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Attorneys for Plaintiff

JOHN DOE 10	:	COURT OF COMMON PLEAS
c/o Monahan Law Practice, P.C.	:	
300 North Pottstown Pike, Suite 210	:	PHILADELPHIA COUNTY,
Exton, PA 19341	:	PENNSYLVANIA
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION
	:	
	:	
ARCHDIOCESE OF PHILADELPHIA	:	JURY TRIAL DEMANDED
222 N. 17 th Street	:	
Philadelphia, PA 19103	:	_____ TERM, 2011
	:	
and	:	
CARDINAL ANTHONY BEVILACQUA	:	NO. _____
222 N. 17 th Street	:	
Philadelphia, PA 19103	:	
	:	
and	:	
CARDINAL JUSTIN RIGALI	:	
222 N. 17 th Street	:	
Philadelphia, PA 19103	:	

and
MSGR. WILLIAM LYNN
222 N. 17th Street
Philadelphia, PA 19103

and
KAREN BECKER
222 N. 17th Street
Philadelphia, PA 19103

and
MAGGIE MARSHALL
222 N. 17th Street
Philadelphia, PA 19103

and
MARTIN SATCHELL
4000 Presidential Blvd., Apt. 1502
Philadelphia, PA 19131-1724

and
FR. RICHARD COCHRANE
44 Portland Ave., Apt 3
Dover, NH 03820-3536

and
THE ORDER OF ST. AUGUSTINE a/k/a
AUGUSTINIANS – PROVINCE OF
ST. THOMAS OF VILLANOVA A/K/A
THE BROTHERS OF THE ORDER OF
HERMITS OF ST. AUGUSTINE
214 Ashwood Road
Villanova, PA 19085

and
MALVERN PREPARATORY SCHOOL
418 S. Warren Avenue
Malvern, PA 19355

Defendants. :

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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THE ORDER OF ST. AUGUSTINE a/k/a
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HERMITS OF ST. AUGUSTINE
214 Ashwood Road
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and
MALVERN PREPARATORY SCHOOL
418 S. Warren Avenue
Malvern, PA 19355

Defendants. :

PLAINTIFF'S COMPLAINT

And now Plaintiff, John Doe 10, by and through his undersigned counsel, brings this Complaint and sets forth as follows:

The Parties

1. Plaintiff, John Doe 10 is an adult male individual who is a citizen and resident of the County of Philadelphia in the Commonwealth of Pennsylvania. The identity of this Plaintiff is not pleaded in this Complaint in order to protect the identity of the Plaintiff because the Plaintiff was a victim of sex crimes when Plaintiff was a minor. The identity of the Plaintiff will be made known to the Defendants by separate communication.

2. Defendant Archdiocese of Philadelphia (“Archdiocese”) was and continues to be a Roman Catholic organization and a non-profit religious corporation authorized to conduct business and conducting business in the Commonwealth of Pennsylvania with its principal place of business located at 222 N. 17th Street, Philadelphia, Pennsylvania 19103. This Defendant is organized, exists and operates pursuant and by virtue of the laws of the Commonwealth of Pennsylvania.

3. Msgr. William Lynn is an adult male individual resident and citizen of the Commonwealth of Pennsylvania who Secretary of Clergy for the Archdiocese under Cardinal Anthony Bevilacqua. .

4. Cardinal Anthony Bevilacqua is an adult male individual resident and citizen of the Commonwealth of Pennsylvania who was the Archbishop of the Archdiocese from 1987 through 2003.

5. Cardinal Justin Rigali is an adult male individual resident and citizen of the Commonwealth of Pennsylvania who is the current Archbishop of the Archdiocese who was appointed Archbishop of the Archdiocese in 2003.

6. Karen Becker is an adult female individual resident and citizen of the Commonwealth of Pennsylvania who is the Director of the Archdiocese's Office of Child and Youth Protection.

7. Maggie Marshall is a Victim Assistance Coordinator for the Archdiocese of Philadelphia.

8. Martin Satchell is an individual resident and citizen of Philadelphia County, Pennsylvania, who was in the a Deaconate program at St. Charles Barromeo Seminary in the Archdiocese from 1990 through 1992, and who was a Roman Catholic Priest from 1993 through 2004.

9. Fr. Richard Cochrane is an individual resident and citizen of Dover, New Hampshire who was and is a Roman Catholic priest with the Roman Catholic religious order of the Augustinians.

