

THE ROGERS LAW FIRM
A PROFESSIONAL CORPORATION
ONE UNION STREET
BOSTON, MASSACHUSETTS 02108
(617) 723-1100
TELECOPIER (617) 720-4363
www.therogerslawfirm.com

WILSON D. ROGERS, JR.
PETER POMMERSHEIM
MICHAEL J. FAZIO, JR.
WILSON D. ROGERS, III
FRANCIS J. O'CONNOR
MARK C. ROGERS

CHARLES J. DUNN (1901-1983)
OF COUNSEL:
JOHN F. DUNN

March 26, 2002

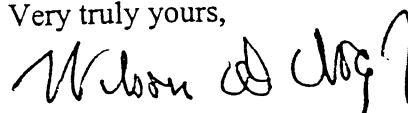
District Attorney Daniel F. Conl̄y
Suffolk County
One Bullfinch Place
Boston, MA 02114-2997

Dear District Attorney Conley:

In accordance with the letter agreement which this office signed on behalf of the Roman Catholic Archbishop of Boston, a Corporation Sole with the Attorney General's Office, dated March 1, 2002, enclosed please find a copy of a Complaint which has now been filed in Suffolk County, setting forth allegations of sexual abuse by Rev. Msgr. Frederick J. Ryan.

Thank you for your attention to this matter.

Very truly yours,



Wilson D. Rogers, Jr.

WDR/ec
Enclosure

cc: Kurt N. Schwartz, Esquire

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
CIVIL ACTION
NO [REDACTED]

[REDACTED]
and CLASS OF SIMILARLY
SITUATED INDIVIDUALS,

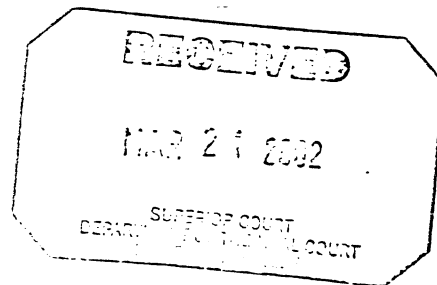
Plaintiffs;

vs.

ROMAN CATHOLIC ARCHBISHOP
OF BOSTON, A CORPORATION
SOLE, and FREDERICK J. RYAN,

Defendants.

§
§
§
§
§
§
§
§
§
§
§
§
§
§
§



PLAINTIFFS' ORIGINAL COMPLAINT

COME NOW [REDACTED] and [REDACTED] husband and wife,
and a putative CLASS OF SIMILARLY SITUATED INDIVIDUALS, Plaintiffs, by and through
their undersigned attorney-in-charge, and file this their *Original Complaint* against the ROMAN
CATHOLIC ARCHBISHOP OF BOSTON, A CORPORATION SOLE and FREDERICK J. RYAN,
Defendants.

I. PARTIES, JURISDICTION, AND VENUE

[REDACTED] and [REDACTED], husband and wife, Plaintiffs herein,
reside in Plymouth County, Massachusetts.

The putative CLASS OF SIMILARLY SITUATED INDIVIDUALS are those that have been
subjected to the tortious conduct and resulting damages as those inflicted in that named plaintiffs as
set forth herein.

Defendant ROMAN CATHOLIC ARCHBISHOP OF BOSTON, A CORPORATION SOLE is, upon information and belief, a Massachusetts charitable corporation. It may be served with process upon its treasurer at its principal place of business, "Chancery Office," at 212¹/₂ Commonwealth Avenue, Boston, Suffolk County, Massachusetts or upon the Boston City Clerk pursuant to MASS.GEN. LAW. ch. 223 § 37 and MASS. R. CIV. P. 4.

Defendant FREDERICK J. RYAN is, upon information and belief, a resident of Plymouth County and may be served with process at St. Joseph Church, 270 Main St., Route 106, Kingston, Massachusetts pursuant to MASS. R. CIV. P. 4.

