

FILED
2021 JAN 27 PM 1:11
CIVIL
DISTRICT COURTS

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

CASE NO. 2021-803

DIVISION: "L"

A.A. DOE

VERSUS

THE ROMAN CATHOLIC CHURCH OF THE ARCHDIOCESE OF NEW ORLEANS; ARCHDIOCESE OF NEW ORLEANS INDEMNITY, INC.; BLESSED TRINITY CATHOLIC CHURCH; and JOHN ASARE-DANKWAH

FILED: _____

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel comes A. A. Doe ("Doe"), a person of the full age of majority domiciled in the Parish of Orleans, who respectfully represents the following:

1.

The following parties are made defendants in this lawsuit and are liable unto your petitioner in an unspecified amount, together with legal interest thereon from the date of judicial demand until paid:

- A. John Asare-Dankwah ("Dankwah"), a person of the full age of majority domiciled in the Parish of Orleans;
- B. Blessed Trinity Catholic Church ("BTCC"), an unincorporated association with its principal place of business in the Parish of Orleans;
- C. The Roman Catholic Church of the Archdiocese of New Orleans ("Archdiocese"), an unincorporated association domiciled in and having its principal place of business in the Parish of Orleans; and
- D. Archdiocese of New Orleans Indemnity, Inc. ("Indemnity"), a Louisiana corporation domiciled in the Parish of Orleans.

2.

At all times relevant, defendant, Dankwah, was acting in the capacity of a Catholic priest serving in the BTCC Parish and operating under the authority, supervision, and direction of the Archdiocese.

3.

At all times relevant, defendant, BTCC, employed Dankwah and had direct supervisory powers over him.

4.

At all times relevant, defendant, Archdiocese, had supervisory powers and authority over Dankwah's activities.

5.

At all times relevant, defendant, Indemnity had in full force and effect a policy of insurance affording coverage for the acts complained of herein, or, in the alternative, was the insurer of Archdiocese, for the acts complained of herein.

6.

In January 2008, Doe was a 10-year-old student at Lake Forest Charter School in New Orleans, Louisiana and a parishioner of BTCC.

7.

Doe was a faithful youth minister, lector, and was otherwise active in the mission of BTCC.

8.

Doe's church activities brought him into relatively frequent contacts with Dankwah.

9.

As a parishioner of BTCC, Doe was afforded the opportunity to attend a Catholic religious retreat in or near Montgomery, Alabama.

10.

The retreat was sponsored by BTCC and organized and directed by Dankwah.

11.

The retreat was attended by approximately eleven (11) students from Catholic schools situated in the Archdiocese.

12.

On the first day of the retreat, the students met at BTCC's church property located at 4230 S. Broad Avenue, New Orleans, to board the bus that would provide transportation to the Alabama retreat house.

13.

The buses transported Doe, Dankwah, and other attendees to the retreat house in Montgomery, Alabama.

14.

Throughout the course of the retreat, Dankwah participated in instruction, exercise, prayer, sacraments, and other activities available to attendees.

15.

On the fifth day of the seven-day retreat, Dankwah approached Doe during the sacrament of penance and asked Doe if Doe loved him and loved God.

16.

Dankwah was hearing Doe's confession in a darkened anteroom of the chapel instead of the more typical confessional booth.

17.

Immediately after asking Doe to profess his love of God, Dankwah unzipped his pants and exposed his genitals to Doe and directed Doe to come to him.

18.

Doe refused at least twice to follow the priest's direction then Dankwah grabbed Doe's arm and pulled him into contact with Dankwah's body.

19.

Dankwah then held Doe down and forced him to lower his pants and underwear to ankle height.

20.

Dankwah told Doe that "this will be over quickly."

21.

Dankwah then forcefully engaged Doe in anal intercourse until Dankwah reached orgasm. Dankwah then instructed Doe to put his pants on and leave,

22.

Doe was in horrible pain and crying uncontrollably during the assault and as he left the chapel.

23.

Doe was in pain, fear, and shock that night and asked a close friend in the bunk below him to share his bunk. The friend agreed and they slept together facing away from each other.

24.

