

LAW OFFICE OF MARK GALLAGHER
Mark F. Gallagher 6016-0
66 Kaiholu Place
Kailua, Hawai`i 06734
Telephone: 808-535-1500
Fax: (888) 806-1531
Email: mgallagher@hawaiiantel.net

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JEFF ANDERSON & ASSOCIATES
Annie Kopplin 9922-0
366 Jackson Street, Suite 100
St. Paul, MN 55101
Telephone: 651-227-9990

Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI`I

CRAIG CHRISTIANSEN,

Plaintiff,

vs.

THE ROMAN CATHOLIC CHURCH IN
THE STATE OF HAWAII; a Hawaii
not for profit corporation;
JOHN DOES 1-10; JANE DOES 1-10;
DOE CORPORATIONS 1-10; DOE
PARTNERSHIPS 1-10; DOE NON-
PROFIT ENTITIES 1-10; and DOE
GOVERNMENTAL ENTITIES 1-10,

Defendants.

CIVIL NO.

(Non-Motor Vehicle Tort)

COMPLAINT; SUMMONS; DEMAND FOR
JURY TRIAL

COMPLAINT

Plaintiff Craig Christiansen alleges the following against Defendant The Roman Catholic Church In The State Of Hawaii, a Hawaii not for profit corporation:

PARTIES

a. At all times material to the Complaint, Plaintiff Craig Christiansen (hereinafter referred to as "Plaintiff") resided in the County of Honolulu, State of Hawaii. Plaintiff was a minor at the time of the sexual abuse alleged herein. He now is an adult and resides in California.

b. At all times material to the Complaint, Defendant The Roman Catholic Church in The State of Hawaii (hereinafter referred to as "Diocese") was and continues to be a diocese of the Roman Catholic Church, a not for profit religious corporation, authorized to conduct business and conducting business in the State of Hawaii with its principal place of business at 1184 Bishop Street, City and County of Honolulu, State of Hawaii.

c. Plaintiff has attempted to ascertain the names and identities of possible Defendants. John Does 1-10, Jane Does 1-10, Doe Corporations 1-10, Doe Partnerships 1-10, Doe Non-Profit Entities 1-10, And Doe Governmental Entities 1-10 (hereinafter referred to as "Doe

Defendants") are persons, corporations, partnerships, business entities, non-profit entities, and/or governmental entities who acted in a negligent, grossly negligent, wrongful or tortious manner which proximately caused or contributed to injuries and damages sustained by Plaintiff. Plaintiff has been unable to ascertain the names and identities of the above-named Doe Defendants from the investigation that has been conducted to date. Accordingly, Plaintiff has sued the unidentified Doe Defendants herein with fictitious names pursuant to Rule 17(d) of the Hawai`i Rules of Civil Procedure, and Plaintiff will substitute the true names, identities, capacities, acts and/or omissions of the Doe Defendants when the same are ascertained.

d. Plaintiff has satisfied the requirements of Hawaii Revised Statutes, Section 657-1.8.

FACTS

1. At all times material, Fr. Joseph A. Ferrario was an ordained Catholic Priest, educated, trained and employed by Defendant Diocese. At all times material, Ferrario remained under the direct supervision, employ, agency, and control of Defendant Diocese which placed Ferrario in

positions where he had access to and worked with children as an integral part of his work.

2. From 1951 to his death in 2003, Fr. Joseph Ferrario was a Roman Catholic priest. From 1958 until his death in 2003, he was employed by Defendant as a teacher and/or priest and/or Bishop working with children in Hawaii in Diocesan churches and schools. Fr. Ferrario functioned as Auxiliary Bishop beginning in approximately 1977 and was later elevated in approximately 1982 to Bishop, the principal and highest authority within Defendant Diocese's organization in the State of Hawaii. Ferrario worked at the following locations before and after becoming the Bishop of the Diocese of Honolulu in 1978:

- a. Mountain View, CA: St. Joseph's College
- b. Baltimore, MD: St. Mary's Seminary and University
- c. Kaneohe, HI: St. Stephen's Minor Seminary
- d. Kalihi, HI: Our Lady of the Mount
- e. Honolulu, HI: Cathedral of Our Lady of Peace
- f. Honolulu, HI: Holy Trinity
- g. Honolulu, HI: Damien Memorial High School
- h. Kailua, HI: St. Anthony of Padua

3. Father Bartholomew O'Leary was a Catholic priest who served the Diocese. He was employed by Defendant as a

teacher and/or priest working with children in Hawaii in locations including St. John Vianney in Kailua and St. Stephen Seminary in Kaneohe.