10. The Order of St. Augustine a/k/a Augustinians – Province of St. Thomas of Villanova a/k/a The Brothers of the Order of Hermits of St. Augustine (“Order of St. Augustine”), is a Roman Catholic religious order and a non-profit religious entity authorized to conduct business in the Commonwealth of Pennsylvania and with its principal place of business located at 214 Ashwood Road, Villanova, Pennsylvania 19085.

Facts

11. In 2005, the Philadelphia District Attorney's Office released the Report of the Grand Jury (“2005 Grand Jury Report”), which had investigated child sexual abuse by

Philadelphia Archdiocese priests and documented the Archdiocese's cover up of abuse. The Report stated: "To protect themselves from negative publicity or expensive lawsuits – while keeping abusive priests active – the Cardinals and their aides hid the priests' crimes from parishioners, police, and the general public. They employed a variety of tactics to accomplish this end." 2005 Grand Jury Report at 31.

12. The 2005 Grand Jury Report stated that "Msgr. Lynn was handling the [abuse] cases precisely as his boss [Cardinal Bevilacqua] wished." 2005 Grand Jury Report at 33. And "the Archdiocese's primary goal in dealing with these cases was to reduce the risk of 'scandal' to the Church." *Id.* at 34.

13. Cardinal Bevilacqua seriously understated the number of accused priests in the Archdiocese and "misled the public when he announced in April 2002 that no Philadelphia priest with accusations against him was still active in ministry—when in fact several still were. He certainly was not credible when he claimed before this Grand Jury that protecting children was his highest priority—when in fact his only priority was to cover up sexual abuse against children." 2005 Grand Jury Report at 53. Bevilacqua "was not forthright with the Grand Jury." *Id.* at 54. 2011 Grand Jury Report at 23.

14. "[T]he abuses that Cardinal Bevilacqua and his aides allowed children to suffer – the molestations, the rapes, the lifelong shame and despair—did not result from failures or lapses, except of the moral variety. They were made possible by purposeful decisions, carefully implemented policies, and calculated indifference." 2005 Grand Jury Report at 55.

15. The Philadelphia District Attorney's Office issued a second Grand Jury Report on abuse in the Philadelphia Archdiocese on January 21, 2011 ("2011 Grand Jury Report").

16. The 2011 Grand Jury Report further establishes that the Archdiocese has a long history of sexual abuse of children by Archdiocese priests that was known, tolerated, and hidden by high church officials, up to and including Cardinal Anthony Bevilacqua. The Grand Jury Report states:

“The present grand jury, however, is frustrated to report that much has not changed. The rapist priests we accuse were well known to the Secretary of Clergy, but he cloaked their conduct and put them in place to do it again. The procedures implemented by the Archdiocese to help victims are in fact designed to help the abusers, and the Archdiocese itself. Worst of all, apparent abusers – dozens of them, we believe – remain on duty in the Archdiocese, today, with open access to new young prey.”

2011 Grand Jury Report at 1.

17. The 2011 Grand Jury Report establishes that the Archdiocese, under Cardinal Rigali, has made small changes, but continues to tolerate and actively conceal the sexual abuse of children by Archdiocese priests for the benefit of the Archdiocese.

“Prompted by the pressure of the prior grand jury report, the Archdiocese has in recent years revamped its policies for handling victims of clergy sexual abuse. Now, at least in some cases, the church reports abusers to law enforcement authorities, something that in the past never occurred. And the Archdiocese pays for counseling, and sometimes other expenses. Those are positive steps, if small ones.

We are very troubled, however, by what we learned about the church’s procedures [which now] are burdened by misinformation and conflict of interest.”

2011 Grand Jury Report at 7. See also *id.* at 23.

18. The victim assistance coordinators “mislead victims into believing that their discussions with the coordinators are protected by confidentiality.” They are not. 2011 Grand Jury Report at 7.

19. Victims’ statements are turned over to the Archdiocese’s attorneys. 2011 Grand Jury Report at 7.

20. The victims are pressured to sign releases for records the Archdiocese’s coordinators and attorneys otherwise would not be able to see. “Victims are led to believe that these releases will assist the coordinators in helping them. The church’s position, it appears, is that coordinators must uncover every fact in order to make a determination about whether to refer the case to law enforcement. But that is not true. . . The only rational explanation for such procedures is not to guarantee the victim’s recovery, but to guard the church against what its highest officials repeatedly refer to as ‘scandal.’” 2011 Grand Jury Report at 7-8.

21. [V]ictims are virtually hounded to give statements. . . . The only possible reason for this tactic would be to use the statements as ammunition to impeach victims, in an effort to make them appear incredible. . . . Such procedures are, to state it softly, one-sided – and the side taken is not that of the victim.” 2011 Grand Jury report at 9.

