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Summons & Complaints and all public documents subsequently completed and filed by Phillips & Paolicelli LLP. Address: 747 3rd Ave 6th floor, New York, NY 10017. Phone: (212) 388-5100.

Summons & Complaints relying on the research of James G. Faluszczyk:

NYS UCS Case Number	Alleged Perpetrator	Defendant #	Defendants	Plaintiff
504949/2020	Nevilloyd OFM, Bishop Joseph M.	5	North American Old Roman Catholic Church Diocese of New York, NAORCC Diocese of New York & New England, NAORCC, Sacred Heart of Jesus of the NAORCC & RC Diocese of Brooklyn.	R., A.
520328/2021	Nevilloyd OFM, Bishop Joseph M.	8	Sacred Heart of Jesus Old RCC, Rev. Vincent Natoli, The American Catholic Church in the US, Inc., John Does 1-100 et al	R., A.
504288/2020	Nevilloyd OFM, Bishop Joseph M.	5	North American Old Roman Catholic Church-Diocese of NY & New England, North American Old Roman Catholic Church, Sacred Heart of Jesus Church of the NAORCC & RC Diocese of Brooklyn	G., K.
520315/2021	Nevilloyd OFM, Bishop Joseph M.	8	Sacred Heart of Jesus Old Roman Catholic Church, Vincent Natoli, The American Catholic Church Inc. et al & John Does 1-100	G., K.
504256/2020	Nevilloyd OFM, Bishop Joseph M.	5	North American Old Roman Catholic Church Diocese of New York & New England et al & RC Diocese of Brooklyn.	G., W.
520190/2021	Nevilloyd OFM, Bishop Joseph M.	8	Sacred Heart of Jesus Old Roman Catholic Church, Vincent Natoli, The American Catholic Church Inc. et al & John Does 1-100	G., W.

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X
A.R.

Plaintiff, **SUMMONS**
-against-
INDEX No.:

NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH,
NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH – DIOCESE OF NEW YORK,
NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH – DIOCESE OF NEW YORK AND NEW
ENGLAND,
SACRED HEART OF JESUS CHURCH,
THE ROMAN CATHOLIC DIOCESE OF
BROOKLYN,

Defendants.

-----X

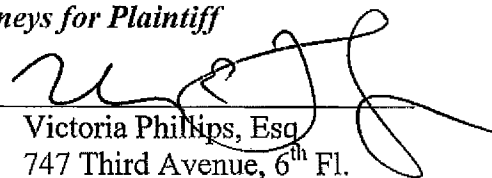
Plaintiff designates the County of KINGS as the place of trial. The basis of venue is one of the Defendants' residence is located in KINGS COUNTY.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by defaulted for the relief demanded in the complaint.

Dated: New York, New York
February 27, 2020

PHILLIPS & PAOLICELLI, LLP
Attorneys for Plaintiff

By: 
Victoria Phillips, Esq.
747 Third Avenue, 6th Fl.

{00050192}

New York, NY 10017
(212) 388-5100

To:

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
2116 Fulton Street, Brooklyn, New York, 11233-3218
and c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW
YORK AND NEW ENGLAND, 73 Pleasant Street, Springvale, Maine 04083

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND
73 Pleasant Street, Springvale, Maine 04083

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH
27 Bradford Street, Brooklyn, New York, 11207

SACRED HEART OF JESUS CHURCH
c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND, 73 Pleasant Street, Springvale, Maine 04083
and c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW
YORK, 2116 Fulton Street, Brooklyn, New York, 11233-3218

THE ROMAN CATHOLIC DIOCESE OF BROOKLYN
310 Prospect Park West, Brooklyn, NY 11215

4. The sexual abuse of Plaintiff by NEVILLOYD, which was extreme, spanned several years.

5. At the time of the sexual abuse, Defendant NEVILLOYD was an agent and/or employee of, under the control of, and/or answerable to, in whole or in part, the following Defendants: NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH; NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK; NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK AND NEW ENGLAND; SACRED HEART; and THE ROMAN CATHOLIC DIOCESE OF BROOKLYN (hereafter collectively referred to as “Defendants”).

6. Defendants jointly and severally held NEVILLOYD out as a clergyman capable of being entrusted with young children, including Plaintiff, and of safely supervising them in religious and church-sponsored activities. NEVILLOYD’s sexual abuse of Plaintiff occurred while he was acting in his assigned role in Defendants’ behalf.

7. Not only did Defendants place Plaintiff in harm’s way by permitting him to have unfettered and unsupervised access to Plaintiff, but they carelessly, negligently, and recklessly, failed to protect Plaintiff from sexual abuse by NEVILLOYD, permitted the abuse to occur, failed to supervise NEVILLOYD, failed to timely investigate NEVILLOYD’s misconduct, acted to protect their own self-interest to the detriment of innocent children, including Plaintiff, and are otherwise responsible for NEVILLOYD’s sexual assault of Plaintiff and Plaintiff’s consequential injuries and damages.

THE PARTIES

8. Plaintiff is an individual residing in South Carolina.

9. Plaintiff was born in 1962.

10. At all relevant times, NEVILLOYD was a Bishop of Defendant the North American Old Roman Catholic Church (“NAORCC”), having been consecrated Bishop of that organization in June 1963.

11. At all relevant times, and while he was Bishop, NEVILLOYD served as Pastor of Defendant SACRED HEART, a church managed, controlled, directed and operated by Defendant NAORCC, and located at 15A Hull Street in Brooklyn, New York.

12. At all relevant times, NEVILLOYD resided at the aforesaid premises of Defendant SACRED HEART.

13. On information and belief, prior to his affiliation with the NAORCC, NEVILLOYD had been ordained in the Roman Catholic Church. Indeed, at all relevant times Defendant NEVILLOYD used the designation “O.F.M.” after his name, signifying that he was a member of the Order of Friars Minor, a/k/a the Franciscan Order, a centuries-old Roman Catholic religious order within the Roman Catholic Church.

14. At all relevant times, Defendant NAORCC was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized as a non-profit corporation pursuant to the laws of the State of New Jersey and authorized to conduct business in New York, and located at 27 Bradford Street, Brooklyn, New York, 11207.

15. At all relevant times, Defendant North American Old Roman Catholic Church – Diocese of New York (“NAORCC – Diocese of NY”) was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of New York and authorized to conduct business therein, and located at 2116 Fulton Street, Brooklyn, New York, 11233-3218.

16. At all relevant times, Defendant NAORCC – Diocese of NY was a Diocese of Defendant NOARCC, and was managed, controlled, directed and operated by Defendant NAORCC.

17. Defendant NAORCC – Diocese of NY is classified for tax purposes in New York as an exempt Roman Catholic religious organization.

18. At all relevant times, Defendant NAORCC – Diocese of NY oversaw, managed, controlled, directed, and operated Defendant SACRED HEART.

19. At all relevant times, Defendants SACRED HEART, NAORCC and NAORCC – Diocese of NY jointly and/or severally exercised management, control and supervision over NEVILLOYD.

20. Upon information and belief, in or about 2016, Defendant North American Old Roman Catholic Church – Diocese of New York and New England (“NAORCC – DNYNE”) was established as a Diocese of Defendant NAORCC, which unified the then existing Diocese of NY and the Diocese of New England.

21. Upon information and belief, Defendant NAORCC – DNYNE assumed some or all of the liabilities and/or assets of Defendants NAORCC, NAORCC – Diocese of New York, and SACRED HEART.

22. Defendant NAORCC – DNYNE was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of Maine and authorized to conduct business therein, and located at 73 Pleasant Street, Springvale, Maine 04083.

23. Bishop Vincent Natoli, O.F.M., who, like NEVILLOYD, is a member of the Roman Catholic Order of Friars Minor, currently serves as the Vicar General of Defendant NAORCC – DNYNE.

24. Bishop Natoli succeeded NEVILLOYD as Bishop upon NEVILLOYD's death in or about 1994.

25. At all relevant times, Defendant THE ROMAN CATHOLIC DIOCESE OF BROOKLYN ("RC DIOCESE OF BROOKLYN") was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of New York and authorized to conduct business therein, and located at 310 Prospect Park West, Brooklyn, NY 11215.

26. At all relevant times, Defendant RC DIOCESE OF BROOKLYN oversaw, managed, controlled, directed, and/or operated parishes and churches in Brooklyn, including, upon information and belief, Defendant SACRED HEART.

27. At all relevant times, Defendant RC DIOCESE OF BROOKLYN exercised supervision and control over clergy within the Diocese of Brooklyn, including, upon information and belief, NEVILLOYD.

FACTUAL ALLEGATIONS

28. Plaintiff repeats and re-alleges all preceding paragraphs of this Complaint.

29. Between approximately 1971 and 1973, Plaintiff and his family were parishioners of and/or attended services at Defendant SACRED HEART.

30. At all relevant times, NEVILLOYD was under the management, supervision, employ, direction and control of Defendants.

31. At all relevant times, NEVILLOYD was assigned by Defendants to work with and supervise children who served as altar boys during religious services.

32. At all relevant times, Plaintiff was recruited to be an altar boy at SACRED HEART, and served as an altar boy under NEVILLOYD.

33. At all relevant times, NEVILLOYD's duties and responsibilities at SACRED HEART included supervising children, including those such as Plaintiff who served as altar boys.

34. At all relevant times Defendants held NEVILLOYD out as a qualified religious leader, capable of supervising altar boys and other children, and chaperoning students on outings.

35. At all relevant times, Defendants authorized, permitted, and assigned NEVILLOYD to supervise children including Plaintiff and other altar boys.

36. At all relevant times, Defendants authorized NEVILLOYD to be alone with children, including Plaintiff, and to have unfettered and unsupervised access to them.

37. Defendants authorized NEVILLOYD to have physical contact with minors, in a manner consistent with providing discipline, counseling, educational and spiritual guidance, and leadership.

38. Defendants required, children, like Plaintiff, to accept discipline and instruction from clergy, including NEVILLOYD, and to obey their orders.

39. Plaintiff was raised as a Catholic, and at all relevant times was encouraged to have reverence, fear and respect for the Catholic Church and its clergy, including NEVILLOYD.

40. From approximately 1971 to 1973, NEVILLOYD wrongfully subjected Plaintiff to a prolonged course of unpermitted and harmful sexual abuse, on the premises of SACRED HEART and on church-sponsored outings.

41. The sexual abuse of Plaintiff was in violation of Penal Law section 130.

42. NEVILLOYD engaged in similar sexual misconduct with other children at SACRED HEART.

43. Plaintiff's relationship to Defendants as a vulnerable child and student, and the culture of the Church which Defendants endorsed, put pressure on Plaintiff to not report the sexual molestation and abuse.

44. NEVILLOYD admonished Plaintiff to remain silent, intimidating him to accept that the sexual conduct he forced upon Plaintiff should not be disclosed to anyone, or there would be adverse consequences.

45. At all relevant times, NEVILLOYD used his position at, within, or for, Defendants, and the implicit representations made by them about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with and touch and assault Plaintiff.

46. Defendants knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual misconduct of NEVILLOYD.

47. Defendants had a duty to Plaintiff to ensure that Defendants did not offer opportunities for pedophiles to approach and assault vulnerable minors.

48. Defendants knew and/or should have known that NEVILLOYD used his position at SACRED HEART to harm minors, including Plaintiff, and to form an acquaintance that could be, and was, used to provide opportunities for sexual abuse.

49. Defendants knew or should have known that NEVILLOYD was a danger to minors, like Plaintiff, before he sexually abused Plaintiff.

50. Defendants knew or should have known that allowing NEVILLOYD to have unsupervised and unlimited access with students, particularly vulnerable students like Plaintiff, posed an unacceptable risk of child sex abuse.

51. For centuries, Catholic church authorities addressed the problem of clergy sex abuse on countless occasions prior to the abuse of Plaintiff, and communicated as much with all levels of Church hierarchy including bishops and other Diocesan leaders. As such, at all relevant times, Defendants were well aware that errant sexual behavior by some clergy was not only widespread but predictable.

52. Prior to the time of Plaintiff's abuse by NEVILLOYD, Defendants knew or should have known that there was a specific danger of child sex abuse for children in their institutions and programs.

53. The sexual abuse of Plaintiff by NEVILLOYD was foreseeable.

54. Defendants owed Plaintiff a reasonable duty of care because they affirmatively solicited parents to send their children to SACRED HEART and to participate in religious programs there; Defendants undertook custody of minor children, including Plaintiff; they promoted their facilities and programs as being safe for children; they held out their agents, including NEVILLOYD, as safe to work with and around children; and they encouraged parents

to let their children interact with and spend time with their agents and/or authorized agents, including NEVILLOYD.

55. Defendants owed Plaintiff a heightened, fiduciary and non-delegable duty of care because they held themselves out as being able to provide a safe and secure environment for children, including Plaintiff; Plaintiff's family entrusted Plaintiff to Defendants' care, and expected that Plaintiff would be safe and properly supervised in an environment free from harm and abuse; Plaintiff was a vulnerable minor, and unable to protect himself; and Defendants affirmatively assumed a position of empowerment over Plaintiff.

56. Defendants owed Plaintiff a duty to protect him from harm because Defendants' acts and omissions created a foreseeable risk of harm to Plaintiff.

57. On information and belief, Defendant RC DIOCESE OF BROOKLYN authorized tuition discounts to families in exchange for their children's attending services at churches, including SACRED HEART.

58. On information and belief, DEFENDANT RC DIOCESE OF BROOKLYN knew that families sent their children to services at SACRED HEART to receive school tuition discounts.

59. As a result of the foregoing, Plaintiff has suffered and continues to suffer great physical and mental pain and anguish, severe and permanent emotional distress, physical manifestations of emotional distress, psychological injuries, fear and anxiety; was prevented and will continue to be prevented from performing his normal daily activities; was and will continue to be deprived of the enjoyment of life's pleasures; has suffered and will continue to suffer loss of earnings and earning capacity; has incurred and will in the future incur expenses for medical and psychological treatment, and was otherwise damaged.

60. To the extent that any Defendant pleads, or otherwise seeks to rely upon Article 16 of the New York Civil Practice Law and Rules (CPLR) to have fault apportioned to another allegedly culpable party, Plaintiff expressly states that Defendants' conduct falls within one or more of the subdivisions of CPLR 1602.

FIRST CAUSE OF ACTION

NEGLIGENT HIRING, RETENTION, SUPERVISION, AND DIRECTION

61. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

62. At all relevant times Defendants had a duty to exercise due care in hiring, appointing, assigning, retention, supervision and direction of NEVILLOYD, so as to protect minor children, including Plaintiff, who were likely to come into contact with him, and/or under his influence or supervision, and to ensure that NEVILLOYD did not use his assigned position to injure minors by sexual assault, contact or abuse.

63. Defendants were negligent and failed to use reasonable care in hiring, appointing, assigning, and retention, of NEVILLOYD, failed to properly investigate his background and employment history, and/or hired, appointed and/or assigned him supervise children, when Defendants knew or should have known of facts that would make him a danger to children; and Defendants were otherwise negligent.

64. Defendants were negligent and did not use reasonable care in their supervision and direction of NEVILLOYD, failed to monitor his activities, failed to oversee the manner in which he carried out the duties to which Defendants assigned them, even though they knew or should have known that NEVILLOYD posed a threat of sexual abuse to minors; allowed the misconduct described above to occur and continue; failed to investigate NEVILLOYD's

dangerous activities and remove him from their premises; failed to have policies and practices in place that would have prevented this abuse; and Defendants were otherwise negligent.

65. NEVILLOYD would not have been in a position to sexually abuse Plaintiff had Defendants not been negligent in the hiring, retention, supervision, and direction of NEVILLOYD.

66. At all relevant times, NEVILLOYD acted in the course and scope of his employment with Defendants.

67. Defendants' aforesaid actions were willful, wanton, malicious, reckless, and/or outrageous in their disregard for the rights and safety of Plaintiff.

68. As a direct and proximate result of the aforesaid misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury as described above.

69. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SECOND CAUSE OF ACTION

NEGLIGENT, RECKLESS, AND WILLFUL MISCONDUCT

70. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

71. At all relevant times, Defendants affirmatively and/or impliedly represented to minor children, their families, and the general public that employees and agents working in SACRED HEART, including NEVILLOYD, did not pose a risk of sexually abusing children, and that children, including Plaintiff, would be safe in their care.

72. Defendants knew or should have known this representation was false and that employing NEVILLOYD and giving him unfettered access to children, including Plaintiff, posed an unacceptable risk of harm to children.

73. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice for making hiring and assignment decisions, so as to protect vulnerable students in their care from sexual abuse.

74. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice to monitor, supervise or oversee NEVILLOYD's interactions with minor students such as Plaintiff, in order to keep them safe from sexual abuse.

75. The careless, negligent and reckless misconduct by Defendants as described herein was done with utter disregard as to the potential profound injuries which would ensue, and with depraved indifference to the health and well-being of children.

76. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

77. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

THIRD CAUSE OF ACTION

NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS

78. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

79. The sexual abuse of Plaintiff was extreme and outrageous conduct, beyond all possible bounds of decency, atrocious and intolerable in a civilized world.

80. Defendants' aforesaid negligent, grossly negligent and reckless misconduct endangered Plaintiff's safety and caused him to fear for his own safety.

81. Defendants knew or disregarded the substantial probability that NEVILLOYD would cause severe emotional distress to Plaintiff.

82. As a direct and proximate result of Defendants' foregoing misconduct, Plaintiff suffered severe emotional distress including psychological and emotional injury as described above.

83. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FOURTH CAUSE OF ACTION

PREMISES LIABILITY

84. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

85. At all relevant times, Defendants owned, operated, and/or controlled the premises of Defendant SACRED HEART, including the areas where the sexual abuse of Plaintiff occurred.

