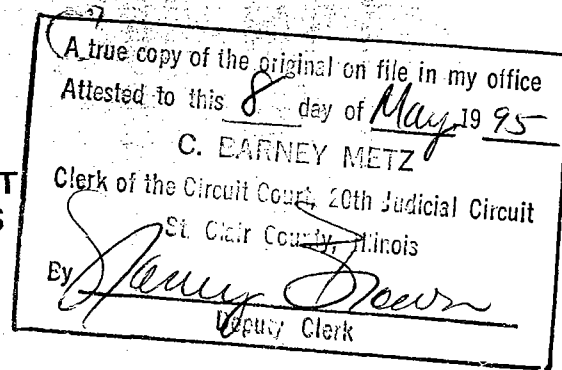


IN THE CIRCUIT COURT
TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS



GINA TRIMBLE PARKS and
DOUGLAS PARKS, husband and wife,

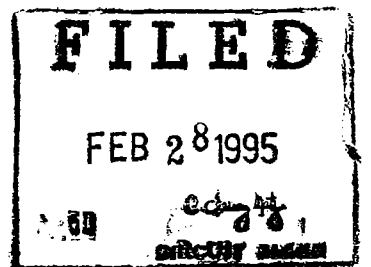
Plaintiffs,

vs.

CIVIL FILE NO. 95 L 308

REVEREND RAYMOND KOWNACKI,
individually and as agent of THE
CATHOLIC DIOCESE OF BELLEVILLE, a
nonprofit corporation, THE CATHOLIC
DIOCESE OF BELLEVILLE, a nonprofit
corporation,

Defendant.



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COMPLAINT AT LAW

Count I - Childhood Sexual Abuse/Kownacki

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Reverend Raymond Kownacki (Father Kownacki), represents unto this Court:

1. Gina is a resident of Calhoun County, State of Michigan.

2. Upon information and belief Father Kownacki was, at all times pertinent hereto, a resident of Washington Park, St. Clair County, Illinois.

3. Upon information and belief, at all times pertinent hereto, Father Kownacki was (and continues to be) a Roman Catholic priest, educated, trained and ordained by the Roman Catholic Church and employed by the Catholic Diocese of Belleville (the Diocese) as a parish priest.

4. At all times pertinent hereto Father Kownacki was an adult.

5. At all times pertinent hereto the Diocese conducted its business in, among other places, St. Clair County, Illinois.

6. At all times pertinent hereto St. Martin's of Tours Church was supervised by the Diocese and conducted its business in St. Clair County, Illinois.

7. In 1970 Gina was a resident of Wabash County, Illinois, residing with her parents and eight brothers and sisters (the Trimble family).

8. At all times pertinent hereto the Trimble family were devout Roman Catholics belonging to the Church of St. Francis Xavier in St. Francisville, Illinois

9. In about June 1970 Father Kownacki was assigned by the Diocese to be parish priest of St. Francis Xavier Church in St. Francisville, Illinois, where he ministered to, among others, the Trimble family.

10. Gina was fifteen years old in 1970.

11. The Trimble family believed that in order to live their lives correctly and receive God's blessings, they must follow the teachings of the Roman Catholic Church without question.

12. Gina, and her brothers and sisters, attended Young Catholic Training classes at St. Francis Xavier Church in 1970 where she became acquainted with Father Kownacki and where she gave him her trust and respect.

13. Shortly after his arrival in St. Francisville, Illinois, Father Kownacki employed Gina to clean the St. Francis Xavier Church rectory.

14. Father Kownacki advised Gina that he took the vow of celibacy before he fully understood its consequences, that he came to realize that it was difficult for a priest to counsel people with respect to their marriages without himself having personally experienced marriage. Father Kownacki informed Gina that he had become angry with the Catholic Church, because his family pressured him to become a priest when he got a girl pregnant when he was fifteen years old, that he had spent some time in Haiti, and that he had experimented with voodoo and sold his soul to the Devil which made it possible for him to have literally anything he wanted. Father Kownacki elicited sympathy from Gina by making her believe that he felt like he was trapped by the priesthood and could not get out.