4. Plaintiff attended and his family attended St. John Vianney. In his eighth grade year he attended school at St. Anthony of Padua School. Plaintiff was raised in a devout Roman Catholic family and participated in activities at St. Anthony Church and School. As a result of his upbringing, Plaintiff developed great admiration, trust, reverence, and respect for the Roman Catholic Church and its agents, and came to know Ferrario as a person of great influence and persuasion, as an authority figure, priest, teacher, spiritual advisor, and counselor.
5. St. Anthony exists within the borders and jurisdiction of Defendant Diocese for its benefit and under its control.
6. Ferrario worked as a priest at St. Anthony's among other times, from approximately 1975-1978.
7. Ferrario's employment duties with Defendant Diocese included counseling and working with children. Ferrario was a priest and/or teacher and provided guidance for the spiritual and emotional needs of children, including Plaintiff, entrusted to his care.

8. Defendant Diocese was responsible for the care and well-being of the minor students and parishioners at St. Anthony. Defendant Diocese owed a duty of care to Plaintiff and had responsibility or control over the activities in which Plaintiff and Ferrario were engaged.
9. Defendant Diocese placed Ferrario at St. Anthony of Padua Church and school in Kailua, Hawaii where Ferrario had unlimited access to children.
10. From approximately 1975 to 1976, when Plaintiff was approximately 12 to 14 years old and a student at St. Anthony of Padua School, Ferrario, using his position of authority, trust, reverence, and control as a Roman Catholic priest and teacher, engaged in repeated unpermitted, harmful and offensive sexual contact upon the person of Plaintiff. Ferrario further sexually assaulted Plaintiff on several occasions at a retreat and at St. Stephen Seminary in approximately 1976-1978. The sexual contact and/or acts constituted or would have constituted criminal offenses under part V of chapter 707 (Haw. Rev. Stat. Sections 707-730 (2013)).
11. In approximately 1977 to 1978 while Plaintiff was visiting St. Stephen Seminary subsequently St. Stephen Diocesan Center, O'Leary using his position as

Plaintiff's former parish priest and administrator of the seminary engaged in repeated unpermitted, harmful and offensive sexual contact upon the person of Plaintiff. The sexual contact and/or acts constituted or would have constituted criminal offenses under part V of chapter 707 (Haw. Rev. Stat. Sections 707-730 (2013)).

12. Prior to Ferrario and O'Leary's sexual abuse of Plaintiff, Defendant Diocese knew or should have known about their inappropriate interactions with children and sexual abuse of children.
13. Prior to Ferrario and O'Leary's sexual abuse of Plaintiff, Defendant Diocese knew or should have known that they were a child molesters and knew or should have known that they were a danger to children. Defendant Diocese knew or should have known that Ferrario had sexually abused at least one other boy during confession at St. Stephen's Minor Seminary in 1969.
14. The sexual abuse and exploitation of Plaintiff reflected a greater pattern of conduct by Ferrario and Defendant Diocese that occurred within the Diocese for multiple years. At all times relevant, Plaintiff was entrusted to Defendant's care, custody, and control and while Ferrario

and O'Leary were under the direct supervision, employ and control of Defendant.