86. At all relevant times, Plaintiff was rightfully present at the aforementioned premises.

87. Defendants had a duty to see that the premises at which Plaintiff was rightfully present were in a reasonably safe condition for the intended use by students, like Plaintiff, whose presence was reasonably anticipated.

88. Defendants willfully, recklessly, and negligently failed to provide reasonably safe premises that were free from the presence of sexual predators and/or the assault by the occupants of the premises, including NEVILLOYD.

89. Defendants thereby breached their duty of care to Plaintiff.

90. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

91. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FIFTH CAUSE OF ACTION

BREACH OF FIDUCIARY NON-DELEGABLE DUTY

92. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

93. At all relevant times, there existed a fiduciary relationship of trust, confidence and reliance between Plaintiff and Defendants.

94. The entrustment of Plaintiff to the care and supervision of the Defendants while Plaintiff was a vulnerable child, imposed upon these Defendants a fiduciary non-delegable duty to act in the best interests of Plaintiff.

95. Defendants were entrusted with the well-being, care, and safety of Plaintiff, which Defendants had a fiduciary duty to protect.

96. By reason of the foregoing, Defendants breached their fiduciary duties to Plaintiff.

97. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

98. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SIXTH CAUSE OF ACTION

BREACH OF DUTY IN LOCO PARENTIS

99. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

100. At all relevant times, Plaintiff was a vulnerable child entrusted to the care of Defendants, and was under the supervision and control of these Defendants, such that these Defendants owed him a duty to act in loco parentis and to prevent foreseeable injuries.

101. By reason of the foregoing, Defendants breached their duties to act in loco parentis.

102. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

103. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SEVENTH CAUSE OF ACTION

BREACH OF STATUTORY DUTIES TO REPORT

104. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

105. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, Defendants had a statutory duty to report reasonable suspicion of abuse of children in their care.

106. Defendants breached their statutory duty by failing to report reasonable suspicion of sexual abuse by NEVILLOYD.

107. As a direct and proximate result of Defendants' foregoing breaches, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

108. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

WHEREFORE, Plaintiff prays for judgment as follows:

- a. Awarding Plaintiff compensatory damages for his injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;

- b. Awarding Plaintiff punitive damages for his injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- c. Awarding Plaintiff prejudgment interest, to the extent available by law;
- d. Awarding Plaintiffs costs and disbursements and attorneys' fees to the extent available by law; and
- e. Awarding such other and further relief as this Court may deem just and proper.

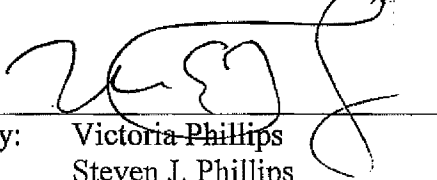
JURY TRIAL DEMANDED

Plaintiff demands a trial by jury of all issues triable by jury in this action.

Dated: February 27, 2020

Yours, etc.

PHILLIPS & PAOLICELLI, LLP


By: ~~Victoria Phillips~~
Steven J. Phillips
Phillips & Paolicelli, LLP
747 Third Avenue, Sixth Floor
New York, New York 10017
212-388-5100
vphillips@p2law.com
sphillips@p2law.com

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X

A.R.,

Plaintiff,

SUMMONS

-against-

INDEX No.:

SACRED HEART OF JESUS OLD ROMAN
CATHOLIC CHURCH,
VINCENT NATOLI, INDIVIDUALLY AND AS AN
PASTOR AND HEAD OF SACRED HEART OF
JESUS OLD ROMAN CATHOLIC CHURCH,
THE AMERICAN CATHOLIC CHURCH,
THE AMERICAN CATHOLIC CHURCH IN THE
UNITED STATES, INC.,
SACRED HEART OF JESUS ENGLISH RITE
CATHOLIC CHURCH A/K/A SACRED HEART OF
JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH (VERNACULAR),
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH IN AMERICA CORP.,
JOHN DOES 1-100,

Defendants.

-----X

Plaintiff designates the County of KINGS as the place of trial. The basis of venue is one of the Defendants' residence is located in KINGS COUNTY.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by defaulted for the relief demanded in the complaint.

Dated: New York, New York
August 11, 2021

PHILLIPS & PAOLICELLI, LLP
Attorneys for Plaintiff

By: Victoria Phillips
Victoria Phillips, Esq.
747 Third Avenue, 6th Fl.
New York, NY 10017
(212) 388-5100

To:

SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
c/o Vincent Natoli 2116 Fulton Street, Brooklyn, New York, 11233

**VINCENT NATOLI INDIVIDUALLY AND AS PASTOR AND HEAD OF SACRED
HEART OF JESUS OLD ROMAN CATHOLIC CHURCH,**
2116 Fulton Street, Brooklyn, New York, 11233-3218

THE AMERICAN CATHOLIC CHURCH
C/O THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
5595 RIVENDELL PLACE
FREDERICK MD 21703

THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
5595 RIVENDELL PLACE
FREDERICK MD 21703

**SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED
HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.**

SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),

SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

JOHN DOES 1-100

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X

A.R.,

Plaintiff,

COMPLAINT

-against-

INDEX No.:

SACRED HEART OF JESUS OLD ROMAN
CATHOLIC CHURCH,
VINCENT NATOLI, INDIVIDUALLY AND AS AN
PASTOR AND HEAD OF SACRED HEART OF
JESUS OLD ROMAN CATHOLIC CHURCH,
THE AMERICAN CATHOLIC CHURCH,
THE AMERICAN CATHOLIC CHURCH IN THE
UNITED STATES, INC.,
SACRED HEART OF JESUS ENGLISH RITE
CATHOLIC CHURCH A/K/A SACRED HEART OF
JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH (VERNACULAR),
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH IN AMERICA CORP.,
JOHN DOES 1-100,

Defendants.

-----X

Plaintiff A.R. by and through his undersigned attorneys, as and for his Complaint, alleges
as follows:

NATURE OF THE ACTION

1. This action is brought pursuant to the Child Victim’s Act codified at CPLR 214-g by Plaintiff A.R. (hereafter “Plaintiff”).
2. Beginning in approximately 1971, Plaintiff was repeatedly sexually abused and assaulted as a minor.

3. Plaintiff's abuser was a clergyman known as JOSEPH M. NEVILLOYD ("NEVILLOYD").
4. Plaintiff was approximately 9 to 10 years old when this unlawful sexual abuse by NEVILLOYD, in violation of Penal Law 130, began.
5. The sexual abuse of Plaintiff by NEVILLOYD was extreme in nature and spanned several years.
6. On information and belief, in the 1960s NEVILLOYD was ordained or consecrated as a clergyman within THE AMERICAN CATHOLIC CHURCH.
7. On information and belief, THE AMERICAN CATHOLIC CHURCH is now known as THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
8. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a mere continuation of THE AMERICAN CATHOLIC CHURCH, a successor in interest to THE AMERICAN CATHOLIC CHURCH, was created to escape the liabilities of THE AMERICAN CATHOLIC CHURCH, and is otherwise responsible, liable, and answerable for the acts, omissions, debts, and liabilities of THE AMERICAN CATHOLIC CHURCH.
9. During the 1970s, NEVILLOYD worked as a clergyman and held religious services at a church located at or about 15A Hull Street in Brooklyn, New York.
10. NEVILLOYD used that position to sexually abuse Plaintiff and other minor parishioners including at the church located 15A Hull Street in Brooklyn.
11. Parishioners referred to NEVILLOYD's church at 15A Hull Street Brooklyn NY as "Sacred Heart" or "Sacred Heart of Jesus."

12. On information and belief, “Sacred Heart” has been referred to as and incorporated under multiple names by NEVILLOYD and his successor, VINCENT NATOLI.
13. On information and belief, the fraudulent purpose of these multiple name changes and incorporations was to evade obligations and liability.
14. On information and belief, the church’s names have included but are not necessarily limited to:
 - a. SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/KA SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
 - b. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),
 - c. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and
 - d. SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
15. On information and belief, these modifications in church’s names were not utilized for any legitimate purpose, and the church continued to exist and operate under the same management despite its varying names.
16. On information and belief, those modifications in the church’s names and corporate names were employed by NEVILLOYD and his protégée and successor VINCENT NATOLI in an improper and fraudulent attempt to evade obligations and liability.
17. On information and belief, after abusing multiple children including but not limited to Plaintiff, NEVILLOYD died in approximately 1994.
18. On information and belief, NEVILLOYD had ordained VINCENT NATOLI in approximately 1983, prior to NEVILLOYD’s death.

19. On information and belief, VINCENT NATOLI was NEVILLOYD's protégée from the early 1980s until NEVILLOYD's death.
20. On information and belief, VINCENT NATOLI worked with NEVILLOYD at the church located at 15A Hull Street, Brooklyn NY for over a decade leading up to NEVILLOYD's death.
21. On information and belief, after NEVILLOYD's 1994 death, VINCENT NATOLI took over NEVILLOYD's position as Pastor of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, which was then still based at 15A Hull Street Brooklyn New York, the location where Plaintiff had been abused.
22. On information and belief, in approximately 1994 VINCENT NATOLI assumed the title of Bishop of the SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH.
23. On information and belief, in approximately 2000, VINCENT NATOLI sold the property located at 15A Hull Street, Brooklyn New York.
24. On information and belief, VINCENT NATOLI has been actively involved in litigation for years including in an unsuccessful attempt to secure control of another church, called St. Lucy's, in Brooklyn.
25. On information and belief, in the 2000s, VINCENT NATOLI used the proceeds of the sale of 15A Hull Street, Brooklyn New York to promote his own interests, *inter alia* by paying litigation expenses and debts, including expenses related to his attempts to secure control of St. Lucy's Church in Brooklyn.
26. On information and belief, after the sale of the property at 15A Hull Street in Brooklyn NY, VINCENT NATOLI resided at 2116 Fulton Street in Brooklyn NY.

27. On information and belief, VINCENT NATOLI continues to use the name “Sacred Heart” in connection with his present operation at 2116 Fulton Street in Brooklyn, although he now employs the slightly altered name SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
28. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH is a mere continuation of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.
29. On information and belief, NATOLI uses the names above, including SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH, in order to evade obligations and liability for the misconduct, tortious acts, liabilities, and debts of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and their officers, including NEVILLOYD and/or NATOLI.
30. On information and belief, “SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH”, which VINCENT NATOLI continues to operate, is a mere continuation of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED

HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

31. On information and belief, “SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH”, which VINCENT NATOLI continues to operate and serve as Pastor of, is a successor in interest to SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

32. Plaintiff filed a Complaint in 2020 under the Child Victim’s Act respecting abuse by NEVILLOYD, naming as Defendants:

- a. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH,
- b. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK,
- c. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK AND NEW ENGLAND,
- d. SACRED HEART OF JESUS CHURCH, and
- e. THE ROMAN CATHOLIC DIOCESE OF BROOKLYN

33. Several of those entities filed motions to dismiss.

34. Those motions were briefed and argued in February 2021, but are not yet decided, and thus discovery has not yet taken place in those actions.

35. Among the arguments that defense counsel raised in that related action was that insofar as “Sacred Heart of Jesus Old Roman Catholic Church” is unincorporated, Plaintiffs could only properly sue it through its officers.
36. While, the earlier Complaint had not specifically named SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH, the instant Complaint does so, as well as naming its pastor and head, VINCENT NATOLI.
37. In the earlier motions to dismiss, defense counsel also appended as an exhibit a certificate purporting to show that NEVILLOYD was consecrated in 1963 by THE AMERICAN CATHOLIC CHURCH.
38. On information and belief, at the time of Plaintiff’s sexual abuse, Defendant NEVILLOYD was an agent and/or employee of, under the control of, supervised by, and/or answerable to, in whole or in part, THE AMERICAN CATHOLIC CHURCH.
39. On information and belief, THE AMERICAN CATHOLIC CHURCH was also referred to as the American Catholic Church (Syrian Antiochean).
40. On information and belief, at the time of Plaintiff’s sexual abuse, Defendant NEVILLOYD was an agent and/or employee of, under the control of, supervised by, and/or answerable to, in whole or in part, SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
41. On information and belief, THE AMERICAN CATHOLIC CHURCH, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC., SACRED

HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH (hereafter collectively referred to as “Defendants”), jointly and severally held NEVILLOYD out as a clergyman capable of being entrusted with young children, including Plaintiff, and of safely supervising them in religious and church-sponsored activities.

42. On information and belief, NEVILLOYD’s sexual abuse of Plaintiff occurred while he was acting in his assigned role in the above-captioned Defendants’ behalf.

43. On information and belief, not only did Defendants place Plaintiff in harm’s way by permitting him to have unfettered and unsupervised access to Plaintiff, but they carelessly, negligently, and recklessly, failed to protect Plaintiff from sexual abuse by NEVILLOYD, permitted the abuse to occur, failed to supervise NEVILLOYD, failed to timely investigate NEVILLOYD’s misconduct, acted to protect their own self-interest to the detriment of innocent children, including Plaintiff, and are otherwise responsible for NEVILLOYD’s sexual assault of multiple children including Plaintiff and Plaintiff’s consequential injuries and damages.

THE PARTIES

44. Plaintiff incorporates the allegations above as if fully stated herein.

45. Plaintiff is an individual residing in South Carolina.

46. Plaintiff was born in 1962.

47. On information and belief VINCENT NATOLI resides at 2116 Fulton St. Brooklyn NY.

48. On information and belief VINCENT NATOLI owns the property located at 2116 Fulton St. Brooklyn NY.
49. On information and belief, VINCENT NATOLI serves as Pastor, Head, and/or President of SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH at 2116 Fulton St. Brooklyn NY.
50. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH is an unincorporated religious association based at 2116 Fulton Street Brooklyn NY.
51. On information and belief, at the time of Plaintiff's sexual abuse in the 1970s, Defendant NEVILLOYD was an agent and/or employee of, ordained by, consecrated by, under the control of, supervised by, and/or answerable to, in whole or in part, THE AMERICAN CATHOLIC CHURCH.
52. On information and belief, THE AMERICAN CATHOLIC CHURCH was a religious organization based in Maryland which transacted regular business in New York including ordaining clergy including NEVILLOYD.
53. On information and belief, THE AMERICAN CATHOLIC CHURCH is now known as THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
54. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a religious corporation with its principal offices located at 5595 RIVENDELL PLACE FREDERICK MD 21703.
55. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a mere continuation of, a successor in interest to, and otherwise assumed and is responsible, liable, and answerable for the acts, omissions, debts, and

liabilities of THE AMERICAN CATHOLIC CHURCH and its agents, officers, clergy, and employees.

56. Hereafter, THE AMERICAN CATHOLIC CHURCH and AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. will be collectively referred to as THE AMERICAN CATHOLIC CHURCH.

57. During the 1970s, when he sexually abused Plaintiff, NEVILLOYD was the pastor of a church located at 15A Hull Street in Brooklyn, New York.

58. On information and belief, that church located at 15A Hull Street in Brooklyn, New York has been referred to by multiple names by NEVILLOYD and his successor in interest, VINCENT NATOLI.

59. On information and belief, that church has been known by and sometimes incorporated under names beginning with “Sacred Heart of Jesus” including:

- a. SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/KA/ SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
- b. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),
- c. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and
- d. SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH

60. On information and belief, during the period of the sexual abuse of Plaintiff, NEVILLOYD resided at the church on 15A Hull Street Brooklyn NY.

61. On information and belief, NEVILLOYD ordained his protégée VINCENT NATOLI in approximately 1983.

62. On information and belief, beginning in the early 1980s, NATOLI served as a priest under NEVILLOYD at the church based at 15A Hull Street Brooklyn NY.
63. On information and belief, after the death of NEVILLOYD in 1994, NATOLI was consecrated a Bishop and Pastor, and served as the head of the church known as SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH at 15A Hull Street in Brooklyn.
64. On information and belief VINCENT NATOLI succeeded NEVILLOYD as the clergyman running the church at 15A Hull Street in Brooklyn.
65. On information and belief, VINCENT NATOLI assumed some or all of the liabilities and/or assets of NEVILLOYD.
66. On information and belief, VINCENT NATOLI assumed some or all of the liabilities and/or assets of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), AND SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
67. On information and belief, in approximately the early 2000s, VINCENT NATOLI sold the property located at 15A Hull Street, Brooklyn New York.
68. On information and belief, VINCENT NATOLI used the proceeds of the sale of 15A Hull Street, Brooklyn New York to promote his own personal interests, *inter alia* by paying for litigation expenses and debts.

69. On information and belief, VINCENT NATOLI purchased the property at 2116 Fulton Street in Brooklyn NY.
70. On information and belief, VINCENT NATOLI continues to hold services at 2116 Fulton Street Brooklyn New York.
71. On information and belief, VINCENT NATOLI continues to calls his church by names beginning with “Sacred Heart of Jesus,” including SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
72. On information and belief, VINCENT NATOLI runs, manages, controls, and is the pastor, president and/or primary officer of SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
73. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH is a mere continuation of and alter ego of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR).
74. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH assumed some or all of the liabilities and/or assets of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR).

75. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH assumed some or all of the liabilities and/or assets of NEVILLOYD.
76. To the extent that any of the above Defendants were different entities, corporations, or organizations during the period of time when NEVILLOYD sexually abused Plaintiff, such entities, corporations, or organizations are hereby on notice that they are intended to be defendants in this lawsuit.
77. To the extent any of the above Defendants are successors to or affiliates of a different entity, corporation, or organization that existed during the period of time when NEVILLOYD sexually abused Plaintiff, such predecessor entities, corporations, or organizations are hereby on notice that they are intended to be a defendant in this lawsuit.
78. Defendants John Does 1-100 are unknown churches, orders, individuals, entities, corporations, administrators, officials, employees, or agents whose identities will be provided when they become known pursuant to C.P.L.R. § 1024, and whose conduct contributed to facilitated, or wrongfully failed to prevent the unlawful sexual abuse alleged herein.