15. While Gina was cleaning Father Kownacki's bedroom one Saturday in the Fall of 1970, she was startled when Father Kownacki switched the vacuum off and asked her if he could show Gina a little voodoo trick he had learned. He asked her if she would like to see what Alice felt like in the looking glass. Father Kownacki advised Gina to stand very still and stare at herself in the mirror located on the dresser in his bedroom and chant "I'm on the inside looking out" over and over. Gina felt foolish and advised Father Kownacki that it was not working. Father Kownacki said that there was probably too much light and that Gina was not concentrating. Father

Kownacki then turned off the lights in his bedroom and closed the drapes while Gina continued the chant.

16. The next thing Gina remembers is finding herself on his bed underneath Father Kownacki's naked perspiring body, and discovering, to her horror, that he had raped her.

17. Father Kownacki then advised Gina that he loved her and that he needed her love, that she should trust him. Father Kownacki then warned Gina that she must never tell anyone about his sexual assault of her, or else not only Gina but the entire Trimble family would be excommunicated from the Roman Catholic Church. Father Kownacki also warned Gina that if she were responsible for disclosing that he had sexually assaulted her, it would ruin the lives of the many blindly devoted parishioners who could never understand that priests were people too.

18. From that day until very recently, Gina has indeed felt that she is on the "inside looking out" and that she must never report Father Kownacki to anyone.

19. Gina felt that she had sinned with Father Kownacki, but she could not tell her parents, and there was no other priest available with whom to consult.

20. After Kownacki had intercourse with Gina her school grades suffered and she experienced emotional distress.

21. In early 1971 Father Kownacki advised Gina that he was being transferred to St. Martin's of Tours Parish in Washington Park, St. Clair County, Illinois, and that he was going to take Gina with him. This Parish is also supervised by the Diocese.

22. Gina did not want to accompany Father Kownacki to Washington Park. She was horrified at the thought, yet she was afraid to tell anyone why she did not want to go.

23. In order to gain the trust of the Trimble family Father Kownacki provided financial assistance to them.

24. Father Kownacki convinced the Trimble family that Gina needed a higher education than what she was getting in public school, that she was not being challenged, and that she should be allowed to accompany him to St. Martin's where she would get a much better education in at St. Paul's Catholic High School in Highland, Illinois, and where she would be able to more fully develop her artistic talents.

25. While Gina was filled with shame and guilt and horror at the thought of moving to Washington Park, she could not bring herself to visit this shame and guilt upon her family in the small, very Catholic rural community where she was raised and she could not disclose to anyone what Father Kownacki had done to her. Father Kownacki obtained and exercised virtually complete psychological control, domination, and authority over Gina.

26. In early 1971, Father Kownacki took Gina, then age 16, to obtain her driver's license. He told her that she was now considered by law to be a consenting adult and that now no one could ever accuse him of sexually abusing a minor.

27. Father Kownacki then arranged for Gina to drive with him to Pinkneyville, Illinois, to assist his ailing mother with cleaning her home. While at Father Kownacki's mother's home, Father Kownacki crept into Gina's bedroom at night and rubbed lotion

all over her body. Gina asked him to stop, but Father Kownacki refused. She lay frozen in silence and has no further recollection of what else transpired that night.

28. Gina moved into the Church rectory in Washington Park in the Summer of 1971 with Father Kownacki and two young Guatemalan men, Rudy and Carmelina Equizabel, who also lived with Father Kownacki and who were also under his psychological control and authority.

29. At age 16, Gina was expected to do the housekeeping, cooking and laundry for Father Kownacki and the Equizabels while she attended school at St. Paul's High School in Highland, Illinois (St. Paul's). Father Kownacki continued to exert such psychological control over Gina that in the evenings she served as his mistress, submitting to sexual intercourse when Father Kownacki required it approximately once or twice a week. Father Kownacki encouraged Gina to drink alcohol particularly before he planned sexual activity.

30. When Gina came home from school in the evenings Father Kownacki reviewed with Gina the day's events and how she must deal with situations that would arise. Father Kownacki told Gina that she was to tell people that she was his distant cousin if people asked.