15. Ferrario and O'Leary's practice of sexually accessing and abusing children was known or should have been known to Defendant.
16. The abuse and grooming of Plaintiff included, but was not limited to isolating Plaintiff, luring Plaintiff to perform sex acts, groping Plaintiff's penis, masturbating Plaintiff, forcing Plaintiff to perform masturbation, fondling Plaintiff's buttocks, and oral sex. These acts occurred in rooms at the school were church where Plaintiff was a student, in the rectory at St. Anthony of Padua, and at St. Stephen Seminary which is now the St. Stephen Diocesan Center.
17. As a result of Ferrario and O'Leary's inappropriate behavior and sexual abuse of minor students, Defendant Diocese moved them among several locations.
18. Defendant Diocese grossly negligently or recklessly believed that Ferrario and O'Leary were fit to work with children and/or that any previous problems they had were fixed and cured; that Ferrario and O'Leary would not sexually molest children and that Ferrario and O'Leary

- would not injure children; and/or that Ferrario and O'Leary would not hurt children.
19. Defendant failed to tell students or their parents, including Plaintiff or his parents, what they knew or should have known - that Ferrario and O'Leary were known child molesters and engaged in a pattern of grooming and molesting boys.
 20. Before Plaintiff was sexually abused by Ferrario and O'Leary, Defendant knew or should have known material facts regarding Ferrario and O'Leary's sexual misconduct, impulses and behavior, but failed to act on that knowledge thereby increasing the likelihood that Plaintiff would be harmed. Defendant's failure to act on that knowledge caused Plaintiff's injuries and inability to: appreciate the abuse and resulting injuries sustained; or obtain help for the abuse and injuries suffered.
 21. Defendant Diocese engaged in a pattern and practice of fraudulent conduct in order to conceal the criminal and harmful acts of its agents and employees. Defendant, by and through its agents, misrepresented and/or failed to present the facts of known sexual misconduct to victims, their families, students, the public and/or law

enforcement authorities in furtherance of a scheme to protect predatory priests and other clergy from criminal prosecution, to maintain or increase charitable contributions and/or avoid public scandal thereby creating and perpetuating a conspiracy of silence and/or misrepresentation.

22. By holding Ferrario and O'Leary out as qualified priests and/or teachers, employed by Defendant, and by undertaking the instruction and spiritual and emotional guidance of the minor Plaintiff, Defendant Diocese entered into a special relationship with Plaintiff. As a result of Plaintiff being a minor, and by Defendant undertaking the care and guidance of the then vulnerable Plaintiff, Defendant held a position of empowerment over Plaintiff.
23. Further, Defendant, by holding itself out as being able to provide a safe environment for children, solicited and/or accepted this position of empowerment.
24. Defendant Diocese and its agents and representatives held themselves out to students and their parents, including Plaintiff, as counselors and instructors on matters that were spiritual, moral, and ethical. Accordingly, Plaintiff placed trust in Defendant so that Defendant

gained superiority and influence over Plaintiff. Defendant, by maintaining and encouraging such a relationship with Plaintiff and preventing the then minor Plaintiff from effectively protecting himself, entered into a fiduciary relationship with Plaintiff.

25. This fiduciary relationship with Plaintiff established a duty of good faith and fair dealing and the duty to act with the highest degree of trust and confidence. This fiduciary relationship included the duty to warn, the duty to disclose, and the duty to protect children from sexual abuse and exploitation by Catholic employees whom Defendant promoted as being safe with children. Defendant's fiduciary relationship with Plaintiff was based upon a justifiable trust by Plaintiff and superiority and influence by Defendant.
26. At all times material, by accepting custody of then minor Plaintiff, Defendant accepted custody *in loco parentis*, as a parent, and owed Plaintiff the duty of full disclosure of all information they had or should have had regarding Ferrario and O'Leary's history of sexual misconduct.
27. Further, Defendant Diocese and its agents were in a specialized or superior position to receive and did

receive specific information regarding misconduct by priests and other agents and employees that was of critical importance to the well-being, protection, care and treatment of innocent minor victims, including Plaintiff. This knowledge was not otherwise readily available. Defendant exercised its special or superior position to assume control of said knowledge and any response thereto.

28. Plaintiff, on the other hand, was in a subordinate position of weakness, vulnerability, and inequality and lacked such knowledge. Further, the ability of Plaintiff or his family to monitor the use or misuse of the power and authority of Defendant was compromised, inhibited or restricted by Defendant.

29. Defendant Diocese held its 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 its programs, marketing to youth and families, recruiting youth and families, and holding out the people that worked in the programs as safe.