FACTUAL ALLEGATIONS

79. Plaintiff repeats and re-alleges all preceding paragraphs of this Complaint.
80. In the 1970s, Plaintiff and his family were parishioners of and/or attended services at the church described above located at 15A Hull Street in Brooklyn New York.
81. On information and belief, at all relevant times, NEVILLOYD was under the management, supervision, employ, direction and control of Defendants.

82. At all relevant times, NEVILLOYD was assigned by Defendants to work with and supervise children who served as altar boys during religious services.
83. At all relevant times, Plaintiff was recruited to be an altar boy at NEVILLOYD's church, and served as an altar boy under NEVILLOYD.
84. At all relevant times, NEVILLOYD's duties and responsibilities at the church at 15A Hull Street in Brooklyn New York included supervising children, including those such as Plaintiff who served as altar boys.
85. At all relevant times Defendants held NEVILLOYD out as a qualified religious leader, capable of supervising altar boys and other children, and chaperoning students on outings.
86. At all relevant times, Defendants authorized, permitted, and assigned NEVILLOYD to supervise children including Plaintiff.
87. At all relevant times, Defendants authorized NEVILLOYD to be alone with children, including Plaintiff, and to have unfettered and unsupervised access to them.
88. Defendants authorized NEVILLOYD to have physical contact with minors, in a manner consistent with providing discipline, counseling, educational and spiritual guidance, and leadership.
89. Defendants required, children, like Plaintiff, to accept discipline and instruction from clergy, including NEVILLOYD, and to obey their orders.
90. Plaintiff was encouraged to have reverence, fear and respect for Defendants' clergy, including NEVILLOYD.

91. Between approximately 1971 and 1973, NEVILLOYD wrongfully subjected Plaintiff to a prolonged course of unpermitted, forcible, and harmful sexual assault and sexual abuse at 15A Hull Street Brooklyn, New York.
92. The sexual abuse of Plaintiff was in violation of Penal Law section 130.
93. NEVILLOYD engaged in similar sexual misconduct with other children at the church located at 15A Hull Street Brooklyn NY.
94. Plaintiff's relationship to Defendants as a vulnerable child, and the culture of the Church which Defendants endorsed, put pressure on Plaintiff to not report the sexual molestation and abuse.
95. NEVILLOYD admonished Plaintiff to remain silent, intimidating him to accept that the sexual conduct he forced upon Plaintiff should not be disclosed to anyone, or there would be adverse consequences.
96. NEVILLOYD also sexually abused and threatened at least two other children in the 1970s at the same church, who are filing suit using the pseudonyms W.G. and K.G.
97. At all relevant times, NEVILLOYD used his position at, within, or for, Defendants, and the implicit representations made by them about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with and touch and assault Plaintiff.
98. Defendants knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual misconduct of NEVILLOYD.
99. Defendants had a duty to Plaintiff to ensure that Defendants did not offer opportunities for pedophiles to approach and assault vulnerable minors.

100. Defendants knew and/or should have known that NEVILLOYD used his position as a clergyman at their church to harm minors, including Plaintiff and to form an acquaintance that could be, and was, used to provide opportunities for sexual abuse.
101. Defendants knew or should have known that NEVILLOYD was a danger to minors, like Plaintiff, before he sexually abused Plaintiff.
102. Defendants knew or should have known that allowing NEVILLOYD to have unsupervised and unlimited access with students, particularly vulnerable students like Plaintiff, posed an unacceptable risk of child sex abuse.
103. For centuries, Catholic church authorities addressed the problem of clergy sex abuse on countless occasions prior to the abuse of Plaintiff, and communicated as much with all levels of Church hierarchy including bishops and other Diocesan leaders.
104. As such, at all relevant times, Defendants were well aware that errant sexual behavior by some clergy was not only widespread but predictable.
105. Prior to the time of Plaintiff's abuse by NEVILLOYD, Defendants knew or should have known that there was a specific danger of child sex abuse for children in their institutions and programs.
106. The sexual abuse of Plaintiff by NEVILLOYD was foreseeable.
107. NEVILLOYD induced Plaintiff's confidence and trust for the purpose of soliciting sexual favors and engaged in unpermitted, forcible, and harmful sexual contact with Plaintiff.
108. Defendants owed Plaintiff a reasonable duty of care because they affirmatively solicited parents and families to send their children to their churches including the church at 15A Hull St. in Brooklyn NY, and to participate in religious programs there;

Defendants undertook custody of minor children, including Plaintiff; they promoted their facilities and programs as being safe for children; they held out their agents, including NEVILLOYD, as safe to work with and around children; and they encouraged parents to let their children interact with and spend time with their agents and/or authorized agents, including NEVILLOYD.

109. Defendants owed Plaintiff a heightened, fiduciary and non-delegable duty of care because they held themselves out as being able to provide a safe and secure environment for children, including Plaintiff; Plaintiff's family entrusted Plaintiff to Defendants' care, and expected that Plaintiff would be safe and properly supervised in an environment free from harm and abuse; Plaintiff was a vulnerable minor, and unable to protect himself; and Defendants affirmatively assumed a position of empowerment over Plaintiff.

110. Defendants owed Plaintiff a duty to protect him from harm because Defendants' acts and omissions created a foreseeable risk of harm to Plaintiff.

111. As a result of the foregoing, Plaintiff has suffered and continues to suffer great physical and mental pain and anguish, severe and permanent emotional distress, physical manifestations of emotional distress, psychological injuries, fear and anxiety; was prevented and will continue to be prevented from performing his normal daily activities; was and will continue to be deprived of the enjoyment of life's pleasures; has suffered and will continue to suffer loss of earnings and earning capacity; has incurred and will in the future incur expenses for medical and psychological treatment, and was otherwise damaged.

112. To the extent that any Defendant pleads, or otherwise seeks to rely upon Article 16 of the New York Civil Practice Law and Rules (CPLR) to have fault apportioned to

another allegedly culpable party, Plaintiff expressly states that Defendants' conduct falls within one or more of the subdivisions of CPLR 1602.

FIRST CAUSE OF ACTION

NEGLIGENT HIRING, RETENTION, SUPERVISION, AND DIRECTION

113. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.
114. At all relevant times Defendants had a duty to exercise due care in hiring, appointing, assigning, retention, supervision and direction of NEVILLOYD, so as to protect minor children, including Plaintiff, who were likely to come into contact with him, and/or under his influence or supervision, and to ensure that NEVILLOYD did not use his assigned position to injure minors by sexual assault, contact or abuse.
115. Defendants were negligent and failed to use reasonable care in hiring, appointing, assigning, and retention, of NEVILLOYD, failed to properly investigate his background and employment history, and/or hired, appointed and/or assigned him supervise children, when Defendants knew or should have known of facts that would make him a danger to children; and Defendants were otherwise negligent.
116. Defendants were negligent and did not use reasonable care in their supervision and direction of NEVILLOYD, failed to monitor his activities, failed to oversee the manner in which he carried out the duties to which Defendants assigned them, even though they knew or should have known that NEVILLOYD posed a threat of sexual abuse to minors; allowed the misconduct described above to occur and continue; failed to investigate NEVILLOYD's dangerous activities and remove him from their premises;

failed to have policies and practices in place that would have prevented this abuse; and Defendants were otherwise negligent.

117. NEVILLOYD would not have been in a position to sexually abuse Plaintiff had Defendants not been negligent in the hiring, retention, supervision, and direction of NEVILLOYD.

118. At all relevant times, NEVILLOYD acted in the course and scope of his employment with Defendants.

119. Defendants' aforesaid actions were willful, wanton, malicious, reckless, and/or outrageous in their disregard for the rights and safety of Plaintiff.

120. As a direct and proximate result of the aforesaid misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury as described above.

121. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SECOND CAUSE OF ACTION

NEGLIGENT, RECKLESS, AND WILLFUL MISCONDUCT

122. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

123. At all relevant times, Defendants affirmatively and/or impliedly represented to minor children, their families and the general public that employees and agents and clergymen working in their churches, including NEVILLOYD, did not pose a risk of sexually abusing children, and that children, including Plaintiff, would be safe in their care.

124. Defendants knew or should have known this representation was false and that employing NEVILLOYD, ordaining him, consecrating him, and giving him unfettered access to children, including Plaintiff, posed an unacceptable risk of harm to children.
125. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice for making hiring, appointment, and assignment decisions, so as to protect vulnerable children in their care and in their churches from sexual abuse.
126. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice to monitor, supervise or oversee NEVILLOYD's interactions with minors such as Plaintiff, in order to keep them safe from sexual abuse.
127. The careless, negligent and reckless misconduct by Defendants as described herein was done with utter disregard as to the potential profound injuries which would ensue, and with depraved indifference to the health and well-being of children.
128. The sexual abuse of Plaintiff was extreme and outrageous conduct, beyond all possible bounds of decency, atrocious and intolerable in a civilized world.
129. Defendants' aforesaid negligent, grossly negligent and reckless misconduct, endangered Plaintiff's safety and caused him to fear for his own safety.
130. Defendants knew or disregarded the substantial probability that NEVILLOYD would cause severe emotional distress to Plaintiff.
131. As a direct and proximate result of Defendants' foregoing misconduct, Plaintiff suffered severe emotional distress including psychological and emotional injury as described above.

132. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.
133. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.
134. At all relevant times, there existed a fiduciary relationship of trust, confidence and reliance between Plaintiff and Defendants.
135. The entrustment of Plaintiff to the care and supervision of the Defendants while Plaintiff was a vulnerable child, imposed upon these Defendants a fiduciary non-delegable duty to act in the best interests of Plaintiff.
136. Defendants were entrusted with the well-being, care, and safety of Plaintiff, which Defendants had a fiduciary duty to protect.
137. By reason of the foregoing, Defendants breached their fiduciary duties to Plaintiff.
138. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.
139. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.
140. At all relevant times, Plaintiff was a vulnerable child entrusted to the care of Defendants, and was under the supervision and control of these Defendants, such that

these Defendants owed him a duty to act in loco parentis and to prevent foreseeable injuries.

141. By reason of the foregoing, Defendants breached their duties to act in loco parentis.

142. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

143. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

THIRD CAUSE OF ACTION

PREMISES LIABILITY

144. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

145. At all relevant times, Defendants owned, operated, and/or controlled the premises at 15A Hull Street, Brooklyn NY, including the areas where the sexual abuse of Plaintiff occurred.

146. At all relevant times, Plaintiff was rightfully present at the aforementioned premises.

147. Defendants had a duty to see that the premises at which Plaintiff was rightfully present were in a reasonably safe condition for the intended use by students, like Plaintiff, whose presence was reasonably anticipated.

148. Defendants willfully, recklessly, and negligently failed to provide reasonably safe premises that were free from the presence of sexual predators and/or the assault by the occupants of the premises, including NEVILLOYD.

149. Defendants thereby breached their duty of care to Plaintiff.

150. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

151. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FOURTH CAUSE OF ACTION

BREACH OF STATUTORY DUTIES TO REPORT

152. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

153. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, Defendants had a statutory duty to report reasonable suspicion of abuse of children in their care.

154. Defendants breached their statutory duty by failing to report reasonable suspicion of sexual abuse by NEVILLOYD.

155. As a direct and proximate result of Defendants' foregoing breaches, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

156. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

WHEREFORE, Plaintiff prays for judgment as follows:

- a. Awarding Plaintiff compensatory damages for his injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- b. Awarding Plaintiff punitive damages for his injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- c. Awarding Plaintiff prejudgment interest, to the extent available by law;
- d. Awarding Plaintiffs costs and disbursements and attorneys' fees to the extent available by law; and
- e. Awarding such other and further relief as this Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff demands a trial by jury of all issues triable by jury in this action.

Dated: August 11, 2021

Yours, etc.

PHILLIPS & PAOLICELLI, LLP

Victoria Phillips

By: Victoria Phillips
Diane Paolicelli

Michael DeRuve
Phillips & Paolicelli, LLP
747 Third Avenue, Sixth Floor
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212-388-5100
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**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X
K.G.,

-against-
Plaintiff,

SUMMONS

INDEX No.:

NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH,
NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH – DIOCESE OF NEW YORK,
NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH – DIOCESE OF NEW YORK AND NEW
ENGLAND,
SACRED HEART OF JESUS CHURCH,
THE ROMAN CATHOLIC DIOCESE OF
BROOKLYN,

Defendants.

-----X

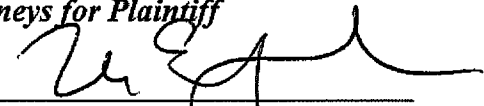
Plaintiff designates the County of KINGS as the place of trial. The basis of venue is one of the Defendants' residence is located in KINGS COUNTY.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by defaulted for the relief demanded in the complaint.

Dated: New York, New York
February 20, 2020

PHILLIPS & PAOLICELLI, LLP
Attorneys for Plaintiff

By: 
Victoria Phillips, Esq.
Steven Phillips, Esq.

(212) 388-5100

To:

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
2116 Fulton Street, Brooklyn, New York, 11233-3218
and c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW
YORK AND NEW ENGLAND, 73 Pleasant Street, Springvale, Maine 04083

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND
73 Pleasant Street, Springvale, Maine 04083

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH
27 Bradford Street, Brooklyn, New York, 11207

SACRED HEART OF JESUS CHURCH
c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND, 73 Pleasant Street, Springvale, Maine 04083
and c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW
YORK, 2116 Fulton Street, Brooklyn, New York, 11233-3218

THE ROMAN CATHOLIC DIOCESE OF BROOKLYN
310 Prospect Park West, Brooklyn, NY 11215

{00050031}

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X
K.G.

Plaintiff,
-against-

COMPLAINT
INDEX No.:

NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH, NORTH AMERICAN OLD ROMAN
CATHOLIC CHURCH – DIOCESE OF NEW
YORK, NORTH AMERICAN OLD ROMAN
CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND, SACRED HEART OF
JESUS CHURCH, AND THE ROMAN CATHOLIC
DIOCESE OF BROOKLYN,

Defendants.

-----X

Plaintiff K.G. by and through her undersigned attorneys, as and for her Complaint,
alleges as follows:

NATURE OF THE ACTION

1. This action is brought pursuant to the Child Victims Act, codified at CPLR 214-g by Plaintiff K.G. (hereafter “Plaintiff”).
2. In the 1970s, Plaintiff was sexually abused and assaulted by JOSEPH M. NEVILLOYD, O.F.M. (“NEVILLOYD”), then Bishop and Pastor of Defendant SACRED HEART OF JESUS CHURCH (“SACRED HEART”).
3. Plaintiff was a minor when this sexual abuse began.
4. At the time of the sexual abuse, Defendant NEVILLOYD was an agent and/or employee of, under the control of, and/or answerable to, in whole or in part, the following

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Defendants: NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH; NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK; NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK AND NEW ENGLAND; SACRED HEART; and THE ROMAN CATHOLIC DIOCESE OF BROOKLYN (hereafter collectively referred to as “Defendants”).

5. Defendants jointly and severally held NEVILLOYD out as a clergyman capable of being entrusted with young children, including Plaintiff, and of safely supervising them in religious and church-sponsored activities. NEVILLOYD’s sexual abuse of Plaintiff occurred while he was acting in his assigned role in Defendants’ behalf.

6. Not only did Defendants place Plaintiff in harm’s way by permitting him to have unfettered and unsupervised access to Plaintiff, but they carelessly, negligently, and recklessly, failed to protect Plaintiff from sexual abuse by NEVILLOYD, permitted the abuse to occur, failed to supervise NEVILLOYD, failed to timely investigate NEVILLOYD’s misconduct, acted to protect their own self-interest to the detriment of innocent children, including Plaintiff, and are otherwise responsible for NEVILLOYD’s sexual assault of Plaintiff and Plaintiff’s consequential injuries and damages.

THE PARTIES

7. Plaintiff is an individual residing in Harrisburg, Pennsylvania.

8. Plaintiff was born in 1963.

9. At all relevant times, NEVILLOYD was a Bishop of Defendant the North American Old Roman Catholic Church (“NAORCC”), having been consecrated Bishop of that organization in June 1963.

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10. At all relevant times, and while he was Bishop, NEVILLOYD served as Pastor of Defendant SACRED HEART, a church managed, controlled, directed and operated by Defendant NAORCC, and located at 15A Hull Street in Brooklyn, New York.

11. At all relevant times, NEVILLOYD resided at the aforesaid premises of Defendant SACRED HEART.

12. On information and belief, prior to his affiliation with the NAORCC, NEVILLOYD had been ordained in the Roman Catholic Church. Indeed, at all relevant times Defendant NEVILLOYD used the designation “O.F.M.” after his name, signifying that he was a member of the Order of Friars Minor, a/k/a the Franciscan Order, a centuries-old Roman Catholic religious order within the Roman Catholic Church.

13. At all relevant times, Defendant NAORCC was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized as a non-profit corporation pursuant to the laws of the State of New Jersey and authorized to conduct business in New York, and located at 27 Bradford Street, Brooklyn, New York, 11207.

14. At all relevant times, Defendant North American Old Roman Catholic Church – Diocese of New York (“NAORCC – Diocese of NY”) was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of New York and authorized to conduct business therein, and located at 2116 Fulton Street, Brooklyn, New York, 11233-3218.

15. At all relevant times, Defendant NAORCC – Diocese of NY was a Diocese of Defendant NOARCC, and was managed, controlled, directed and operated by Defendant NAORCC.

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16. Defendant NAORCC – Diocese of NY is classified for tax purposes in New York as an exempt Roman Catholic religious organization.