31. Father Kownacki encouraged and insisted that Gina date boys for appearances sake, but she was not to have a sexual relationship with anyone but Father Kownacki.

32. Gina could not confide in anyone about the way Father Kownacki was using her and sexually abusing her because of the warnings and threats he had made earlier and that he continued to make.

33. In about December of 1971, Gina began dating a boy Father Kownacki introduced to her. She dated this boy steadily thereafter.

34. In the Fall of 1972 Gina attempted to refuse to have intercourse with Father Kownacki and locked her bedroom door. But, Father Kownacki had a key, forced his way inside her room and forced her to have intercourse on numerous occasions.

35. Father Kownacki took photographs of Gina nude and threatened to send them to the Trimble family if she refused to have intercourse with him or disclosed his sexual abuse of her.

36. After taking her to a sexually explicit movie, Father Kownacki physically forced Gina to perform fellatio on him and fellatio became his preferred method of sexual gratification and he repeatedly required Gina to perform fellatio on him. This was even more revolting to Gina than the sexual intercourse that she had been forced previously to endure.

37. In the Fall of 1972, Gina began having trouble with her studies at St. Paul's and began having behavioral problems.

38. St. Paul's was owned, operated, and/or under the control of the Diocese.

39. The principal of St. Paul's, Sister Clare, and a supervising employee of the Diocese (a Monsignor) met with Gina and asked her if Father Kownacki was sexually abusing her. Gina was afraid to tell the truth and she denied it.

40. The Monsignor called Father Kownacki into the school on the same day and, upon information and belief, inquired about the relationship between Father

Kownacki and Gina. When Father Kownacki returned that evening he became very angry and physically violent with Gina.

41. In January 1973 Gina became intoxicated and decided to have intercourse with the boy she had been dating for the past year. Gina felt very close to this boy and wanted to experience sex with someone she cared about rather than someone who disgusted her.

42. When Gina returned to the Church rectory that evening Father Kownacki was waiting for her. He was very angry and very intoxicated. Father Kownacki accused Gina of having intercourse with her boyfriend. He asked how she could possibly do this to him after all he had done for her and he put a gun to his head and threatened to pull the trigger. Gina said that she loved her boyfriend and would no longer have sex with Father Kownacki. Father Kownacki put the gun down and picked up a kitchen knife and held it to Gina's throat and told her that she could end up as another statistic on the streets of East St. Louis and no one would miss another miserable whore. Father Kownacki picked up the gun pointing it at her and ordered her into his car and told her to drive.

43. In the car Father Kownacki threatened to kill Gina and himself and told her that he loved her. After driving around for a while he told Gina to return to the Church rectory.

44. When Gina and Father Kownacki returned to the rectory, Father Kownacki raped and required her to promise to behave and never see her boyfriend again.

45. For the next several months Gina did not see her boyfriend. She also learned that she was pregnant. She met with her boyfriend to inform him of her pregnancy. Gina believed that her boyfriend was the father of her baby because Father Kownacki claimed to have had a vasectomy in Guatemala. Her boyfriend took her to a doctor who confirmed the pregnancy. He then promised to marry Gina and care for her and their baby.

46. When Gina came home late after seeing her boyfriend, Father Kownacki flew into a drunken rage. He grabbed Gina's hair like a handle and started to beat her head against the wall and the floor. He picked up a metal chair and started to beat her with the chair. Gina told Father Kownacki she was pregnant and she fought back physically. Gina told Father Kownacki that she was going to marry her boyfriend, have the baby, get out of his life and no one would ever know about she and Father Kownacki. In an attempt to end the beating she was receiving, Gina swore to Father Kownacki that she would never tell about his sexual abuse of her.

47. Father Kownacki again flew into a rage, began again to beat Gina and screamed at her that if he could not have her no one would.

48. After Father Kownacki beat Gina into submission he told her to get undressed and to go lay down on the living room couch. Gina was hysterical with fear. Father Kownacki removed his clothes and jumped on the naked Gina.

