

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

V.G.D.,

Plaintiff,

v.

CIVIL ACTION NO. 19-c-230
JUDGE: Jason A. Cuomo

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS,
DIOCESE OF WHEELING-CHARLESTON,
BISHOP MICHAEL J. BRANSFIELD and
JOHN DOES 1-20,

Defendants.

COMPLAINT

COMES NOW the Plaintiff, V.G.D.¹, by counsel, Warner Law Offices, PLLC, Robert B. Warner, and for his Complaint against the Defendants, United States Conference of Catholic Bishops, Diocese of Wheeling-Charleston, Bishop Michael J. Bransfield and John Does 1-20, and alleges and avers as follows:

1. The Plaintiff V.G.D. is currently a resident of Ohio County, West Virginia.
2. Upon information and belief, the United States Conference of Catholic Bishops, (herein sometimes referred to as "USCCB"), is the episcopal conference of the Catholic Church in the United States, composed of all active and retired members of the Catholic hierarchy and is a non-for-profit corporation organized in the District of Columbia. At all times relevant herein, Defendant Bishop Michael Bransfield was a member, Officer (Treasurer) of the Defendant USCCB.

¹ Consistent with the practice of the West Virginia Supreme Court of Appeals, in cases involving sensitive matters and/or minor children, only the initials of the victim is used. See e.g., *Holmes v. Ballard*, 2013 W.Va. LEXIS 353 (W.Va. 2013); *State v. Edward Charles L.*, 183 W.Va. 641, 645 n. 1, 398 S.E.2d 123, 127 n.1 (1990).

3. Upon information and belief, Defendant Diocese of Wheeling-Charleston, was and continues to be a Roman Catholic organization and a non-profit religious corporation conducting business in the State of West Virginia with a principal place of business located in Wheeling, Ohio County, West Virginia. At all times relevant herein, Defendant Bishop Michael Bransfield was the Bishop of the Diocese of Wheeling-Charleston.

4. At all times relevant herein, Defendant Bishop Michael J. Bransfield (hereinafter sometimes referred to as "Bishop Bransfield") was the Bishop and head of the Diocese of Wheeling-Charleston and a resident of Ohio County, West Virginia.

5. Upon information and belief, Defendants DOES 1-10, are members of the Catholic Church and employees, officers, directors and/or agents of the United States Conference of Catholic Bishops who are not residents of the State of West Virginia.

6. Upon information and belief, Defendant DOES 11-20, are members of the Catholic Church and employees and/or agents of the Diocese of Wheeling-Charleston.

7. Upon information and belief, DOES 1-20, were the co-conspirators, employees, agents, ostensible agents, joint venturers, officers and/or representatives, each of whom assisted in, covered up, authorized and ratified the wrongful conduct of Bishop Michael Bransfield.

JURISDICTION AND VENUE

8. Many of the incidents which form the basis of this Complaint occurred in Ohio County, West Virginia at Bishop Bransfield's former residence, the parsonage of the Diocese of Wheeling-Charleston, in Wheeling, West Virginia.

9. Upon information and belief, during the relevant time period, the Defendant USCCB, regularly conducted business in the State of West Virginia through its member/Officer/Treasurer/National Collections Committee member, Defendant Bishop Bransfield.

10. This Court has personal jurisdiction over the Defendant, United States Conference of Catholic Bishops pursuant to West Virginia Code §56-3-33, as this Defendant has caused a tortious injury in the State of West Virginia and otherwise conducts business in and directs activity toward the State of West Virginia.

11. This Court has personal jurisdiction over the Defendant, Diocese of Wheeling-Charleston as it is a resident of the State of West Virginia, regularly conducting business in Ohio County, West Virginia and causing tortious injury in the State of West Virginia.

12. This Court has personal jurisdiction over the Defendant, Bishop Michael Bransfield as he was formerly a resident of the State of West Virginia, regularly conducting business in Ohio County, West Virginia and has caused tortious injury in the State of West Virginia.

13. This Court has personal jurisdiction over the Defendants, John Does 1-20, pursuant to West Virginia Code §56-3-33, as each of them, respectively, caused a tortious injury in the State of West Virginia.

14. Venue is appropriate in accordance with West Virginia Code §56-1-1(a)(2).

FACTS RELEVANT TO ALL COUNTS

15. Bishop Michael Bransfield was ordained to the Catholic priesthood - taking vows of poverty, celibacy, and obedience - by Cardinal John Krol on May 15, 1971 for the Archdiocese

of Philadelphia. He completed graduate studies at the Catholic University of America in Washington, D.C. and then worked in Catholic High Schools in Philadelphia in the 1970's.

16. Bishop Bransfield was named assistant director of liturgy in 1980; director of finance in 1982, and director of the National Shrine of the Immaculate Conception in Washington, DC in 1986. In 1987, Pope John Paul II named Bishop Bransfield as an honorary prelate. In 1990, Bishop Bransfield was named the first rector of the newly named Basilica of the National Shrine of the Immaculate Conception (hereinafter "National Shrine"), where he remained until 2004.

17. While at the National Shrine in Washington, D.C. Bishop Bransfield became a close co-worker, friend, and protege of former Cardinal Theodore McCarrick.

18. Former Cardinal Theodore McCarrick was ordained to the Catholic priesthood - taking vows of poverty, celibacy, and obedience - in 1958 for the Archdiocese of New York. He completed graduate studies at the Catholic University of America in Washington, D.C. McCarrick went on to become auxiliary bishop of New York (1977-81), Bishop of Metuchen (1981-86), Archbishop of Newark, N.J. (1986-2000), and Archbishop of Washington, DC (2000-2006), all periods during which he garnered tremendous influence - earning him the nick-name, "The Kingmaker," for his role in selecting and placing Catholic clerics including bishops, archbishops, and Cardinals. Throughout his career, McCarrick serially sexually abused young seminarians and altar servers, including minors. In 2019, McCarrick was defrocked from the Catholic priesthood.

19. Bishop Bransfield was trustee and president of The Papal Foundation, the successor of former Cardinal Theodore McCarrick in this role, which has raised more than 100 million dollars for Vatican projects since it being founded by Cardinal McCarrick in 1980. The Papal Foundation is headquartered in the Archdiocese of Philadelphia and the board regularly meets in Washington, DC. Bishop Bransfield also sat on the Board of Trustees of St. Charles Borromeo

Seminary in the Archdiocese of Philadelphia, The Catholic University of America in the Archdiocese of Washington, DC, and the Basilica of the National Shrine of the Immaculate Conception both in the Archdiocese of Washington, DC.

20. On December 4, 2004, Bishop Bransfield was appointed the eighth Bishop of the Diocese of Wheeling-Charleston by Pope John Paul II, receiving episcopal consecration on February 22, 2005 from Cardinal William Henry Keeler, Bishop Bernard William Schmitt, and “the Kingmaker” former Cardinal Theodore Edgar McCarrick.

21. At all times relevant herein, Bishop Bransfield was a member of the Knights of Columbus and the Knights of the Holy Sepulcher.

22. At all times relevant herein, Bishop Bransfield was a member of the United States Conference of Catholic Bishops, serving as Treasurer for the organization and sitting on the Communications Committee and National Collections Committee. Bishop Bransfield’s cousin, Msgr. Brian J. Bransfield, also of the Archdiocese of Philadelphia, is currently the General Secretary of the United States Conference of Catholic Bishops.

23. At all times relevant herein, and beginning with his consecration and appointment as the Bishop of the Diocese of Wheeling-Charleston, Bishop Bransfield was employed by the Diocese of Wheeling -Charleston and was in charge of the diocese, and by and through his employment, Bishop Bransfield interacted with countless adolescent boys and seminarians in the church and community and quickly gained the trust of parents and children.

24. The Diocese of Wheeling-Charleston covers the entire State of West Virginia; the Bishop of the Diocese of Wheeling-Charleston is the head of the Catholic Church and all of its operations in the State of West Virginia.