17. At all relevant times, Defendant NAORCC – Diocese of NY oversaw, managed, controlled, directed, and operated Defendant SACRED HEART.

18. At all relevant times, Defendants SACRED HEART, NAORCC and NAORCC – Diocese of NY jointly and/or severally exercised management, control and supervision over NEVILLOYD.

19. Upon information and belief, in or about 2016, Defendant North American Old Roman Catholic Church – Diocese of New York and New England (“NAORCC – DNYNE”) was established as a Diocese of Defendant NAORCC, which unified the then existing Diocese of NY and the Diocese of New England.

20. Upon information and belief, Defendant NAORCC – DNYNE assumed some or all of the liabilities and/or assets of Defendants NAORCC, NAORCC – Diocese of New York, and SACRED HEART.

21. Defendant NAORCC – DNYNE was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of Maine and authorized to conduct business therein, and located at 73 Pleasant Street, Springvale, Maine 04083.

22. Bishop Vincent Natoli, O.F.M., who, like NEVILLOYD, is a member of the Roman Catholic Order of Friars Minor, currently serves as the Vicar General of Defendant NAORCC – DNYNE.

23. Bishop Natoli succeeded NEVILLOYD as Bishop upon NEVILLOYD’s death in or about 1994.

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24. At all relevant times, Defendant THE ROMAN CATHOLIC DIOCESE OF BROOKLYN (“RC DIOCESE OF BROOKLYN”) was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of New York and authorized to conduct business therein, and located at 310 Prospect Park West, Brooklyn, NY 11215.

25. At all relevant times, Defendant RC DIOCESE OF BROOKLYN oversaw, managed, controlled, directed, and/or operated parishes and churches in Brooklyn, including, upon information and belief, Defendant SACRED HEART.

26. At all relevant times, Defendant RC DIOCESE OF BROOKLYN exercised supervision and control over clergy within the Diocese of Brooklyn, including, upon information and belief, NEVILLOYD.

FACTUAL ALLEGATIONS

27. Plaintiff repeats and re-alleges all preceding paragraphs of this Complaint.

28. In the 1970s, Plaintiff and her family were parishioners of and/or attended services at Defendant SACRED HEART.

29. At all relevant times, Plaintiff attended Roman Catholic schools in Brooklyn, NY, which were under the management, supervision and control of Defendant RC DIOCESE OF BROOKLYN.

30. At all relevant times, NEVILLOYD was under the management, supervision, employ, direction and control of Defendants.

31. At all relevant times, NEVILLOYD was assigned by Defendants to work with and supervise children who attended religious services at SACRED HEART.

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32. At all relevant times, Plaintiff's brother, who also was abused by NEVILLOYD and filing suit against the above-captioned Defendants, was recruited to be an altar boy at SACRED HEART, and served as an altar boy under NEVILLOYD.

33. At all relevant times, NEVILLOYD's duties and responsibilities at SACRED HEART included supervising children, including Plaintiff and those such as her brother who served as altar boys.

34. At all relevant times Defendants held NEVILLOYD out as a qualified religious leader, capable of supervising children.

35. At all relevant times, Defendants authorized, permitted, and assigned NEVILLOYD to supervise children including Plaintiff, her brother, and other altar boys.

36. At all relevant times, Defendants authorized NEVILLOYD to be alone with children, including Plaintiff, and to have unfettered and unsupervised access to them.

37. Defendants authorized NEVILLOYD to have physical contact with minors, in a manner consistent with providing discipline, counseling, educational and spiritual guidance, and leadership.

38. Defendants required, children, like Plaintiff, to accept discipline and instruction from clergy, including NEVILLOYD, and to obey their orders.

39. Plaintiff was raised as a Catholic, and at all relevant times was encouraged to have reverence, fear and respect for the Catholic Church and its clergy, including NEVILLOYD.

40. In the 1970s, NEVILLOYD wrongfully subjected Plaintiff to unpermitted, forcible, and harmful sexual assault and abuse, on the premises of SACRED HEART.

41. The sexual abuse of Plaintiff was in violation of Penal Law section 130.

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42. NEVILLOYD engaged in sexual misconduct with other children at Sacred Heart, including Plaintiff's brother.

43. Plaintiff's relationship to Defendants as a vulnerable child, and the culture of the Church which Defendants endorsed, put pressure on Plaintiff to not report the sexual molestation and abuse.

44. NEVILLOYD admonished Plaintiff to remain silent, intimidating her to accept that the sexual conduct he forced upon Plaintiff and her brother should not be disclosed to anyone, or there would be adverse consequences.

45. NEVILLOYD also sexually assaulted Plaintiff's brother on church premises, and similarly threatened him.

46. At all relevant times, NEVILLOYD used his position at, within, or for, Defendants, and the implicit representations made by them about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with and touch and assault Plaintiff.

47. Defendants knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual misconduct of NEVILLOYD.

48. Defendants had a duty to Plaintiff to ensure that Defendants did not offer opportunities for pedophiles to approach and assault vulnerable minors.

49. Defendants knew and/or should have known that NEVILLOYD used his position at SACRED HEART to harm minors, including Plaintiff and to form an acquaintance that could be, and was, used to provide opportunities for sexual abuse.

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50. Defendants knew or should have known that NEVILLOYD was a danger to minors, like Plaintiff, before he sexually abused Plaintiff.

51. Defendants knew or should have known that allowing NEVILLOYD to have unsupervised and unlimited access with students, particularly vulnerable children like Plaintiff, posed an unacceptable risk of child sex abuse.

52. For centuries, Catholic Church authorities addressed the problem of clergy sex abuse on countless occasions prior to the abuse of Plaintiff, and communicated as much with all levels of Church hierarchy including bishops and other Diocesan leaders. As such, at all relevant times, Defendants were well aware that errant sexual behavior by some clergy was not only widespread but predictable.

53. Prior to the time of Plaintiff's abuse by NEVILLOYD, Defendants knew or should have known that there was a specific danger of child sex abuse for children in their institutions and programs.

54. The sexual abuse of Plaintiff by NEVILLOYD was foreseeable.

55. Defendants owed Plaintiff a reasonable duty of care because they affirmatively solicited parents to send their children to SACRED HEART and to participate in religious programs there; Defendants undertook custody of minor children, including Plaintiff; they promoted their facilities and programs as being safe for children; they held out their agents, including NEVILLOYD, as safe to work with and around children; and they encouraged parents to let their children interact with and spend time with their agents and/or authorized agents, including NEVILLOYD.

56. Defendants owed Plaintiff a heightened, fiduciary and non-delegable duty of care because they held themselves out as being able to provide a safe and secure environment for

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children, including Plaintiff; Plaintiff's family entrusted Plaintiff to Defendants' care, and expected that Plaintiff would be safe and properly supervised in an environment free from harm and abuse; Plaintiff was a vulnerable minor, and unable to protect herself; and Defendants affirmatively assumed a position of empowerment over Plaintiff.

57. Defendants owed Plaintiff a duty to protect her from harm because Defendants' acts and omissions created a foreseeable risk of harm to Plaintiff.

58. On information and belief, in exchange for Plaintiff's attending services at SACRED HEART, her family received a discount on school tuition at certain Roman Catholic schools she attended in Brooklyn, New York, which were under the direction and control of Defendant RC DIOCESE OF BROOKLYN.

59. On information and belief, Defendant RC DIOCESE OF BROOKLYN authorized tuition discounts to families in exchange for their children's attending services at churches, including SACRED HEART.

60. On information and belief, DEFENDANT RC DIOCESE OF BROOKLYN knew that families such as Plaintiff's sent their children to services at SACRED HEART in order to receive Catholic School tuition discounts.

61. Plaintiffs' family would not have sent her to SACRED HEART, and Plaintiff would not have suffered abuse by NEVILLOYD, were it not for tuition discounts provided by RC DIOCESE OF BROOKLYN.

62. As a result of the foregoing, Plaintiff has suffered and continues to suffer great physical and mental pain and anguish, severe and permanent emotional distress, physical manifestations of emotional distress, psychological injuries, fear and anxiety; was prevented and will continue to be prevented from performing her normal daily activities; was and will

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continue to be deprived of the enjoyment of life's pleasures; has suffered and will continue to suffer loss of earnings and earning capacity; has incurred and will in the future incur expenses for medical and psychological treatment, and was otherwise damaged.

63. To the extent that any Defendant pleads, or otherwise seeks to rely upon Article 16 of the New York Civil Practice Law and Rules (CPLR) to have fault apportioned to another allegedly culpable party, Plaintiff expressly states that Defendants' conduct falls within one or more of the subdivisions of CPLR 1602.

FIRST CAUSE OF ACTION

NEGLIGENT HIRING, RETENTION, SUPERVISION, AND DIRECTION

64. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

65. At all relevant times Defendants had a duty to exercise due care in hiring, appointing, assigning, retention, supervision and direction of NEVILLOYD, so as to protect minor children, including Plaintiff, who were likely to come into contact with him, and/or under his influence or supervision, and to ensure that NEVILLOYD did not use his assigned position to injure minors by sexual assault, contact or abuse.

66. Defendants were negligent and failed to use reasonable care in hiring, appointing, assigning, and retention, of NEVILLOYD, failed to properly investigate his background and employment history, and/or hired, appointed and/or assigned him supervise children, when Defendants knew or should have known of facts that would make him a danger to children; and Defendants were otherwise negligent.

67. Defendants were negligent and did not use reasonable care in their supervision and direction of NEVILLOYD, failed to monitor his activities, failed to oversee the manner in

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which he carried out the duties to which Defendants assigned them, even though they knew or should have known that NEVILLOYD posed a threat of sexual abuse to minors; allowed the misconduct described above to occur and continue; failed to investigate NEVILLOYD's dangerous activities and remove him from their premises; failed to have policies and practices in place that would have prevented this abuse; and Defendants were otherwise negligent.

68. NEVILLOYD would not have been in a position to sexually abuse Plaintiff had Defendants not been negligent in the hiring, retention, supervision, and direction of NEVILLOYD.

69. At all relevant times, NEVILLOYD acted in the course and scope of his employment with Defendants.

70. Defendants' aforesaid actions were willful, wanton, malicious, reckless, and/or outrageous in their disregard for the rights and safety of Plaintiff.

71. As a direct and proximate result of the aforesaid misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury as described above.

72. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SECOND CAUSE OF ACTION

NEGLIGENT, RECKLESS, AND WILLFUL MISCONDUCT

73. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

74. At all relevant times, Defendants affirmatively and/or impliedly represented to minor children, their families, and the general public that employees and agents working in

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SACRED HEART, including NEVILLOYD, did not pose a risk of sexually abusing children, and that children, including Plaintiff, would be safe in their care.

75. Defendants knew or should have known this representation was false and that employing NEVILLOYD and giving him unfettered access to children, including Plaintiff, posed an unacceptable risk of harm to children.

76. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice for making hiring and assignment decisions, so as to protect vulnerable children in their care from sexual abuse.

77. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice to monitor, supervise or oversee NEVILLOYD's interactions with minor children such as Plaintiff, in order to keep them safe from sexual abuse.

78. The careless, negligent and reckless misconduct by Defendants as described herein was done with utter disregard as to the potential profound injuries which would ensue, and with depraved indifference to the health and well-being of children.

79. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

80. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

THIRD CAUSE OF ACTION

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

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81. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

82. The sexual abuse of Plaintiff was extreme and outrageous conduct, beyond all possible bounds of decency, atrocious and intolerable in a civilized world.

83. Defendants' aforesaid negligent, grossly negligent and reckless misconduct, endangered Plaintiff's safety and caused her to fear for her own safety.

84. Defendants knew or disregarded the substantial probability that NEVILLOYD would cause severe emotional distress to Plaintiff.

85. As a direct and proximate result of Defendants' foregoing misconduct, Plaintiff suffered severe emotional distress including psychological and emotional injury as described above.

86. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FOURTH CAUSE OF ACTION

PREMISES LIABILITY

87. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

88. At all relevant times, Defendants owned, operated, and/or controlled the premises of Defendant SACRED HEART, including the areas where the sexual abuse of Plaintiff occurred.

89. At all relevant times, Plaintiff was rightfully present at the aforementioned premises.

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90. Defendants had a duty to see that the premises at which Plaintiff was rightfully present were in a reasonably safe condition for the intended use by students, like Plaintiff, whose presence was reasonably anticipated.

91. Defendants willfully, recklessly, and negligently failed to provide reasonably safe premises that were free from the presence of sexual predators and/or the assault by the occupants of the premises, including NEVILLOYD.

92. Defendants thereby breached their duty of care to Plaintiff.

93. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

94. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FIFTH CAUSE OF ACTION

BREACH OF FIDUCIARY NON-DELEGABLE DUTY

95. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

96. At all relevant times, there existed a fiduciary relationship of trust, confidence and reliance between Plaintiff and Defendants.

97. The entrustment of Plaintiff to the care and supervision of the Defendants while Plaintiff was a vulnerable child, imposed upon these Defendants a fiduciary non-delegable duty to act in the best interests of Plaintiff.

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98. Defendants were entrusted with the well-being, care, and safety of Plaintiff, which Defendants had a fiduciary duty to protect.

99. By reason of the foregoing, Defendants breached their fiduciary duties to Plaintiff.

100. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

101. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SIXTH CAUSE OF ACTION

BREACH OF DUTY IN LOCO PARENTIS

102. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

103. At all relevant times, Plaintiff was a vulnerable child entrusted to the care of Defendants, and was under the supervision and control of these Defendants, such that these Defendants owed her a duty to act in loco parentis and to prevent foreseeable injuries.

104. By reason of the foregoing, Defendants breached their duties to act in loco parentis.

105. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

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106. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SEVENTH CAUSE OF ACTION

BREACH OF STATUTORY DUTIES TO REPORT

107. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

108. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, Defendants had a statutory duty to report reasonable suspicion of abuse of children in their care.

109. Defendants breached their statutory duty by failing to report reasonable suspicion of sexual abuse by NEVILLOYD.

110. As a direct and proximate result of Defendants' foregoing breaches, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

111. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

WHEREFORE, Plaintiff prays for judgment as follows:

- a. Awarding Plaintiff compensatory damages for her injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;

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- b. Awarding Plaintiff punitive damages for her injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- c. Awarding Plaintiff prejudgment interest, to the extent available by law;
- d. Awarding Plaintiffs costs and disbursements and attorneys' fees to the extent available by law; and
- e. Awarding such other and further relief as this Court may deem just and proper.


JURY TRIAL DEMANDED

Plaintiff demands a trial by jury of all issues triable by jury in this action.

Dated: February 20, 2020

Yours, etc.

PHILLIPS & PAOLICELLI, LLP



By: Victoria Phillips
Steven J. Phillips
Phillips & Paolicelli, LLP
747 Third Avenue, Sixth Floor
New York, New York 10017
212-388-5100
vphillips@p2law.com
sphillips@p2law.com

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X

K.G.,

Plaintiff,

SUMMONS

-against-

INDEX No.:

SACRED HEART OF JESUS OLD ROMAN
CATHOLIC CHURCH,
VINCENT NATOLI, INDIVIDUALLY AND AS AN
PASTOR AND HEAD OF SACRED HEART OF
JESUS OLD ROMAN CATHOLIC CHURCH,
THE AMERICAN CATHOLIC CHURCH,
THE AMERICAN CATHOLIC CHURCH IN THE
UNITED STATES, INC.,
SACRED HEART OF JESUS ENGLISH RITE
CATHOLIC CHURCH A/K/A SACRED HEART OF
JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH (VERNACULAR),
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH IN AMERICA CORP.,
JOHN DOES 1-100,

Defendants.

-----X

Plaintiff designates the County of KINGS as the place of trial. The basis of venue is one of the Defendants' residence is located in KINGS COUNTY.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by defaulted for the relief demanded in the complaint.

Dated: New York, New York
August 10, 2021

PHILLIPS & PAOLICELLI, LLP
Attorneys for Plaintiff

By: Victoria Phillips
Victoria Phillips, Esq.
747 Third Avenue, 6th Fl.
New York, NY 10017
(212) 388-5100

To:

SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
c/o Vincent Natoli 2116 Fulton Street, Brooklyn, New York, 11233

**VINCENT NATOLI INDIVIDUALLY AND AS PASTOR AND HEAD OF SACRED
HEART OF JESUS OLD ROMAN CATHOLIC CHURCH,**
2116 Fulton Street, Brooklyn, New York, 11233-3218

THE AMERICAN CATHOLIC CHURCH
C/O THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
5595 RIVENDELL PLACE
FREDERICK MD 21703

THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
5595 RIVENDELL PLACE
FREDERICK MD 21703

**SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED
HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.**

SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),

SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

JOHN DOES 1-100

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X

K.G.,

Plaintiff,

COMPLAINT

-against-

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JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH (VERNACULAR),
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH IN AMERICA CORP.,
JOHN DOES 1-100,

Defendants.

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Plaintiff K.G. by and through her undersigned attorneys, as and for his Complaint, alleges
as follows:

NATURE OF THE ACTION

1. This action is brought pursuant to the Child Victim’s Act codified at CPLR 214-g by Plaintiff K.G. (hereafter “Plaintiff”).
2. In the 1970s, Plaintiff was sexually abused and assaulted as a minor.