49. Gina then began to pray to God that, if you are real, please help me now. She then, somehow, found the strength to push Father Kownacki off of her. He landed on the floor and knocked himself unconscious. Gina then became terrified that

she had killed him and, when she discovered he was still alive, she dragged him to his bed.

50. After checking to make sure Father Kownacki was still breathing, Gina ran hysterically out of the house on a cold, rainy evening, without a coat, down the dark street. She ran and ran for some time and eventually was seen by two police officers in a police car. They stopped her and put her in the police car. Gina was hysterical and could not talk with the police officers.

51. The police officers returned Gina to the rectory where Father Kownacki was waiting at the front door fully dressed and greeted them. He thanked the police officers very politely, told them that Gina had had some terrible experience and that he had been very worried about her.

52. Father Kownacki advised Gina that there was no way she could have a baby. He required her to drink a potion that he had mixed which he told her was a guinine mixture used in Central America to abort babies that are not wanted.

53. Gina who felt completely at the mercy of Father Kownacki at this point drank the potion, began feeling very tired and weak and went to her bedroom to lay down. Father Kownacki then entered her bedroom, removed Gina's slacks and underpants, inserted his entire hand into Gina's vagina and wrenched and squeezed her uterus. Gina passed out. She has only vague recollections of the events that followed. Gina does remember waking up and finding herself lying in a pool of blood. She somehow got back to her home in Alandale.

54. Shortly after, Gina self aborted a dead fetus at home. She was taken, along with the fetus, to the Wabash General Hospital in Mt. Carmel, Illinois, in about

March of 1973 where she had a dilation and curettage. Upon information and belief she was also treated for endometriosis and toxemia. She was informed that if she had not been brought into the hospital when she was, she would not have lived.

55. After Gina recovered she returned to Washington Park in approximately April of 1973 to pick up her belongings from the Church rectory. She was accompanied by her father and mother. Father Kownacki was present when they arrived. Gina's father threatened Father Kownacki, but Father Kownacki responded that no one would believe Gina's story and that no one could "touch him." As Gina left the Church rectory, Father Kownacki warned her that he would always know where she was and that she could never escape him.

56. Gina, her parents and Father Dean J. Braun, Father Kownacki's successor at the St. Francis Xavier Parish, visited with Bishop Albert Zuroweste to inform him of Gina's treatment at the hands of Father Kownacki. Bishop Zuroweste was told of Father Kownacki's sexual abuse of Gina. Bishop Zuroweste took no notes and showed little interest, but assured them that he would handle the matter. Upon information and belief, approximately six weeks later, Father Kownacki was reassigned to a parish in Salem, Illinois, as a parish priest where he remained for sometime and where he was allowed to continue to minister to minor children such as Gina.

57. Father Braun, another Diocesan employee, annointed Gina with holy oil and advised Gina that she must forgive Father Kownacki and forget what he had done to her because the rage would simply "eat her up like a cancer," and she should get on with her life.

58. Since leaving Father Kownacki and Washington Park, on at least two occasions, Father Kownacki intentionally intimidated Gina by making sure that she knew that he knew exactly where she was: once by letter and once when an unknown individual contacted her husband.

59. Father Kownacki bragged about having connections with organized crime in Chicago through an uncle he said was nicknamed "Kid Gloves."

60. Father Braun advised Gina that the CIA was investigating Father Kownacki for some unknown reason.

61. Gina's fear of Father Kownacki, his threats to excommunicate Gina's family, Father Braun's advice to "forgive and forget," the failure of Bishop Zuroweste, who she perceived to be the highest available authority at the time, to do anything about Father Kownacki which reinforced Father Kownacki's statement that he was untouchable, her fear of his claimed connections to organized crime and her failure to understand the psychological impact of the injuries she suffered at the hands of Father Kownacki as well as her repressed memory of many of the events, all combined to prevent Gina from pursuing her claims against the Defendants until the filing of this complaint.