22. The 2011 Grand Jury Report concludes that victim assistance programs cannot be successfully operated in the interest of victims “by the church itself.” And that the Church is entitled to defend itself in the courts, “but it can no longer try to play both sides of the fence with its victims.” 2011 Grand Jury report at 11.

23. In the early 1990’s, Plaintiff attended the Archdiocese’s school, St. Aloysius Academy, located in Bryn Mawr, Pennsylvania.

24. While attending St. Aloysius, Plaintiff encountered then-Deacon Martin Satchell, when Satchell performed certain functions in the Plaintiff's classroom as part of a program with St. Charles Barromeo Seminary sponsored by the Archdiocese. On one occasion, Plaintiff was lured into a concealed portion of the classroom by Satchell where Plaintiff was sexually abused by Satchell. In addition, Satchell often assumed the responsibility to take boys, including Plaintiff, to the bathroom. While in the bathroom at St. Aloysius on several occasions, Plaintiff was sexually abused by Satchell.

25. In approximately 1995, Plaintiff reported to Fr. Joseph Logrip that someone had hurt Plaintiff and that the Plaintiff needed help. Fr. Logrip did nothing to help the minor Plaintiff.

26. According to the Archdiocese of Philadelphia, Priest Data Profile, which is reprinted in the 2005 Grand Jury Report at C-47, at the time that Plaintiff was abused, Satchell was a seminarian at St. Charles Borromeo Seminary, Overbrook, PA. He received a B.A. in 1989, and an M.Div. in 1992.

27. Upon information and belief, Msgr. Lynn and the Archdiocese were also aware or should have been aware that Martin Satchell had sexually abused children prior to Deacon Satchell sexually abusing the Plaintiff.

28. On May 15, 1993, Martin Satchell was ordained as a Roman Catholic Priest within the Archdiocese and was ordained by Cardinal Bevilacqua.

29. In the same year that he was ordained, in September 1993, the Archdiocese received a report that Martin Satchell had sexually abused a child.

30. In 1993, Martin Satchell was sent to sexual offender treatment and evaluation.

31. In 2003, Martin Satchell left the active priesthood and petitioned to be laicized. 2005 Grand Jury Report, Appendix, at A-53.

32. In 2004, Martin Satchell was laicized (removed from the priesthood) by the Vatican.

33. Upon information and belief, the Archdiocese concealed its knowledge that Martin Satchell had sexually abused or been otherwise sexually inappropriate with children prior to Satchell sexually abusing Plaintiff.

34. In approximately 1996 or 1997, Plaintiff attended Malvern Preparatory School for Boys, located in Malvern, Pennsylvania.

35. While at Malvern Preparatory School for Boys, when the Plaintiff was a freshman, the Plaintiff went to Fr. Richard Cochrane for counseling in Fr. Cochrane's office at Malvern Preparatory School for Boys. During the counseling session, Fr. Cochrane sexually abused the Plaintiff.

36. At the time of the sexual abuse, Fr. Cochrane was a priest within the Order of St. Augustine religious order and was acting within the course and scope of his employment with the Malvern Preparatory School for Boys and the Order of St. Augustine religious order. Fr. Cochrane was a "Resident Priest, Malvern Preparatory School – Faculty Residence" from "03/1995 – 05/2000." As of May, 2000, he was assigned to St. Thomas of Villanova Friary. 2005 Grand Jury Report, Appendix, at C-10 (Archdiocese of Philadelphia, Priest Data Profile).

37. On August 6, 1999, Fr. "Cochrane was arrested for a complaint filed by a former Malvern Preparatory School student." 2005 Grand Jury Report, Appendix, at A-8. On information and belief, the abuse occurred in 1991, when the student was a freshman in Fr. Cochrane's religion class. "[A]nother student alleged that he was assaulted by Rev. Cochrane in

spring of 1990, but was never identified.” 2005 Grand Jury Report, Appendix, at A-8, n.1. On information and belief, that student was also a freshman student in Fr. Cochrane’s religion class.

38. On July 16, 2003, Fr. Cochrane was sentenced to 1.5 to 4 years for the sexual assault of a 14-year-old student at Malvern Preparatory School. 2005 Grand Jury Report, Appendix, at A-8.

39. Upon information and belief, including the factual findings published in the 2005 and 2011 Philadelphia Grand Jury Reports, the Archdiocese has a long history of concealing the sexual abuse of children by its clergy.