The following morning, Dankwah entered the sleeping dormitory and found Doe, who was pretending to be asleep in the bed in order to avoid talking to or interacting with Dankwah in any manner.

25.

Dankwah, seeing Doe, dragged him from the bed into another room where the two were alone.

26.

Dankwah proceeded to strike Doe repeatedly while praying and accusing Doe of being a homosexual, which, he explained was a great sin against God. Directly thereafter, Dankwah commanded him to recite the usual Catholic confessional prayers to be absolved for his sins.

27.

The beating was especially painful because Dankwah struck Doe repeatedly in the area of his already traumatized anus.

28.

Doe returned to his home at the end of the retreat and did not mention the encounter to anyone for many years because of his feelings of shame, disgust, humiliation, and fear.

29.

For years following the trauma of the rape, Doe experienced intense fear of the dark, nightmares, insomnia, and other indications of distress.

30.

In September 2020, Doe's grandmother, who was a parishioner at St. Peter Claver Catholic Church, died.

31.

Doe attended his grandmother's funeral on September 24, 2020 in Vacherie, Louisiana and was shocked and dismayed to witness Dankwah as the officiating priest.

32.

During a homily at the funeral, Dankwah, who had not seen Doe for more than a decade, made comments about Doe, further increasing Doe's sadness and discomfort.

33.

After the funeral, Doe experienced a flashback of the rape by Dankwah and began reliving the emotions of the experience repeatedly.

34.

As a result of the original trauma and the flashbacks, Doe experienced a psychotic break that caused him to:

- a. Make deranged phone calls to friends and family during which he stated that he had "mental problems";
- b. Disappear from his home for three days without contact during which he had no conscious memory of the events that occurred;
- c. Be found nude on the front lawn of a home owned by people not known to him;
- d. Be picked up by police; and
- e. Become hospitalized on two separate occasions in the Behavioral Health Ward at University Medical Center in New Orleans, Louisiana.

35.

Since Doe's hospitalization he has continued to receive intensive mental health therapy and medication.

36.

As a direct and proximate result of the above and foregoing facts, Doe is entitled to compensation from all the defendants for the following types of damages in an amount to be shown at trial:

- a. Physical pain and injury;
- b. Mental and emotional pain and suffering, humiliation, and anger;
- c. Cost of medical and pharmaceutical treatment;
- d. Loss of wages, employment, and employment opportunities;
- e. Permanent psychological damage;
- f. Diminished quality of life; and
- g. Loss of religious beliefs.

37.

Defendants herein are liable to plaintiff jointly, severally and or in solido for the reasons set forth below:

- a. Dankwah knowingly and intentionally inflicted mental and emotional injury upon Doe;
- b. BTCC and Archdiocese negligently failed to properly monitor and supervise Dankwah's activities and failed to provide appropriate adult accompaniment to the minor children in Dankwah's care and custody;
- c. BTCC and Archdiocese failed to provide proper psychological screening for Dankwah and other priests before ordaining them and assigning them to duties involving minors; and
- d. BTCC and Archdiocese negligently placed Dankwah in charge of the Youth Ministry.

38.

Doe is entitled to and demands a trial by jury as to all claims.

WHEREFORE, plaintiff A. A. Doe prays that defendants be cited and served with this petition and that after due proceedings are had that there be judgment herein in favor of plaintiff and against defendants, The Roman Catholic Church of the Archdiocese of New Orleans; Archdiocese of New Orleans Indemnity, Inc.; Blessed Trinity Catholic Church; and John Asare-Dankwah in an amount found fair and reasonable by the court together with legal interest from the date of judicial demand, all costs of these proceedings and equitable relief as may be determined by the judge and jury.