62. In addition, the sexual abuse of Gina, and the circumstances under which it occurred, caused Gina to develop various coping mechanisms and symptoms of psychological distress, including great shame, embarrassment, guilt, self-blame, denial, and disassociation from her experiences. Because of this psychological distress and the coping mechanisms which resulted, Gina did not realize that the sexual contact by Father Kownacki was sexual abuse and that she had been injured

as a result of that abuse. Gina has only recently begun to understand the past and present impact of this sexual, emotional and physical abuse.

63. The amount in controversy exceeds \$15,000.00.

64. At all times pertinent hereto Gina was either a minor, or 18 years of age and under the psychological control, authority and domination of Father Kownacki.

65. As a direct and proximate result of Father Kownacki's sexual abuse of Gina, Gina has suffered and will continue to suffer the following injuries and damages:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.
- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.
- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.
- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.
- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.

- m) The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina requests judgment in her favor for actual, and compensatory damages in an amount in excess of \$15,000.00, plus interest and costs including actual attorney fees.

Count II - Breach of Fiduciary Duty/Father Kownacki

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Reverend Raymond Father Kownacki (Father Kownacki), represents unto this Court:

66. Paragraphs 1 through 65 are realleged as though fully set forth herein.

67. When Gina's parents entrusted Gina's care and education to Father Kownacki he accepted a special relationship with Gina which imposed upon him a fiduciary duty to Gina requiring Father Kownacki to interact with Gina with the utmost care, loyalty and good faith and to refrain from using that special relationship to physically and psychologically harm Gina.

68. As a direct and proximate result of the breach of Father Kownacki's fiduciary duty to Gina, Gina was injured and damaged as follows:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.

- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.
- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.
- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.
- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.
- m) - The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina requests judgment in her favor for actual, and compensatory damages in an amount in excess of \$15,000.00, plus interest and costs including actual attorney fees.

Count III - Intentional Infliction of Emotional Distress/Father Kownacki

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Reverend Raymond Father Kownacki (Father Kownacki), represents unto this Court:

69. Paragraphs 1 through 68 are realleged as though fully set forth herein.

70. Father Kownacki's sexual abuse, physical abuse and psychological abuse of Gina and the use of his position as a Roman Catholic Priest and as the de facto guardian of Gina was so extreme and outrageous that it passed beyond the boundaries of decency and is utterly intolerable in a civilized community and was intentional, malicious or done with a conscious disregard for Gina's well-being. The intentional conduct of Father Kownacki has caused, and continues to cause Gina emotional distress which is so severe that no reasonable person could be expected to endure it.

71. The acts of Father Kownacki were willful and wanton.

72. As a result of the acts of Father Kownacki, Gina has suffered and continues to suffer the following injuries and damages:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.
- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.
- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.
- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.

- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.
- m) The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina requests judgment in her favor for actual, and compensatory damages in an amount in excess of \$15,000.00, and punitive damages of \$15,000,000.00 plus interest and costs including actual attorney fees.

Count IV - Willful and Wanton Conduct/Father Kownacki

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Reverend Raymond Father Kownacki (Father Kownacki), represents unto this Court:

73. Paragraphs 1 through 72 are realleged as though fully set forth herein.

74. Father Kownacki's course of action showed an actual, or deliberate, or malicious intention to harm Gina, and/or showed an utter indifference to, or conscious disregard, for Gina's safety.

75. Gina is entitled to an award of punitive damages.

WHEREFORE, Gina respectfully requests that this Court enter judgment in her favor for actual and compensatory damages in an amount in excess of \$15,000 and for punitive damages in the amount of \$15,000,000 plus interest and the costs of this action including actual attorney fees.

Count V - Breach of Fiduciary Duty/the Diocese

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Catholic Diocese of Belleville, Illinois (the Diocese), represents unto this Court:

76. Paragraphs 1 through 75 are realleged as though fully set forth herein.

77. Father Kownacki was at all times complained of an employee and an agent of the Diocese.

78. As a direct and proximate result of Father Kownacki's breach of his fiduciary duty to Gina, Gina was injured and damaged as follows:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.
- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.
- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.

- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.
- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.
- m) The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina requests judgment in her favor for actual, and compensatory damages in an amount in excess of \$15,000.00, plus interest and costs including actual attorney fees.

