

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

John Doe 74A and John Doe 74B, )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 The Augustinians a/k/a Order of St. Augustine )  
 d/b/a Province of Our Mother of Good Counsel of )  
 Augustinian, St. Rita of Cascia Catholic Church )  
 Archdiocese of Chicago, and John D. Murphy, )  
 )  
 Defendants. )

Court No. 03L 001879  
 CALENDAR F  
 Calendar TORT-INTENTIONAL

JURY DEMAND: 12

FILED-2  
 2003 FEB 14 AM 10:17  
 CLERK OF COURT OF COOK  
 COUNTY ILLINOIS  
 LAW DIVISION  
 CLERK

**COMPLAINT**

Plaintiffs, John Doe 74A and John Doe 74B by and through their attorneys, Marc J. Pearlman, Mark E. Wilson and Kerns, Pitrof, Frost & Pearlman, LLC, for their complaint against Defendants, The Augustinians a/k/a Order of St. Augustine d/b/a Province of Our Mother of Good Counsel of Augustinian, St. Rita of Cascia Catholic Church, Archdiocese of Chicago, and John D. Murphy, alleges that:

**PARTIES**

1. Plaintiff John Doe 74A is an adult male resident of the State of Illinois. Plaintiff John Doe 74A was a minor child at the time of the sexual abuse described herein. The identity of Plaintiff John Doe 74A is made known to Defendants by separate cover letter.
2. Plaintiff John Doe 74B is an adult male resident of the State of Illinois. Plaintiff John Doe 74B was a minor child at the time of the sexual abuse described herein. The identity of Plaintiff John Doe 74B is made known to Defendants by separate cover letter.
3. On information and belief, Defendant Augustinians, also known as the Order of St. Augustine, is a religious order with its headquarters in Rome, Italy which does business in the State of Illinois as the Province of Our Mother of Good Counsel of the Augustinian, an Illinois corporation, also

known as the Augustinians of the Midwest Province, with its headquarters at Tolentine Center, 20300 Governors Highway, Olympia Fields, IL 60461 (hereafter "Order"). The Order and its agents and employees were and continue to be responsible for the selection and assignment of clergy, supervision of clergy activities, the exercise of authority over various members of its religious order, and the maintenance of the well-being of its members attending schools and parishes which are owned and/or operated by the Order in the Chicago area.

4. On information and belief, Defendant St. Rita of Cascia Catholic Church, is an unincorporated entity located at 6243 S. Fairfield Avenue, Chicago, Illinois 60629, which is owned and operated by the Order and/or the Archdiocese of Chicago. Also associated with the Parish is St. Rita of Cascia Grammar School, which is located on the physical grounds of the Parish. Both St. Rita of Cascia Catholic Church and St. Rita of Cascia Grammar School will be referred to collectively as the "Parish."

5. On information and belief, Defendant Archdiocese of Chicago ("Archdiocese") was and continues to be an Illinois corporation. The Archdiocese and its agents and employees were and continue to be responsible for the selection and assignment of clergy, supervision of clergy activities, the exercise of authority over various members of its denomination, and the maintenance of the well being of its members within its denomination in the Chicago area.

6. At all times material, John D. Murphy was a clergyman under the direct supervision, employ and control of the Archdiocese, the Order, and/or Parish. John D. Murphy was an adult at the time of the sexual abuse described herein. On information and belief, John D. Murphy has left the priesthood and is currently living in or around Chicago, Illinois.

**FACTS**

7. At all times material, Defendant Murphy was employed by the Archdiocese, the Order

and/or Parish. At all times material, Defendant Murphy was an ordained Roman Catholic Priest educated, trained and ordained by, and under the direct supervision, employ, agency and control of the Order, Archdiocese and/or Parish. Among Defendant Murphy's duties in his employment was to provide pastoral care and counseling for members of the Parish and the vocations director for the Order.

8. Defendant Murphy was ordained as a priest by the Order and/or Archdiocese in 1968.

9. Defendant Murphy worked at St. Rita of Cascia High School in Chicago, Illinois from approximately 1968 through 1976.

10. In 1977, the Order and/or Archdiocese reassigned Defendant Murphy to Our Lady of the Rosary parish in Kenosha, Wisconsin.