30. Defendant Diocese owed Plaintiff a duty of reasonable care because it had superior knowledge about the risk that Ferrario and O'Leary posed to Plaintiff, the risk of abuse in general in its programs and/or the risks that its facilities posed to minor children.
31. Defendant Diocese owed Plaintiff a duty of reasonable care because it solicited youth and parents for participation in its youth programs; encouraged youth and parents to have the youth participate in its programs; undertook custody of minor children, including Plaintiff; promoted its facilities and programs as being safe for children; held its agents including Ferrario and O'Leary out as safe to work with children; encouraged parents and children to spend time with its agents; and/or encouraged its agents, including Ferrario and O'Leary, to spend time with, interact with, and recruit children.
32. Defendant Diocese breached its fiduciary duty to Plaintiff by failing to act upon or insufficiently acting upon or responding to, information obtained by virtue of its superior status, known only or secretly to them, that was indicative of a pattern of wrongful, unlawful or criminal behavior on its part.

33. Defendant Diocese also breached its duties to Plaintiff by failing to warn him and his family of the risk that Ferrario and O'Leary posed and the risks of child sexual abuse by clerics. It also failed to warn him about any of the knowledge that Defendant had about child sexual abuse in general, and in its programs.
34. Defendant Diocese also breached its duties to Plaintiff by failing to report Ferrario and O'Leary's abuse of children to the police and law enforcement.
35. Defendant Diocese breached this duty, as well as other duties, through inaction, manipulation, intimidation, evasion, intended deception, undue influence, and duress or otherwise, as more fully described and set forth elsewhere in this complaint, resulting in negative consequences to the welfare and well-being of Plaintiff.
36. Defendant Diocese knew or should have known that some of the leaders and people working at Catholic institutions within the Diocese were a danger to those in their care.
37. Defendant Diocese knew or should have known that it did not have sufficient information about whether or not its leaders and people working at Catholic institutions within the Diocese were a danger to those in their care.

38. Defendant Diocese 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.
39. Defendant Diocese knew or should have known that it had numerous agents who had sexually molested children. It knew or should have known that child molesters have a high rate of recidivism. It knew or should have known that there was a specific danger of child sex abuse for children participating in its youth programs.
40. Defendant was grossly negligent and made grossly negligent representations to Plaintiff and his family during each and every year of his minority.
41. By tradition, Roman Catholics and those within their custody and control, including Plaintiff, are taught to hold religious figures in the highest esteem as earthly representatives of God, and that religious figures, unlike lay people, belong to a separate and higher state in life, which Defendant represent to be of divine origin and which they represent, entitles them to special privileges. For these and other reasons relating to the practices of the Church, religious figures and other persons in leadership positions in the Church have traditionally occupied positions of great trust, respect

and allegiance among parents and youth, including Plaintiff.

42. By placing Ferrario and O'Leary at St. Anthony of Padua and St. Stephen Seminary, Defendant, through its agents, affirmatively represented to minor children and their families that Ferrario and O'Leary did not have a history of molesting children, that Defendant did not know that Ferrario and O'Leary had a history of molesting children and that the Defendant did not know that Ferrario and O'Leary were a danger to children.

43. By allowing Ferrario to remain in active ministry and eventually become Bishop, Defendant Diocese, through its agents, made continuing affirmative representations to minor children and their families, including Plaintiff and his family, that Ferrario did not have a history of molesting children, that Defendant did not know that Ferrario had a history of molesting children and that Defendant did not know that Ferrario was a danger to children.

44. Defendant, through its agents, made representations directly to Plaintiff and his family. Defendant knew or should have known that the representations made to Plaintiff's parents would influence Plaintiff and the

amount and type of contact that Plaintiff had with Ferrario and O'Leary, Ferrario and O'Leary's access to Plaintiff, and Ferrario and O'Leary's ability to molest Plaintiff.

45. Defendant was in a specialized position where it had knowledge unknown to Plaintiff. Defendant was in a position to have this knowledge because it was Ferrario and O'Leary's employer and was responsible for Ferrario and O'Leary. Plaintiff, as a child, was not in a position to have information about Ferrario's inappropriate tendencies towards children.