Respectfully submitted:

The Law Office of Desiree M. Charbonnet, LLC



DESIREE CHARBONNET BAR NO. 24051

365 Canal Street, Suite 1100
New Orleans, Louisiana 70130
Telephone: (504) 399-3374
Facsimile: (504) 561-7850
Electronic mail: dcharbonnet@desireelaw.com

MATTHEW CHENEVERT. BAR NO. 4026

3043 Elmwood Park Drive
New Orleans, Louisiana 70114
Telephone: (504) 451-4727
Facsimile: (504) 452-2761
Electronic mail: mchenevert@chenevertlaw.com

Law Office of Bernard L. Charbonnet, Jr. APLC

BERNARD L. CHARBONNET, JR. BAR NO. 4050

DAVID M. FINK, BAR NO. 33550

365 Canal Street, Suite 1100
New Orleans, Louisiana 70130
Telephone: (504) 561-0996
Facsimile: (504) 561-7850
Electronic mail: bcharbonnet@charbonnetassociates.com
dfink@charbonnetlaw.com

PLEASE SERVE:

Archdiocese of New Orleans Indemnity, Inc. (via Louisiana Long-Arm Statute LSA 13:3201)

Through its Agent for Service
Artex Risk Solutions, Inc.
140 Kennedy Drive, Suite 101
South Burlington, Vermont 05403

Archdiocese of New Orleans Indemnity, Inc.

Through its Agent for Service
Louisiana Secretary of State, R. Kyle Ardoin
8585 Archives Avenue
Baton Rouge, Louisiana 70809

The Roman Catholic Church of the Archdiocese of New Orleans

Through its Registered Agent
Jeffrey J. Entwisle
7887 Walmsley Avenue
New Orleans, Louisiana 70125

Blessed Trinity Catholic Church

Through its Registered Agent
Jeffrey J. Entwisle
7887 Walmsley Avenue
New Orleans, Louisiana 70125

John Asare-Dankwah

1920 St. Philip Street
New Orleans, Louisiana 70116

FILED
2021 JAN 27 PM 1:44
CIVIL DISTRICT COURT

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

CASE NO.

DIVISION: " "

A.A. DOE

VERSUS

THE ROMAN CATHOLIC CHURCH OF THE ARCHDIOCESE OF NEW ORLEANS; ARCHDIOCESE OF NEW ORLEANS INDEMNITY, INC.; BLESSED TRINITY CATHOLIC CHURCH; and JOHN ASARE-DANKWAH

FILED: _____

DEPUTY CLERK

CERTIFICATE OF ATTORNEY DESIRÉE M. CHARBONNET

STATE OF LOUISIANA

PARISH OF ORLEANS

I have reviewed the facts of the case and have consulted with at least one licensed mental health practitioner who is licensed to practice and practices in this state. I reasonably believe Dr. Wellington Coleman, PHD is knowledgeable of the relevant facts and issues involved in this particular action. I have concluded on the basis of that review and consultation that there is reasonable and meritorious cause for the filing of this petition.



DESIRÉE M. CHARBONNET

SWORN TO AND SUBSCRIBED BEFORE
ME THIS 27TH DAY OF JANUARY 2021.



NOTARY PUBLIC

MY COMMISSION EXPIRES AT DEATH

DAVID M. FINK
Notary Public, Bar No. 33550
State of Louisiana
My Commission is issued for Life

FILED
NO JAN 27 PM 1:48
CIVIL NO
DISTRICT COURT

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

CASE NO.

REVENUE: * *

A.A. DUE

VERSUS

THE ROMAN CATHOLIC CHURCH OF THE ARCHDIOCESE OF NEW ORLEANS; ARCHDIOCESE OF NEW ORLEANS INDEMNITY, INC.; BLESSED TRINITY CATHOLIC CHURCH; and JOHN ASHBY BAKER all

FILED _____

DEPUTY CLERK

CERTIFICATE OF DR. WELLINGTON COLEMAN, MD

STATE OF LOUISIANA

PARISH OF ORLEANS

I hereby certify that I am a mental health practitioner who has been consulted by the plaintiff in the above matter. I am licensed to practice and am practicing in this state and I am not a party to the action. I have interviewed the plaintiff and am knowledgeable of the relevant facts and issues involved in the particular action. I have concluded, on the basis of my knowledge of the facts and issues, that in my professional opinion there is a reasonable basis to believe that the plaintiff has been subject to criminal sexual activity as alleged above during his childhood.


DR. WELLINGTON COLEMAN, MD

SWORN TO AND SUBSCRIBED BEFORE
ME THIS 27th DAY OF JANUARY 2021.


NOTARY PUBLIC

MY COMMISSION EXPIRES AT DEATH

