as a priest of the RCAB at St. Benedict's Parish through at least approximately 1965, with responsibilities that included, among other things, supervising and otherwise interacting with minor children.

8. When Plaintiff was a minor child, Plaintiff was raised Catholic and he attended St. Benedict's Church, the Roman Catholic church of St. Benedict's Parish.

9. When Plaintiff was a minor child, Plaintiff met Father Tague at St. Benedict's Church and otherwise interacted with Father Tague at St. Benedict's Church.

10. Not until recently did Plaintiff have knowledge or sufficient notice that he had been harmed and that the harm was caused by the explicit sexual behavior and lewd and lascivious conduct of Father Tague.

11. In approximately 1965, when Plaintiff was approximately 7 years of age, Father Tague engaged in explicit sexual behavior and lewd and lascivious conduct with Plaintiff, including, among other things, Father Tague forcing Plaintiff to masturbate Father Tague to the point of ejaculation.

12. Father Tague's explicit sexual behavior and lewd and lascivious conduct with the Plaintiff took place in St. Benedict's Church.

13. As a result of Father Tague's explicit sexual behavior and lewd and lascivious conduct with the Plaintiff, Plaintiff suffers, has suffered and will continue to suffer in the future severe emotional distress and physical harm manifested by objective symptomatology, including but not limited to, sleep problems; depression; sadness; and anger.

14. At all times material hereto, Father Tague misrepresented and concealed from the Plaintiff the wrongful nature of Father Tague's explicit sexual behavior and lewd and lascivious conduct and that such explicit sexual behavior and lewd and lascivious conduct could harm Plaintiff.

15. As a result of said explicit sexual behavior and lewd and lascivious conduct, Plaintiff is unable at this time to fully disclose in complete detail to what degree Father Tague did abuse the plaintiff.

C. CLAIMS FOR RELIEF

Count I. Plaintiff v. Defendant RCAB and Defendant Two

Negligent Hiring, Retention, Direction, and Supervision

16. Plaintiff repeats, realleges, and incorporates by reference herein each and every allegation heretofore pleaded in this Complaint.

17. At all relevant and material times to this action, the responsibilities of Defendant RCAB and Defendant Two (hereinafter collectively referred to as the "Supervisory Defendants") included the hiring, retention, direction, and supervision of RCAB priests at St. Benedict's Parish, where those priests would be supervising and otherwise interacting with minor children.

18. At all relevant and material times to this action, the responsibilities of the Supervisory Defendants included hiring Father Tague to St. Benedict's Parish; retaining Father Tague in his position at St. Benedict's Parish, directing Father Tague in his position at St.

Benedict's Parish, including in his interactions with minor children; and supervising Father Tague in his position at St. Benedict's Parish, including in his interactions with minor children.

19. At all relevant and material times to this action, the Supervisory Defendants knew or should have known that Father Tague would interact with and was interacting with minor children in his position at St. Benedict's Parish, including, more specifically, the Plaintiff.

20. At all relevant and material times to this action, the Supervisory Defendants had a special relationship with Father Tague.

21. At all relevant and material times to this action, the Supervisory Defendants had a special relationship with the Plaintiff.

22. At all relevant and material times to this action, the Supervisory Defendants had a duty of care to properly hire, retain, direct, and supervise individuals of good reputation and character who would be asked to interact with minor children at St. Benedict's Parish.

23. At all relevant and material times to this action, the Supervisory Defendants negligently breached their duty of care to properly hire, retain, direct, and supervise individuals of good reputation and character who would be asked to interact with minor children at St. Benedict's Parish, by hiring Father Tague to his position at St. Benedict's Parish; by retaining Father Tague in his position at St. Benedict's Parish; and by their failure to exercise the care of a reasonable person in their direction and supervision of Father Tague's interactions with minor children at St. Benedict's Parish, including the Plaintiff, as the Supervisory Defendants knew or should have known Father Tague was of bad character and reputation and unfit to properly interact with minor children at St. Benedict's Parish, including, more specifically, Plaintiff, and that Father Tague engaged or was engaging in the intentional and negligent conduct with the Plaintiff as described above.

24. At all relevant and material times to this action, the Supervisory Defendants knew or should have known that Father Tague's intentional and negligent conduct as described above would result in severe mental and emotional suffering by a victim of such conduct, including the Plaintiff.

25. As a direct and proximate result of the Supervisory Defendants' negligent conduct, Plaintiff has suffered and will continue to suffer in the future: severe and permanent mental distress and emotional injuries, including objective corroboration of said mental distress and emotional injuries as outlined above; financial expenses for medical and therapeutic care and treatment; long term lost earning capacity; as well as other damages.

WHEREFORE, Plaintiff respectfully demands judgment against Defendants on each claim in an amount to be determined by a jury, plus costs, interest, attorneys' fees, and such other and further relief as this Court deems just and equitable.

JURY TRIAL DEMANDED

PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL CLAIMS.

By Attorney for Plaintiff John Doe VII



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