This Court has jurisdiction pursuant to MASS.GEN. LAW. ch. 212 § 4. The Court has authority to certify and hear a class action pursuant to MASS. R. CIV. P. 4.

Venue is proper in Suffolk County pursuant to MASS.GEN. LAW. ch. 223 § 1.

II. FACTUAL AVERMENTS

1. [REDACTED] avers that from the years 1979 to 1983 he was a student at Catholic Memorial High School, a facility operated by or under the control of the Defendant ROMAN CATHOLIC ARCHBISHOP OF BOSTON.
2. [REDACTED] avers that during his years at Catholic Memorial High School he excelled in athletic activities and that at various times he was Captain of the baseball, football and hockey teams.
3. [REDACTED] avers that during his years at Catholic Memorial High School, he was befriended by Defendant FREDERICK J. RYAN under the pretext that Ryan held some kind of Chaplaincy position vis a vis the school's athletes. During those same years, Ryan served as the Vice Chancellor of the Archdiocese of Boston.

4. [REDACTED] avers that on a summertime Saturday evening in his freshman

or sophomore year (1979), he was taken out to dinner by the Ryan defendant at Joe Tecci's Restaurant in Boston's North End. At that dinner he was served copious amounts of wine by Ryan and became intoxicated.

5. [REDACTED] avers that at the conclusion of the dinner at Tecci's, at approximately 10:00 p.m., he was invited to the Archdiocesan Chancery Office at 2121 Commonwealth Avenue in Boston on Vice Chancellor Ryan's representations that the "Cardinal," a/k/a Humberto S. Medeiros, wanted to meet him and that there were great things in store for him.

6. [REDACTED] avers that at approximately 10:30 p.m. that night he and Vice Chancellor Ryan arrived at the Chancery and went immediately to the upper residential floors of the building where they were indeed met by Humberto S. Medeiros who greeted and interacted with him in his intoxicated state, hugged him, and watched him being led off to Ryan's quarters.

7. [REDACTED] avers that he was brought into Ryan's quarters and first introduced to what Ryan called his "wall of fame" that consisted of hundreds of photographs of young athletes.

8. [REDACTED] avers that Ryan provided him with more alcohol in the form of wine.

9. [REDACTED] avers that Ryan next asked to photograph "the little guy," a tattoo on [REDACTED] right hip that apparently Ryan had observed during one of his frequent visits to the boys locker rooms and showers at Catholic Memorial High School. [REDACTED] complied and removed his trousers but not undershorts.

10. [REDACTED] avers that Ryan feigned an inability to photograph "the little guy" tattoo and was successful in having him remove his undershorts. After a period of photographing [REDACTED] naked, Ryan had him recline on the bed for more photos, whereupon Ryan,

referring to [REDACTED]'s penis as "the big guy," moved [REDACTED]'s penis from right to left to get a better picture of "the little guy."

11. After several manipulations of [REDACTED]'s "big guy," feigned as an attempt to get better photos of the "little guy" tattoo, Ryan performed fellatio on a then fairly well intoxicated [REDACTED]

12. [REDACTED] avers that on several occasions after the photographed sexual assault and battery, he demanded the photographs from Ryan with a threat that he, [REDACTED] would otherwise "tell the Cardinal." Whereupon, [REDACTED] was informed by Ryan that the Cardinal (Medeiros) had already seen and approved of the photographs.

13. [REDACTED] avers that for several years thereafter, Ryan continued to remind him of the "photographs of the big guy," thus blackmailing [REDACTED] into accepting a continued insinuation of Ryan into his personal life, including trips to a New Hampshire football camp apparently run by Ryan and the defendant ARCHBISHOP OF BOSTON.

14. [REDACTED] avers that in his senior year, Ryan and Medeiros made good on the "better things to come" promise when [REDACTED] received the annual Cardinal's Athlete of the Year Award from Medeiros.