46. Had Plaintiff or his family known what Defendant knew or should have known - that Ferrario and O'Leary had sexually molested numerous children before Plaintiff and that Ferrario and O'Leary were a danger to children, Plaintiff would not have been sexually molested.

47. Despite having actual or constructive knowledge of Ferrario and O'Leary's pedophilic propensities and previous instances of molestation of other children, Defendant concealed the danger which Ferrario and O'Leary and other offending priests, clerics, brothers, and/or consecrated members of religious communities presented by holding them out as in good standing, thus enabling

offenders to retain their continued, unrestricted access to minor children.

48. As a result of his early instruction and indoctrination, Plaintiff was taught to rely upon, and did rely upon, the representations and teachings of Defendant including, but not limited to, representations regarding priests, clerics, brothers, and/or consecrated members of religious communities in general and Ferrario and O'Leary in particular (including the representation that Ferrario and O'Leary were priests in good standing). Plaintiff also expected and believed that Defendant would not tolerate criminal misconduct that represented a known threat to children by priests, clerics, brothers, and/or consecrated members of religious communities. Accordingly, even after Ferrario and O'Leary had sexually molested him, Plaintiff assumed that he was somehow the guilty party, rather than Ferrario and O'Leary.

49. Further, as a result of that early instruction and indoctrination, Plaintiff initially assumed that Ferrario and O'Leary's sexual molestation of him was an isolated occurrence and that Defendant was unaware and uninvolved, regarding both the criminal sexual conduct and the wide-

ranging efforts to conceal that criminal conduct from Plaintiff and others.

50. The sexual abuse of Plaintiff and the circumstances under which the abuse occurred caused Plaintiff to develop confusion, various coping mechanisms and symptoms of psychological disorders, including post-traumatic stress disorder, anxiety, depression, repression and disassociation. As a result, Plaintiff formed a reasonable and rational fear that he would be disbelieved and was unable to fully perceive or know that 1) the conduct of Ferrario and O'Leary was pervasive; 2) Defendant knew or had reason to know that Ferrario and O'Leary were pedophiles prior to his abuse; 3) Defendant was responsible for the abuse; and 4) the injuries he suffered were the result of the abuse. Because Plaintiff's emotional and psychological injuries at times manifested themselves in ways seemingly unconnected to the sexual abuse by Ferrario, Plaintiff was unable to perceive or know the existence or nature of his psychological and emotional injuries and the causal connection to the sexual abuse.
51. As a direct result of Defendant's conduct, Plaintiff has suffered and continues to suffer from injuries including,

but not limited to: great pain of mind and body; severe and permanent emotional distress; physical manifestations of emotional distress; psychological injuries, including post-traumatic stress disorder and depression; feelings of shame, embarrassment, and powerlessness; was prevented and will continue to be prevented from performing normal daily activities and obtaining the full enjoyment of life; will incur expenses for medical and psychological treatment, therapy and counseling; and has incurred and will continue to incur loss of income and/or loss of earning capacity.

COUNT ONE

GROSS NEGLIGENCE

50. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

51. Defendant Diocese assumed a duty to Plaintiff by:

a. holding Ferrario and O'Leary out to the public, including Plaintiff, as competent and trustworthy employees, representatives, priests, teachers and counselors of high morals;

b. holding its facilities and school out as a safe environment for children;

c. taking and inviting children into its facilities;

d. entrusting children to the care of Ferrario and O'Leary during extracurricular activities; and

e. fostering an environment in which Plaintiff was inhibited from reporting the sexual abuses against him.

53. Defendant Diocese breached this duty by exposing Plaintiff to Ferrario and O'Leary, unfit agents with dangerous and exploitive propensities.

54. The aforesaid occurrences were proximately caused by the willful, wanton, reckless, and grossly negligent conduct of the Defendant Diocese, its agents, servants and/or employees, in failing to properly and adequately supervise the conduct of Ferrario and O'Leary as it related to the Plaintiff, other young children, other parishioners and/or other students.