25. Upon information and belief, Bishop Bransfield's inappropriate behavior towards altar servers and seminarians in West Virginia began almost immediately in his tenure at the Diocese of Wheeling-Charleston. With the skill of a powerful and manipulative sexual predator, Bishop Bransfield would openly kiss, hug and put his hands on the altar servers and seminarians, grooming them and communicating that there was nothing wrong with a long embrace or kiss on the lips from the Bishop.

26. The seminarians to whom Bishop Bransfield showed special favor were given cash and others gifts, provided dinners cooked by his personal chef, taken to expensive restaurants and fancy events and introduced to important Catholics and persons of influence within the Catholic Church. During private dinners, Bishop Bransfield would regale these seminarians with stories of his influence and audiences with the Pope, and other impressive Catholic figures.

27. Upon information and belief, during his tenure as Bishop, the Diocese of Wheeling-Charleston covered all living and travel expenses for Bishop Bransfield, including the purchase of all food and drink consumed by the Bishop, as well as providing a personal chef.

28. Upon information and belief, at all times relevant herein, Bishop Bransfield was a binge drinker of alcohol, consuming egregious amounts of alcohol, abusing oxycodone and other prescription drugs.

29. Upon information and belief, Bishop Bransfield was known to Defendants to drink until he was intoxicated at which point he would engage in grossly inappropriate behavior, including but not limited to making sexually suggestive gestures, hugging, kissing, inappropriately touching and fondling seminarians.

30. Upon information and belief, from the beginning of his tenure as Bishop of the Diocese of Wheeling-Charleston, many of Bishop Bransfield's personal secretaries were sexually

harassed and/or sexually assaulted by him, some of whom went on to higher positions in the Church, and at least six of whom were "broken" by the experience and left the Church. As a consequence, towards the end of his career as bishop, Bishop Bransfield was not provided a permanent priest secretary by the Diocese of Wheeling-Charleston.

31. Plaintiff V.G.D. was raised Catholic. Baptized as an infant and taught to trust, revere and respect the Catholic Church including its employees, agents and servants. Plaintiff attended Catholic school from kindergarten through eighth grade, attended Catholic 4-year University, and felt called to the priesthood during the later years of his collegiate and post-graduate education. Plaintiff came into contact with Bishop Bransfield through his application and attendance in seminarian training, and participation in Mass at the Cathedral of St. Joseph, while Bishop Bransfield was acting as an employee, agent and head of the Diocese of Wheeling-Charleston.

32. At all times relevant herein, Bishop Bransfield was a sexual predator with lustful disposition toward adolescent and young males. After being placed in a position of trust by Defendants, Bishop Bransfield sexually harassed, fondled and assaulted adolescent and 'adult' males, including V.G.D., by, through and during his employment as Bishop with the Diocese of Wheeling-Charleston.

33. Upon information and belief, Defendant USCCB, and John Does 1-10, authored the Charter for the Protection of Children and Young People, setting forth the standards of the Catholic Church in the United States for the protection of children and young people from sexual abuse within the Catholic Church; requiring annual reporting to the USCCB to increase accountability of local parishes regarding the handling of claims of sexual abuse; establishing an audit system for the evaluation of the reporting and handling of sexual abuse claims by local

parishes; and establishing a study to examine the need and efficacy of ongoing education, situational prevention, oversight and accountability of the sexual abuse crisis in the Catholic Church.

34. Upon information and belief, the Defendants have been receiving reports that Bishop Bransfield was sexually harassing young men as early as his tenure as a Catholic high school teacher in Philadelphia, through his time as the head of the Basilica of the National Shrine of the Immaculate Conception, from 1990 to 2005.

35. Upon information and belief, in 2007, the Defendants became aware of a complaint that Bishop Bransfield had fondled a young male under his care and supervision, and yet took no action to appropriately investigate, intervene or sanction Bishop Bransfield.

36. Upon information and belief, the Diocese of Wheeling-Charleston receives annual revenue, from oil-rich land in Texas donated to the diocese more than a century ago, averaging nearly Fifteen Million Dollars (\$15,000,000.00) and has funded an endowment now valued at Two-Hundred Thirty Million Dollars (\$230,000,000.00) which Bishop Bransfield treated largely as his own, having been quoted on many occasions as saying "I own this."

37. Upon information and belief, Bishop Bransfield regularly wrote checks and gave monetary gifts to "purchase influence" with high-ranking Catholic church officials, "clerics whose opinions carry weight with the Vatican," including Cardinal Donald Wuerl, Cardinal Timothy Dolan, Cardinal Raymond Burke, Archbishop Carol Maria Viganò, Cardinal Kevin Farrell, and Archbishop William E. Lori, who, upon information and belief, were and/or continue to be prominent members of the Defendant USCCB.

38. Cardinal Justin Rigali was ordained to the Catholic priesthood - taking vows of poverty, celibacy, and obedience - in 1961 for the Archdiocese of Los Angeles after earning his

degree from The Catholic University of America in Washington, DC. Rigali went on to become the Archbishop of Philadelphia from 2003 to 2011. Despite the fact that it was his responsibility to address abusive clergy of his diocese when he became aware of them, upon information and belief, Cardinal Rigali ignored reports that as many as thirty-seven (37) of the priests under his supervision had committed acts of sexual abuse.

39. Cardinal Donald Wuerl was ordained to the Catholic priesthood - taking vows of poverty, celibacy, and obedience - in 1966 for the Diocese of Pittsburgh after earning his degree from the Catholic University of America in Washington, DC. Wuerl went on to become the auxiliary bishop of Seattle (1986-1987), Bishop of Pittsburgh (1988-2006), and Archbishop of Washington, D.C. (2006-2018), and a Cardinal in 2010. Upon information and belief, Cardinal Wuerl ignored reports that then Bishop Theodore McCarrick sexually abused minors and seminarians under his authority and supervision.

40. Cardinal Raymond Burke studied at the Catholic University of America from 1970 to 1971 before being ordained to the Catholic priesthood in 1975, taking vows of poverty, celibacy, and obedience. Burke went on to hold the Vatican position of Prefect of the Supreme Tribunal of the Apostolic Signature from 2008 to December 2013, in whose capacity it was to address abusive bishops when he became aware of them.

41. Archbishop William Lori was ordained to the Catholic priesthood - taking vows of poverty, celibacy, and obedience - in 1977 for the Archdiocese of Washington, DC. He completed graduate studies at the Catholic University of America in Washington, DC. Lori went on to become Bishop of Bridgeport, CT from 2001 to 2012, in which he served on the Defendant USCCB's Ad Hoc Committee on Sexual Abuse, in whose capacity it was to draft a "zero tolerance" clergy sexual abuse policy for the U.S. Catholic Church. Lori went on to become

Archbishop of Baltimore, MD from 2012 to present, and Apostolic Administrator of the Diocese of Wheeling-Charleston during which he was charged with investigating former Bishop Bransfield for the sexual harassment of adults.

42. Archbishop Carlo Viganò was ordained to the Catholic priesthood - taking vows of poverty, celibacy, and obedience - in 1968. Viganò served in the Vatican position of the Apostolic Nuncio to the United States from 2011 to 2016, in whose capacity it was to address abusive clergy in the U.S., including bishops when he became aware of them.

43. In 2002, almost immediately after being promoted from auxiliary bishop of Washington, DC under "the Kingmaker," former Cardinal Theodore McCarrick, to bishop of Bridgeport, CT, William Lori engaged in two actions which had the effect of further shielding and covering-up abusive bishops, including Bishop Bransfield and McCarrick. Upon information and belief, William Lori immediately engaged in efforts to keep hidden clergy sex abuse records of Bridgeport that had been ordered to be released by the State of Connecticut. Lori continued these efforts to hide clergy abuse records for nearly seven (7) years appealing the issue to the United States Supreme Court, sending a strong national message that the Catholic Church would fight to hide clergy sex abuse from being exposed.