15. [REDACTED] and [REDACTED] aver that Ryan, using blackmail against [REDACTED] and clerical usurpation over Father Mahoney, [REDACTED] Charlestown pastor, insinuated himself into their wedding to become the officiant. [REDACTED] was unaware of that blackmail that had procured this substitution.

16. [REDACTED] avers that on his wedding day, the Ryan defendant cornered him in the church sacristy while they were awaiting the arrival of the bride-to-be, whereupon, Ryan again sexually assaulted [REDACTED] by "groping" him in the crotch, attempting to kiss him, and stating that

"I guess this is the last time I get the 'big guy.'"

17. [REDACTED] and [REDACTED] aver that on their wedding night, [REDACTED] spent the entire night in the hotel bar in a state of depression, confusion, and alcoholically induced stupor.

18. [REDACTED] and [REDACTED] aver that Ryan continued to insinuate himself into their family life by baptizing two of their four children, again appearing to be able to usurp the family's local priest with his authority as Vice-Chancellor of his *alter ego*, the Archdiocese. Unknown to [REDACTED], each of these insinuations was accompanied by a subtle reference to the photographs by Ryan to [REDACTED]

19. [REDACTED] avers that he was ultimately able to escape from the Ryan clutches through a successful career as a professional athlete and businessman. Nevertheless, in spite of significant athletic and business success, [REDACTED] continued to suffer with increasing bouts of depression and near-suicide which he appears to have self-medicated with alcohol and drugs.

20. [REDACTED] avers that in February of 2002, he underwent a treatment program at a facility in Las Vegas, Nevada. Near the completion of what was ostensibly successful treatment for alcohol and depression, he suffered an inexplicable panic attack when looking at a picture of Bernard Cardinal Law on the cover of a Newsweek magazine. It was only then that a C.A.D.C. counselor, himself a sex abuse victim, suspected that [REDACTED] had been the victim of sexual, spiritual, and emotional abuse and that there was a nexus between that abuse, suffered at the hands of officials of the defendants ROMAN CATHOLIC ARCHBISHOP OF BOSTON and RYAN, and the emotional suffering [REDACTED] was experiencing; and further, that that particularly insidious abuse was unresponsive to what had theretofore been thought to be only an alcohol and depression problem.

21. [REDACTED] avers that [REDACTED] told [REDACTED] of the sexual, spiritual, and emotional abuse he suffered at the hands of officials of the defendants ROMAN CATHOLIC ARCHBISHOP OF BOSTON and RYAN, on the evening Saturday, March 9, 2002, fully expecting her to leave him. [REDACTED] further avers that to his amazement, [REDACTED] reaffirmed her everlasting love for him and that it was she, not the defendant ROMAN CATHOLIC ARCHBISHOP OF BOSTON, who was the sacramental minister to him of the presence of God in his life.

22. [REDACTED] avers that he has initiated professional therapy for post-traumatic stress disorder with the full love and support of his loving wife [REDACTED].

III. FIRST COUNT OR CAUSE OF ACTION:

SEXUAL ASSAULT AND BATTERY OF A MINOR

Parties to this cause of action are [REDACTED] and both defendants.

[REDACTED] adopts by reference pars. 1-13, *supra*, to support this cause of action.

At time of trial, [REDACTED] will show that he was, as a minor, sexually assaulted and battered by the RYAN defendant who was an *alter ego* of defendant ROMAN CATHOLIC ARCHBISHOP OF BOSTON. In the alternative, [REDACTED] will show ratification of Ryan's conduct by the ROMAN CATHOLIC ARCHBISHOP OF BOSTON.

Further, at time of trial, [REDACTED] will show that the intentionally tortious conduct of these alter ego defendants was the proximate cause of the severe damages he has suffered and will continue to suffer, as set forth more fully below.

IV. SECOND COUNT OR CAUSE OF ACTION:

CONSPIRACY TO COMMIT SEXUAL ASSAULT AND BATTERY OF A MINOR

Parties to this cause of action are [REDACTED] and both defendants.