11. Just one year later, in 1978, the Order and/or the Archdiocese reassigned Defendant Murphy to the Parish where he served until 1981.

12. Upon information and belief, in 1981, was removed from service as a priest by the Order and/or the Archdiocese.

13. In late 1982 or early 1983, Defendant Murphy was reassigned to St. Rita's Catholic Church in Racine, Wisconsin where he served until he left the priesthood in approximately 1993.

14. Upon information and belief, Defendant Order, Archdiocese and/or Parish knew that Defendant Murphy had sexually abused children and despite that knowledge, Defendants Order, Archdiocese and/or Parish allowed Defendant Murphy to have access to children, including Plaintiff John Doe 74A and Plaintiff John Doe 74B.

**FACTS APPLICABLE TO PLAINTIFF JOHN DOE 74A**

15. Plaintiff John Doe 74A was a devout member of the Roman Catholic Church who was interested in attending St. Augustine College Preparatory minor seminary in Holland, Michigan.

16. Plaintiff John Doe 74A came to know Defendant Murphy as the vocations director of the Order. Plaintiff John Doe 74A came to know, admire, trust, revere and respect Defendant Murphy as a

person of great influence and persuasion as a holy man, authority figure, clergyman, counselor and spiritual advisor.

17. From approximately 1970 - 1972, Defendant Murphy, pursuant to his duties as vocations director for the Order, took John Doe 74A on several trips to St. Augustine College Preparatory minor seminary in Holland, Michigan. While on those trips, Defendant Murphy, using his position of authority, trust, reverence, and control as an ordained clergyman of his denomination and vocations director, engaged in unpermitted and harmful sexual contact upon the person of the Plaintiff John Doe 74A.

18. As a result, Plaintiff John Doe 74A's position as a minor, together with Defendant Murphy's position in the Roman Catholic Church as a priest, holy man and authority figure, Defendant Murphy was able to continue to have control and influence over Plaintiff John Doe 74A. By his words and actions, Defendant Murphy represented to Plaintiff John Doe 74A that the object of Defendant Murphy's relationship with Plaintiff Doe 74A was to provide counseling, comfort and advice. This representation was untrue and was intended by Defendant Murphy to deceive Plaintiff John Doe 74A, to gain Plaintiff John Doe 74A's trust and confidence and to obtain control over them. Plaintiff John Doe 74A believed Defendant Murphy, justifiably relied upon him and gave him his trust and confidence. By his words and actions, Defendant Murphy assured Plaintiff John Doe 74A that Defendant Murphy's conduct was proper and legal. Defendant Murphy actively concealed the wrongfulness of his exploitation and misconduct involving Plaintiff John Doe 74A. As a result, Plaintiff John Doe 74A was unable to understand the wrongfulness and illegality of Defendant Murphy's abuse of him and the related injury until recently.

19. The applicable statutes of limitations are tolled because the Defendants fraudulently concealed Defendant Murphy's exploitation and misconduct from law enforcement, Plaintiff John Doe 74A's family and other parishioners. As a result of Defendant Murphy's conduct, Plaintiff John Doe

74A was unable to discover the wrongfulness of Defendant Murphy's conduct. Defendant Archdiocese, Defendant Order and/or Defendant Parish concealed the nature of Defendant Murphy's sexual abuse of Plaintiff John Doe 74A by further fraudulently allowing Defendant Murphy to continue to serve as a priest and spiritual advisor despite Defendant Murphy's criminal conduct.

20. Upon information and belief after learning of Defendant Murphy's conduct, Defendants ratified his conduct by failing to report him to law enforcement authorities, failing to notify police, prosecution, parishioners and the laity after committing the criminal acts as alleged herein. Further, Defendants' conduct communicated to Plaintiff John Doe 74A that Defendant Murphy's conduct was proper and that legal action was not necessary. Therefore, Defendants knew, or should have known, that their actions would silence Plaintiff John Doe 74A, prevent him from discovering his injuries, his complaints and possible other complaints, and ultimately exacerbated his emotional distress and trauma. Defendants should therefore be estopped from asserting any defense that Plaintiff John Doe 74A's action is not timely under Illinois law because Defendants, individually and in concert with each other, fraudulently concealed the wrongfulness of Defendant Murphy's conduct and the causal relationship of the harm suffered by Plaintiff John Doe 74A.