Count VI - Respondeat Superior/the Diocese

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Catholic Diocese of Belleville, Illinois (the Diocese), represents unto this Court:

79. Paragraphs 1 through 78 are realleged as though fully set forth herein.

80. At all relevant times, Father Kownacki was employed by and/or was an agent of the Diocese, and was under its direct supervision and control when Father Kownacki negligently, wrongfully, maliciously, and intentionally performed the acts described herein. Father Kownacki engaged in the improper religious instruction, counseling, de facto guardianship and supervision of Gina in the course and scope of his employment with the Diocese and the conduct was committed within the apparent authority arising from his employment.

81. As a direct and proximate result of one or more of the foregoing acts or omissions of Father Kownacki, Gina has suffered injuries and damages as follows:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.
- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.
- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.
- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.
- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.
- m) The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina respectfully requests that this Court enter judgment in her favor for actual and compensatory damages in an amount in excess of \$15,000.00, plus interest and the costs of this action including actual attorney fees.

Count VII - Failure to Warn/the Diocese

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Catholic Diocese of Belleville, Illinois (the Diocese), represents unto this Court:

82. Paragraphs 1 through 81 are realleged as though fully set forth herein.

83. At all times pertinent hereto the Diocese knew, or should have known, that Father Kownacki was a pedophile and that if he was allowed to come into contact with children while in the course and scope of his employment that he was likely to sexually abuse some of such children, including Gina.

84. The Diocese failed to warn Gina, or her parents, of Father Kownacki's known pedophile propensities.

85. The Diocese held Father Kownacki out to the public, including Gina and her parents, as a competent and trustworthy priest, guardian and counselor of high morals.

86. The Diocese allowed its agent Father Kownacki to serve as the guardian and protector of Gina, allow Gina to move into the Church rectory with Father Kownacki and fostered an environment whereby Father Kownacki was permitted to continually sexually and physically abuse Gina, all while Father Kownacki was acting within the course and scope of his employment with the Diocese.

87. As a direct and proximate result of one or more of the foregoing acts or omissions of the Diocese, Gina has suffered injuries and damages as follows:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.
- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.
- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.
- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.
- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.
- m) The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina respectfully requests that this Court enter judgment in her favor for actual and compensatory damages in an amount in excess of \$15,000.00, plus interest and the costs of this action including actual attorney fees.

Count VIII - Negligence/the Diocese

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Catholic Diocese of Belleville, Illinois (the Diocese), represents unto this Court:

88. Paragraphs 1 through 87 are realleged as though fully set forth herein.

89. The Diocese had a duty to protect Gina and provide a safe spiritual counseling and educational environment for her. The Diocese assumed this duty by holding Father Kownacki out to the public, including the Trimble family, as a competent and trustworthy priest, counselor, educator and guardian of high morals and by permitting Father Kownacki to provide a home and education for Gina.

90. The Diocese breached this duty by exposing Gina to Father Kownacki's utterly outrageous behavior and by failing to properly protect Gina and to provide for her safety.

91. As a direct and proximate result of the Diocese' negligence Gina has suffered the following injuries and damages as follows:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.
- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.

- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.
- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.
- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.
- m) The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina respectfully requests that this Court enter judgment in her favor for actual and compensatory damages in an amount in excess of \$15,000.00, plus interest and the costs of this action including actual attorney fees.

Count IX - Negligent Supervision and Retention/the Diocese

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Catholic Diocese of Belleville, Illinois (the Diocese), represents unto this Court:

92. Paragraphs 1 through 91 are realleged as though fully set forth herein.

93. The Diocese is responsible for overseeing the operation of its parishes, including, but not limited to, St. Martin's and St. Francis, and supervising the actions and conduct of the officials and employees of the parishes within the Diocese.

94. The Diocese, through its agents, officials, servants or employees, knew or should have known of Father Kownacki's dangerous and exploitive propensities as a pedophile, child sexual abuser, and alcoholic, and/or his violent nature and that he was an unfit agent, not competent to be employed as a parish priest, nor competent to be placed in a position where he exercised supervisory control over minors, particularly Gina.