55. As a result of the Defendant's grossly negligent retention and inadequate supervision of Ferrario and O'Leary, Plaintiff was sexually abused by Ferrario and O'Leary when Plaintiff was a minor.

56. As a result of Defendant's grossly negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT TWO

GROSSLY NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS

57. Plaintiff incorporates all consistent paragraphs

of this Complaint as if fully set forth under this count.

58. Defendant's conduct was extreme and outrageous.

59. A reasonable person would not expect or tolerate Defendant Diocese placing individuals who were known and/or should have been known to Defendant as child molesters, in contact with minors at St. Anthony of Padua and St. Stephen Seminary. A reasonable person would not expect or tolerate Defendant Diocese allowing Ferrario and O'Leary to have unsupervised contact with minors and failing to supervise or prevent Ferrario and O'Leary from committing wrongful sexual acts with minors, including Plaintiff.

60. Defendant's conduct was grossly negligent and done for the purpose of causing with a substantial certainty or reckless or conscious disregard of the likelihood that Plaintiff would suffer the injuries and damages described herein.

61. As a direct and proximate result of the severe emotional distress, Plaintiff has suffered emotional, psychological and physical injury.

COUNT THREE

GROSSLY NEGLIGENT MISREPRESENTATION

62. Plaintiff incorporates all consistent paragraphs of the Complaint as if fully set forth under this count.

63. Defendant Diocese, through its agents,

represented to Plaintiff and his family that Ferrario and O'Leary did not have a history of molesting children and did not pose a danger to children.

64. Ferrario and O'Leary did have a history of molesting children and were a danger to children.

65. Defendant's representations to Plaintiff, his family and others regarding Ferrario and O'Leary were false and Defendant was grossly negligent in its care and/or competence in providing said representations.

66. As a direct and proximate result of Defendant's above-described conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT FOUR

PUNITIVE DAMAGES

67. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

68. The conduct of Defendant constituted gross negligence, intentional, willful and wanton, or malicious misconduct or was conducted with such a want of care as to constitute a conscious indifference to the rights of others including Plaintiff warranting the imposition of punitive damages.

COUNT FIVE

NUISANCE AND REQUEST FOR INJUNCTIVE RELIEF

69. Plaintiff incorporates all paragraphs of this Complaint as if fully set forth under this count.

70. Defendant Diocese continues to conspire and engage and/or has conspired and engaged in efforts to: 1) conceal from the general public the sexual assaults committed by, the identity of, and the pedophilic/ephebophilic tendencies of Bolger and Jackson, and Defendant's other agents, some of whom are on its list of credibly accused clerics; 2) attack the credibility of the victims of Defendant's agents; and/or 3) protect Defendant's agents from criminal prosecution for their sexual assaults against children.

71. The negligence and/or deception and concealment by Defendant Diocese was and is unlawfully annoying, hurtful, inconvenient, and/or damaging to the general public, is wrongful and/or permits injuries and/or annoys the general public in its enjoyment of its legal rights, and/or is an obstruction to the free use of property by the general public, including, but not limited to, residents in the Diocese of Honolulu and all other members of the general public who live in communities where Defendant's credibly accused molesters live. It was and is unlawfully annoying and/or damaging, so as to interfere with the general public's comfortable enjoyment of life in that the

general public cannot trust Defendant to warn parents of the presence of the current and/or former credibly accused molesters, nor to identify their current and/or former credibly accused molesters, nor to disclose said credibly accused molesters' assignment histories, nor to disclose their patterns of conduct in grooming and sexually assaulting children, all of which create an impairment of the safety of children in the neighborhoods in Hawaii and where Defendant Diocese conducted, and continues to conduct, its business.

72. The negligence and/or deception and concealment by Defendant Diocese was and continues to be injurious to Plaintiff's health as Plaintiff was sexually assaulted by Defendant Diocese's agents, Ferrario and O'Leary.