44. Upon information and belief, William Lori procured a position on the Defendant USCCB's Ad Hoc Committee on Sexual Abuse, in which he helped draft the 2002 "Dallas Charter for the Protection of Children and Young People," the primary policy document aimed at preventing clergy sexual abuse in the United States. However, William Lori and the drafting committee exempted bishops from this "zero tolerance" clergy sex abuse policy document by removing references to "clergy" - inclusive of deacons, priests, and bishops - in favor of only

“priests and deacons.” William Lori commented at the time that, “we would limit it to priests and deacons, as the disciplining of bishops is beyond the purview of this document.”

45. Upon information and belief, as a result of Defendant USCCB’s exemption, through its member William Lori and the Ad Hoc Committee on Sexual Abuse, of bishops from the 2002 Dallas Charter, abusive bishops including McCarrick and Bransfield were further shielded from actions and oversight that could have prevented their sexually abusive behavior perpetrated against vulnerable persons in the Church for the last eighteen (18) years, including V.G.D.

46. Upon information and belief, between 2007 and 2012, allegations of sexual abuse of minors and seminarians were reported against Bishop Bransfield to the Defendants, USCCB and John Does 1-10. These allegations were allegedly investigated and no harm to his stature or reputation, no discipline, counseling, additional supervision or demotion was issued to Bishop Bransfield, and his abuse of young priests and seminarians, including V.G.D., continued.

47. In 2012, during a trial of Catholic Church leaders in Philadelphia, Bishop Bransfield was accused by two (2) witnesses of associating with a priest who sexually abused minors and of being aware of the sexual abuse. Bishop Bransfield was accused of allowing the Philadelphia priest to sexually abuse children at a beach house he owned on the New Jersey shore.

48. Supreme Tribunal of the Apostolic Signature, Raymond Burke - having received his share of Three Hundred Fifty Thousand Dollars from Bransfield and having received from Bransfield a home in the Diocese of Wheeling-Charleston near Washington, DC for a highly controversial and displaced religious order that Burke had previously founded in Wisconsin (the Canon Regular of the New Jerusalem), and having been preemptively warned about these

allegations by Bishop Bransfield in a phone call - did not take action against Bishop Bransfield that prevented Bishop Bransfield's future abuse, including that of V.G.D.

49. Apostolic Nuncio, Carlo Vigano - having received his share of more than Three Hundred Fifty Thousand Dollars from Bishop Bransfield, having received from Bishop Bransfield chartered flights to West Virginia to gain access to a young, all-male, ideologically susceptible audience that Vigano sought (the Boy Scouts of America's annual National Jamboree), and having previously used his office to intervene and prevent the investigation of abusive bishops, e.g. Archbishop John Nienstedt of St Paul and Minneapolis - did not take action against Bishop Bransfield that prevented Bransfield's future abuse, including that of V.G.D.

50. After Pennsylvania Grand Jury investigations and reports of the Archdiocese of Philadelphia in 2005 and 2011 and due to the newly implemented "zero tolerance" Dallas Charter, several Philadelphia clergy were removed due to allegations of sexual abuse of minors. However, having received significant monies from Bishop Bransfield, as well as favors related to Charles Borromeo Seminary on which Bishop Bransfield served on the board of trustees, Cardinal Rigali - nor any other agent of the Archdiocese of Philadelphia where Bishop Bransfield's nephew, Sean P. Bransfield, is the Vice Chancellor - did not remove Bishop Bransfield along with these other abusive clerics in part because as a bishop, Bishop Bransfield was exempt from the "zero tolerance" Dallas Charter policy drafted by William E. Lori and USCCB's ad hoc Committee on Sexual Abuse.

51. Upon information and belief, Archbishop William E. Lori, whom Pope Francis ultimately sent to the Diocese of Wheeling-Charleston to investigate the allegations of sexual harassment against Bishop Bransfield, was a long-time friend of Bishop Bransfield for many years, interacting with him when they were both in Washington, DC and proteges of former Cardinal

Theodore McCarrck when Bishop Bransfield was Rector of the Basilica of the National Shrine of the Immaculate Conception and Lori was former Cardinal McCarrick's auxiliary bishop, when they were both serving together as members of the Board of Trustees of the Catholic University of America, and as both are high-profile members of the Knights of Columbus and Knights of the Holy Sepulchre.

52. Upon information and belief, Bishop Bransfield gave Archbishop Lori a Five Thousand Dollars cash gift at the time of his installation as the Archbishop of Baltimore. Thereafter, upon information and belief, Archbishop Lori received monetary cash gifts from Bishop Bransfield totaling thousands of dollars which Archbishop Lori has characterized as Christmas presents.

53. Upon information and belief, Archbishop Lori's first visit to the Diocese of Wheeling-Charleston as the Metropolitan Archbishop of Baltimore was at Bishop Bransfield's invitation to offer a homily at the Diocese of Wheeling-Charleston's first Red Mass at the Cathedral of St. Joseph in January of 2013. This Mass, specifically for lawyers, judges, and politicians, became an annual event under Bishop Bransfield and granted Bishop Bransfield, and guest homilists like Lori, access to message West Virginia's justice system personnel. Archbishop Lori received an excessive "stipend and travel reimbursement" from the Bishop Bransfield for this event in 2013.

54. Upon information and belief, Archbishop Lori delivered a second Red Mass at the invitation of Bishop Bransfield for the Diocese of Wheeling-Charleston in January of 2017, a distinction shared by no other bishop. Following this Red Mass another excessive "stipend and travel reimbursement" was presented to Archbishop Lori by Bishop Bransfield.

55. Meanwhile, in approximately 2015, V.G.D. began to realistically explore a longtime inner urging to join the Catholic ministry as a priest. V.G.D. reached out to the Rev. Monsignor Paul A. Hudock, then Vocational Director of the Diocese of Wheeling-Charleston.

56. Upon information and belief, Msgr. Hudock formerly served as the personal secretary to Bishop Bransfield and was aware of his proclivity as a sexual predator. Msgr. Hudock arranged an interview of V.G.D. with Bishop Bransfield with regard to V.G.D.'s interest in attending seminary school.

57. Bishop Bransfield engaged in an unusually heightened involvement in V.G.D.'s application to seminary school, personally interviewing him and attempting to guide his path into the seminary and requesting his personal cell phone number on which to call and text V.G.D.

58. V.G.D. applied and was accepted into a pre-theology seminarian program in Washington, DC in the Fall of 2016 and studied at The Catholic University of America. V.G.D. was provided a residence within the seminarian dormitory across from the National Shrine of the Immaculate Conception. His schooling was paid for by the Diocese of Wheeling-Charleston, cafeteria services and health insurance were provided and he was given a monthly monetary living allowance. Following a visit by Bishop Bransfield to Washington, DC, V.G.D. was provided a vehicle and car insurance at no charge to V.G.D.

59. During his time in seminary, or "while in formation," V.G.D. took his task of priestly discernment and formation very sincerely and seriously, and was thus extremely impressionable, or "docile," to his seminary formators, priests of the Diocese of Wheeling-Charleston, and especially to Bishop Bransfield from whom the authority of all of V.G.D.'s other formators flowed. This formation included V.G.D.'s learning how to live a priestly lifestyle, which involved learning what celibacy entailed and how it was practiced.

60. In December 2017, around the same time Bishop Bransfield's permanent priest secretaries had been removed from him, V.G.D. was asked to serve as Bishop Bransfield's driver and aid, a.k.a. traveling assistant, for a trip in Washington, DC and to the Eastern Panhandle of West Virginia. The initial request was communicated to V.G.D. by Msgr. Kevin Quirk, would require V.G.D. to drive Bishop Bransfield from Washington, DC, to the Eastern Panhandle of West Virginia and return him to Washington, DC that same day. After V.G.D. agreed to act as driver, Bishop Bransfield changed his travel arrangements, communicating to V.G.D. through Msgr. Quirk, to require V.G.D. to stay overnight with him, increasing their time alone together.