95. Despite such knowledge, the Diocese negligently employed and/or continued the employment of Father Kownacki in a position of trust and authority as a parish priest and counselor whose duties included providing religious instruction, counseling, guardianship and supervision of minors who attended St. Francis and/or St. Martin's, where Father Kownacki was able to commit the wrongful and negligent acts described herein.

96. The Diocese failed to provide reasonable supervision of Father Kownacki, failed to act reasonably in a manner so as to prevent him from further engaging in the negligent and wrongful conduct and failed in its duty to warn Gina and her parents of Father Kownacki's dangerous, abusive and violent propensities.

97. As a direct and proximate result of the Diocese failure to properly supervise Father Kownacki and/or the Diocese's decision to retain Father Kownacki as a parish priest, Gina has suffered the following injuries and damages:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.
- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.
- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.
- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.
- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.
- m) The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina respectfully requests that this Court enter judgment in her favor for actual and compensatory damages in an amount in excess of \$15,000.00, plus interest and the costs of this action including actual attorney fees.

Count X - Negligent Infliction of Emotional Distress/the Diocese

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Catholic Diocese of Belleville, Illinois (the Diocese), represents unto this Court:

98. Paragraphs 1 through 97 are realleged as though fully set forth herein.

99. The sexual and physical abuse of Gina, and the circumstances under which it occurred, caused Gina to develop various coping mechanisms including symptoms of psychological distress, including great shame, embarrassment, guilt, self-blame, denial and disassociation from her experiences with Father Kownacki. Because of this psychological distress and the coping mechanisms that resulted, Gina did not realize that the sexual contact by Father Kownacki was sexual abuse and that she had been severely injured and damaged as a result of that abuse. Many of her memories were buried deep in Gina's subconscious mind and Gina had succeeded, to a certain extent, in disassociating herself with the past.

100. In late 1994, Gina was notified that Marjorie Mensen of Catholic Social Services was trying to contact her. Gina then contacted Mensen who advised Gina that she was a social worker hired by the Diocese to investigate the possibility that Father Kownacki had sexually abused Gina while she was a minor. Gina confirmed that he had. This contact by Marjorie Mensen brought to surface memories which had long since been buried, and has caused Gina to relive many of the experiences again which has resulted in severe mental, emotional, psychological and physical distress

and anguish. When she discovered that her disclosure led to Father Kownacki being removed from his ministry, she became terrified that Father Kownacki would retaliate against her. She still fears retribution from Father Kownacki.

101. The Diocese had a duty to refrain from making such inquiry of Gina without assessing the effect it would have on Gina's emotional, mental and psychological well-being.

102. The Diocese's complete lack of consideration for Gina, and its blind pursuit of its own agenda, has caused severe emotional distress and physical injuries, including, but not limited to, elevated blood pressure, lack of sleep, nightmares, and the horror of reliving many of the experiences which were buried in her deep subconscious mind, and she continues to relive new experiences as memories return to her conscious memory.

103. The Diocese had a duty to consider the emotional distress that would be visited upon Gina if the Diocese's agents and employees inquired about Gina's association with Father Kownacki and the failure of the Diocese to give any consideration to Gina's emotional well-being resulted in the above mentioned injuries and damages.

104. In addition, the Diocese caused Gina severe emotional distress by, among other things, failing to discipline Father Kownacki after Gina and her parents reported his actions to Bishop Zuroweste. The Diocese had a duty to Gina to appropriately discipline Father Kownacki and to demonstrate to Gina that her personal well-being was of some value to the Diocese. The Diocese utter failure to appropriately discipline

Father Kownacki directly and proximately resulted in the following injuries and damages to Gina:

- a) Injuries to her uterus as a result of the abortion, including scarring, causing among other things fetal distress and caesarian deliveries.
- b) The need for a dilation and curretage and the development of endometriosis and toxemia.
- c) The forced abortion of her child.
- d) Mental distress and anguish, shock, guilt, self-blame, embarrassment, humiliation, mortification and disgrace.
- e) The loss of self-esteem, past, present and future.
- f) The loss of enjoyment of life, past, present and future.
- g) Severe depression, past, present and future.
- h) The inability to develop her artistic talents.
- i) The loss of income and earning capacity, past, present and future.
- j) Mental and psychological injuries including, but not limited to, post traumatic stress disorder, requiring continuing treatment, therapy and counseling.
- k) Other injuries including elevated high blood pressure resulting from sudden flash backs and injuries from physical assaults including back and head injuries.
- l) Nightmares and loss of sleep.
- m) The loss of companionship and a normal family relationship with her husband, parents, brothers and sisters.

WHEREFORE, Gina respectfully requests that this Court enter judgment in her favor for actual and compensatory damages in an amount in excess of \$15,000.00, plus interest and the costs of this action including actual attorney fees.

Count XI - Willful and Wanton Conduct/the Diocese

Now comes Plaintiff Gina Trimble Parks (Gina) by and through her attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for her cause of action against Defendant Catholic Diocese of Belleville, Illinois (the Diocese), represents unto this Court:

105. Paragraphs 1 through 104 are realleged as though fully set forth herein.

106. The Diocese course of action, as more fully set forth above, showed an actual or deliberate intention to harm Gina and/or showed an utter indifference to or conscious disregard for Gina's safety and the safety of others.

107. Gina is entitled to an award of punitive damages.

WHEREFORE, Gina respectfully requests that this Court enter judgment in her favor for actual and compensatory damages in an amount in excess of \$15,000 and punitive damages in the amount of \$15,000,000.00 plus interest and the costs of this action including actual attorney fees.

Count XII - Loss of Consortium Douglas/Father Kownacki

Now comes Plaintiff Douglas Parks (Parks) by and through his attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for his cause of action against Defendant Reverend Raymond Father Kownacki (Father Kownacki), represents unto this Court:

108. Paragraphs 1 through 107 are realleged as though fully set forth herein.

109. Douglas married Gina in 1975.

110. As a direct and proximate result of the actions of Father Kownacki as set forth above, Douglas has been deprived of the consortium and companionship of Gina.

WHEREFORE, Douglas respectfully requests that this Court enter judgment in his favor for actual and compensatory damages in an amount in excess of \$15,000.00, plus interest and the costs of this action including actual attorney fees.

Count XIII - Loss of Consortium Douglas/the Diocese

Now comes Plaintiff Douglas Parks (Douglas) by and through his attorneys Robert W. Smith and Alan H. Silverman of Silverman, Rodbard & Smith, P.C. and Jerald J. Bonifield of Bonifield & Rosenstengel, P.C. for his cause of action against Defendant Catholic Diocese of Belleville, Illinois (the Diocese) represents unto this Court:

111. Paragraphs 1 through 110 are realleged as though fully set forth herein.

112. As a direct and proximate result of the actions of the Diocese as set forth above, Douglas has been deprived of the consortium and companionship of Gina.

WHEREFORE, Douglas respectfully requests that this Court enter judgment in his favor for actual and compensatory damages in an amount in excess of \$15,000.00, plus interest and the costs of this action including actual attorney fees.

Jury Demand

PLAINTIFFS DEMAND TRIAL BY JURY.

Dated: February 27, 1995

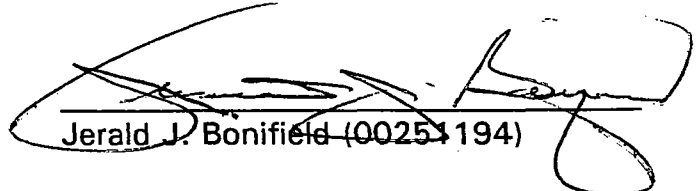
SILVERMAN, RODBARD & SMITH, P.C.
ATTORNEYS FOR PLAINTIFF



Alan H. Silverman (02607034)

Dated: 2/27/95

BONIFIELD & ROSENSTENGEL, P.C.
ATTORNEYS FOR PLAINTIFF



Jerald J. Bonifield (0025194)

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