3. Plaintiff's abuser was a clergyman known as JOSEPH M. NEVILLOYD ("NEVILLOYD").
4. Plaintiff was a minor when this unlawful sexual abuse by NEVILLOYD, in violation of Penal Law 130, occurred.
5. On information and belief, in the 1960s NEVILLOYD was ordained or consecrated as a clergyman within THE AMERICAN CATHOLIC CHURCH.
6. On information and belief, THE AMERICAN CATHOLIC CHURCH is now known as THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
7. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a mere continuation of THE AMERICAN CATHOLIC CHURCH, a successor in interest to THE AMERICAN CATHOLIC CHURCH, was created to escape the liabilities of THE AMERICAN CATHOLIC CHURCH, and is otherwise responsible, liable, and answerable for the acts, omissions, debts, and liabilities of THE AMERICAN CATHOLIC CHURCH.
8. During the 1970s, NEVILLOYD worked as a clergyman and held religious services at a church located at or about 15A Hull Street in Brooklyn, New York.
9. NEVILLOYD used that position to sexually abuse Plaintiff and other minor parishioners including at the church located 15A Hull Street in Brooklyn.
10. Parishioners referred to NEVILLOYD's church at 15A Hull Street Brooklyn NY as "Sacred Heart" or "Sacred Heart of Jesus."
11. On information and belief, "Sacred Heart" has been referred to as and incorporated under multiple names by NEVILLOYD and his successor, VINCENT NATOLI.

12. On information and belief, the fraudulent purpose of these multiple name changes and incorporations was to evade obligations and liability.
13. On information and belief, the church's names have included but are not necessarily limited to:
- a. SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/KA SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
 - b. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),
 - c. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and
 - d. SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
14. On information and belief, these modifications in church's names were not utilized for any legitimate purpose, and the church continued to exist and operate under the same management despite its varying names.
15. On information and belief, those modifications in the church's names and corporate names were employed by NEVILLOYD and his protégée and successor VINCENT NATOLI in an improper and fraudulent attempt to evade obligations and liability.
16. On information and belief, after abusing multiple children including but not limited to Plaintiff and her sibling, NEVILLOYD died in approximately 1994.
17. On information and belief, NEVILLOYD had ordained VINCENT NATOLI in approximately 1983, prior to NEVILLOYD's death.
18. On information and belief, VINCENT NATOLI was NEVILLOYD's protégée from the early 1980s until NEVILLOYD's death.

19. On information and belief, VINCENT NATOLI worked with NEVILLOYD at the church located at 15A Hull Street, Brooklyn New York for over a decade leading up to NEVILLOYD's death.
20. On information and belief, after NEVILLOYD's 1994 death, VINCENT NATOLI took over NEVILLOYD's position as Pastor of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, which was then still based at 15A Hull Street Brooklyn New York, the location where Plaintiff had been abused.
21. On information and belief, in approximately 1994 VINCENT NATOLI assumed the title of Bishop of the SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH.
22. On information and belief, in approximately 2000, VINCENT NATOLI sold the property located at 15A Hull Street, Brooklyn New York.
23. On information and belief, VINCENT NATOLI has been actively involved in litigation for years including in an unsuccessful attempt to secure control of another church, called St. Lucy's, in Brooklyn.
24. On information and belief, in the 2000s, VINCENT NATOLI used the proceeds of the sale of 15A Hull Street, Brooklyn New York to promote his own interests, *inter alia* by paying litigation expenses and debts, including expenses related to his attempts to secure control of St. Lucy's Church in Brooklyn.
25. On information and belief, after the sale of the property at 15A Hull Street in Brooklyn NY, VINCENT NATOLI resided at 2116 Fulton Street in Brooklyn NY.
26. On information and belief, VINCENT NATOLI continues to use the name "Sacred Heart" in connection with his present operation at 2116 Fulton Street in Brooklyn,

although he now employs the slightly altered name SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.

27. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH is a mere continuation of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

28. On information and belief, VINCENT NATOLI uses the names above, including SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH, in order to evade obligations and liability for the misconduct, tortious acts, liabilities, and debts of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and their officers, including NEVILLOYD and/or NATOLI.

29. On information and belief, “SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH”, which VINCENT NATOLI continues to operate, is a mere continuation of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

30. On information and belief, “SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH”, which VINCENT NATOLI continues to operate and serve as Pastor of, is a successor in interest to SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH

(VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

31. Plaintiff filed a Complaint in 2020 under the Child Victim's Act respecting abuse by NEVILLOYD, naming as Defendants:

- a. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH,
- b. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK,
- c. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK AND NEW ENGLAND,
- d. SACRED HEART OF JESUS CHURCH, and
- e. THE ROMAN CATHOLIC DIOCESE OF BROOKLYN

32. Several of those entities filed motions to dismiss.

33. Those motions were briefed and argued in February 2021, but are not yet decided, and thus discovery has not yet taken place in those actions.

34. Among the arguments that defense counsel raised in that action was that insofar as “Sacred Heart of Jesus Old Roman Catholic Church” is unincorporated, Plaintiffs could only properly sue it through its officers.

35. While, the earlier Complaint had not specifically named SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH, the instant Complaint does so, as well as naming its pastor and head, VINCENT NATOLI.

36. In the earlier motions to dismiss, defense counsel also appended as an exhibit a certificate purporting to show that NEVILLOYD was consecrated in 1963 by THE AMERICAN CATHOLIC CHURCH.

37. On information and belief, at the time of Plaintiff's sexual abuse, NEVILLOYD was an agent and/or employee of, under the control of, supervised by, and/or answerable to, in whole or in part, THE AMERICAN CATHOLIC CHURCH.
38. On information and belief THE AMERICAN CATHOLIC CHURCH was also referred to as the American Catholic Church (Syrian Antiochean).
39. On information and belief, at the time of Plaintiff's sexual abuse, Defendant NEVILLOYD was an agent and/or employee of, under the control of, supervised by, and/or answerable to, in whole or in part, SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC. and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
40. On information and belief, THE AMERICAN CATHOLIC CHURCH, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC., SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH (hereafter collectively referred to as "Defendants"), jointly and severally held NEVILLOYD out as a clergyman capable of being entrusted with young children, including Plaintiff, and of safely supervising them in religious and church-sponsored activities.

41. On information and belief, NEVILLOYD's sexual abuse of Plaintiff occurred while he was acting in his assigned role in the above-captioned Defendants' behalf.
42. On information and belief, not only did Defendants place Plaintiff in harm's way by permitting NEVILLOYD to have unfettered and unsupervised access to Plaintiff, but they carelessly, negligently, and recklessly, failed to protect Plaintiff from sexual abuse by NEVILLOYD, permitted the abuse to occur, failed to supervise NEVILLOYD, failed to timely investigate NEVILLOYD's misconduct, acted to protect their own self-interest to the detriment of innocent children, including Plaintiff, and are otherwise responsible for NEVILLOYD's sexual assault of multiple children including Plaintiff and for Plaintiff's consequential injuries and damages.

THE PARTIES

43. Plaintiff incorporates the allegations above as if fully stated herein.
44. Plaintiff is an individual residing in Harrisburg Pennsylvania.
45. Plaintiff was born in 1963.
46. On information and belief VINCENT NATOLI resides at 2116 Fulton St. Brooklyn NY.
47. On information and belief VINCENT NATOLI owns the property located at 2116 Fulton St. Brooklyn NY.
48. On information and belief, VINCENT NATOLI serves as Pastor, Head, and/or President of SACRED HEART OF JESUS NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH at 2116 Fulton St. Brooklyn NY.
49. On information and belief, SACRED HEART OF JESUS NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH is an unincorporated religious association based at 2116 Fulton Street Brooklyn NY.

50. On information and belief, at the time of Plaintiff's sexual abuse in the 1970s, Defendant NEVILLOYD was an agent and/or employee of, ordained by, consecrated by, under the control of, supervised by, and/or answerable to, in whole or in part, THE AMERICAN CATHOLIC CHURCH.
51. On information and belief, THE AMERICAN CATHOLIC CHURCH was a religious organization based in Maryland which transacted regular business in New York including ordaining clergy including NEVILLOYD.
52. On information and belief, THE AMERICAN CATHOLIC CHURCH is now known as THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
53. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a religious corporation with its principal offices located at 5595 RIVENDELL PLACE FREDERICK MD 21703.
54. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a mere continuation of, a successor in interest to, and otherwise assumed and is responsible, liable, and answerable for the acts, omissions, debts, and liabilities of THE AMERICAN CATHOLIC CHURCH and its agents, officers, clergy, and employees.
55. Hereafter, THE AMERICAN CATHOLIC CHURCH and AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. will be collectively referred to as THE AMERICAN CATHOLIC CHURCH.
56. During the 1970s, when he sexually abused Plaintiff, NEVILLOYD was the pastor of a church located at 15A Hull Street in Brooklyn, New York.

57. On information and belief, that church located at 15A Hull Street in Brooklyn, New York has been referred to by multiple names by NEVILLOYD and his successor in interest, VINCENT NATOLI.
58. On information and belief, that church has been known by and sometimes incorporated under names beginning with “Sacred Heart of Jesus” including:
- a. SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/KA/ SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
 - b. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),
 - c. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and
 - d. SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
59. On information and belief, during the period of the sexual abuse of Plaintiff, NEVILLOYD resided at the church on 15A Hull Street Brooklyn NY.
60. On information and belief, NEVILLOYD ordained his protégée VINCENT NATOLI in approximately 1983.
61. On information and belief, beginning in the early 1980s, NATOLI served as a priest under NEVILLOYD at the church based at 15A Hull Street Brooklyn NY.
62. On information and belief, after the death of NEVILLOYD in 1994, NATOLI was consecrated a Bishop and Pastor, and served as the head of the church known as SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and

SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH at 15A Hull Street
in Brooklyn.

63. On information and belief VINCENT NATOLI succeeded NEVILLOYD as the
clergyman running the church at 15A Hull Street in Brooklyn.

64. On information and belief, VINCENT NATOLI assumed some or all of the liabilities
and/or assets of NEVILLOYD.

65. On information and belief, VINCENT NATOLI assumed some or all of the liabilities
and/or assets of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH,
SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.,
SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),
AND SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH

66. On information and belief, in approximately the early 2000s, VINCENT NATOLI sold
the property located at 15A Hull Street, Brooklyn New York.

67. On information and belief, VINCENT NATOLI used the proceeds of the sale of 15A
Hull Street, Brooklyn New York to promote his own personal interests, *inter alia* by
paying for litigation expenses and debts.

68. On information and belief, VINCENT NATOLI purchased the property at 2116 Fulton
Street in Brooklyn NY.

69. On information and belief, VINCENT NATOLI continues to hold services at 2116 Fulton
Street Brooklyn New York.

70. On information and belief, VINCENT NATOLI continues to calls his church by names
beginning with “Sacred Heart of Jesus,” including SACRED HEART OF JESUS OLD
ROMAN CATHOLIC CHURCH.

71. On information and belief, VINCENT NATOLI runs, manages, controls, and is the pastor, president and/or primary officer of SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
72. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH is a mere continuation of and alter ego of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR).
73. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH assumed some or all of the liabilities and/or assets of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR).
74. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH assumed some or all of the liabilities and/or assets of NEVILLOYD.
75. To the extent that any of the above Defendants were different entities, corporations, or organizations during the period of time when NEVILLOYD sexually abused Plaintiff, such entities, corporations, or organizations are hereby on notice that they are intended to be defendants in this lawsuit.
76. To the extent any of the above Defendants are successors to or affiliates of a different entity, corporation, or organization that existed during the period of time when

NEVILLOYD sexually abused Plaintiff, such predecessor entities, corporations, or organizations are hereby on notice that they are intended to be a defendant in this lawsuit.

77. Defendants John Does 1-100 are unknown churches, orders, individuals, entities, corporations, administrators, officials, employees, or agents whose identities will be provided when they become known pursuant to C.P.L.R. § 1024, and whose conduct contributed to facilitated, or wrongfully failed to prevent the unlawful sexual abuse alleged herein.

FACTUAL ALLEGATIONS

78. Plaintiff repeats and re-alleges all preceding paragraphs of this Complaint.

79. Between approximately 1971 and 1975, Plaintiff and her family were parishioners of and/or attended services at the church described above located at 15A Hull Street in Brooklyn New York.

80. On information and belief, at all relevant times, NEVILLOYD was under the management, supervision, employ, direction and control of Defendants.

81. At all relevant times, NEVILLOYD was assigned by Defendants to work with and supervise children including Plaintiff at the Church at 15A Hull Street in Brooklyn New York.

82. At all relevant times Defendants held NEVILLOYD out as a qualified religious leader, capable of supervising altar boys and other children, and chaperoning students on outings.

83. At all relevant times, Defendants authorized, permitted, and assigned NEVILLOYD to supervise children including Plaintiff.

84. At all relevant times, Defendants authorized NEVILLOYD to be alone with children, including Plaintiff, and to have unfettered and unsupervised access to them.
85. Defendants authorized NEVILLOYD to have physical contact with minors, in a manner consistent with providing discipline, counseling, educational and spiritual guidance, and leadership.
86. Defendants required, children, like Plaintiff, to accept discipline and instruction from clergy, including NEVILLOYD, and to obey their orders.
87. Plaintiff was encouraged to have reverence, fear and respect for Defendants' clergy, including NEVILLOYD.
88. In the 1970s, NEVILLOYD wrongfully subjected Plaintiff to unpermitted, forcible, and harmful sexual abuse, on the premises of 15A Hull Street Brooklyn New York.
89. The sexual abuse of Plaintiff was in violation of Penal Law section 130.
90. NEVILLOYD also engaged in sexual misconduct with other children at the church located at 15A Hull Street Brooklyn NY.
91. Plaintiff's relationship to Defendants as a vulnerable child, and the culture of the Church which Defendants endorsed, put pressure on Plaintiff to not report the sexual molestation and abuse.
92. NEVILLOYD admonished Plaintiff to remain silent, intimidating her to accept that the sexual conduct he forced upon Plaintiff should not be disclosed to anyone, or there would be adverse consequences.
93. NEVILLOYD also sexually assaulted Plaintiff's brother on church premises and threatened him.

94. At all relevant times, NEVILLOYD used his position at, within, or for, Defendants, and the implicit representations made by them about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with and touch and assault Plaintiff.
95. Defendants knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual misconduct of NEVILLOYD.
96. Defendants had a duty to Plaintiff to ensure that Defendants did not offer opportunities for pedophiles to approach and assault vulnerable minors.
97. Defendants knew and/or should have known that NEVILLOYD used his position as a clergyman at their church to harm minors, including Plaintiff and to form acquaintances that could be, and were, used to provide opportunities for sexual abuse.
98. Defendants knew or should have known that NEVILLOYD was a danger to minors, like Plaintiff, before he sexually abused Plaintiff.
99. Defendants knew or should have known that allowing NEVILLOYD to have unsupervised and unlimited access to minors, particularly vulnerable minors like Plaintiff, posed an unacceptable risk of child sex abuse.
100. For centuries, Catholic church authorities addressed the problem of clergy sex abuse on countless occasions prior to the abuse of Plaintiff, and communicated as much with all levels of Church hierarchy including bishops and other Diocesan leaders.
101. As such, at all relevant times, Defendants were well aware that errant sexual behavior by some clergy was not only widespread but predictable.

102. Prior to the time of Plaintiff's abuse by NEVILLOYD, Defendants knew or should have known that there was a specific danger of child sex abuse for children in their institutions and programs.
103. The sexual abuse of Plaintiff by NEVILLOYD was foreseeable.
104. NEVILLOYD induced Plaintiff's confidence and trust for the purpose of soliciting sexual favors and engaged in unpermitted, forcible, and harmful sexual contact with Plaintiff.
105. Defendants owed Plaintiff a reasonable duty of care because they affirmatively solicited parents and families to send their children to Sacred Heart at 15A Hull St. in Brooklyn NY, and to participate in religious programs there; Defendants undertook custody of minor children, including Plaintiff; they promoted their facilities and programs as being safe for children; they held out their agents, including NEVILLOYD, as safe to work with and around children; and they encouraged parents to let their children interact with and spend time with their agents and/or authorized agents, including NEVILLOYD.
106. Defendants owed Plaintiff a heightened, fiduciary and non-delegable duty of care because they held themselves out as being able to provide a safe and secure environment for children, including Plaintiff; Plaintiff's family entrusted Plaintiff to Defendants' care, and expected that Plaintiff would be safe and properly supervised in an environment free from harm and abuse; Plaintiff was a vulnerable minor, and unable to protect herself; and Defendants affirmatively assumed a position of empowerment over Plaintiff.
107. Defendants owed Plaintiff a duty to protect her from harm because Defendants' acts and omissions created a foreseeable risk of harm to Plaintiff.

108. As a result of the foregoing, Plaintiff has suffered and continues to suffer great physical and mental pain and anguish, severe and permanent emotional distress, physical manifestations of emotional distress, psychological injuries, fear and anxiety; was prevented and will continue to be prevented from performing her normal daily activities; was and will continue to be deprived of the enjoyment of life's pleasures; has suffered and will continue to suffer loss of earnings and earning capacity; has incurred and will in the future incur expenses for medical and psychological treatment, and was otherwise damaged.

109. To the extent that any Defendant pleads, or otherwise seeks to rely upon Article 16 of the New York Civil Practice Law and Rules (CPLR) to have fault apportioned to another allegedly culpable party, Plaintiff expressly states that Defendants' conduct falls within one or more of the subdivisions of CPLR 1602.

FIRST CAUSE OF ACTION

NEGLIGENT HIRING, RETENTION, SUPERVISION, AND DIRECTION

110. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

111. At all relevant times Defendants had a duty to exercise due care in hiring, appointing, assigning, retention, supervision, and direction of NEVILLOYD, so as to protect minor children, including Plaintiff, who were likely to come into contact with him, and/or under his influence or supervision, and to ensure that NEVILLOYD did not use his assigned position to injure minors by sexual assault, contact or abuse.

112. Defendants were negligent and failed to use reasonable care in hiring, appointing, assigning, and retention, of NEVILLOYD, failed to properly investigate his background

and employment history, and/or hired, appointed and/or assigned him supervise children, when Defendants knew or should have known of facts that would make him a danger to children; and Defendants were otherwise negligent.