73. The negligence and/or deception and concealment by Defendant Diocese was also injurious to Plaintiff's health in that when Plaintiff finally discovered the negligence and/or deception and concealment of Defendant Diocese, Plaintiff experienced mental and emotional distress that Plaintiff had been the victim of the Defendant's negligence and/or deception and concealment; that Plaintiff had not been able to help other minors being molested because of the negligence and/or deception and concealment; and that Plaintiff had not been able to because of the negligence and/or deception and concealment to receive

timely medical treatment needed to deal with the problems Plaintiff suffered and continues to suffer as a result of the molestation.

74. Plaintiff also suffered particular and peculiar harm after learning of the Defendant Diocese's concealment of clerics credibly accused of sexually molesting minors, which continues as long as these names remain concealed. As a result of the concealment, Plaintiff has suffered and continues to suffer lessened enjoyment of life, impaired health, emotional distress, and/or physical symptoms of emotional distress. Plaintiff has also experienced depression, anxiety, and/or anger.

75. The continuing public nuisance created by Defendant Diocese was, and continues to be, the proximate cause of the injuries and damages to the general public and of Plaintiff's injuries and damages as alleged.

76. In doing the aforementioned acts, Defendant Diocese acted negligently and/or intentionally, maliciously and with conscious disregard for Plaintiff's rights.

77. As a result of the above-described conduct, Plaintiff has suffered the injuries and damages described herein.

WHEREFORE, Plaintiff prays that this Court issue an order enjoining the Roman Catholic Church in the State of Hawaii from further concealing the names of all clerics credibly accused of child molestation and requiring that the Roman Catholic Church in the State of Hawaii publicly release the names of all credibly accused child molesting clerics, each such cleric's history of abuse, each such cleric's pattern of grooming and sexual behavior, and his last known address. This includes the release of names of all clerics accused of child molestation in the Roman Catholic Church in the State of Hawaii, those not on Defendant's 2002 list of credibly accused clerics, and clerics that have been accused of child molestation since 2002. This also includes the release of the Roman Catholic Church in the State of Hawaii's documentation of and/or regarding the credibly accused clerics.

WHEREFORE, Plaintiff prays that judgment be entered in his favor, and against Defendants, for general, special, and punitive damages, together with costs of suit, attorney's fees, pre- and post-judgment interest, and other relief pursuant to Rule 54 of the Hawaii Rules of Civil Procedure.

DATED: Honolulu, Hawaii, April 14, 2020

/s/ Mark F. Gallagher
Mark Gallagher, Esq.
Attorney for Plaintiff

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI`I

CRAIG CHRISTIANSEN,

Plaintiff,

vs.

THE ROMAN CATHOLIC CHURCH IN
THE STATE OF HAWAII; a Hawaii
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PROFIT ENTITIES 1-10; and DOE
GOVERNMENTAL ENTITIES 1-10,

Defendants.

CIVIL NO.

(Non-Motor Vehicle Tort)

SUMMONS

SUMMONS

STATE OF HAWAI`I

To the above-named Defendant:

You are hereby summoned and required to file with the court and serve upon THE LAW OFFICE OF MARK GALLAGHER, Plaintiff's attorney, whose address is 66 Kaiholu Place, Kailua, Hawai'i 96734, an answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this Summons upon you, exclusive of the day of service. If you fail

to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This summons shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the general public, unless a judge of the above-entitled court permits, in writing on this summons, personal delivery during those hours.

A failure to obey this summons may result in an entry of default and default judgment against the disobeying person or party.

DATED: Honolulu, Hawai`i, _____.

Clerk of the above-entitled court

In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require a reasonable accommodation for a disability, please contact the ADA Coordinator at the First Circuit Court Administration Office at PHONE NO. 539-4333, FAX 539-4322, or TTY 539-4853, at least ten (10) working days prior to your hearing or appointment date.

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STATE OF HAWAI`I

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Plaintiff,

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THE ROMAN CATHOLIC CHURCH IN
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Defendants.

CIVIL NO.

(Non-Motor Vehicle Tort)

DEMAND FOR JURY TRIAL

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues so
triable.

DATED: Honolulu, Hawai'i, April 14, 2020.

/s/ Mark F. Gallagher
Mark F. Gallagher, Esq.
Attorney for Plaintiff