40. Monsignor William Lynn was the Secretary of Clergy under Cardinal Anthony Bevilacqua.

41. Upon information and belief, Msgr. Lynn acted as the personnel director for priests.

42. It was Msgr. Lynn’s job to review all reports of abuse, to recommend action, and to monitor the abuser’s future conduct.

43. Msgr. William Lynn assisted priests who he knew to have sexually abused children to obtain new assignments within the Archdiocese in order to conceal their criminal activity. 2011 Grand Jury Report at 43-53.

44. Msgr. Lynn’s purposeful failure to remove pedophile priests caused Msgr. Lynn to be charged with endangering the welfare of a child, a felony of the third degree by the Philadelphia County District Attorney.

45. Msgr. Lynn did more than passively allow the molesters to remain in positions where they could continue to prey on children. When victims complained or scandal threatened, Msgr. Lynn recommended that the abusers be transferred to new parishes, where the

unsuspecting faithful would not know to be wary and vigilant, and where the abusive clergymen could go on exploiting their positions of trust and authority to pursue criminal activity.

46. While the Archbishop of the Archdiocese, Cardinal Bevilacqua was insistent, in all cases involving the sexual abuse of minors by priests, that parishioners be lied to about the Archdiocese's knowledge about the abuse by the priest. 2005 Grand Jury Report at 36. Msgr. Lynn followed this policy. 2011 Grand Jury Report at 23-24.

47. The Archdiocese holds out its "Victims Assistance Program" as a program intended to assist victims.

48. Plaintiff contacted and met with the Archdiocese's victims' assistance coordinators, Maggie Marshall and Louise Hagner, in order to obtain assistance with the serious psychological, social, and physical problems that he has experienced following his abuse by Satchell and Cochrane.

49. The Archdiocese's counselors told him that they would provide such assistance only if plaintiff signed a form they provided entitled "Prohibition to Release Information." The Archdiocese's document states that the victim is "prohibit[ing]" the representative of the Archdiocese, from releasing to the appropriate law enforcement authorities . . . any information I provide about alleged sexual abuse by an official or employee of the Archdiocese. . ."

50. The Plaintiff was in shock that the coordinators conditioned assistance on his agreement to their document. He refused to sign any document provided by the Archdiocese out of fear.

51. By conditioning any benefit to the Plaintiff on his signing the "Prohibition to Release Information," the Archdiocese denied Plaintiff assistance with therapy or any of his serious needs. Plaintiff never received any support from the Archdiocese.

52. On information and belief, the Archdiocese or its representatives authored the “Prohibition to Release Information” document, and made a victim’s signature the prerequisite to assistance. The document further states, “I understand that this [not reporting abuse to the authorities] is contrary to the policy of the Archdiocese,” as though the victim has chosen to have the Archdiocese avoid reporting the abuse.

53. Plaintiff was provided with the Archdiocese’s “Rights of Complainants of Sexual Abuse Committed Upon a Minor,” which contains 14 enumerated “rights.” Number 13 states that “A complainant has a right to know that the Archdiocese of Philadelphia will report any allegation to authorities, unless the complainant signs a written prohibition.”

54. Number 14 of the “Rights of Complainants of Sexual Abuse Committed Upon a Minor,” states, “A complainant has the right to be informed that he or she can report the allegation to civil authorities separately and independently of the reporting by the Archdiocese of Philadelphia.”

55. When read together, rights 13 and 14 of the “Rights of Complainants of Sexual Abuse Committed Upon a Minor,” along with the “Prohibition to Release Information,” absolve the Archdiocese of reporting abuse to authorities, and leaves reporting to the victim. Reporting, therefore, is limited to that which the victim knows, and keeps the information known solely by the Archdiocese inside the Archdiocese.

56. The Archdiocese’s document which plaintiff was required to sign in order to obtain assistance provided that the Archdiocese would withhold information from appropriate law enforcement authorities about the sexual abuse by officials or employees of the Archdiocese

57. The Archdiocese publicly promotes its victim assistance programs as ways for victims of sexual abuse to get help when in fact, the victim assistance programs are used by the

Archdiocese to gather information to give to its attorneys in order to discredit the victims, defend the Archdiocese against any claims and conceal the crimes of Archdiocese employees. According to the 2011 Grand Jury Report, the Archdiocese “victim assistance coordinators” misled victims into believing that the victim’s discussions with the coordinators are protected by confidentiality, when in fact that is not the case. In fact, the victim assistance coordinators did not keep the victim’s statements confidential and instead turned the statements over to the attorneys for the Archdiocese.