[REDACTED] adopts by reference pars. 5, 6, 12, & 14, *supra*, to support this cause of action.

Pleading further and in the alternative, at time of trial, [REDACTED] will show that he was, as a minor, sexually assaulted and battered by the RYAN defendant who accomplished this tortious conduct in conspiracy with defendant ROMAN CATHOLIC ARCHBISHOP OF BOSTON, thus imputing joint several liability to these defendants.

Further, at time of trial, [REDACTED] will show that the intentionally tortious conduct of these conspiratorious defendants was the proximate cause of the severe damages he has suffered and will continue to suffer, as set forth more fully below.

Inasmuch as it is in the nature of a conspiracy to intentionally conceal itself, [REDACTED]

[REDACTED] hereby requests a jury instruction on *res ipsa loquitur* for this cause of action.

V. THIRD COUNT OR CAUSE OF ACTION

NEGLIGENCE

Parties to this cause of action are [REDACTED] and [REDACTED] and both defendants.

[REDACTED] and [REDACTED] adopt by reference pars. 1-18, *supra*, to support this cause of action.

Pleading further and in the alternative, at time of trial, the plaintiffs will show that the actions of these defendants constitute negligence by actions or inactions that include but are not limited to hiring, education, supervision, and despotic governance.

Further, at time of trial, [REDACTED] will show that the negligent conduct of these defendants was the proximate cause of the severe damages he has suffered and will continue to suffer, as set forth more fully below.

VI. FOURTH COUNT OR CAUSE OF ACTION:
SEXUAL ASSAULT AND BATTERY OF AN ADULT

Parties to this cause of action are [REDACTED] and [REDACTED] and both defendants.

[REDACTED] and [REDACTED] adopt by reference pars. 15 and 16, *supra*, to support this cause of action.

At time of trial, [REDACTED] will show that sexually assaulted and battered by the RYAN defendant who was an *alter ego* of defendant ROMAN CATHOLIC ARCHBISHOP OF BOSTON, thus imputing joint several liability to these defendants.

Further, at time of trial, [REDACTED] and [REDACTED] will show that the intentionally tortious conduct of these alter ego defendants was the proximate cause of the severe damages they have suffered and will continue to suffer, as set forth more fully below.

VII. DAMAGES

Plaintiffs request that the Jury be instructed to assess separately and independently, for each cause of action (count) a quantum of money damages for pain and suffering, medical expenses, loss of marital and familial consortium, each to be assessed from the dates of the incidents in question up to the time of trial, and each to be assessed from the time of trial into the foreseeable future.

VIII. REQUEST FOR JURY TRIAL

Plaintiffs request a trial by Jury.

IX. REQUEST FOR SPEEDY TRIAL

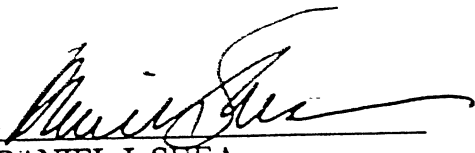
Plaintiffs request a speedy trial as provided by statute.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs request that the defendants be cited to appear and answer herein and that upon trial of this case they have all the relief herein requested,

relief that may hereafter be requested by amendment of the pleadings, and relief to which the evidence at trial show may show them to be justly entitled.

Respectfully submitted.,



DANIEL J. SHEA, P.C.

By: 

DANIEL J. SHEA
Mass. B.B.O. No. 652896
1928 West Bell Street
Houston, TX 77019-4814
(713) 942-7500
(713) 942-7507 Facsimile

ATTORNEY FOR PLAINTIFFS

VERIFICATION

We the undersigned plaintiffs,  and , do hereby certify under the pain and penalty of perjury, that we have read the above and foregoing averments that attributed to either or both of us, that they are within our personal knowledge and that, to the best of our recollection, they are true and correct.