21. The applicable statute of limitations was further tolled because Defendants' conduct placed Plaintiff John Doe 74A under duress. Defendant Murphy led Plaintiff John Doe 74A to believe that Plaintiff John Doe 74A could trust him as a benevolent and trustworthy male and spiritual advisor, who cared about him. Defendant Murphy's conduct placed Plaintiff John Doe 74A under powerful psychological duress in that this conduct caused Plaintiff John Doe 74A to believe that he must comply or lose the advice, counsel, attention, caring and comfort that Defendant Murphy otherwise purported to give him. Defendant Murphy's exploitation and concealment placed Plaintiff John Doe 74A under continuing duress in that he caused Plaintiff John Doe 74A to believe that he was at fault for engaging

in sexual conduct with Defendant Murphy.

22. The applicable statutes of limitations are tolled because the Defendants Archdiocese, Order and/or Parish fraudulently concealed that they had prior notice that Defendant Murphy had sexually abused other children predating his sexual abuse of Plaintiff John Doe 74A and participated in an active and ongoing conspiracy to conceal their wrongful conduct from the Plaintiff John Doe 74A, parishioners, the public, police and prosecutors.

23. The sexual abuse of Plaintiff John Doe 74A and the circumstances under which it occurred caused Plaintiff John Doe 74A to develop various psychological coping mechanisms which reasonably made him incapable of remembering the sexual abuse and/or incapable of ascertaining the resulting damages from that conduct.

24. The applicable statutes of limitations are tolled because Plaintiff John Doe 74A was mentally incapacitated and/or disabled and was unable to bring this action until this time.

25. As a result of representations made by Defendants and by virtue of the fact that Defendants held themselves out as the counselors and instructors on matters that were spiritual, moral and ethical, Plaintiff John Doe 74A placed trust in Defendants so that Defendants gained superiority and influence over Plaintiff John Doe 74A. Defendants, by maintaining and encouraging such a relationship with Plaintiff John Doe 74A, entered into a fiduciary relationship with Plaintiff John Doe 74A.

26. As a direct result of the negligent and wrongful conduct of Defendants, Plaintiff John Doe 74A has suffered and continues to suffer severe and permanent emotional distress, terror, embarrassment, loss of self-esteem, disgrace, humiliation, loss of enjoyment of life, loss of religious faith, difficulty in practicing religion through the church, severe psychological injury and deprivation of earning capacity, and has incurred and will continue to incur expenses for psychological treatment, therapy and counseling.

**FACTS APPLICABLE TO PLAINTIFF JOHN DOE 74B**

27. Plaintiff John Doe 74B was a devout member of the Roman Catholic Church who regularly celebrated worship services and participated in all of the religious activities of his denomination. Plaintiff John Doe 74B was also an altar boy and server at the Parish.

28. Plaintiff John Doe 74B came to know Defendant Murphy as his parish priest at the Parish. Plaintiff John Doe 74B came to know, admire, trust, revere and respect Defendant Murphy as a person of great influence and persuasion as a holy man, authority figure, clergyman, counselor and spiritual advisor.

29. In approximately 1980, Defendant Murphy, using his position of authority, trust, reverence, and control as an ordained clergyman of his denomination, engaged in unpermitted and harmful sexual contact upon the person of the Plaintiff John Doe 74B. This sexual contact occurred, among other places, in and around the rectory at the Parish.

30. As a result, Plaintiff John Doe 74B's position as a minor, together with Defendant Murphy's position in the Roman Catholic Church as a priest, holy man and authority figure, Defendant Murphy was able to continue to have control and influence over Plaintiff John Doe 74B. By his words and actions, Defendant Murphy represented to Plaintiff John Doe 74B that the object of Defendant Murphy's relationship with Plaintiff John Doe 74B was to provide counseling, comfort and advice. This representation was untrue and was intended by Defendant Murphy to deceive Plaintiff John Doe 74B, to gain Plaintiff John Doe 74B's trust and confidence and to obtain control over them. Plaintiff John Doe 74B believed Defendant Murphy, justifiably relied upon him and gave him his trust and confidence. By his words and actions, Defendant Murphy assured Plaintiff John Doe 74B that Defendant Murphy's conduct was proper and legal. Defendant Murphy actively concealed the wrongfulness of his exploitation and misconduct involving Plaintiff John Doe 74B. As a result, Plaintiff John Doe 74B was unable to understand the wrongfulness and illegality of Defendant Murphy's abuse of him and the

related injury until recently.