58. Victim assistance coordinators also forced victims to sign releases for records in the possession of third parties, such as outside therapists and the military. The victims are led to believe that these releases will assist the coordinators in helping the victim. Instead, the records secured through the releases are turned over to Archdiocese attorneys and used to defend the Archdiocese against any claims by the victim. Specifically, the records were used by Archdiocese attorneys to build the defense that the statute of limitations had expired on the victim’s claim.

59. The victim assistance coordinators and others employed by the Archdiocese regularly encouraged victims to not report the incidents of sexual abuse to law enforcement. 2005 Grand Jury Report at 38-40; 2011 Grand Jury Report at 7, 77-82.

60. According to the January 2011 Grand Jury Report, the Archdiocese maintains “secret archive files” which contain reports of priest sexual abuse of minors. These “secret archive files” contain evidence of criminal conduct of Archdiocese clergy that was and continues to be withheld from law enforcement. 2011 Grand Jury Report at 22, 43; 2005 Grand Jury Report at 42-43.

61. According to Msgr. Lynn, the Archdiocese has a policy that it “does not make cash settlements [to victims] but does pay for therapy, especially when the priest has admitted guilt.” 2005 Grand Jury Report, Appendix, at D-27c.

62. The sexual abuse and exploitation of Plaintiff and the circumstances under which it occurred caused Plaintiff to develop various psychological coping mechanisms, including not recognizing the extent of the injuries he experienced as a result of the sexual abuse described herein.

63. As a direct result of the wrongful conduct alleged herein, Plaintiff 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 Plaintiffs’ daily activities and obtaining the full enjoyment of life; has sustained and continues to sustain loss of earnings and earning capacity; and/or has incurred and continues to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT I - CHILDHOOD SEXUAL ABUSE AND VICARIOUS LIABILITY
Plaintiff, John Doe 10 v. Defendants Martin Satchell and Archdiocese of Philadelphia

64. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

65. In approximately the early 1990’s, the Fr. Satchell engaged in unpermitted, harmful and offensive sexual conduct and contact upon the person of Plaintiff in violation of Pennsylvania state law. Said conduct was undertaken while the Defendant Fr. Satchell was an employee and agent of Defendant Archdiocese and a Seminarian at the Archdiocese’s St. Charles Barromeo Seminary, while in the course and scope of employment with Defendant Archdiocese,

and/or was ratified by Defendant Archdiocese.

66. Prior to or during the abuse alleged above, the Archdiocese knew, had reason to know, or were otherwise on notice of the unlawful sexual conduct by William Satchell. The Archdiocese failed to take reasonable steps and failed to implement reasonable safeguards to avoid acts of unlawful sexual conduct in the future by Satchell, including, but not limited to, preventing or avoiding placement of Satchell in functions or environments in which contact with children was an inherent part of those functions or environments. Furthermore, at no time during the periods of time alleged did the Archdiocese have in place a system or procedure to supervise and/or monitor employees, volunteers, representatives, or agents to ensure that they did not molest or abuse minors in the Archdiocese's care, including the Plaintiff.

67. As a result of the above-described conduct, Plaintiff 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 Plaintiffs' 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.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendants Martin Satchell and Archdiocese of Philadelphia, jointly and severally, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT II - CHILDHOOD SEXUAL ABUSE AND VICARIOUS LIABILITY
Plaintiff, John Doe 10 v. Fr. Richard Cochrane, Malvern Preparatory School and Order of
St. Augustine

68. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

69. In approximately the 1996 or 1997, Fr. Richard Cochrane engaged in unpermitted, harmful and offensive sexual conduct and contact upon the person of Plaintiff in violation of Pennsylvania state law. Said conduct was undertaken while the Defendant Fr. Satchell was an employee and agent of Defendants Malvern Preparatory School and the Order of St. Augustine, while in the course and scope of employment with Defendants Malvern Preparatory School and the Order of St. Augustine, and/or was ratified by Defendant Defendants Malvern Preparatory School and the Order of St. Augustine.

70. Prior to or during the abuse alleged above, the Defendants Malvern Preparatory School and the Order of St. Augustine knew, had reason to know, or were otherwise on notice of the unlawful sexual conduct by Fr. Richard Cochrane. Defendants Malvern Preparatory School and the Order of St. Augustine failed to take reasonable steps and failed to implement reasonable safeguards to avoid acts of unlawful sexual conduct in the future by the Fr. Cochrane, including, but not limited to, preventing or avoiding placement of the Fr. Cochrane in functions or environments in which contact with children was an inherent part of those functions or environments. Furthermore, at no time during the periods of time alleged did Defendants Malvern Preparatory School and the Order of St. Augustine have in place a system or procedure to supervise and/or monitor employees, volunteers, representatives, or agents to insure that they did not molest or abuse minors in Defendants Malvern Preparatory School and the Order of St. Augustine care, including the Plaintiff.