113. Defendants were negligent and did not use reasonable care in their supervision and direction of NEVILLOYD, failed to monitor his activities, failed to oversee the manner in which he carried out the duties to which Defendants assigned them, even though they knew or should have known that NEVILLOYD posed a threat of sexual abuse to minors; allowed the misconduct described above to occur and continue; failed to investigate NEVILLOYD's dangerous activities and remove him from their premises; failed to have policies and practices in place that would have prevented this abuse; and Defendants were otherwise negligent.

114. NEVILLOYD would not have been in a position to sexually abuse Plaintiff had Defendants not been negligent in the hiring, retention, supervision, and direction of NEVILLOYD.

115. At all relevant times, NEVILLOYD acted in the course and scope of his employment with Defendants.

116. Defendants' aforesaid actions were willful, wanton, malicious, reckless, and/or outrageous in their disregard for the rights and safety of Plaintiff.

117. As a direct and proximate result of the aforesaid misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury as described above.

118. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SECOND CAUSE OF ACTION**NEGLIGENT, RECKLESS, AND WILLFUL MISCONDUCT**

119. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.
120. At all relevant times, Defendants affirmatively and/or impliedly represented to minor children, their families and the general public that employees and agents and clergymen working in their churches, including NEVILLOYD, did not pose a risk of sexually abusing children, and that children, including Plaintiff, would be safe in their care.
121. Defendants knew or should have known this representation was false and that employing NEVILLOYD, ordaining him, consecrating him, and giving him unfettered access to children, including Plaintiff, posed an unacceptable risk of harm to children.
122. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice for making hiring, appointment, and assignment decisions, so as to protect vulnerable children in their care and in their churches from sexual abuse.
123. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice to monitor, supervise or oversee NEVILLOYD's interactions with minors such as Plaintiff, in order to keep them safe from sexual abuse.
124. The careless, negligent and reckless misconduct by Defendants as described herein was done with utter disregard as to the potential profound injuries which would ensue, and with depraved indifference to the health and well-being of children.

125. The sexual abuse of Plaintiff was extreme and outrageous conduct, beyond all possible bounds of decency, atrocious and intolerable in a civilized world.
126. Defendants' aforesaid negligent, grossly negligent and reckless misconduct, endangered Plaintiff's safety and caused him to fear for his own safety.
127. Defendants knew or disregarded the substantial probability that NEVILLOYD would cause severe emotional distress to Plaintiff.
128. As a direct and proximate result of Defendants' foregoing misconduct, Plaintiff suffered severe emotional distress including psychological and emotional injury as described above.
129. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.
130. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.
131. At all relevant times, there existed a fiduciary relationship of trust, confidence and reliance between Plaintiff and Defendants.
132. The entrustment of Plaintiff to the care and supervision of the Defendants while Plaintiff was a vulnerable child, imposed upon these Defendants a fiduciary non-delegable duty to act in the best interests of Plaintiff.
133. Defendants were entrusted with the well-being, care, and safety of Plaintiff, which Defendants had a fiduciary duty to protect.

134. By reason of the foregoing, Defendants breached their fiduciary duties to Plaintiff.
135. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.
136. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.
137. At all relevant times, Plaintiff was a vulnerable child entrusted to the care of Defendants, and was under the supervision and control of these Defendants, such that these Defendants owed him a duty to act in loco parentis and to prevent foreseeable injuries.
138. By reason of the foregoing, Defendants breached their duties to act in loco parentis.
139. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.
140. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

THIRD CAUSE OF ACTION

PREMISES LIABILITY

141. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.
142. At all relevant times, Defendants owned, operated, and/or controlled the premises at 15A Hull Street, Brooklyn NY, including the areas where the sexual abuse of Plaintiff occurred.
143. At all relevant times, Plaintiff was rightfully present at the aforementioned premises.
144. Defendants had a duty to see that the premises at which Plaintiff was rightfully present were in a reasonably safe condition for the intended use by students, like Plaintiff, whose presence was reasonably anticipated.
145. Defendants willfully, recklessly, and negligently failed to provide reasonably safe premises that were free from the presence of sexual predators and/or the assault by the occupants of the premises, including NEVILLOYD.
146. Defendants thereby breached their duty of care to Plaintiff.
147. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.
148. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FOURTH CAUSE OF ACTION**BREACH OF STATUTORY DUTIES TO REPORT**

149. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.
150. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, Defendants had a statutory duty to report reasonable suspicion of abuse of children in their care.
151. Defendants breached their statutory duty by failing to report reasonable suspicion of sexual abuse by NEVILLOYD.
152. As a direct and proximate result of Defendants' foregoing breaches, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.
153. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

WHEREFORE, Plaintiff prays for judgment as follows:

- a. Awarding Plaintiff compensatory damages for her injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- b. Awarding Plaintiff punitive damages for her injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- c. Awarding Plaintiff prejudgment interest, to the extent available by law;
- d. Awarding Plaintiffs costs and disbursements and attorneys' fees to the extent available by law; and
- e. Awarding such other and further relief as this Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff demands a trial by jury of all issues triable by jury in this action.

Dated: August 10, 2021

Yours, etc.

PHILLIPS & PAOLICELLI, LLP

Victoria Phillips

By: Victoria Phillips
Diane Paolicelli
Michael DeRuve
Phillips & Paolicelli, LLP
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**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X
W.G.,

-against-
Plaintiff,

SUMMONS

INDEX No.:

NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH, NORTH AMERICAN OLD ROMAN
CATHOLIC CHURCH – DIOCESE OF NEW
YORK, NORTH AMERICAN OLD ROMAN
CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND, SACRED HEART OF
JESUS CHURCH, and THE ROMAN CATHOLIC
DIOCESE OF BROOKLYN,

Defendants.

-----X


Plaintiff designates the County of KINGS as the place of trial. The basis of venue is one of the Defendants' residence is located in KINGS COUNTY.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by defaulted for the relief demanded in the complaint.

Dated: New York, New York
February 19, 2020

PHILLIPS & PAOLICELLI, LLP
Attorneys for Plaintiff

By: 
Victoria Phillips, Esq.
747 Third Avenue, 6th Fl.
New York, NY 10017
(212) 388-5100

To:

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
2116 Fulton Street, Brooklyn, New York, 11233-3218
and c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW
YORK AND NEW ENGLAND, 73 Pleasant Street, Springvale, Maine 04083

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND
73 Pleasant Street, Springvale, Maine 04083

NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH
27 Bradford Street, Brooklyn, New York, 11207

SACRED HEART OF JESUS CHURCH
c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND, 73 Pleasant Street, Springvale, Maine 04083
and c/o NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW
YORK, 2116 Fulton Street, Brooklyn, New York, 11233-3218

THE ROMAN CATHOLIC DIOCESE OF BROOKLYN
310 Prospect Park West, Brooklyn, NY 11215

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X
W.G.

Plaintiff,

COMPLAINT

-against-

INDEX No.:

NORTH AMERICAN OLD ROMAN CATHOLIC
CHURCH, NORTH AMERICAN OLD ROMAN
CATHOLIC CHURCH – DIOCESE OF NEW
YORK, NORTH AMERICAN OLD ROMAN
CATHOLIC CHURCH – DIOCESE OF NEW YORK
AND NEW ENGLAND, SACRED HEART OF
JESUS CHURCH, and THE ROMAN CATHOLIC
DIOCESE OF BROOKLYN,

Defendants.
-----X

Plaintiff W.G. by and through his undersigned attorneys, as and for his Complaint,
alleges as follows:

NATURE OF THE ACTION

1. This action is brought pursuant to the Child Victims Act, codified at CPLR 214-g
by Plaintiff W.G. (hereafter “Plaintiff”).

2. Beginning in approximately 1971, Plaintiff was repeatedly sexually abused and
assaulted by JOSEPH M. NEVILLOYD, O.F.M. (“NEVILLOYD”), then Bishop and Pastor of
Defendant SACRED HEART OF JESUS CHURCH (“SACRED HEART”).

3. Plaintiff was approximately 9 to 10 years old when this sexual abuse began.

4. The sexual abuse of Plaintiff by NEVILLOYD, which was extreme, spanned
several years.

5. At the time of the sexual abuse, Defendant NEVILLOYD was an agent and/or employee of, under the control of, and/or answerable to, in whole or in part, the following Defendants: NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH; NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK; NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK AND NEW ENGLAND; SACRED HEART; and THE ROMAN CATHOLIC DIOCESE OF BROOKLYN, (hereafter collectively referred to as “Defendants”).

6. Defendants jointly and severally held NEVILLOYD out as a clergyman capable of being entrusted with young children, including Plaintiff, and of safely supervising them in religious and church-sponsored activities. NEVILLOYD’s sexual abuse of Plaintiff occurred while he was acting in his assigned role in Defendants’ behalf.

7. Not only did Defendants place Plaintiff in harm’s way by permitting him to have unfettered and unsupervised access to Plaintiff, but they carelessly, negligently, and recklessly, failed to protect Plaintiff from sexual abuse by NEVILLOYD, permitted the abuse to occur, failed to supervise NEVILLOYD, failed to timely investigate NEVILLOYD’s misconduct, acted to protect their own self-interest to the detriment of innocent children, including Plaintiff, and are otherwise responsible for NEVILLOYD’s sexual assault of Plaintiff and Plaintiff’s consequential injuries and damages.

THE PARTIES

8. Plaintiff is an individual residing in Queens County, New York.
9. Plaintiff was born in 1961.

10. At all relevant times, NEVILLOYD was a Bishop of Defendant the North American Old Roman Catholic Church (“NAORCC”), having been consecrated Bishop of that organization in June 1963.

11. At all relevant times, and while he was Bishop, NEVILLOYD served as Pastor of Defendant SACRED HEART, a church managed, controlled, directed and operated by Defendant NAORCC, and located at 15A Hull Street in Brooklyn, New York.

12. At all relevant times, NEVILLOYD resided at the aforesaid premises of Defendant SACRED HEART.

13. On information and belief, prior to his affiliation with the NAORCC, NEVILLOYD had been ordained in the Roman Catholic Church. Indeed, at all relevant times Defendant NEVILLOYD used the designation “O.F.M.” after his name, signifying that he was a member of the Order of Friars Minor, a/k/a the Franciscan Order, a centuries-old Roman Catholic religious order within the Roman Catholic Church.

14. At all relevant times, Defendant NAORCC was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized as a non-profit corporation pursuant to the laws of the State of New Jersey and authorized to conduct business in New York, and located at 27 Bradford Street, Brooklyn, New York, 11207.

15. At all relevant times, Defendant North American Old Roman Catholic Church – Diocese of New York (“NAORCC – Diocese of NY”) was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of New York and authorized to conduct business therein, and located at 2116 Fulton Street, Brooklyn, New York, 11233-3218.

16. At all relevant times, Defendant NAORCC – Diocese of NY was a Diocese of Defendant NOARCC, and was managed, controlled, directed and operated by Defendant NAORCC.

17. Defendant NAORCC -- Diocese of NY is classified for tax purposes in New York as an exempt Roman Catholic religious organization.

18. At all relevant times, Defendant NAORCC – Diocese of NY oversaw, managed, controlled, directed, and operated Defendant SACRED HEART.

19. At all relevant times, Defendants SACRED HEART, NAORCC and NAORCC – Diocese of NY jointly and/or severally exercised management, control and supervision over NEVILLOYD.

20. Upon information and belief, in or about 2016, Defendant North American Old Roman Catholic Church – Diocese of New York and New England (“NAORCC – DNYNE”) was established as a Diocese of Defendant NAORCC, which unified the then existing Diocese of NY and the Diocese of New England.

21. Upon information and belief, Defendant NAORCC – DNYNE assumed some or all of the liabilities and/or assets of Defendants NAORCC, NAORCC – Diocese of New York, and SACRED HEART.

22. Defendant NAORCC – DNYNE was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of Maine and authorized to conduct business therein, and located at 73 Pleasant Street, Springvale, Maine 04083.

23. Bishop Vincent Natoli, O.F.M., who, like NEVILLOYD, is a member of the Roman Catholic Order of Friars Minor, currently serves as the Vicar General of Defendant NAORCC – DNYNE.

24. Bishop Natoli succeeded NEVILLOYD as Bishop upon NEVILLOYD's death in or about 1994.

25. At all relevant times, Defendant THE ROMAN CATHOLIC DIOCESE OF BROOKLYN ("RC DIOCESE OF BROOKLYN") was and is a religious organization, which includes but is not limited to, civil corporations, decision making entities, officials, and employees, organized pursuant to the laws of the State of New York and authorized to conduct business therein, and located at 310 Prospect Park West, Brooklyn, NY 11215.

26. At all relevant times, Defendant RC DIOCESE OF BROOKLYN oversaw, managed, controlled, directed, and/or operated parishes and churches in Brooklyn, including, upon information and belief, Defendant SACRED HEART.

27. At all relevant times, Defendant RC Diocese of Brooklyn exercised supervision and control over clergy within the Diocese of Brooklyn, including, upon information and belief, NEVILLOYD.

FACTUAL ALLEGATIONS

28. Plaintiff repeats and re-alleges all preceding paragraphs of this Complaint.

29. Between approximately 1971 and 1975, Plaintiff and his family were parishioners of and/or attended services at Defendant SACRED HEART.

30. At all relevant times, Plaintiff attended Roman Catholic schools in Brooklyn, NY, which were under the management, supervision and control of Defendant RC DIOCESE OF BROOKLYN.

31. At all relevant times, NEVILLOYD was under the management, supervision, employ, direction and control of Defendants.

32. At all relevant times, NEVILLOYD was assigned by Defendants to work with and supervise children who served as altar boys during religious services.

33. At all relevant times, Plaintiff was recruited to be an altar boy at SACRED HEART, and served as an altar boy under NEVILLOYD.

34. At all relevant times, NEVILLOYD's duties and responsibilities at SACRED HEART included supervising children, including those such as Plaintiff who served as altar boys.

35. At all relevant times Defendants held NEVILLOYD out as a qualified religious leader, capable of supervising altar boys and other children, and chaperoning students on outings.

36. At all relevant times, Defendants authorized, permitted, and assigned NEVILLOYD to supervise children including Plaintiff and other altar boys.

37. At all relevant times, Defendants authorized NEVILLOYD to be alone with children, including Plaintiff, and to have unfettered and unsupervised access to them.

38. Defendants authorized NEVILLOYD to have physical contact with minors, in a manner consistent with providing discipline, counseling, educational and spiritual guidance, and leadership.

39. Defendants required, children, like Plaintiff, to accept discipline and instruction from clergy, including NEVILLOYD, and to obey their orders.

40. Plaintiff was raised as a Catholic, and at all relevant times was encouraged to have reverence, fear and respect for the Catholic Church and its clergy, including NEVILLOYD.

41. From approximately 1971 through 1975, NEVILLOYD wrongfully subjected Plaintiff to a prolonged course of unpermitted, forcible, and harmful sexual assault and sexual abuse, on the premises of SACRED HEART and on church-sponsored outings.

42. The sexual abuse of Plaintiff was in violation of Penal Law section 130.

43. NEVILLOYD engaged in similar sexual misconduct with other children at Sacred Heart.

44. Plaintiff's relationship to Defendants as a vulnerable child and student, and the culture of the Church which Defendants endorsed, put pressure on Plaintiff to not report the sexual molestation and abuse.

45. NEVILLOYD admonished Plaintiff to remain silent, intimidating him to accept that the sexual conduct he forced upon Plaintiff should not be disclosed to anyone, or there would be adverse consequences.

46. NEVILLOYD also sexually assaulted Plaintiff's sister on church premises, and similarly threatened her.

47. At all relevant times, NEVILLOYD used his position at, within, or for, Defendants, and the implicit representations made by them about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with and touch and assault Plaintiff.

48. Defendants knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual misconduct of NEVILLOYD.

49. Defendants had a duty to Plaintiff to ensure that Defendants did not offer opportunities for pedophiles to approach and assault vulnerable minors.

50. Defendants knew and/or should have known that NEVILLOYD used his position at SACRED HEART to harm minors, including Plaintiff and to form an acquaintance that could be, and was, used to provide opportunities for sexual abuse.

51. Defendants knew or should have known that NEVILLOYD was a danger to minors, like Plaintiff, before he sexually abused Plaintiff.

52. Defendants knew or should have known that allowing NEVILLOYD to have unsupervised and unlimited access with students, particularly vulnerable students like Plaintiff, posed an unacceptable risk of child sex abuse.

53. For centuries, Catholic church authorities addressed the problem of clergy sex abuse on countless occasions prior to the abuse of Plaintiff, and communicated as much with all levels of Church hierarchy including bishops and other Diocesan leaders. As such, at all relevant times, Defendants were well aware that errant sexual behavior by some clergy was not only widespread but predictable.

54. Prior to the time of Plaintiff's abuse by NEVILLOYD, Defendants knew or should have known that there was a specific danger of child sex abuse for children in their institutions and programs.

55. The sexual abuse of Plaintiff by NEVILLOYD was foreseeable.

56. NEVILLOYD induced Plaintiff's confidence and trust for the purpose of soliciting sexual favors and engaged in unpermitted, forcible, and harmful sexual contact with Plaintiff.

57. Defendants owed Plaintiff a reasonable duty of care because they affirmatively solicited parents to send their children to SACRED HEART and to participate in religious programs there; Defendants undertook custody of minor children, including Plaintiff; they promoted their facilities and programs as being safe for children; they held out their agents, including NEVILLOYD, as safe to work with and around children; and they encouraged parents to let their children interact with and spend time with their agents and/or authorized agents, including NEVILLOYD.