31. The applicable statutes of limitations are tolled because the Defendants fraudulently concealed Defendant Murphy's exploitation and misconduct from law enforcement, Plaintiff John Doe 74B's family and other parishioners. As a result of Defendant Murphy's conduct, Plaintiff John Doe 74B was unable to discover the wrongfulness of Defendant Murphy's conduct. Defendant Archdiocese, Defendant Order and/or Defendant Parish concealed the nature of Defendant Murphy's sexual abuse of Plaintiff John Doe 74B by further fraudulently allowing Defendant Murphy to continue to serve as a priest and spiritual advisor despite Defendant Murphy's criminal conduct.

32. Upon information and belief after learning of Defendant Murphy's conduct, Defendants ratified his conduct by failing to report him to law enforcement authorities, failing to notify police, prosecution, parishioners and the laity after committing the criminal acts as alleged herein. Further, Defendants' conduct communicated to Plaintiff John Doe 74B that Defendant Murphy's conduct was proper and that legal action was not necessary. Therefore, Defendants knew, or should have known, that their actions would silence Plaintiff John Doe 74B, prevent him from discovering his injuries, his complaints and possible other complaints, and ultimately exacerbated his emotional distress and trauma. Defendants should therefore be estopped from asserting any defense that Plaintiff John Doe 74B's action is not timely under Illinois law because Defendants, individually and in concert with each other, fraudulently concealed the wrongfulness of Defendant Murphy's conduct and the causal relationship of the harm suffered by Plaintiff John Doe 74B.

33. The applicable statute of limitations was further tolled because Defendants' conduct placed Plaintiff John Doe 74B under duress. Defendant Murphy led Plaintiff John Doe 74B to believe that Plaintiff John Doe 74B could trust him as a benevolent and trustworthy male and spiritual advisor, who cared about him. Defendant Murphy's conduct placed Plaintiff John Doe 74B under powerful

psychological duress in that this conduct caused Plaintiff John Doe 74B to believe that he must comply or lose the advice, counsel, attention, caring and comfort that Defendant Murphy otherwise purported to give him. Defendant Murphy's exploitation and concealment placed Plaintiff John Doe 74B under continuing duress in that he caused Plaintiff John Doe 74B to believe that he was at fault for engaging in sexual conduct with Defendant Murphy.

34. The applicable statutes of limitations are tolled because the Defendants Archdiocese, Order and/or Parish fraudulently concealed that they had prior notice that Defendant Murphy had sexually abused other children predating his sexual abuse of Plaintiff John Doe 74B and participated in an active and ongoing conspiracy to conceal their wrongful conduct from the Plaintiff John Doe 74B, parishioners, the public, police and prosecutors.

35. The sexual abuse of Plaintiff John Doe 74B and the circumstances under which it occurred caused Plaintiff John Doe 74B to develop various psychological coping mechanisms which reasonably made him incapable of remembering the sexual abuse and/or incapable of ascertaining the resulting damages from that conduct.

36. The applicable statutes of limitations are tolled because Plaintiff John Doe 74B was mentally incapacitated and/or disabled and was unable to bring this action until this time.

37. As a result of representations made by Defendants and by virtue of the fact that Defendants held themselves out as the counselors and instructors on matters that were spiritual, moral and ethical, Plaintiff John Doe 74B placed trust in Defendants so that Defendants gained superiority and influence over Plaintiff John Doe 74B. Defendants, by maintaining and encouraging such a relationship with Plaintiff John Doe 74B, entered into a fiduciary relationship with Plaintiff John Doe 74B.

38. As a direct result of the negligent and wrongful conduct of Defendants, Plaintiff John Doe 74B has suffered and continues to suffer severe and permanent emotional distress, terror, embarrassment, loss of self-esteem, disgrace, humiliation, loss of enjoyment of life, loss of religious

faith, difficulty in practicing religion through the church, severe psychological injury and deprivation of earning capacity, and has incurred and will continue to incur expenses for psychological treatment, therapy and counseling.