61. While V.G.D. was driving Bishop Bransfield from Washington, DC to the Eastern Panhandle Bishop Bransfield removed his seatbelt, turned around to retrieve his tablet from the back seat of the vehicle such that, kneeling on the front seat, Bishop Bransfield was awkwardly and inappropriately presenting his bent-over buttocks to V.G.D. while he was driving the vehicle. That evening when at their destination in Bishop Bransfield's suite of the Priestfield Pastoral Center in the Eastern Panhandle of West Virginia, Bishop Bransfield plied V.G.D. with alcohol and the Bishop's personal chef came into town for the purpose of providing a private dinner. Bishop Bransfield repeatedly and inappropriately touched, caressed and stroked V.G.D., kissing him on the face and mouth. V.G.D. was also asked by Bishop Bransfield to handle his dirty laundry.

62. In March of 2018, Msgr. Kevin Quirk communicated to V.G.D. another invitation from Bishop Bransfield to come to Wheeling for the weekend of March 17-18, visit Bishop Bransfield at the parsonage at 52 Elmwood, and serve Mass at the Cathedral of St. Joseph's, being offered by Bishop Bransfield. V.G.D. responded to Msgr. Quirk indicating that a daytime visit to the Bishop Bransfield's home could be arranged and that he would make himself available to serve at Mass. While offering mentoring that V.G.D. very much sought, Msgr. Quirk responded that

Bishop Bransfield would like for V.G.D. to stay overnight with him at his home/the parsonage. V.G.D. acquiesced to Msgr. Quirk's offer and Bishop Bransfield's request. While at the home/parsonage of Bishop Bransfield, V.G.D. was plied with alcohol, touched inappropriately, kissed and subjected to pornographic images at the insistence of Bishop Bransfield.

63. Around this time, Bishop Bransfield continued pressuring V.G.D. to attend seminary in Rome, i.e. the Vatican, where Bishop Bransfield regularly takes extended stays. V.G.D. made known his preference not to attend seminary in Rome, but his protests went ignored.

64. On March 28, 2018, when V.G.D. was again in Wheeling with Bishop Bransfield for the occasion of V.G.D.'s receiving Candidacy, a ceremony along seminarians' path to priesthood - V.G.D. was again plied with alcohol, touched inappropriately, kissed and subjected to pornographic images at the insistence of Bishop Bransfield.

65. In May of 2018, V.G.D. received another invitation, which he initially understood as a request, to spend May 14th-19th with Bishop Bransfield in Wheeling, West Virginia at the parsonage. V.G.D. tried to politely decline the invitation in light of his previous experiences with Bishop Bransfield's overnight requests.

66. Upon information and belief, Msgr. Quirk directed V.G.D.'s superior in the Diocese of Wheeling-Charleston's Office of Vocations to communicate with V.G.D. and "impress upon" him that the request by the Bishop "was not actually a request...it was basically an expectation." "You need to be there with the Bishop during those dates" the message mandated. V.G.D. said "no" to Bishop Bransfield. But Bishop Bransfield and his subordinates in the Catholic Church overrode V.G.D.'s "no," and instead mandated that V.G.D. again spend the night with serial sexual predator Bishop Bransfield.

67. As this explicit override of V.G.D. came during an already extremely stressful time of V.G.D. trying to meet all of the seminary and Bishop Bransfield's requests - including rushing to complete an application to the seminary in Rome, navigating an expedited VISA application, end of year evaluations, preparations and taking final exams, and being triggered by an agency depriving religious event - V.G.D. escaped Bishop Bransfield's seemingly all-encompassing control and exercised some agency of his own in the only way it seemed at the time like he could, by acting out in distress - failing two of his classes, self-sabotaging his application to the seminary in Rome, and withdrawing from the priestly formation process.

68. Understanding from the Office of Vocations and the larger Diocese of Wheeling-Charleston that these overnight and basement visits with Bishop Bransfield were mandatory, V.G.D. attended and was repeatedly subjected to sexual harassment, inappropriate touching and pornography by Bishop Bransfield, on one occasion in the presence of Rev. Msgr. Frederick P. Annie and another occasion with another senior seminarian. Msgr. Annie communicated an objection to the pornography, but when Bishop Bransfield persisted, Msgr. Annie left the room, leaving V.G.D. to fend for himself. The senior seminarian who apparently made no complaint and/or levied any allegations against Bishop Bransfield, has now been ordained to the priesthood by Archbishop Lori.

69. V.G.D.'s first year of seminary school, generally designated as pre-theology, had been extremely successful, seeing him placed in several leadership roles at his seminary including co-chair of the seminary's largest charity fundraising event and new student orientation co-chair. He would likely have been admitted to the seminary theology programs to which he applied, but was being forced by Bishop Bransfield, personally and through his subordinates, to apply to theology programs to which he had little interest in attending. As Bishop Bransfield's sexual

advances on V.G.D. escalated, V.G.D. became increasingly misdirected, confused, and disillusioned with his place and experience in seminary, and his performance in the seminary began to suffer.

70. In July of 2018, Bishop Bransfield's close associate, Cardinal Theodore E. McCarrick, from whom Bishop Bransfield received episcopal consecration in February of 2005, resigned from the College of Cardinals amidst allegations that he molested an altar server and coerced adult seminary students to sleep in his bed. Pope Francis was reported to have assigned Cardinal McCarrick to "live in seclusion, prayer and penance" pending the outcome of the canonical process investigating the allegations against him. Finally, in February of 2019, under the strain of public scrutiny, Pope Francis defrocked Cardinal McCarrick.

71. Despite repeated public announcements from the Catholic Church that the sexual assault of children and young adults would not be tolerated, Bishop Bransfield was allowed to continue his ministry and sexually deviant behaviors completely unhindered for years until his mandatory resignation at the age of 75.

72. In September of 2018, five days past his 75th birthday, the age at which it is mandatory for bishops to offer to resign and retire, Pope Francis accepted Bishop Bransfield's resignation amidst allegations of misconduct.

73. Despite the public invitation by the Diocese of Wheeling-Charleston inviting anyone who has been victimized by a priest to report their experiences, V.G.D. has been met with hostility in his attempts to communicate with the investigator regarding the abuse he suffered at the hands of Bishop Bransfield. William Lori met with all of the Wheeling-Charleston seminarians upon beginning his investigation, but not V.G.D. who had left seminary one month earlier. Subsequently, V.G.D. went out of his way to approach William Lori after Mass at St. Joseph's

Cathedral, identify as a former seminarian, and arrange a future meeting for when Archbishop Lori was next in West Virginia. This meeting to discuss needed and promised healing never occurred. It was formally cancelled by Lori via subordinates, and V.G.D.'s further requests were ignored.

74. V.G.D. requested an exit interview with the Diocese of Wheeling-Charleston and the Office of Vocations following his announcement of a year of discernment away from seminarian. A one sentence email response to that request indicating that the Vocation's Director was "particularly busy," and that with regard to the exit interview, "it's going to have to wait for a little bit." This constitutes the last communication from the Diocese of Wheeling-Charleston office of vocations to V.G.D.

75. V.G.D. was discouraged in an intimidating way at his place of worship by Diocese of Wheeling-Charleston officials acting under Apostolic Administrator William Lori from talking to Archbishop Lori, who was charged with investigating the allegations of sexual harassment against Bishop Bransfield, including that of young priests and seminarians. In this instance, the official Director of Communications for the Diocese of Wheeling-Charleston – and Archbishop Lori as its Apostolic Administrator – and Msgr. Kevin Quirk, both approached V.G.D. while he was celebrating Mass and told V.G.D. explicitly, not to talk to Archbishop Lori.

76. While under the direction of Apostolic Administrator William Lori, Diocese of Wheeling-Charleston officials also intervened, again in a seemingly all-controlling and intimidating way, to prevent V.G.D. from being hired for a summer position for which V.G.D. was well qualified and for which had been selected to fill at the Diocese of Wheeling-Charleston's only Catholic institution of higher learning.

77. Upon information and belief, following Bishop Bransfield's resignation, his closest advisors, Msgr. Frederick P. Annie, Msgr. Kevin Quirk and Msgr. Anthony Cincinnati have been

removed from their respective posts amidst allegations of misconduct, which include knowledge of Bishop Bransfield's sexual deviancy, as well as allegations of misappropriation of church funds.

