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CASE #: 23-2-04489-4 SEA

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### SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

an individual; , an individual,

Plaintiffs,

muns,

VS.

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ST. LOUISE PARISH, CORPORATION OF THE CATHOLIC ARCHBISHOP OF SEATTLE, a sole corporation; JANE and JOHN DOES 1-5,

Defendants.

No.

COMPLAINT FOR SEXUAL ABUSE, NEGLIGENCE, AND OTHER DAMAGES

Demand for Jury Trial

COMES NOW Plaintiffs, by and through their attorneys Darrell L. Cochran and Patrick

A. Brown of Pfau Cochran Vertetis Amala PLLC, and bring a cause of action against

Defendants and allege the following:

### I. INTRODUCTION

1. <u>Nature of Case</u>. This is an action for childhood sexual abuse, negligence, and other damages against Defendants St. Louise Parish and Corporation of the Catholic Archbishop of Seattle ("Seattle Archdiocese") (collectively "Defendant Seattle Archdiocese"), which employed a dysfunctional alcoholic and sexual predator, Father Howard D. Lavelle ("Father Lavelle"), from approximately 1960 to 1976. At all times material, Plaintiff

COMPLAINT FOR SEXUAL ABUSE, NEGLIGENCE, AND OTHER DAMAGES



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was a boy who attended St. Louise Parish in Bellevue, Washington, as both a
parishioner and as a student. St. Louise Parish is one of 73 schools owned and operated by
Seattle Archdiocese. Defendant Seattle Archdiocese knew or should have known that it
employed a sexual predator who posed a threat to young male parishioners and students,
including Seattle Archdiocese also knew or should have known that the risk
of sexual abuse of young male parishioners and students was significant and measures were
needed to protect them. Despite this knowledge, Seattle Archdiocese allowed Father Lavelle to
have continuous and unfettered access to when he was very young, and
unsurprisingly, he repeatedly sexually abused him on school grounds from the age of 9 years
old to 11 years old. The abuse and resultant damages were the result of Seattle Archdiocese's
failure to supervise or control Father Lavelle and to otherwise protect Plaintiff from the priest's
sexual predatory behavior.

- 2. The Seattle Archdiocese compounded the damages by concealing its knowledge that Father Lavelle was a "credibly accused" priest, even in the wake of receiving multiple reports of Lavelle's sexually abusive conduct in the early 2006s. The intentional act of concealment and institutional neglect of its abused parishioners and students outrageously exacerbated damages.
- 3. Plaintiff brings a loss of consortium claim for the loss of love and affection from her husband,

### II. PARTIES

At all times material, was an adolescent male student at St. Louise Parish when he was sexually abused by Father Howard A. Lavelle, a St. Louise Parish employee, during the time period 1963-1965. currently resides in Florida with his wife



3.	Plaintiff	is married to	and
has suffered	a loss of love and affection because	of s damages ca	used by the
sexual abuse	he suffered at St. Louise Parish. In	gred currently resides in Florida	with

- 4. <u>Defendant Corporation of the Catholic Archbishop of Seattle:</u> Seattle Archdiocese is and was a sole corporation organized under the laws of the State of Washington and is subject to suit for its acts and those of its agents and employees. Seattle Archdiocese has its primary place of business in King County, Washington, and is subject to the provisions of Title 28A of the Revised Code of Washington. At all times material, Seattle Archdiocese operated, and otherwise exercised control over its schools, including St. Louise Parish in Bellevue, Washington, for the benefit of parishioners and the school-aged children. Seattle Archdiocese is, and was, responsible for all conduct of its agents and employees with respect to the attendance of Plaintiff at its parish and its school. At all times material, Seattle Archdiocese had custody of, control of, and supervisory responsibility for in loco parentis as a parish school student. At all times material, Seattle Archdiocese had control of and supervisory responsibility for Father Lavelle, a Seattle Archdiocese employee.
- 5. <u>Defendants Jane and John Does 1-5</u>: Defendants Jane and John Does 1-5 are individuals and entities, including Seattle Archdiocese employees, as yet undetermined, who engaged in acts and omissions that proximately resulted in the sexual abuse of Plaintiff

### III. JURISDICTION AND VENUE

 Jurisdiction. Under article IV, section 6 of the Washington State Constitution, the Superior Court, King County, has universal original jurisdiction over all parties in this lawsuit.



7. <u>Venue.</u> Venue is proper in King County under RCW 4.12.020 because it is the County where a substantial part of the events giving rise to the action occurred.

