

priests described herein, prevented the Plaintiff from discovering the negligence committed by St. John's, therefore, all statutes of limitations for Plaintiff's negligence claims were tolled until 2011, when Plaintiff discovered his cause of action for negligence against the Defendant.

132. Upon information and belief, St. John's, by and through its agents, persons controlling and/or directing St. John's, misrepresented and/or failed to present the facts of known sexual misconduct to victims, prospective students, current students, their families, alumni, parishioners, the public and/or law enforcement authorities for the economic purpose of maintaining or increasing charitable contributions and tuition payments.

COUNT I: NEGLIGENCE

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

134. St. John's assumed a duty to protect the minor Plaintiff by holding Abbot Kelly out to the public, including Plaintiff, as a competent and trustworthy priest who was safe around children.

135. By accepting custody of the minor Plaintiff, Defendant St. John had a duty to protect and care for the minor Plaintiff when Plaintiff was at St. Anselm's Church.

136. Defendant St. John's breached these duties by failing to protect and care for the minor Plaintiff when he was performing his duties as an altar boy and while Plaintiff was with Abbot Kelly.

137. Defendant St. John's also breached these duties by exposing Plaintiff to Abbot Kelly, an unfit agent with dangerous and exploitive propensities.

138. Based upon the prominence of sexually abusive clergy at St. John's, it was foreseeable that Abbot Kelly would sexually abuse altar boys and other children at St. Anselm

Church if the children and Abbot Kelly were not properly supervised.

139. As a result of St. John's negligence, the Plaintiff was sexually abused by Abbot Kelly.

140. As a result of St. John's systemic fraudulent concealment of sexually abusive monks and priests described herein from the Plaintiff, the statute of limitations is tolled on this negligence claim against St. John's until 2011, when Plaintiff discovered the fraudulent concealment.

141. The Plaintiff could not have discovered St. John's fraudulent concealment of sexually abusive monks and priests sooner than 2011.

142. As a direct result of Defendant St. John's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

COUNT II: NEGLIGENT SUPERVISION

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

144. At all times material, Abbot Kelly was employed by Defendant St. John's and was under Defendant's direct supervision, employ and control when he committed the wrongful acts alleged herein. Abbot Kelly engaged in the wrongful conduct while acting in the course and scope of his employment with Defendant St. John's and/or accomplished the sexual abuse by virtue of his job-created authority. St. John's had a duty to supervise Abbot Kelly in order to prevent Abbot Kelly from injuring students. Defendant St. John's failed to exercise ordinary care in supervising Abbot Kelly in his assignment and failed to prevent the foreseeable misconduct of Abbot Kelly from causing harm to others.

145. Based upon the prominence of sexually abusive clergy at St. John's, it was

foreseeable that Abbot Kelly would sexually abuse altar boys and other children at St. Anselm Church if the children and Abbot Kelly were not properly supervised.

146. As a result of St. John's negligence, the Plaintiff was sexually abused by Abbot Kelly.

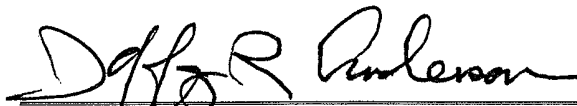
147. As a result of St. John's systemic fraudulent concealment of sexually abusive monks and priests described herein from the Plaintiff, the statute of limitations is tolled on this negligence claim against St. John's until 2011, when Plaintiff discovered the fraudulent concealment.

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

149. Plaintiff demands a trial by jury.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount in excess of \$75,000 plus costs, disbursements, reasonable attorneys fees, interest, and whatever other relief the Court deems just and equitable.

Respectfully Submitted,



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Dated: June 7, 2011.