71. As a result of the above-described conduct, Plaintiff 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 Plaintiffs' 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.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendants Fr. Richard Cochrane, Malvern Preparatory School and Order of St. Augustine, jointly and severally, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT III - NEGLIGENCE
Plaintiff, John Doe 10 v. Archdiocese of Philadelphia

72. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

73. The Archdiocese had a duty to protect the minor Plaintiff when he was entrusted to their care by Plaintiff's parents. Plaintiff's care, welfare, and/or physical custody was temporarily entrusted to the Archdiocese. The Archdiocese voluntarily accepted the entrusted care of Plaintiff. As such, the Archdiocese owed Plaintiff, a minor child, a special duty of care, in addition to a duty of ordinary care, and owed Plaintiff the higher duty of care that adults dealing with children owe to protect them from harm.

74. Defendant Archdiocese, by and through its agents, servants and employees, knew or reasonably should have known of Martin Satchell's dangerous and exploitive propensities

and/or that Satchell was an unfit agent. It was foreseeable that if the Archdiocese did not adequately exercise or provide the duty of care owed to children in their care, including but not limited to Plaintiff, the children entrusted to the Archdiocese's care would be vulnerable to sexual abuse by Archdiocese employees, including Satchell.

75. Defendants breached their duty of care to the minor Plaintiff by failing to protect the Plaintiff from foreseeable harm of the sexual misconduct of employees of the Archdiocese, including Satchell.

76. As a result of the above-described conduct, Plaintiff 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 Plaintiff'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.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendant, Archdiocese of Philadelphia, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT IV – NEGLIGENCE

Plaintiff, John Doe 10 v. Malvern Preparatory School and Order of St. Augustine

77. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

78. Defendants Malvern Preparatory School and the Order of St. Augustine had a

duty to protect the minor Plaintiff when he was entrusted to their care by Plaintiff's parents. Plaintiff's care, welfare, and/or physical custody was temporarily entrusted to Defendants Malvern Preparatory School and the Order of St. Augustine. Defendants Malvern Preparatory School and the Order of St. Augustine voluntarily accepted the entrusted care of Plaintiff. As such, Defendants Malvern Preparatory School and the Order of St. Augustine owed Plaintiff, a minor child, a special duty of care, in addition to a duty of ordinary care, and owed Plaintiff the higher duty of care that adults dealing with children owe to protect them from harm.

79. Defendants Malvern Preparatory School and the Order of St. Augustine, by and through its agents, servants and employees, knew or reasonably should have known of Fr. Richard Cochrane's dangerous and exploitive propensities and/or that Cochrane was an unfit agent. It was foreseeable that if Defendants Malvern Preparatory School and the Order of St. Augustine did not adequately exercise or provide the duty of care owed to children in their care, including Plaintiff, the children entrusted to Defendants Malvern Preparatory School's and the Order of St. Augustine's care would be vulnerable to sexual abuse by employees of Defendants Malvern Preparatory School and the Order of St. Augustine, including Cochrane.

80. Defendants breached their duty of care to the minor Plaintiff by failing to protect the Plaintiff from foreseeable harm of the sexual misconduct of employees if Defendants Malvern Preparatory School and the Order of St. Augustine, including Defendant Fr. Richard Cochrane.

81. As a result of the above-described conduct, Plaintiff 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 Plaintiff'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.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendants, Malvern Preparatory School and Order of St. Augustine, jointly and severally, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT V - NEGLIGENT SUPERVISION
Plaintiff, John Doe 10 v. Archdiocese of Philadelphia

82. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

83. The Archdiocese had a duty to provide reasonable supervision of its employee and agent, Defendant Satchell.

84. It was reasonably foreseeable that employees and agents of the Archdiocese, including Defendant Satchell, would sexually abuse children unless they were properly supervised.

85. The Archdiocese, by and through their agents, servants and employees, knew or reasonably should have known of the Defendant Satchell's dangerous and exploitive propensities and/or that the Defendant Satchell was an unfit agent. Despite such knowledge, Defendant Archdiocese breached its duty to provide reasonable supervision of the Defendant Satchell who was in the position of trust and authority as Roman Catholic clergy, religious instructor, counselor, school teacher, surrogate parent, spiritual mentor, emotional mentor, and/or other authority figure, where he was able to commit the wrongful acts against the Plaintiff.