#### IV. FACTS

- 8. At all times material, St. Louise Parish was a parish within the Seattle Archdiocese and operated a private parish school located in Bellevue, Washington, and one of 73 schools owned and controlled by Defendant Seattle Archdiocese. It is a state-certified school and accredited by the Western Catholic Educational Association.
- 9. Father Lavelle had had a chaotic career as a priest leading up to this transfer, which made Seattle Archdiocese's choice of career path for Father Lavelle concerning. In May of 1945, Father Lavelle entered canonical school where he immediately began exhibiting problematic behaviors and soon flunked out of the school. Faculty at the school indicated they were concerned about his character and fitness as a priest, and he was punished by being sent to work in the Chancery office where he was required to take refresher courses. Initially being denied re-entry to canonical school, the Seattle Archdiocese pressured the Catholic University of America to allow Father Lavelle to take the re-entry exam, which he passed, and he received his Doctor of Canon Law in June 1949. Father Lavelle was transferred to the Tribunal of the Archdiocese of Seattle where he continued to underperform, and he exhibited poor judgment and inappropriate behaviors. Illogically, in 1960, the Seattle Archdiocese transferred Father Lavelle to the St. Louise Parish to operate the parish, including the parish school where he would supervise minor students and live on campus.
- 10. On June 4, 1962, Father Lavelle wrote a letter to his superior, Archbishop Connelly, and in his own words stated: "I have many failings as my recent errors in cases ... have proved only too well." Despite asking for help and voicing concern about his own behavior, Archbishop Connolly left Father Lavelle in his position of authority and supervision of vulnerable children at St. Louise Parish.



11. Through his duties at the school, Father Lavelle had learned that his position as priest and supervisor of students allowed him to have unfettered access to information about children in the school community. Having taken confession and knowing the history of the children of St. Louise Parish, Father Lavelle was able to identify the most vulnerable children who had troubled home lives. It was these children that he intentionally targeted and separated from the flock. From there, Father Lavelle abused his power and authority as a priest and supervisor at St. Louise Parish by physically isolating children from others in order to satisfy his sexually deviant appetite.

12. In approximately 1963, Father Lavelle identified one such student,
whose sister had recently passed away and who was having difficulty coping with
the loss. Father Lavelle seized the opportunity and summoned to his home to
punish him for allegedly having broken a rule in school. Father Lavelle ordered
to come to his home on campus where he was met by a nun and a room full of other
boys also waiting to be seen by Father Lavelle. The nun instructed
upstairs to Father Lavelle's bedroom where Father Lavelle waited for him naked in his bed.
When entered the bedroom, Father Lavelle got out of bed, exposed his penis,
forced to undress, spanked him, and sexually abused him. This was the first
of many instances where Father Lavelle sexually abused the boy,
Lavelle repeatedly sexually abused approximately from 1963 to 1965, as well
as many other boys during these periods, and for many years afterwards.

13. The Seattle Archdiocese knew, or should have known, of Father Lavelle's dangerously dysfunctional and sexually deviant behavior with child parishioners and students. Father Lavelle actively targeted 9-year-old by seeking him out, bringing him to his home, and sexually abusing him.



- harm was foreseeable and preventable had Seattle Archdiocese acted on Father Lavelle's red flags of grooming behavior, identifying vulnerable children, and summoning them to his home under the guise of punishment. Father Lavelle ordering children be sent to his home, children such as and further, employees of the school instructing children to go into his bedroom in his home on campus, should have resulted in immediate action, especially given the inappropriate behavior and poor judgment Father Lavelle admitted to in the past. Instead, Seattle Archdiocese and its employees willfully turned a blind eye toward Father Lavelle's obvious grooming behavior and subsequent sexual misconduct in his home and endangered by ignoring the signs of a dangerous sexual predator.
- 15. Father Lavelle exhibited red flags for decades. He was a dysfunctional alcoholic and a dangerous sexual predator, who was shipped around within the Seattle Archdiocese's organization. Despite Father Lavelle's history of dangerous and concerning behavior, the Seattle Archdiocese took no action to protect parishioners and school children from him. Instead, the Seattle Archdiocese actively endangered vulnerable parishioners and school children by placing them in Father Lavelle's care and supervision.
- 16. Even after Father Lavelle died, the Seattle Archdiocese concealed that he was a "credibly accused" priest. In 2005, the Seattle Archdiocese received multiple reports of Father Lavelle sexually abusing parishioners and young schoolboys at St. Louise Parish. Despite receiving credible accusations of Father Lavelle sexually abusing young boys, the Seattle Archdiocese covered up his dangerous sexual behavior by excluding his name from the "credibly accused" priests list.
- 17. As the proximate result of Defendants' negligence, Plaintiff suffered, and continues to suffer from, mental anguish and severe emotional distress.