78. Based on the investigation and the report conducted by Archbishop William Lori and delivered to the Vatican, Bishop Bransfield was not removed from being a Catholic bishop and instead maintains his status as the Emeritus Bishop of the Diocese of Wheeling-Charleston, receiving his full retirement salary from the Diocese of Wheeling-Charleston.

COUNT I-SEXUAL HARASSMENT/SEXUAL ASSAULT
(Defendant Bishop Bransfield)

79. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

80. Defendant Bishop Bransfield engaged in sexual harassment under the West Virginia Human Rights Act, West Virginia Code §5-11-1, *et. seq.*, based upon a hostile and/or abusive work and volunteer environment.

81. Defendant Bishop Bransfield did, without permission, wrongfully and unlawfully touch V.G.D.'s person in a sexually suggestive manner and require V.G.D. to view pornographic videos. This inappropriate sexual action caused V.G.D. to be denied an equal opportunity in the workplace because he had to perform his duties as a seminarian in an atmosphere which was oppressive and in which V.G.D. feared for his personal safety and well-being. This harassment created a hostile work environment which caused V.G.D. great humiliation, embarrassment and emotional distress.

82. Defendant Bishop Bransfield's conduct was unwelcomed by V.G.D. and was done without V.G.D.'s permission.

83. Defendant Bishop Bransfield's conduct was based upon sex, as such conduct would not have been directed on a female employee.

84. Defendant Diocese of Wheeling-Charleston failed to take any action to stop such wrongful and unlawful conduct and failed to make any attempt to exercise restraint over the amount of alcohol it provided and made available to Bishop Bransfield, and/or the amount of alone time, including overnight stays Bishop Bransfield was allowed to have with V.G.D. and other seminarians.

85. To the contrary, upon information and belief, high ranking officials in the Diocese of Wheeling-Charleston, including but not limited to Msgr. Kevin Quirk would insist that V.G.D. commit to over-night visits with Bishop Bransfield whenever V.G.D. attempted to resist.

86. Plaintiff V.G.D.'s working conditions were severely altered, as he was no longer able to feel safe from being physically violated by Bishop Bransfield, creating a hostile and abusive environment which was so intolerable that V.G.D. sought ways to leave his employment and seminarian training with Diocese of Wheeling-Charleston.

87. As a direct and proximate result of such wrongful and unlawful conduct, V.G.D. suffered personal injuries and damages, including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic damages, diminished earning capacity and future lost wages, and other general and special damages afforded under West Virginia law.

.....
COUNT II - NEGLIGENT CONDUCT
(Defendant Diocese of Wheeling-Charleston)

88. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

89. The Defendant Diocese of Wheeling-Charleston owed V.G.D. a duty of care to effectively screen, monitor and supervise its clergy.

90. The Defendant Diocese of Wheeling-Charleston owed V.G.D. a duty of care to appropriately respond to suspicions, complaints and reports regarding the conduct of its clergy.

91. Having received a complaint of sexual abuse and harassment, the Defendant Diocese of Wheeling-Charleston, owed V.G.D. a special duty to act appropriately upon the complaints by virtue of its special relationship with the Plaintiff, V.G.D.

92. The Defendant Diocese of Wheeling-Charleston owed V.G.D. a duty of care to provide him with a safe environment while performing services as a seminarian.

93. The Defendant Diocese of Wheeling-Charleston owed V.G.D. a duty of care to keep him free from sexual harassment, sexual assault, intimidation and retaliation from its administration and staff.

94. The Defendant Diocese of Wheeling-Charleston breached its duty of care to V.G.D. when it failed to properly supervise its clergy and allowed multiple incidents of sexual abuse, harassment, assault, molestation, physical restraint and intimidation to occur on its property and under its watch.

95. The Defendant Diocese of Wheeling-Charleston breached its duty of care to V.G.D. when it failed to retain, train and/or supervise its employees, including but not limited to Defendant Bishop Bransfield, and his staff and other clergy to properly respond to complaints of sexual assault and harassment.

96. The Defendant Diocese of Wheeling-Charleston breached its duty of care to V.G.D. when it failed to appropriately respond to suspicions, complaints and reports that Defendant Bishop Bransfield was sexually abusing, harassing, assaulting, and intimidating male altar servers, personal secretaries and seminarians under its care and watch.

97. As a direct and proximate result of the Defendant Diocese of Wheeling-Charleston's negligent and/or reckless acts and/or omissions, V.G.D. has suffered personal injury and damages including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic losses, diminished earning capacity and future lost wages.

COUNT III – NEGLIGENCE, MISFEASANCE, NONFEASANCE,
CARELESSNESS AND/OR RECKLESSNESS
(Diocese of Wheeling-Charleston and John Does 11-20)

98. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

99. The Defendants Diocese of Wheeling-Charleston and John Does 11-20, as agents, representatives and/or employees of the Diocese of Wheeling-Charleston owed V.G.D. a duty of care to provide him with a safe environment during his church service as a seminarian and while traveling to and from church in the company of church personnel for church sanctioned activities and business.

100. Defendants Diocese of Wheeling-Charleston and John Does 11-20, as agents, representatives and/or employees of the Defendant Diocese of Wheeling-Charleston, owed V.G.D. a duty to observe, investigate, report and take action on all inappropriate interaction between seminarians and clergy, especially interaction involving allegations of sexual assault, harassment, molestation, fondling, etc.

101. Defendants Diocese of Wheeling-Charleston and John Does 11-20, in their capacity as agents, representatives and/or employees of the Diocese of Wheeling-Charleston, failed to properly investigate allegations of sexual abuse by other males, failed to appropriately supervise

Bishop Bransfield and failed to respond to credible reports that Bishop Bransfield was sexually assaulting, harassing and intimidating seminarians and male staff at the Church, including but not limited to V.G.D.

102. Defendants Diocese of Wheeling-Charleston and John Does 11-20 in their capacity as agents, representatives and/or employees of the Diocese of Wheeling-Charleston in response to credible reports that Bishop Bransfield was sexually assaulting, harassing and intimidating his personal secretaries and seminarians at the Cathedral of St. Joseph, including but not limited to V.G.D., actively sought to cover up and discourage the allegations and actively intimidated, harassed and retaliated against V.G.D. and other seminarians for making said complaints.

103. In the alternative, the actions of the Defendants were willful, wanton and/or undertaken with conscious, reckless and outrageous indifference to the health, safety and welfare of V.G.D., the pontifical crew, seminarians and church staff.

104. As a direct and proximate result of the Defendants Diocese of Wheeling-Charleston and John Does 11-20's negligence, misfeasance, nonfeasance, carelessness and/or recklessness, V.G.D. has suffered personal injury and damages including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic losses, diminished earning capacity and future lost wages.

**COUNT IV – VICARIOUS LIABILITY
(Diocese of Wheeling-Charleston)**

105. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

106. Defendants were acting as the agents, representatives and employees of the Catholic Church and the Diocese of Wheeling-Charleston while selecting and appointing the agents/employees/servants of, and/or while preaching and working for the Diocese of Wheeling-Charleston.

107. The Defendant Diocese of Wheeling-Charleston is liable for injury to V.G.D. caused by its agents/employees Defendant Bishop Bransfield and John Does 11-20 in the course and scope of their employment.

108. The Defendants Bishop Bransfield and John Does 11-20 were acting as the agents, representatives and/or employees of Defendant Diocese of Wheeling-Charleston while supervising the seminarians; while investigating the allegations of others against Bishop Bransfield; and while supervising and disciplining Bishop Bransfield following reports of abuse.

109. The Defendant Diocese of Wheeling-Charleston is liable for injury to V.G.D. caused by the negligent performance of their duties and acts by its employees Defendants Bishop Bransfield and John Does 11-20 while engaged within the course and scope of their employment.