86. Said acts of sexual abuse occurred upon the premises of the Archdiocese

87. As a result of the above-described conduct, Plaintiff 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 Plaintiff'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.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendant, Archdiocese of Philadelphia, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT VI - NEGLIGENT SUPERVISION
Plaintiff, John Doe 10 v Malvern Preparatory School and Order of St. Augustine

88. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

89. Defendants Malvern Preparatory School and the Order of St. Augustine had a duty to provide reasonable supervision of its employee and agent, Defendant Cochrane.

90. It was reasonably foreseeable that employees and agents of the Defendants Malvern Preparatory School and the Order of St. Augustine, including Defendant Cochrane, would sexually abuse children unless they were properly supervised.

91. The Defendants Malvern Preparatory School and the Order of St. Augustine, by and through their agents, servants and employees, knew or reasonably should have known of the

Defendant Cochrane's dangerous and exploitive propensities and/or that the Defendant Cochrane was an unfit agent. Despite such knowledge, Defendants Malvern Preparatory School and the Order of St. Augustine breached its duty to provide reasonable supervision of the Defendant Cochrane who was in the position of trust and authority as Roman Catholic clergy, religious instructor, counselor, school teacher, surrogate parent, spiritual mentor, emotional mentor, and/or other authority figure, where he was able to commit the wrongful acts against the Plaintiff.

92. Said acts of sexual abuse by Defendant Cochrane occurred upon the premises of the Defendants Malvern Preparatory School and the Order of St. Augustine.

93. As a result of the above-described conduct, Plaintiff 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 Plaintiff'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.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendants, Malvern Preparatory School and Order of St. Augustine, jointly and severally, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT VII - CIVIL CONSPIRACY TO ENDANGER CHILDREN
Plaintiff, John Doe 10 v. Archdiocese of Philadelphia, Cardinal Anthony Bevilacqua,
Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, Maggie Marshall and Martin
Satchell

94. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

95. Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, Maggie Marshall, and Martin Satchell, acting with a common purpose conspired to endanger the welfare of children in violation of Pennsylvania law.

96. The overt acts committed in pursuance of the common purpose to endanger the welfare of children include, but are not limited to:

- a. The Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, Maggie Marshall, and Martin Satchell maliciously concealed known incidents of childhood sexual abuse within the Archdiocese;
- b. Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, Maggie Marshall implemented programs and procedures that were misrepresented to the public as providing help to victims of childhoods sexual abuse by clergy, but were instead maliciously used to develop information to protect the Archdiocese from liability for its misconduct in handling predatory priests and used to further conceal the identity and illegal activities of predatory priests from law enforcement, parishioners and the public.
- c. When a report that an Archdiocese priest had sexually abused a child was made to the Archdiocese, Defendants Archdiocese, Cardinal Anthony

Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, maliciously transferred the clergymen to new parishes, where the unsuspecting parishioners did not suspect that the priest was an abuser. As a result, on a significant number of occasions, the priest sexually abused children at the new parish.

- d. Instead of protecting Archdiocese children from sexual abuse by known predator priests and other agents and employees, Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker instead shielded abusive clergy from criminal detection, shielded the Archdiocese hierarchy from scandal, and shielded the Archdiocese from financial liability.
- e. Victim assistance coordinators also forced victims to sign releases for records in the possession of third parties, such as outside therapists and the military. The victims are led to believe that these releases would assist the coordinators in helping the victim. Instead, the records secured through the releases are turned over to Archdiocese attorneys and used to defend the Archdiocese against any claims by the victim.
- f. The victim assistance coordinators employed by the Archdiocese regularly discouraged victims from reporting the sexual abuse by a priest to law enforcement.
- g. Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker maintained

“secret archive files” containing reports of priest sexual abuse of minors which was withheld from law enforcement.

- h. Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, in cases involving the sexual abuse of minors by priests, maliciously lied to parishioners about the Archdiocese’s knowledge about the abuse by the priest.
- i. Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker maliciously ensured that the internal Archdiocese Review Board, that is responsible for determining whether sexual abuse reports against a clergy member are credible, regularly found allegations of sexual abuse of minors by priests as being “unsubstantiated” even when there was very convincing evidence that the accusations were true.
- j. Upon information and belief, the Archdiocese, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker destroyed documents that were evidence of criminal sexual conduct of children.

97. Said acts were committed with malice and with the intention that the welfare of children within the Archdiocese be endangered.