**COUNT I:**

**SEXUAL ABUSE - JOHN DOE 74A  
AGAINST ALL DEFENDANTS**

39. Plaintiff John Doe 74A incorporates all paragraphs of this Complaint as if fully set forth under this count.

40. From approximately 1970-1972, Defendant Murphy without provocation or justification engaged in unpermitted, harmful and offensive sexual contact upon the person of Plaintiff John Doe 74A, who was a minor. Said conduct was undertaken while Defendant Murphy was a managing agent of Defendants Order, Archdiocese and/or Parish, while in the course and scope of employment with Defendants Order, Archdiocese and/or Parish and/or was ratified by Defendants Order, Archdiocese and/or Parish.

41. As a direct result, Plaintiff John Doe 74A has suffered substantial personal injury and damages described herein.

WHEREFORE, Plaintiff John Doe 74A requests a trial by jury and demands judgment against the Defendants in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and whatever relief the court deems just and equitable.

**COUNT II:**

**SEXUAL ABUSE - JOHN DOE 74B  
AGAINST ALL DEFENDANTS**

42. Plaintiff John Doe 74B incorporates all paragraphs of this Complaint as if fully set forth under this count.

43. In approximately 1980, Defendant Murphy without provocation or justification engaged in unpermitted, harmful and offensive sexual contact upon the person of Plaintiff John Doe 74B, who was a minor. Said conduct was undertaken while Defendant Murphy was a managing agent of Defendants Order, Archdiocese and/or Parish, while in the course and scope of employment with Defendants Order, Archdiocese and/or Parish and/or was ratified by Defendants Order, Archdiocese and/or Parish.

44. As a direct result, Plaintiff John Doe 74B has suffered substantial personal injury and damages described herein.

WHEREFORE, Plaintiff John Doe 74B requests a trial by jury and demands judgment against the Defendants in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and whatever relief the court deems just and equitable.

**COUNT III:**

**BREACH OF FIDUCIARY DUTY  
JOHN DOE 74A AND JOHN DOE 74B AGAINST ALL DEFENDANTS**

45. Plaintiffs incorporate all paragraphs of the Complaint as if fully set forth under this count.

46. By holding out Defendant Murphy as a qualified clergyman of his denomination, religious instructor, counselor, and by undertaking to provide religious and academic instruction and supervision of the minor Plaintiffs, Defendants entered into a fiduciary relationship with Plaintiffs. By accepting physical custody of the minor Plaintiffs, Defendants also entered into a fiduciary relationship with the minor Plaintiffs.

47. Defendants breached their fiduciary duty to the Plaintiffs by engaging in the negligent and wrongful conduct described herein, causing the Plaintiffs to sustain substantial personal injury constituting the tort of breach of fiduciary duty under Illinois Law.

48. As a direct result, Plaintiffs have suffered substantial personal injury and damages described herein.

WHEREFORE, Plaintiffs requests a trial by jury and demands judgment against the Order, Archdiocese, Parish and Murphy in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and whatever relief the court deems just and equitable.

**COUNT IV:**

**NEGLIGENT SUPERVISION OF DEFENDANT MURPHY AGAINST DEFENDANT ORDER, ARCHDIOCESE AND PARISH**

49. Plaintiffs incorporate all paragraphs in this Complaint as if fully set forth in this count.

50. At all times material to this action, Defendant Murphy was employed as a pastor, spiritual leader, vocations director and teacher by the Order, Archdiocese and/or Parish and was under the Order's, Archdiocese's and/or Parish's direct supervision, employ and control when he committed the wrongful acts alleged herein. Defendant Murphy engaged in the wrongful conduct while acting in the course and scope of his employment with the Order, Archdiocese and/or Parish and/or accomplished the wrongful conduct by virtue of his job created authority. The Order, Archdiocese and/or Parish failed to exercise reasonable care in supervising this employee and failed to prevent the foreseeable misconduct by Defendant Murphy.

51. The risk of injury to Plaintiffs was foreseeable and the action of this employee proximately caused Plaintiffs' injuries.

52. As a direct result of the Order's, Archdiocese's and/or Parish's negligence in supervising Defendant Murphy, Plaintiffs have suffered the injuries and damages described herein.

WHEREFORE, Plaintiffs requests a jury trial and demands judgment against the Order, Archdiocese and Parish in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and whatever relief the court deems just and equitable.