110. As a direct and proximate result of the acts and/or omissions of the agents, representatives and employees of Defendant Diocese of Wheeling-Charleston, including but not limited to Defendants Bishop Bransfield and John Does 11-20, V.G.D. suffered personal injuries and damages, including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic damages, diminished earning capacity and future lost wages, and other general and special damages afforded under West Virginia law for all of which the Defendant Diocese of Wheeling-Charleston is vicariously liable.

COUNT V-NEGLIGENT HIRING, RETENTION AND SUPERVISION
(Diocese of Wheeling-Charleston)

111. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

112. Upon information and belief, Defendant Bishop Bransfield was at all times relevant herein an employee and agent of Defendant Diocese of Wheeling-Charleston.

113. Upon information and belief, Defendant John Does 11-20 were at all times relevant herein employees and agents of Defendant Diocese of Wheeling-Charleston.

114. Defendant Diocese of Wheeling-Charleston had a duty to use reasonable care in the selection and retention of employees and agents who were charged with the management and operation of its religious activities in West Virginia

115. Defendant Diocese of Wheeling-Charleston knew or should have known that the failure to carefully select and retain employees and agents who were qualified, capable and willing to responsibly and morally operate its church would increase the risk of injury to its parishioners, seminarians and other church employees.

116. Defendant Diocese of Wheeling-Charleston failed to select, train, supervise, manage and/or retain employees and agents, specifically including but not necessarily limited to the Defendant Bishop Bransfield and John Does 11-20, who had either the capacity or the desire to properly conduct themselves in the affairs of the religion.

117. Defendant Diocese of Wheeling-Charleston negligently and/or recklessly hired and/or trained and/or promoted and/or retained Defendant Bishop Bransfield, despite its knowledge that his excessive drinking, homosexual and pedophilic tendencies would likely cause injury and damage to third persons, including V.G.D.

118. Defendant Diocese of Wheeling-Charleston breached that duty by selecting, consecrating, hiring and/or appointing Bishop Bransfield when it knew or should have known of his immoral and criminal character, alcohol abuse and sexually deviant behaviors.

119. Defendant Diocese of Wheeling-Charleston further breached its duty of care to V.G.D. when it became aware of Defendant Bishop Bransfield's excessive drinking and indecent conduct, but nevertheless, chose to retain Defendant Bishop Bransfield as the head of its church in West Virginia.

120. Defendant Diocese of Wheeling-Charleston negligently and/or recklessly hired and/or trained and/or promoted and/or retained John Does 11-20, despite its knowledge that John Does 11-20 were not only permitting but were aiding Defendant Bishop Bransfield to act upon his homosexual and pedophilic tendencies and forcing seminarians to engage in overnight visits with the Bishop.

121. As a direct and proximate result of Defendant Diocese of Wheeling-Charleston's breach of its duty of care, V.G.D. suffered personal injuries and damages, including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic damages, diminished earning capacity and future lost wages.

COUNT VI – NEGLIGENT CONDUCT
(USCCB and John Does 1-10)

122. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

123. The Defendant USCCB and John Does 1-10, affirmatively undertook to create standards for the protection of vulnerable persons against sexual abuse by the Church; to monitor

the reports of sexual abuse within the Church; to facilitate the creation and expansion of support services for victims of sexual assault in the Church; and to audit the timeliness and efficacy of Church investigation, reports of sexual abuse and victims' programs and services.

124. Defendant USCCB and John Does 1-10 had the authority and duty to investigate and/or report the sexual misconduct of Defendant Bishop Bransfield of which it was aware.

125. Defendant USCCB and John Does 1-10 knew or should have known that its failure to meaningfully investigate and/or report allegations of sexual misconduct by Defendant Bishop Bransfield would cause harm to persons under the authority and supervision of Defendant Bishop Bransfield.

126. Upon information and belief, Defendant USCCB and John Does 1-10 had knowledge of Defendant Bishop Bransfield's propensity to sexually assault and harass altar servers, seminarians, young priests and/or his personal secretaries within the Catholic Church.

127. Despite actual and/or constructive knowledge of Defendant Bishop Bransfield's sexual misconduct, Defendant USCCB and John Does 1-10 negligently entrusted the operation of the Diocese of Wheeling-Charleston to Defendant Bishop Bransfield with knowledge that he had repeatedly sexually harassed and/or sexually assaulted vulnerable persons under his supervision.

128. Defendant USCCB and John Does 1-10's acts of concealment and/or failure to investigate and/or report the sexual misconduct of Defendant Bishop Bransfield unreasonably increased the risk of harm to third persons within the Catholic Church, including but not limited to V.G.D.

129. As a direct and proximate result of such wrongful and unlawful conduct, V.G.D. suffered personal injuries and damages, including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental

anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic damages, diminished earning capacity and future lost wages, and other general and special damages afforded under West Virginia law.

COUNT VII - NEGLIGENCE, MISFEASANCE, NONFEASANCE,
CARELESSNESS AND/OR RECKLESSNESS
(USCCB and John Does 1-10)

130. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

131. The Defendants USCCB and John Does 1-10, as agents, representatives and/or employees of the Defendant USCCB, owed V.G.D. a duty to observe, investigate, report and take action on all inappropriate interaction between seminarians and clergy, especially interaction involving allegations of sexual assault, harassment, molestation, fondling, etc. with regard to its officer Defendant Bishop Bransfield.

132. These Defendants failed to properly investigate allegations of sexual abuse by other males, failed to appropriately supervise Bishop Bransfield and failed to respond to credible reports that Bishop Bransfield was sexually assaulting, harassing and intimidating seminarians and male staff at the Church, including but not limited to V.G.D.

133. These Defendants in response to credible reports that Bishop Bransfield was sexually assaulting, harassing and intimidating his personal secretaries and seminarians at the Cathedral of St. Joseph, including but not limited to V.G.D., actively sought to cover up and discourage the allegations against their officer and prominent member Defendant Bishop Bransfield.

134. In the alternative, the actions of these Defendants were willful, wanton and/or undertaken with conscious, reckless and outrageous indifference to the health, safety and welfare of V.G.D., the pontifical crew, seminarians and church staff.

135. As a direct and proximate result of the Defendants USCCB and John Does 1-10's negligence, misfeasance, nonfeasance, carelessness and/or recklessness, V.G.D. has suffered personal injury and damages including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic losses, diminished earning capacity and future lost wages.

COUNT VIII-CIVIL CONSPIRACY
(All Defendants)

136. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

137. On or about February 2005, Defendants, each of them knowingly and willingly conspired and agreed among themselves to elevate Defendant Bishop Bransfield to the position of Bishop in the Catholic Church and place him in a position of trust and authority in the Diocese of Wheeling-Charleston.

138. Thereafter each and every Defendant named in this action, engaged in a campaign of misdirection and deceit and participated in a civil conspiracy to conceal the true nature of the sexual abuse of adolescent males by Defendant Bishop Bransfield.

139. Each and every Defendant took part in, helped, permitted, rectified, suborned and concealed the inappropriate, wrongful and illegal conduct of Defendant Bishop Bransfield in inappropriately touching, fondling, groping, sexually harassing and otherwise grooming

adolescent males within the Church and specifically seminarians to be tolerant of Defendant Bishop Bransfield's sexual advances.

140. Each and every Defendant took part in, helped, permitted, rectified, suborned, financed and concealed the excessive drinking of Defendant Bishop Bransfield when they knew or should have known that he got "handsy" when he drank and would inappropriately touch members on the pontifical crew and/or seminarians making the subjects of his illegal and inappropriate attention feel dirty and ashamed.

141. Each and every Defendant took part in, helped, permitted, rectified, suborned, financed and concealed Defendant Bishop Bransfield's lavish spending on the seminarians he was grooming, financing and delivering vehicles, computers, cash gifts, etc.

142. Each and every Defendant took part in, helped, permitted, rectified, suborned, financed and concealed Defendant Bishop Bransfield's substantial monetary gifts to individuals with influence in the Catholic Church who might increase Defendant Bishop Bransfield's status and/or assist to conceal and otherwise ignore complaints regarding his deviant behavior.