58. Defendants owed Plaintiff a heightened, fiduciary and non-delegable duty of care because they held themselves out as being able to provide a safe and secure environment for children, including Plaintiff; Plaintiff's parents entrusted Plaintiff to Defendants' care, and expected that Plaintiff would be safe and properly supervised in an environment free from harm and abuse; Plaintiff was a vulnerable minor, and unable to protect himself; and Defendants affirmatively assumed a position of empowerment over Plaintiff.

59. Defendants owed Plaintiff a duty to protect him from harm because Defendants' acts and omissions created a foreseeable risk of harm to Plaintiff.

60. On information and belief, in exchange for Plaintiff's attending services at SACRED HEART, his family received a discount on school tuition at certain Roman Catholic schools he attended in Brooklyn, New York, which were under the direction and control of Defendant RC DIOCESE OF BROOKLYN.

61. On information and belief, Defendant RC DIOCESE OF BROOKLYN authorized tuition discounts to families in exchange for their children's attending services at churches, including Sacred Heart.

62. On information and belief, DEFENDANT RC DIOCESE OF BROOKLYN knew that families such as Plaintiff's sent their children to services at SACRED HEART in order to receive Catholic School tuition discounts.

63. Plaintiffs' family would not have sent him to SACRED HEART, and Plaintiff would not have suffered abuse by NEVILLOYD, were it not for tuition discounts provided by RC Diocese of Brooklyn.

64. As a result of the foregoing, Plaintiff has suffered and continues to suffer great physical and mental pain and anguish, severe and permanent emotional distress, physical manifestations of emotional distress, psychological injuries, fear and anxiety; was prevented and will continue to be prevented from performing his normal daily activities; was and will continue to be deprived of the enjoyment of life's pleasures; has suffered and will continue to suffer loss of earnings and earning capacity; has incurred and will in the future incur expenses for medical and psychological treatment, and was otherwise damaged.

65. To the extent that any Defendant pleads, or otherwise seeks to rely upon Article 16 of the New York Civil Practice Law and Rules (CPLR) to have fault apportioned to another allegedly culpable party, Plaintiff expressly states that Defendants' conduct falls within one or more of the subdivisions of CPLR 1602.

FIRST CAUSE OF ACTION

NEGLIGENT HIRING, RETENTION, SUPERVISION, AND DIRECTION

66. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

67. At all relevant times Defendants had a duty to exercise due care in hiring, appointing, assigning, retention, supervision and direction of NEVILLOYD, so as to protect minor children, including Plaintiff, who were likely to come into contact with him, and/or under his influence or supervision, and to ensure that NEVILLOYD did not use his assigned position to injure minors by sexual assault, contact or abuse.

68. Defendants were negligent and failed to use reasonable care in hiring, appointing, assigning, and retention, of NEVILLOYD, failed to properly investigate his background and employment history, and/or hired, appointed and/or assigned him supervise children, when Defendants knew or should have known of facts that would make him a danger to children; and Defendants were otherwise negligent.

69. Defendants were negligent and did not use reasonable care in their supervision and direction of NEVILLOYD, failed to monitor his activities, failed to oversee the manner in which he carried out the duties to which Defendants assigned them, even though they knew or should have known that NEVILLOYD posed a threat of sexual abuse to minors; allowed the misconduct described above to occur and continue; failed to investigate NEVILLOYD's dangerous activities and remove him from their premises; failed to have policies and practices in place that would have prevented this abuse; and Defendants were otherwise negligent.

70. NEVILLOYD would not have been in a position to sexually abuse Plaintiff had Defendants not been negligent in the hiring, retention, supervision, and direction of NEVILLOYD.

71. At all relevant times, NEVILLOYD acted in the course and scope of his employment with Defendants.

72. Defendants' aforesaid actions were willful, wanton, malicious, reckless, and/or outrageous in their disregard for the rights and safety of Plaintiff.

73. As a direct and proximate result of the aforesaid misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury as described above.

74. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SECOND CAUSE OF ACTION

NEGLIGENT, RECKLESS, AND WILLFUL MISCONDUCT

75. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

76. At all relevant times, Defendants affirmatively and/or impliedly represented to minor children, their families and the general public that employees and agents working in SACRED HEART, including NEVILLOYD, did not pose a risk of sexually abusing children, and that children, including Plaintiff, would be safe in their care.

77. Defendants knew or should have known this representation was false and that employing NEVILLOYD and giving him unfettered access to children, including Plaintiff, posed an unacceptable risk of harm to children.

78. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice for making hiring and assignment decisions, so as to protect vulnerable students in their care from sexual abuse.

79. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice to monitor, supervise or oversee NEVILLOYD's interactions with minor students such as Plaintiff, in order to keep them safe from sexual abuse.

80. The careless, negligent and reckless misconduct by Defendants as described herein was done with utter disregard as to the potential profound injuries which would ensue, and with depraved indifference to the health and well-being of children.

81. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

82. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

THIRD CAUSE OF ACTION

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

83. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

84. The sexual abuse of Plaintiff was extreme and outrageous conduct, beyond all possible bounds of decency, atrocious and intolerable in a civilized world.

85. Defendants' aforesaid negligent, grossly negligent and reckless misconduct, endangered Plaintiff's safety and caused him to fear for his own safety.

86. Defendants knew or disregarded the substantial probability that NEVILLOYD would cause severe emotional distress to Plaintiff.

87. As a direct and proximate result of Defendants' foregoing misconduct, Plaintiff suffered severe emotional distress including psychological and emotional injury as described above.

88. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FOURTH CAUSE OF ACTION

PREMISES LIABILITY

89. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

90. At all relevant times, Defendants owned, operated, and/or controlled the premises of Defendant SACRED HEART, including the areas where the sexual abuse of Plaintiff occurred.

91. At all relevant times, Plaintiff was rightfully present at the aforementioned premises.

92. Defendants had a duty to see that the premises at which Plaintiff was rightfully present were in a reasonably safe condition for the intended use by students, like Plaintiff, whose presence was reasonably anticipated.

93. Defendants willfully, recklessly, and negligently failed to provide reasonably safe premises that were free from the presence of sexual predators and/or the assault by the occupants of the premises, including NEVILLOYD.

94. Defendants thereby breached their duty of care to Plaintiff.

95. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

96. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FIFTH CAUSE OF ACTION

BREACH OF FIDUCIARY NON-DELEGABLE DUTY

97. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

98. At all relevant times, there existed a fiduciary relationship of trust, confidence and reliance between Plaintiff and Defendants.

99. The entrustment of Plaintiff to the care and supervision of the Defendants while Plaintiff was a vulnerable child, imposed upon these Defendants a fiduciary non-delegable duty to act in the best interests of Plaintiff.

100. Defendants were entrusted with the well-being, care, and safety of Plaintiff, which Defendants had a fiduciary duty to protect.

101. By reason of the foregoing, Defendants breached their fiduciary duties to Plaintiff.

102. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

103. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SIXTH CAUSE OF ACTION

BREACH OF DUTY IN LOCO PARENTIS

104. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.

105. At all relevant times, Plaintiff was a vulnerable child entrusted to the care of Defendants, and was under the supervision and control of these Defendants, such that these Defendants owed him a duty to act in loco parentis and to prevent foreseeable injuries.

106. By reason of the foregoing, Defendants breached their duties to act in loco parentis.

107. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

108. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SEVENTH CAUSE OF ACTION

BREACH OF STATUTORY DUTIES TO REPORT

109. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

110. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, Defendants had a statutory duty to report reasonable suspicion of abuse of children in their care.

111. Defendants breached their statutory duty by failing to report reasonable suspicion of sexual abuse by NEVILLOYD.

112. As a direct and proximate result of Defendants' foregoing breaches, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

113. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

WHEREFORE, Plaintiff prays for judgment as follows:

- a. Awarding Plaintiff compensatory damages for his injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- b. Awarding Plaintiff punitive damages for his injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- c. Awarding Plaintiff prejudgment interest, to the extent available by law;
- d. Awarding Plaintiffs costs and disbursements and attorneys' fees to the extent available by law; and
- e. Awarding such other and further relief as this Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff demands a trial by jury of all issues triable by jury in this action.

Dated: February 19, 2020

Yours, etc.

PHILLIPS & PAOLICELLI, LLP



By: Victoria Phillips
Steven J. Phillips
Phillips & Paolicelli, LLP
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**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X

W.G.,

Plaintiff,

SUMMONS

-against-

INDEX No.:

SACRED HEART OF JESUS OLD ROMAN
CATHOLIC CHURCH,
VINCENT NATOLI, INDIVIDUALLY AND AS AN
PASTOR AND HEAD OF SACRED HEART OF
JESUS OLD ROMAN CATHOLIC CHURCH,
THE AMERICAN CATHOLIC CHURCH,
THE AMERICAN CATHOLIC CHURCH IN THE
UNITED STATES, INC.
SACRED HEART OF JESUS ENGLISH RITE
CATHOLIC CHURCH A/K/A SACRED HEART OF
JESUS ENGLISH RITE CATHOLIC CHURCH INC.
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH (VERNACULAR),
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH IN AMERICA CORP.
JOHN DOES 1-100,

Defendants.

-----X

Plaintiff designates the County of KINGS as the place of trial. The basis of venue is one of the Defendants' residence is located in KINGS COUNTY.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by defaulted for the relief demanded in the complaint.

Dated: New York, New York
August 10, 2021

PHILLIPS & PAOLICELLI, LLP
Attorneys for Plaintiff

By: Victoria Phillips
Victoria Phillips, Esq.
747 Third Avenue, 6th Fl.
New York, NY 10017
(212) 388-5100

To:

SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
c/o Vincent Natoli 2116 Fulton Street, Brooklyn, New York, 11233

**VINCENT NATOLI INDIVIDUALLY AND AS PASTOR AND HEAD OF SACRED
HEART OF JESUS OLD ROMAN CATHOLIC CHURCH,**
2116 Fulton Street, Brooklyn, New York, 11233-3218

THE AMERICAN CATHOLIC CHURCH
C/O THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
5595 RIVENDELL PLACE
FREDERICK MD 21703

THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
5595 RIVENDELL PLACE
FREDERICK MD 21703

**SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED
HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.**

SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),

SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

JOHN DOES 1-100

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X

W.G.,

Plaintiff,

COMPLAINT

-against-

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CHURCH (VERNACULAR),
SACRED HEART OF JESUS ROMAN CATHOLIC
CHURCH IN AMERICA CORP.
JOHN DOES 1-100,

Defendants.

-----X

Plaintiff W.G. by and through his undersigned attorneys, as and for his Complaint,
alleges as follows:

NATURE OF THE ACTION

1. This action is brought pursuant to the Child Victim’s Act codified at CPLR 214-g by Plaintiff W.G. (hereafter “Plaintiff”).
2. Beginning in approximately 1971, Plaintiff was repeatedly sexually abused and assaulted as a minor.

3. Plaintiff's abuser was a clergyman known as JOSEPH M. NEVILLOYD ("NEVILLOYD").
4. Plaintiff was approximately 9 to 10 years old when this unlawful sexual abuse by NEVILLOYD, in violation of Penal Law 130, began.
5. The sexual abuse of Plaintiff by NEVILLOYD was extreme in nature and spanned several years.
6. On information and belief, in the 1960s NEVILLOYD was ordained or consecrated as a clergyman within THE AMERICAN CATHOLIC CHURCH.
7. On information and belief, THE AMERICAN CATHOLIC CHURCH is now known as THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
8. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a mere continuation of THE AMERICAN CATHOLIC CHURCH, a successor in interest to THE AMERICAN CATHOLIC CHURCH, was created to escape the liabilities of THE AMERICAN CATHOLIC CHURCH, and is otherwise responsible, liable, and answerable for the acts, omissions, debts, and liabilities of THE AMERICAN CATHOLIC CHURCH.
9. During the 1970s, NEVILLOYD worked as a clergyman and held religious services at a church located at or about 15A Hull Street in Brooklyn, New York.
10. NEVILLOYD used that position to sexually abuse Plaintiff and other minor parishioners including at the church located 15A Hull Street in Brooklyn.
11. Parishioners referred to NEVILLOYD's church at 15A Hull Street Brooklyn NY as "Sacred Heart" or "Sacred Heart of Jesus."

12. On information and belief, “Sacred Heart” has been referred to as and incorporated under multiple names by NEVILLOYD and his successor, VINCENT NATOLI.
13. On information and belief, the fraudulent purpose of these multiple name changes and incorporations was to evade obligations and liability.
14. On information and belief, the church’s names have included but are not necessarily limited to:
 - a. SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/KA SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
 - b. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),
 - c. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and
 - d. SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
15. On information and belief, these modifications in church’s names were not utilized for any legitimate purpose, and the church continued to exist and operate under the same management despite its varying names.
16. On information and belief, those modifications in the church’s names and corporate names were employed by NEVILLOYD and his protégée and successor VINCENT NATOLI in an improper and fraudulent attempt to evade obligations and liability.
17. On information and belief, after abusing multiple children including but not limited to Plaintiff, NEVILLOYD died in approximately 1994.
18. On information and belief, NEVILLOYD had ordained VINCENT NATOLI in approximately 1983, prior to NEVILLOYD’s death.

19. On information and belief, VINCENT NATOLI was NEVILLOYD's protégée from the early 1980s until NEVILLOYD's death.
20. On information and belief, VINCENT NATOLI worked with NEVILLOYD at the church located at 15A Hull Street, Brooklyn NY for over a decade leading up to NEVILLOYD's death.
21. On information and belief, after NEVILLOYD's 1994 death, VINCENT NATOLI took over NEVILLOYD's position as Pastor of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, which was then still based at 15A Hull Street Brooklyn New York, the location where Plaintiff had been abused.
22. On information and belief, in approximately 1994 VINCENT NATOLI assumed the title of Bishop of the SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH.
23. On information and belief, in approximately 2000, VINCENT NATOLI sold the property located at 15A Hull Street, Brooklyn New York.
24. On information and belief, VINCENT NATOLI has been actively involved in litigation for years including in an unsuccessful attempt to secure control of another church, called St. Lucy's, in Brooklyn.
25. On information and belief, in the 2000s, VINCENT NATOLI used the proceeds of the sale of 15A Hull Street, Brooklyn New York to promote his own interests, *inter alia* by paying litigation expenses and debts, including expenses related to his attempts to secure control of St. Lucy's Church in Brooklyn.
26. On information and belief, after the sale of the property at 15A Hull Street in Brooklyn NY, VINCENT NATOLI resided at 2116 Fulton Street in Brooklyn NY.

27. On information and belief, VINCENT NATOLI continues to use the name “Sacred Heart” in connection with his present operation at 2116 Fulton Street in Brooklyn, although he now employs the slightly altered name SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
28. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH is a mere continuation of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.
29. On information and belief, NATOLI uses the names above, including SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH, in order to evade obligations and liability for the misconduct, tortious acts, liabilities, and debts of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and their officers, including NEVILLOYD and/or NATOLI.
30. On information and belief, “SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH”, which VINCENT NATOLI continues to operate, is a mere continuation of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.
31. On information and belief, “SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH”, which VINCENT NATOLI continues to operate and serve as Pastor of, is a

successor in interest to SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP.

32. Plaintiff filed a Complaint in 2020 under the Child Victim's Act respecting abuse by NEVILLOYD, naming as Defendants:

- a. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH,
- b. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK,
- c. NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH – DIOCESE OF NEW YORK AND NEW ENGLAND,
- d. SACRED HEART OF JESUS CHURCH, and
- e. THE ROMAN CATHOLIC DIOCESE OF BROOKLYN

33. Several of those entities filed motions to dismiss.

34. Those motions were briefed and argued in February 2021, but are not yet decided, and thus discovery has not yet taken place in those actions.

35. Among the arguments that defense counsel raised in that related action was that insofar as “Sacred Heart of Jesus Old Roman Catholic Church” is unincorporated, Plaintiffs could only properly sue it through its officers.

36. While, the earlier Complaint had not specifically named SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH, the instant Complaint does so, as well as naming its pastor and head, VINCENT NATOLI.

37. In the earlier motions to dismiss, defense counsel also appended as an exhibit a certificate purporting to show that NEVILLOYD was consecrated in 1963 by THE AMERICAN CATHOLIC CHURCH.
38. On information and belief, at the time of Plaintiff's sexual abuse, Defendant NEVILLOYD was an agent and/or employee of, under the control of, supervised by, and/or answerable to, in whole or in part, THE AMERICAN CATHOLIC CHURCH.
39. On information and belief THE AMERICAN CATHOLIC CHURCH was also referred to as the American Catholic Church (Syrian Antiochean).
40. On information and belief, at the time of Plaintiff's sexual abuse, Defendant NEVILLOYD was an agent and/or employee of, under the control of, supervised by, and/or answerable to, in whole or in part, SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
41. On information and belief, THE AMERICAN CATHOLIC CHURCH, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC., SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH (hereafter collectively referred to as "Defendants"), jointly and severally held NEVILLOYD out as a clergyman capable of

being entrusted with young children, including Plaintiff, and of safely supervising them in religious and church-sponsored activities.

42. On information and belief, NEVILLOYD's sexual abuse of Plaintiff occurred while he was acting in his assigned role in the above-captioned Defendants' behalf.

43. On information and belief, not only did Defendants place Plaintiff in harm's way by permitting him to have unfettered and unsupervised access to Plaintiff, but they carelessly, negligently, and recklessly, failed to protect Plaintiff from sexual abuse by NEVILLOYD, permitted the abuse to occur, failed to supervise NEVILLOYD, failed to timely investigate NEVILLOYD's misconduct, acted to protect their own self-interest to the detriment of innocent children, including Plaintiff, and are otherwise responsible for NEVILLOYD's sexual assault of multiple children including Plaintiff and Plaintiff's consequential injuries and damages.