**COUNT V:****NEGLIGENT RETENTION OF DEFENDANT MURPHY  
AGAINST DEFENDANTS ORDER, ARCHDIOCESE AND PARISH**

53. Plaintiffs incorporate all paragraphs in this Complaint as if fully set forth in this count.

54. The Order, Archdiocese and/or Parish by and through its agents, servants and employees knew or should reasonably have known of Defendant Murphy's dangerous and exploitive propensities as a child sexual abuser and/or an unfit agent, and despite such knowledge, the Order, Archdiocese and/or Parish negligently retained Defendant Murphy in the position of trust and authority as a clergyman where he was able to commit the wrongful acts against the Plaintiffs.

55. As a direct result of the Order's, Archdiocese's and/or Parish's negligent conduct, Plaintiffs have sustained and continue to sustain the injuries and damages described herein.

WHEREFORE, Plaintiffs requests a jury trial and demands judgment against the Order, Archdiocese and/or Parish in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and whatever relief the court deems just and equitable.

**COUNT VI:****FRAUD AGAINST ALL DEFENDANTS**

56. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth under this count.

57. By its acts and conduct described herein, the Order, Archdiocese, Parish and Murphy concealed material facts from Plaintiffs inducing Plaintiffs to a false belief that Defendant Murphy was safe around children, a false belief that no other children were sexually abused by Defendant Murphy and the false belief that the Order, Archdiocese, Parish and/or Murphy did not possess knowledge that Defendant Murphy had abused other children among other things.

58. Plaintiffs could not have discovered the truth through reasonable inquiry or inspections.

59. Plaintiffs relied upon the Order's, Archdiocese's, Parish's and Murphy's silence as representation that the facts described above did not exist.

60. Had Plaintiffs been aware of the information described above, Plaintiffs would have acted differently.

61. As a result of Plaintiffs' reliance upon Defendants' silence, Plaintiffs were injured as described herein.

WHEREFORE, Plaintiffs requests a jury trial and demands judgment against the Order, Archdiocese, Parish and Murphy in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and whatever relief the court deems just and equitable.

**COUNT VII:**

**FIDUCIARY FRAUD AGAINST ALL DEFENDANTS**

62. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth under this count.

63. The Defendants and Plaintiffs were in a fiduciary relationship. As a fiduciary, the Defendants had a continuing duty to disclose any information it possessed regarding Defendant Murphy's sexual misconduct and any information it possessed regarding the Defendants' own acts or omissions relating to Murphy.

64. By its acts and conduct described herein, the Defendants concealed material facts from Plaintiffs inducing Plaintiffs to a false belief that Defendant Murphy was safe around children, a false belief that no other children were sexually abused by Defendant Murphy and the false belief that the Order, Archdiocese, Parish and/or Murphy did not possess knowledge that Defendant Murphy had abused other children among other things.

65. Plaintiffs could not have discovered the truth through reasonable inquiry or inspections.

66. Plaintiffs relied upon the Defendants' silence as representation that the facts described

above did not exist.

67. Had Plaintiffs been aware of the information described above, Plaintiffs would have acted differently.

68. As a result of Plaintiffs' reliance upon Defendants' silence, Plaintiffs were injured as described herein.

WHEREFORE, Plaintiffs requests a jury trial and demands judgment against the Archdiocese in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and whatever relief the court deems just and equitable.

**COUNT VIII:**

**INTENTIONAL INFLICTION OF EMOTIONAL  
DISTRESS AGAINST ALL DEFENDANTS**

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

70. The Defendants' conduct described herein is extreme and outrageous.

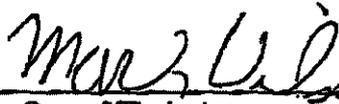
71. The Defendants knew that there was a high probability that its conduct would inflict severe emotional distress upon the Plaintiffs.

72. The Defendants recklessly disregarded the high probability that its conduct would inflict severe emotional distress upon Plaintiffs causing Plaintiffs severe emotional distress.

WHEREFORE, Plaintiffs requests a jury trial and demands judgment against the Archdiocese in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and whatever relief the court deems just and equitable.

Dated: 2/14/03

JOHN DOE 74A and JOHN DOE 74B

By:   
One of Their Attorneys

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