18. As the proximate result of Defendants' negligence, Plaintiff

suffered, and continues to suffer from the loss of love and affection from her husband in the form of loss of consortium.

### V. CAUSES OF ACTION

### COUNT I COMMON LAW NEGLIGENCE (Washington Common Law)

Negligence. Based on the paragraphs set forth and alleged above, Defendants had a duty to exercise ordinary care and refrain from negligent acts and omissions, duties that arose out of special relationships and custodial control under Restatement (second) of Torts §315, duties that included the duty to control servants while acting outside the scope of employment under Restatement (second) of Torts §317, duties that included refraining from taking affirmative acts that exposed Plaintiff to harm from the foreseeable conduct of a third party under Restatement (second) of Torts § 302B, duties that included the legal obligation to fully investigate and report all matters of sexual abuse and sexual exploitation, and duties that included the necessity of taking reasonable precautions to protect Plaintiff from sexual abuse and sexual exploitation, as well as to refrain from negligent acts and omissions in the hiring, training, and supervision of its agents, and Defendants' multiple failures in its duties owed proximately caused the sexual abuse and sexual exploitation of Plaintiff and resultant damages for which Defendants are liable.

## COUNT II COMMON LAW GROSS NEGLIGENCE (Washington Common Law)

18. Gross Negligence. Based on the paragraphs set forth and alleged above, Defendants had a duty to exercise slight care, which is care substantially less than ordinary care, and to refrain from grossly negligent acts and omissions, and Defendants' multiple failures and



breaches in its duties owed proximately caused the sexual abuse and sexual exploitation of Plaintiff and resultant damages for which Defendants are liable.

# COUNT III LOSS OF CONSORTIUM (Washington Common Law)

19. <u>Loss of Consortium.</u> Based on the paragraphs set forth and alleged above, Defendants had a duty of care, and having breached this duty, Defendants are liable for damages proximately caused as a result, including the loss of love, affection, care, services, companionship, society, and companionship between and/or among Plaintiffs.

# COUNT IV NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (Washington Common Law)

20. <u>Negligent Infliction of Emotional Distress.</u> Based on the paragraphs set forth and alleged above, Defendants' conduct constituted negligent infliction of emotional distress, and Defendants are liable for damages proximately caused as a result.

# COUNT V OUTRAGE (Washington Common Law)

21. Outrage. Based on the paragraphs set forth and alleged above, Defendants intentionally and/or recklessly caused severe emotional distress to Plaintiff due to its extreme and outrageous conduct, as more fully described above, that went beyond all possible bounds of decency and can only be regarded as atrocious and utterly intolerable in a civilized community, constituting the tort of outrage for which Defendants are now liable.

### V. RESERVATION OF RIGHTS

22. <u>Reservation of Rights.</u> Plaintiffs reserve the right to assert additional claims as may be appropriate following further investigation and discovery.



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1	VI. JURY DEMAND
2	24. <u>Jury Demand.</u> Plaintiffs demand that this action be tried before a jury.
3	VII. PRAYER FOR RELIEF
4	25. <u>Relief.</u> Plaintiffs respectfully request the following relief:
5	A. That the Court award Plaintiffs appropriate relief, to include all special
6	and general damages established at trial;
7	B. That the Court award costs, reasonable attorneys' fees, and statutory
8	interest under any applicable law;
9	C. That the Court award pre-judgment interest on items of special
10	damages;
11	D. That the Court award post-judgment interest;
12	E. That the Court award Plaintiffs such other, favorable relief as may be
13	available and appropriate under law or at equity;
14	F. That the Court hold Defendants jointly and severely liable; and
15	G. That the Court enter such other and further relief as the Court may deem
16	just and proper.
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18	SIGNED this 13 <sup>th</sup> day of March, 2023.
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20	PFAU COCHRAN VERTETIS AMALA PLLC
21	By:/s/ Darrell L. Cochran
22	Darrell L. Cochran, WSBA No. 22851 Patrick A. Brown, WSBA No. 56627
23	Attorneys for Plaintiff
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26