THE PARTIES

44. Plaintiff incorporates the allegations above as if fully stated herein.

45. Plaintiff is an individual residing in Queens County, New York.

46. Plaintiff was born in 1961.

47. On information and belief VINCENT NATOLI resides at 2116 Fulton St. Brooklyn NY.

48. On information and belief VINCENT NATOLI owns the property located at 2116 Fulton St. Brooklyn NY.

49. On information and belief, VINCENT NATOLI serves as Pastor, Head, and/or President of SACRED HEART OF JESUS NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH at 2116 Fulton St. Brooklyn NY.

50. On information and belief, SACRED HEART OF JESUS NORTH AMERICAN OLD ROMAN CATHOLIC CHURCH is an unincorporated religious association based at 2116 Fulton Street Brooklyn NY.
51. On information and belief, at the time of Plaintiff's sexual abuse in the 1970s, Defendant NEVILLOYD was an agent and/or employee of, ordained by, consecrated by, under the control of, supervised by, and/or answerable to, in whole or in part, THE AMERICAN CATHOLIC CHURCH.
52. On information and belief, THE AMERICAN CATHOLIC CHURCH was a religious organization based in Maryland which transacted regular business in New York including ordaining clergy including NEVILLOYD.
53. On information and belief, THE AMERICAN CATHOLIC CHURCH is now known as THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC.
54. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a religious corporation with its principal offices located at 5595 RIVENDELL PLACE FREDERICK MD 21703.
55. On information and belief, THE AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. is a mere continuation of, a successor in interest to, and otherwise assumed and is responsible, liable, and answerable for the acts, omissions, debts, and liabilities of THE AMERICAN CATHOLIC CHURCH and its agents, officers, clergy, and employees.
56. Hereafter, THE AMERICAN CATHOLIC CHURCH and AMERICAN CATHOLIC CHURCH IN THE UNITED STATES, INC. will be collectively referred to as THE AMERICAN CATHOLIC CHURCH.

57. During the 1970s, when he sexually abused Plaintiff, NEVILLOYD was the pastor of a church located at 15A Hull Street in Brooklyn, New York.
58. On information and belief, that church located at 15A Hull Street in Brooklyn, New York has been referred to by multiple names by NEVILLOYD and his successor in interest, VINCENT NATOLI.
59. On information and belief, that church has been known by and sometimes incorporated under names beginning with “Sacred Heart of Jesus” including:
- a. SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/KA/ SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC.,
 - b. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR),
 - c. SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and
 - d. SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
60. On information and belief, during the period of the sexual abuse of Plaintiff, NEVILLOYD resided at the church on 15A Hull Street Brooklyn NY.
61. On information and belief, NEVILLOYD ordained his protégée VINCENT NATOLI in approximately 1983.
62. On information and belief, beginning in the early 1980s, NATOLI served as a priest under NEVILLOYD at the church based at 15A Hull Street Brooklyn NY.
63. On information and belief, after the death of NEVILLOYD in 1994, NATOLI was consecrated a Bishop and Pastor, and served as the head of the church known as SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED

HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), and SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH at 15A Hull Street in Brooklyn.

64. On information and belief VINCENT NATOLI succeeded NEVILLOYD as the clergyman running the church at 15A Hull Street in Brooklyn.
65. On information and belief, VINCENT NATOLI assumed some or all of the liabilities and/or assets of NEVILLOYD.
66. On information and belief, VINCENT NATOLI assumed some or all of the liabilities and/or assets of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH, SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR), AND SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH
67. On information and belief, in approximately the early 2000s, VINCENT NATOLI sold the property located at 15A Hull Street, Brooklyn New York.
68. On information and belief, VINCENT NATOLI used the proceeds of the sale of 15A Hull Street, Brooklyn New York to promote his own personal interests, *inter alia* by paying for litigation expenses and debts.
69. On information and belief, VINCENT NATOLI purchased the property at 2116 Fulton Street in Brooklyn NY.
70. On information and belief, VINCENT NATOLI continues to hold services at 2116 Fulton Street Brooklyn New York.

71. On information and belief, VINCENT NATOLI continues to calls his church by names beginning with “Sacred Heart of Jesus,” including SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
72. On information and belief, VINCENT NATOLI runs, manages, controls, and is the pastor, president and/or primary officer of SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH.
73. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH is a mere continuation of and alter ego of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR).
74. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH assumed some or all of the liabilities and/or assets of SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH A/K/A SACRED HEART OF JESUS ENGLISH RITE CATHOLIC CHURCH INC., SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH IN AMERICA CORP., and SACRED HEART OF JESUS ROMAN CATHOLIC CHURCH (VERNACULAR).
75. On information and belief, SACRED HEART OF JESUS OLD ROMAN CATHOLIC CHURCH assumed some or all of the liabilities and/or assets of NEVILLOYD.
76. To the extent that any of the above Defendants were different entities, corporations, or organizations during the period of time when NEVILLOYD sexually abused Plaintiff,

such entities, corporations, or organizations are hereby on notice that they are intended to be defendants in this lawsuit.

77. To the extent any of the above Defendants are successors to or affiliates of a different entity, corporation, or organization that existed during the period of time when NEVILLOYD sexually abused Plaintiff, such predecessor entities, corporations, or organizations are hereby on notice that they are intended to be a defendant in this lawsuit.

78. Defendants John Does 1-100 are unknown churches, orders, individuals, entities, corporations, administrators, officials, employees, or agents whose identities will be provided when they become known pursuant to C.P.L.R. § 1024, and whose conduct contributed to facilitated, or wrongfully failed to prevent the unlawful sexual abuse alleged herein.

FACTUAL ALLEGATIONS

79. Plaintiff repeats and re-alleges all preceding paragraphs of this Complaint.

80. Between approximately 1971 and 1975, Plaintiff and his family were parishioners of and/or attended services at the church described above located at 15A Hull Street in Brooklyn New York.

81. On information and belief, at all relevant times, NEVILLOYD was under the management, supervision, employ, direction and control of Defendants.

82. At all relevant times, NEVILLOYD was assigned by Defendants to work with and supervise children who served as altar boys during religious services.

83. At all relevant times, Plaintiff was recruited to be an altar boy at Sacred Heart, and served as an altar boy under NEVILLOYD.

84. At all relevant times, NEVILLOYD's duties and responsibilities at SACRED HEART included supervising children, including those such as Plaintiff who served as altar boys.
85. At all relevant times Defendants held NEVILLOYD out as a qualified religious leader, capable of supervising altar boys and other children, and chaperoning students on outings.
86. At all relevant times, Defendants authorized, permitted, and assigned NEVILLOYD to supervise children including Plaintiff and other altar boys.
87. At all relevant times, Defendants authorized NEVILLOYD to be alone with children, including Plaintiff, and to have unfettered and unsupervised access to them.
88. Defendants authorized NEVILLOYD to have physical contact with minors, in a manner consistent with providing discipline, counseling, educational and spiritual guidance, and leadership.
89. Defendants required, children, like Plaintiff, to accept discipline and instruction from clergy, including NEVILLOYD, and to obey their orders.
90. Plaintiff was encouraged to have reverence, fear and respect for Defendants' clergy, including NEVILLOYD.
91. From approximately 1971 through 1975, NEVILLOYD wrongfully subjected Plaintiff to a prolonged course of unpermitted, forcible, and harmful sexual assault and sexual abuse, on the premises of SACRED HEART and on church-sponsored outings.
92. The sexual abuse of Plaintiff was in violation of Penal Law section 130.
93. NEVILLOYD engaged in similar sexual misconduct with other children at the church located at 15A Hull Street Brooklyn NY.

94. Plaintiff's relationship to Defendants as a vulnerable child, and the culture of the Church which Defendants endorsed, put pressure on Plaintiff to not report the sexual molestation and abuse.
95. NEVILLOYD admonished Plaintiff to remain silent, intimidating him to accept that the sexual conduct he forced upon Plaintiff should not be disclosed to anyone, or there would be adverse consequences.
96. NEVILLOYD also sexually assaulted Plaintiff's sister on church premises, and similarly threatened her.
97. At all relevant times, NEVILLOYD used his position at, within, or for, Defendants, and the implicit representations made by them about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with and touch and assault Plaintiff.
98. Defendants knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual misconduct of NEVILLOYD.
99. Defendants had a duty to Plaintiff to ensure that Defendants did not offer opportunities for pedophiles to approach and assault vulnerable minors.
100. Defendants knew and/or should have known that NEVILLOYD used his position as a clergyman at their church to harm minors, including Plaintiff and to form an acquaintance that could be, and was, used to provide opportunities for sexual abuse.
101. Defendants knew or should have known that NEVILLOYD was a danger to minors, like Plaintiff, before he sexually abused Plaintiff.

102. Defendants knew or should have known that allowing NEVILLOYD to have unsupervised and unlimited access with students, particularly vulnerable students like Plaintiff, posed an unacceptable risk of child sex abuse.
103. For centuries, Catholic church authorities addressed the problem of clergy sex abuse on countless occasions prior to the abuse of Plaintiff, and communicated as much with all levels of Church hierarchy including bishops and other Diocesan leaders.
104. As such, at all relevant times, Defendants were well aware that errant sexual behavior by some clergy was not only widespread but predictable.
105. Prior to the time of Plaintiff's abuse by NEVILLOYD, Defendants knew or should have known that there was a specific danger of child sex abuse for children in their institutions and programs.
106. The sexual abuse of Plaintiff by NEVILLOYD was foreseeable.
107. NEVILLOYD induced Plaintiff's confidence and trust for the purpose of soliciting sexual favors and engaged in unpermitted, forcible, and harmful sexual contact with Plaintiff.
108. Defendants owed Plaintiff a reasonable duty of care because they affirmatively solicited parents and families to send their children to Sacred Heart at 15A Hull St. in Brooklyn NY, and to participate in religious programs there; Defendants undertook custody of minor children, including Plaintiff; they promoted their facilities and programs as being safe for children; they held out their agents, including NEVILLOYD, as safe to work with and around children; and they encouraged parents to let their children interact with and spend time with their agents and/or authorized agents, including NEVILLOYD.

109. Defendants owed Plaintiff a heightened, fiduciary and non-delegable duty of care because they held themselves out as being able to provide a safe and secure environment for children, including Plaintiff; Plaintiff's parents entrusted Plaintiff to Defendants' care, and expected that Plaintiff would be safe and properly supervised in an environment free from harm and abuse; Plaintiff was a vulnerable minor, and unable to protect himself; and Defendants affirmatively assumed a position of empowerment over Plaintiff.
110. Defendants owed Plaintiff a duty to protect him from harm because Defendants' acts and omissions created a foreseeable risk of harm to Plaintiff.
111. As a result of the foregoing, Plaintiff has suffered and continues to suffer great physical and mental pain and anguish, severe and permanent emotional distress, physical manifestations of emotional distress, psychological injuries, fear and anxiety; was prevented and will continue to be prevented from performing his normal daily activities; was and will continue to be deprived of the enjoyment of life's pleasures; has suffered and will continue to suffer loss of earnings and earning capacity; has incurred and will in the future incur expenses for medical and psychological treatment, and was otherwise damaged.
112. To the extent that any Defendant pleads, or otherwise seeks to rely upon Article 16 of the New York Civil Practice Law and Rules (CPLR) to have fault apportioned to another allegedly culpable party, Plaintiff expressly states that Defendants' conduct falls within one or more of the subdivisions of CPLR 1602.

FIRST CAUSE OF ACTION

NEGLIGENT HIRING, RETENTION, SUPERVISION, AND DIRECTION

113. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.
114. At all relevant times Defendants had a duty to exercise due care in hiring, appointing, assigning, retention, supervision and direction of NEVILLOYD, so as to protect minor children, including Plaintiff, who were likely to come into contact with him, and/or under his influence or supervision, and to ensure that NEVILLOYD did not use his assigned position to injure minors by sexual assault, contact or abuse.
115. Defendants were negligent and failed to use reasonable care in hiring, appointing, assigning, and retention, of NEVILLOYD, failed to properly investigate his background and employment history, and/or hired, appointed and/or assigned him supervise children, when Defendants knew or should have known of facts that would make him a danger to children; and Defendants were otherwise negligent.
116. Defendants were negligent and did not use reasonable care in their supervision and direction of NEVILLOYD, failed to monitor his activities, failed to oversee the manner in which he carried out the duties to which Defendants assigned them, even though they knew or should have known that NEVILLOYD posed a threat of sexual abuse to minors; allowed the misconduct described above to occur and continue; failed to investigate NEVILLOYD's dangerous activities and remove him from their premises; failed to have policies and practices in place that would have prevented this abuse; and Defendants were otherwise negligent.
117. NEVILLOYD would not have been in a position to sexually abuse Plaintiff had Defendants not been negligent in the hiring, retention, supervision, and direction of NEVILLOYD.

118. At all relevant times, NEVILLOYD acted in the course and scope of his employment with Defendants.
119. Defendants' aforesaid actions were willful, wanton, malicious, reckless, and/or outrageous in their disregard for the rights and safety of Plaintiff.
120. As a direct and proximate result of the aforesaid misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury as described above.
121. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

SECOND CAUSE OF ACTION

NEGLIGENT, RECKLESS, AND WILLFUL MISCONDUCT

122. Plaintiff repeats and re-alleges each and every allegation set forth above as if fully set forth herein.
123. At all relevant times, Defendants affirmatively and/or impliedly represented to minor children, their families and the general public that employees and agents and clergymen working in their churches, including NEVILLOYD, did not pose a risk of sexually abusing children, and that children, including Plaintiff, would be safe in their care.
124. Defendants knew or should have known this representation was false and that employing NEVILLOYD, ordaining him, consecrating him, and giving him unfettered access to children, including Plaintiff, posed an unacceptable risk of harm to children.
125. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice for making hiring, appointment, and assignment

decisions, so as to protect vulnerable children in their care and in their churches from sexual abuse.

126. Defendants carelessly, negligently and recklessly failed to have in place an appropriate policy and/or practice to monitor, supervise or oversee NEVILLOYD's interactions with minors such as Plaintiff, in order to keep them safe from sexual abuse.

127. The careless, negligent and reckless misconduct by Defendants as described herein was done with utter disregard as to the potential profound injuries which would ensue, and with depraved indifference to the health and well-being of children.

128. The sexual abuse of Plaintiff was extreme and outrageous conduct, beyond all possible bounds of decency, atrocious and intolerable in a civilized world.

129. Defendants' aforesaid negligent, grossly negligent and reckless misconduct, endangered Plaintiff's safety and caused him to fear for his own safety.

130. Defendants knew or disregarded the substantial probability that NEVILLOYD would cause severe emotional distress to Plaintiff.

131. As a direct and proximate result of Defendants' foregoing misconduct, Plaintiff suffered severe emotional distress including psychological and emotional injury as described above.

132. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

133. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

134. At all relevant times, there existed a fiduciary relationship of trust, confidence and reliance between Plaintiff and Defendants.
135. The entrustment of Plaintiff to the care and supervision of the Defendants while Plaintiff was a vulnerable child, imposed upon these Defendants a fiduciary non-delegable duty to act in the best interests of Plaintiff.
136. Defendants were entrusted with the well-being, care, and safety of Plaintiff, which Defendants had a fiduciary duty to protect.
137. By reason of the foregoing, Defendants breached their fiduciary duties to Plaintiff.
138. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.
139. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.
140. At all relevant times, Plaintiff was a vulnerable child entrusted to the care of Defendants, and was under the supervision and control of these Defendants, such that these Defendants owed him a duty to act in loco parentis and to prevent foreseeable injuries.
141. By reason of the foregoing, Defendants breached their duties to act in loco parentis.

142. As a direct and proximate result of Defendants' foregoing breach, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

143. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

THIRD CAUSE OF ACTION

PREMISES LIABILITY

144. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

145. At all relevant times, Defendants owned, operated, and/or controlled the premises at 15A Hull Street, Brooklyn NY, including the areas where the sexual abuse of Plaintiff occurred.

146. At all relevant times, Plaintiff was rightfully present at the aforementioned premises.

147. Defendants had a duty to see that the premises at which Plaintiff was rightfully present were in a reasonably safe condition for the intended use by students, like Plaintiff, whose presence was reasonably anticipated.

148. Defendants willfully, recklessly, and negligently failed to provide reasonably safe premises that were free from the presence of sexual predators and/or the assault by the occupants of the premises, including NEVILLOYD.

149. Defendants thereby breached their duty of care to Plaintiff.

150. As a direct and proximate result of Defendants' misconduct, Plaintiff suffered grave injury, including physical, psychological and emotional injury and damages as described above.

151. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

FOURTH CAUSE OF ACTION

BREACH OF STATUTORY DUTIES TO REPORT

152. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

153. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, Defendants had a statutory duty to report reasonable suspicion of abuse of children in their care.

154. Defendants breached their statutory duty by failing to report reasonable suspicion of sexual abuse by NEVILLOYD.

155. As a direct and proximate result of Defendants' foregoing breaches, Plaintiff suffered grave injury, including the physical, psychological and emotional injury and damages as described above.

156. By the reason of the foregoing, Defendants are liable to Plaintiff for damages general, special, and punitive, in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs.

WHEREFORE, Plaintiff prays for judgment as follows:

- a. Awarding Plaintiff compensatory damages for his injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- b. Awarding Plaintiff punitive damages for his injuries, in an amount to be determined at trial in amounts that exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and costs;
- c. Awarding Plaintiff prejudgment interest, to the extent available by law;
- d. Awarding Plaintiffs costs and disbursements and attorneys' fees to the extent available by law; and
- e. Awarding such other and further relief as this Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff demands a trial by jury of all issues triable by jury in this action.

Dated: August 10, 2021

Yours, etc.

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