98. As a result of the above-described conduct, Plaintiff 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 Plaintiff'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.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendants, Archdiocese of Philadelphia, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, Maggie Marshall and Martin Satchell, jointly and severally, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

COUNT VIII – FRAUDULENT CONCEALMENT

Plaintiff, John Doe 10 v. Archdiocese of Philadelphia, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Fr. Karen Becker, Maggie and Marshall

99. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

100. On information and belief, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, and Maggie Marshall, engaged in a policy of secrecy to protect the Archdiocese and attempted to lure Plaintiff into divulging private information for the Archdiocese's legal and other benefit, without informing Plaintiff that his private information could and would be used to aid them in fighting him in court.

101. On information and belief, Defendants Archdiocese, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, and Maggie Marshall,

represented the Archdiocesan policy as intended to assist victims and held out material benefits for victims like Plaintiff who came to them, but in fact conditioned any and all assistance on agreeing to confidentiality and a prohibition on reporting abuse to the authorities, and therefore committed fraud in violation of Pennsylvania law.

102. “The procedures implemented by the Archdiocese to help victims are in fact designed to help the abusers, and the Archdiocese itself.” 2011 Grand Jury Report at 1.

103. The Archdiocese holds out its “Victims Assistance Program” as a program intended to assist victims that operates in the interest of victims. In fact, it operates to protect the Archdiocese, and, therefore, is an affirmative act of concealment.

104. Plaintiff contacted and met with the Archdiocese’s victims’ assistance coordinators, Maggie Marshall and Louise Hagner, in order to obtain assistance with the serious psychological, social, and physical problems that he has experienced following his abuse by Satchell and Cochrane.

105. The Archdiocese’s victims assistance coordinators told him that they would provide such assistance only if Plaintiff signed a form they provided entitled “Prohibition to Release Information,” which states that “I . . . prohibit” representatives “of the Archdiocese of Philadelphia from releasing to the appropriate law enforcement authorities . . . any information I provide about alleged sexual abuse by an official or employee of the Archdiocese. . . .”

106. The Plaintiff was in shock that the coordinators conditioned assistance on his agreement to their document. He was terrified and refused to sign any document provided by the Archdiocese out of fear.

107. By holding its Victims Assistance Program out as a source of assistance and then conditioning any benefit to the Plaintiff on his signing the “Prohibition to Release Information,”

the Archdiocese re-victimized Plaintiff, and denied Plaintiff the assistance that was promised by the Victims' Assistance Program.

108. On information and belief, the Archdiocese or its representatives authored the "Prohibition to Release Information" document, and made a victim's signature the prerequisite to assistance. The document further states, "I understand that this [not reporting abuse to the authorities] is contrary to the policy of the Archdiocese," as though the victim has chosen to have the Archdiocese avoid reporting the abuse.

109. Plaintiff was provided with the Archdiocese's "Rights of Complainants of Sexual Abuse Committed Upon a Minor," which contains 14 enumerated "rights." Number 13 states that "A complainant has a right to know that the Archdiocese of Philadelphia will report any allegation to authorities, unless the complainant signs a written prohibition."

110. The victims assistance coordinators represented that they were there to assist Plaintiff, which was an affirmative independent act of concealment.

111. The plaintiff justifiably relied on the Victims Assistance Program's representatives' representation that it exists to assist victims.

112. On information and belief, the victims assistance coordinators acted on behalf of the Archdiocese, including Cardinal Bevilacqua, Cardinal Rigali, and Monsignor Lynn, among others, for the purpose of obtaining information that would aid the Archdiocese in defending any lawsuit brought by Plaintiff, in avoiding public disclosure of its cover up of child sex abuse, and in aid of avoidance of criminal charges, another affirmative independent act of concealment.

113. Accordingly, Plaintiff was injured by the Archdiocese's concealment of its actual purpose against his interest. It affirmatively and independently acted in response to Plaintiff's inquiries for help for the lifelong injuries he suffered from the sex abuse by Satchell and

Cochrane.

WHEREFORE, Plaintiff John Doe 10, demands judgment for compensatory and punitive damages against Defendants, Archdiocese of Philadelphia, Cardinal Anthony Bevilacqua, Cardinal Justin Rigali, Msgr. William Lynn, Karen Becker, Maggie Marshall and Martin Satchell, jointly and severally, in an amount in excess of Fifty Thousand Dollars (\$50,000.00), together with interest, costs, and any other appropriate relief.

Dated: _____

2/14/11

BY: _____



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VERIFICATION

I, Daniel F. Monahan, Esquire, verify that I am the attorney for the Plaintiff and that the facts set forth in the foregoing Plaintiff's Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

A handwritten signature in cursive script, appearing to read "D.F. Monahan", written over a horizontal line.

Daniel F. Monahan, Esquire

Dated: February 14, 2011