143. As Defendant Bishop Bransfield's transgressions multiplied and increased in frequency, each and every Defendant entered into a civil conspiracy and concerted action to pursue the common purpose of concealing the sexual assaults, the identities of the victims and the patterns of Defendant Bishop Bransfield from proper legal authorities, protecting Defendant Bishop Bransfield from criminal prosecution, downplaying the sexual assaults endured by the pontifical crew and seminarians, allowing Defendant Bishop Bransfield to remain in a position of power and trust and withholding his true nature as a sexual predator from the diocese and community at large.

144. As a direct and proximate result of the Defendants' participation in this civil conspiracy, V.G.D. suffered personal injuries and damages, including but not limited to permanent

psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic damages, diminished earning capacity and future lost wages.

COUNT IX-FRAUDULENT CONCEALMENT
(All Defendants)

145. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

146. Each and every Defendant had knowledge of Defendant Bishop Bransfield's propensity to drink excessively and engage in inappropriate sexual behavior toward adolescent males.

147. Alternatively, each and every Defendant had the means to know and should have known of Defendant Bishop Bransfield's propensity to drink excessively and engage in inappropriate sexual behavior toward adolescent males.

148. Each and every Defendant had knowledge of Defendant Bishop Bransfield's use of church funds to support his lavish lifestyle, excessive monetary gifts to persons with influence in the Catholic Church, and excessive gifts and expensive dinners to seminarians he was "grooming" to be receptive to his sexual advances.

149. Alternatively, each and every Defendant had the means to know and should have known of Defendant Bishop Bransfield's use of church funds to support his lavish lifestyle, excessive monetary gifts to persons with influence in the Catholic Church, and excessive gifts and expensive dinners to seminarians he was "grooming" to be receptive to his sexual advances.

150. Each and every Defendant had a duty to disclose to Defendant Bishop Bransfield's activities to the local authorities and to the community at large.

151. Each and every Defendant intended to mislead or defraud members of the Catholic Church, the local authorities and the community at large regarding the true nature of Defendant Bishop Bransfield and to conceal his deviant behavior.

152. V.G.D. relied upon the material misrepresentations of the Defendants in joining the seminary, traveling unsupervised with Bishop Bransfield, being alone with Bishop Bransfield overnight and accept employment as Defendant Bishop Bransfield's travel secretary.

153. As a direct and proximate result of the Defendants fraudulent concealment of Bishop Bransfield's abhorrent and wrongful acts, V.G.D. suffered personal injuries and damages, including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic damages, diminished earning capacity and future lost wages.

COUNT X-INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(All Defendants)

154. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

155. The conduct of each and every Defendant was atrocious, intolerable and so extreme and outrageous as to exceed the bounds of decency.

156. Each and every Defendant acted with the intent to inflict emotional distress or acted recklessly when it was certain or substantially certain emotional distress would result from their conduct.

157. The conduct of the Defendants caused V.G.D. to suffer severe emotional distress.

158. The emotional distress suffered by V.G.D. was so severe that no person could be expected to endure such duress.

159. The actions of the Defendants were willful, wanton and/or undertaken with conscious, reckless and outrageous indifference to the health, safety and welfare of V.G.D., the seminarians of the Diocese of Wheeling-Charleston, the pontifical crew and church staff.

160. As a direct and proximate result of the Defendants' wrongful action, V.G.D. suffered personal injuries and damages, including but not limited to permanent psychological injuries, past and future medical/psychological bills, past and future pain, suffering and mental anguish, past and future loss of enjoyment of life, past and future humiliation, embarrassment, indignity and shame, economic damages, diminished earning capacity and future lost wages.

COUNT XI -TORTIOUS INTERFERENCE WITH A BUSINESS RELATIONSHIP

161. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if fully set forth herein.

162. V.G.D. had an expectancy/offer of an employment following his decision to take a year of discernment from seminary school, separate and apart from the Defendant Diocese of Wheeling-Charleston.

163. Defendant Diocese of Wheeling-Charleston and/or John Does 11-20, intentionally interfered with V.G.D.'s expectancy of said employment position by instructing said third-party that V.G.D. should not be hired.

164. As a direct and proximate result of Defendant Diocese of Wheeling-Charleston and/or John Does 11-20's intentional act of interference, V.G.D.'s offer of employment was rescinded.

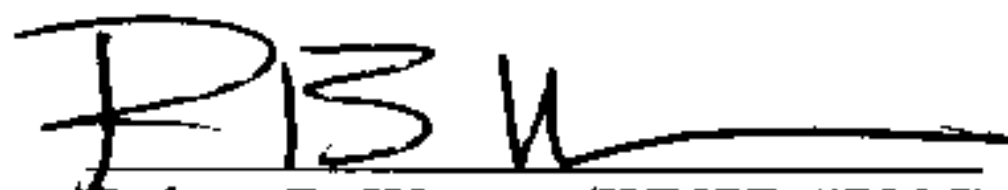
165. As a direct and proximate result of the interference of Defendant Diocese of Wheeling-Charleston and/or John Does 11-20, and the loss of this employment opportunity, V.G.D. has suffered injury and harm, including but not limited to lost wages, as well as other lost

business and employment opportunities which would have been made available through said employment, emotional distress, damage to his reputation, annoyance, and inconvenience.

WHEREFORE, V.G.D., by counsel, Warner Law Offices, PLLC, demands judgment against the Defendants United States Conference of Catholic Bishops, Diocese of Wheeling-Charleston, Bishop Michael J. Bransfield and John Does 1-20, jointly and severally in an amount exceeding the minimum jurisdictional requirements of this Court, and in such sums as will fairly and fully compensate V.G.D., for his losses, injuries and damages proximately caused by the wrongful conduct of the Defendants, together with pre and post judgment interests, reasonable attorney fees and costs in and about the prosecution of this action. V.G.D. further demands judgment against these Defendants which is punitive in nature and is sufficient to punish these Defendants for their willful, wanton, reckless conduct, undertaking with conscious, reckless and outrageous indifference to the health, safety and welfare of V.G.D. and others, and to deter like conduct in the future, together with any and all further relief in favor of V.G.D. that this Court deems just under the circumstances.

PLAINTIFF DEMANDS A TRIAL BY JURY.

**V.G.D.
By Counsel.**



Robert B. Warner (WVSB #7905)
WARNER LAW OFFICES, PLLC
227 Capitol Street
Post Office Box 3327
Charleston, West Virginia 25333
Telephone: (304) 344-4460
Facsimile: (304) 344-4508
bwarner@wvpersonalinjury.com

COUNTY, WEST

CIVIL CASE INFORMATION STATEMENT
(Civil Cases Other than Domestic Relations)

I. CASE STYLE: Case No. 19-C-230
Plaintiff(s) Judge: Jason Cuome
V.G.D.

vs. Defendant(s) Days to Answer: 30 Type of Service: Secretary of State(return to us for serving)
U.S. CONFERENCE OF CATHOLIC BISHOPS
Name
3211 4th St NE
Street Address
Washington, District of Columbia 20017
City, State, Zip Code

- II. TYPE OF CASE:**
- General Civil
 - Mass Litigation [As defined in T.C.R. 26.04(a)]
 - Asbestos
 - FELA Asbestos
 - Other: _____
 - Habeas Corpus/Other Extraordinary Writ
 - Other: _____
 - Adoption
 - Administrative Agency Appeal
 - Civil Appeal from Magistrate Court
 - Miscellaneous Civil Petition
 - Mental Hygiene
 - Guardianship
 - Medical Malpractice

III. JURY DEMAND: Yes No CASE WILL BE READY FOR TRIAL BY (Month/Year): / /

IV. DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE REQUIRE SPECIAL ACCOMMODATIONS? Yes No

IF YES, PLEASE SPECIFY:

- Wheelchair accessible hearing room and other facilities
- Reader or other auxiliary aid for the visually impaired
- Interpreter or other auxiliary aid for the deaf and hard of hearing
- Spokesperson or other auxiliary aid for the speech impaired
- Foreign language interpreter-specify language: _____
- Other: _____

Attorney Name: Robert B. Warner Representing: Plaintiff Defendant
Firm: Warner Law Offices, PLLC Cross-Defendant Cross-Complainant
Address: P. O. Box 3327, Charleston, WV 25333 3rd-Party Plaintiff 3rd-Party Defendant
Telephone: (304) 345-6789
 Proceeding Without an Attorney

Original and 6 copies of complaint enclosed/attached.
Dated: 09 / 06 / 2019 Signature: R.B.W.
SCA-C-100: Civil Case Information Statement (Other than Domestic Relations) Revision Date: 12/2015

Plaintiff: V.G.D., *et al* Case Number: _____

vs.

Defendant: U.S. CONFERENCE OF CATHOLIC BISHOPS, et al

**CIVIL CASE INFORMATION STATEMENT
DEFENDANT(S) CONTINUATION PAGE**

DIOCESE OF WHEELING-CHARLESTON

Defendant's Name

1322 Eoff Street

Street Address

Wheeling, WV 26003

City, State, Zip Code

Days to Answer: 30

Type of Service: Secretary of State(return to us for serving)

BISHOP MICHAEL J. BRANSFIELD

Defendant's Name

432 Seville Street

Street Address

Philadelphia, PA 19128

City, State, Zip Code

Days to Answer: 20

Type of Service: Personal

Doe, John 1 - 20

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: N/A

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____



SEP 11 2019 10:07 AM
WARNER LAW OFFICES, PLLC

Robert B. Warner
Truman C. Griffith
Andrew D. Byrd
Kameron T. Miller
Sean W. Cook

September 6, 2019

Ohio County Circuit Clerk
1500 Chapline Street
Wheeling, WV 26003

RE: V.G.D. v. United States Conference of Catholic Bishops, et al.
Ohio County Circuit Court
File No.: 19001211

To Whom It May Concern:

Enclosed for filing please find the original plus 6 copies of a Complaint regarding the above referenced case, along with two copies of a Civil Case Information Statement. Also enclosed please find three copies of the summons for each defendant, United States Conference of Catholic Bishops, Diocese of Wheeling-Charleston, and Bishop Michael J. Bransfield. I have enclosed a check in the amount of Five Hundred Forty-five Dollars (\$545.00) for filing the same. Please return filed copies of the Complaint and issued summonses to me in the enclosed self-addressed stamped envelope.

Thank you for your anticipated cooperation on this matter. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Tara S. Chandler
Paralegal

/tsc

Enclosures: As Stated.

cc: V.G.D.

WEST VIRGINIA | 227 Capitol Street • Charleston, WV 25301 | P.O. Box 3327 • Charleston, WV 25333 | ph (304) 345-6789 • fax (304) 344-4508

COLORADO | 7171 West Alaska Drive • Lakewood, CO 80226 | ph (970) 345-6789

(866)344-4460 • www.wvpersonalinjury.com

S U M M O N S

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

V.G.D.,

Plaintiff,

v.

CIVIL ACTION NO. 19-C-230
JUDGE: Jason Cuomo

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS,
DIOCESE OF WHEELING-CHARLESTON,
BISHOP MICHAEL J. BRANSFIELD and
JOHN DOES 1-20,

Defendants.

To: United States Conference of Catholic Bishops
3211 4th St NE
Washington, DC 20017

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Robert B. Warner, Warner Law Offices, PLLC, plaintiff's attorney, whose address 227 Capitol Street, Post Office Box 3327, Charleston, West Virginia 25333, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within **thirty (30) days** after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Brenda L. Miller

Dated: September 13, 2019

CLERK OF COURT



S U M M O N S

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

V.G.D.,

Plaintiff,

v.

CIVIL ACTION NO. 19-C-230
JUDGE: Jason Cuomo

**UNITED STATES CONFERENCE OF CATHOLIC BISHOPS,
DIOCESE OF WHEELING-CHARLESTON,
BISHOP MICHAEL J. BRANSFIELD and
JOHN DOES 1-20,**

Defendants.

**To: Diocese of Wheeling-Charleston
1322 Eoff Street
Wheeling, WV 26003**

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Robert B. Warner, Warner Law Offices, PLLC, plaintiff's attorney, whose address 227 Capitol Street, Post Office Box 3327, Charleston, West Virginia 25333, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within **thirty (30) days** after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: September 13, 2019

Brenda L. Miller
CLERK OF COURT



S U M M O N S

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

V.G.D.,

Plaintiff,

v.

CIVIL ACTION NO. 19-C-230

JUDGE: *Jason A. Cuomo*

**UNITED STATES CONFERENCE OF CATHOLIC BISHOPS,
DIOCESE OF WHEELING-CHARLESTON,
BISHOP MICHAEL J. BRANSFIELD and
JOHN DOES 1-20,**

Defendants.

**To: Michael J. Bransfield
c/o 432 Seville Street
Philadelphia, PA 19128**

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Robert B. Warner, Warner Law Offices, PLLC, plaintiff's attorney, whose address 227 Capitol Street, Post Office Box 3327, Charleston, West Virginia 25333, an answer, including any related counterclaim you may have, to the complaint filed against you in the above styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within **twenty (20) days** after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: *September 13, 2014*

Brenda L. Miller
CLERK OF COURT



* * * Communication Result Report (Sep. 13, 2019 7:44AM) * * *

1) Circuit Clerk Fax 3042320550
2)

Date/Time: Sep. 13, 2019 7:43AM

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2732 Memory TX	Judge Cuomo	P. 2	OK	

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 - E. 3) No answer
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SCA-C-196: CIVIL CASE INFORMATION STATEMENT (Other than Domestic Relations) (Revision Date: 12/2015)

Date: 09 / 06 / 2019

Original and 6 copies of complaint entered/mailed

Proceeding Without an Attorney

Telephone: (304) 345-6789

Address: P. O. Box 3307, Charleston, WV 25333

From: WINTER LAW OFFICE, PLLC

Agency Name: Robert A. Winter

Registration: Plaintiff Defendant Cross-Defendant Subpoena Plaintiff Subpoena Defendant

IF YES, PLEASE SPECIFY:

IV. DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE BROUGHT SPECIAL ACCOMMODATIONS? Yes No

Other:

IF YES, PLEASE SPECIFY: Interpreter or other auxiliary aid for the deaf and hard of hearing Reader or other auxiliary aid for the visually impaired Written or accessible hearing room and other facilities Interpreter or other auxiliary aid for the speech impaired Braille interpreter (interpreter-specific language) Other:

III. MERE REMAND: Yes No CASE WILL BE READY FOR TRIAL BY (Date/TIME): / /

II. TYPE OF CASE:

General Civil Habeas Corpus/Other Extraordinary Writ Other:

Child Support FELA Actions Adversely Affected by Agency Action Other:

Habeas Corpus (As applied in T.C.R. 26.04(f)) Other:

Adoption Administrative Agency Appeal Civil Appeal from Magistrate Court Administrative Civil Petition Other:

Child Support Other:

U.S. CONFERENCE OF CATHOLIC BISHOPS

Days to Answer: 30

Type of Service: Personal Registered Mail Return Receipt Certified Mail Other:

Security of Information to be Served:

I. CASE STYLE:

Plaintiff(s):

Defendant(s):

Case No. 19-C-032

Judge: Judge Cuomo

CIVIL CASE INFORMATION STATEMENT (Other than Domestic Relations)

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

OFFICE OF THE CIRCUIT CLERK

RECEIPT #: 96758

OHIO
1500 CHAPLINE ST.
WHEELING

DATE RECEIVED: 09/13/2019

RECEIVED FROM: WARNER LAW OFFICES

TOTAL: \$545.00

STYLE OF CASE
V.G.D.
VS.
U.S. CONFERENCE OF CATHOLIC BISHOPS

CASE #: 19-C-230

IN PAYMENT OF 1 FILING WITH 23 DEFENDANTS
BY Check 5062

BRENDA L MILLER
CLERK OF THE CIRCUIT COURT

BY UL_____