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DOCKET NO.: CV16-5042896	:	SUPERIOR COURT
JOHN DOE	:	
v.	:	JUDICIAL DISTRICT OF HARTFORD
CONNECTICUT RIVERS COUNCIL, INC., BOY SCOUTS OF AMERICA, and BOY SCOUTS OF AMERICA CORPORATION	:	AT HARTFORD SEPTEMBER 28, 2016

PLAINTIFF'S *EX PARTE* APPLICATION FOR PERMISSION TO USE A PSEUDONYM

Plaintiff, by counsel and pursuant to Practice Book § 11-20A(h)(2), applies, *ex parte*, for permission to use a pseudonym in place of the plaintiff's birth name in this civil case. Plaintiff submits as Exhibit 1 the attached Affidavit of Jeffrey Deitz, M.D., dated September 15, 2016, in support of this application, and as Exhibit 2 the proposed Complaint.

INTRODUCTION

This Application is filed *ex parte* in advance of the filing of a civil suit by the plaintiff. If this Application is granted, the plaintiff will request a hearing on continuing the use of such a pseudonym not less than fifteen days after the filing of the complaint, as is required by Practice Book § 11-20A(h)(2). The plaintiff asks that he be granted permission to proceed in the case under the pseudonym "John Doe." This Application should be granted because the facts of this case are of a matter that are "highly sensitive," including a realistic concern of "social stigmatization," a "real danger of physical harm" as well as psychological harm, a likely danger of severe economic harm, a "strong social interest in concealing the identity" of the plaintiff, and

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the absence of any prejudice to the defendants. *See Vargas v. John Doe*, 96 Conn. App. 399, 411 (2006).

BACKGROUND

In the mid-late 1990's, plaintiff, a minor child, was a member of the Boy Scouts of America. More specifically, plaintiff was a member of the Connecticut Rivers Council Boy Scout Troop 42 ("Troop 42") in Ledyard, Connecticut. During the time plaintiff was a member of Troop 42, Joseph Dabrow ("Dabrow") served as a scoutmaster and/or troop leader of Troop 42. During the time plaintiff was a member of Troop 42, he was repeatedly sexually abused and battered by Dabrow. At all times when plaintiff was sexually abused by Dabrow, plaintiff was a minor. Many of the assaults and batteries occurred during the course of official Boy Scout activities and events and at a home owned by Troop 42, which served as that Troop's club house.

Here, plaintiff seeks to bring an action against the Boy Scouts of America and related entities for the harm that he has suffered and continues to suffer, including, but not limited to, severe mental and emotional pain, suffering and distress, humiliation, degradation, fear, terror, interference with interpersonal relationships, depression, and anger management problems.

The plaintiff's complaint, sounding in negligence, will name as defendants Boy Scouts of America Corporation d/b/a Boy Scouts of America, as well as his local Scout council, the Connecticut Rivers Council, Inc. of the Boy Scouts and Boy Scouts of America Troop 42 Ledyard Connecticut, the owner of the club house where plaintiff was sexually abused. The

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complaint will allege, among other things, that these entities failed to provide a reasonably safe environment for plaintiff. Specifically, the complaint will allege that defendants had been aware of widespread sexual abuse during Boy Scout activities across the country, dating for decades before plaintiff was assaulted, and kept voluminous records of suspected sexual abuse by scout leaders dating back long before John Doe was assaulted. Despite having this knowledge, plaintiff alleges, defendants failed to adequately supervise adult Boy Scout troop leaders; allowed the plaintiff to be alone with a Troop leader despite policies that specifically prohibited such interaction; allowed a Troop Leader to live alone in a Troop owned club house; and failed to notify and educate parents and scout members of the risks of sexual abuse. Plaintiff will further allege that defendants' negligence proximately caused him to be sexually abused by Dabrow, which caused significant and lasting harm.

ARGUMENT

Plaintiff files the present application to prevent disclosure of his birth identity on the grounds that disclosure of his identity would unnecessarily, inappropriately and severely jeopardize his psychological, physical and financial welfare.

In particular, if required to use his birth identity, plaintiff will likely suffer further damage from the social stigmatization from being related to a victim of childhood sexual abuse. *See* Affidavit of Jeffrey Deitz, M.D., at ¶ 3; *see Vargas*, 96 Conn. App. at 411. Specifically, plaintiff is concerned that his friends and co-workers who have no idea he was victimized, will learn his

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identity from public court filings, or media press related thereto, which would subject him to a powerful negative stigma that could significantly deepen the emotional trauma he has already sustained. If identified, John Doe runs the risk of being forever defined by neighbors, friends, peers, the families of his peers, co-workers, and others in the community with whom he interacts as the victim of these sexual crimes. This risk of social stigmatization is particularly heightened in this case given the highly sensitive nature of the abuse. *See Vargas*, 96 Conn. App. at 411; see also Affidavit at ¶ 2.

In addition, there are significant privacy intrusions, including those by innocent and well-intentioned people, as well as harassment and ridicule by ill-intentioned people. Plaintiff will also face the risk of repeated retraumatization if questioned about details of the event by friends, family and neighbors, which would be likely to lead to further emotional harm. That is, Dr. Deitz has a significant concern that should plaintiff not be allowed to proceed with a pseudonym, his emotional and mental well-being will substantially deteriorate. Affidavit at ¶¶ 2 and 3.

Plaintiff very real concern that any progress that he has made over the years in dealing with the emotional and psychological trauma could not only be lost, but that he could regress in the event that his birth identity is disclosed and made public knowledge. Plaintiff also believes revealing his identity could negatively affect his ability to earn a living. He is a local contractor in town who works paving and plowing driveways. Should his supervisors and/or homeowners learn of his identity as being a victim of child abuse, they may become uncomfortable in placing

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plaintiff in residential situations. Plaintiff cannot afford to lose employment opportunities and income.

At the same time, permitting the plaintiff to proceed with a pseudonym would have no negative impact on the defendants. The plaintiff's complaint involves claims that defendants were negligent in failing to provide a safe and secure environment for plaintiff. Plaintiff does not claim that defendants themselves assaulted him, so there is no potential for the defendants to be falsely accused of a crime. Dabrow is no longer affiliated with defendants, has already been convicted of other sex crimes in Connecticut, and is a registered sex offender. Thus, while the plaintiff's interest in maintaining his identity as confidential is critical to his social, physical, emotional and economic well-being, neither the public nor the defendants have any legitimate interest in requiring the plaintiff's name to be made public.

CONCLUSION

WHEREFORE, the plaintiff seeks permission, pursuant to Practice Book § 11-20A(h)(2), to use a pseudonym in place of his birth name in this civil case pending a subsequent hearing not less than fifteen days after filing the complaint, as is required by Practice Book § 11-20A(h)(2), as well as whatever other relief this Court deems just and proper.

THE PLAINTIFF,

BY _____

PAUL A. SLAGER
MICHAEL R. KENNEDY
SILVER GOLUB & TEITELL LLP
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STAMFORD, CT 06901
(203) 325-4491 JURIS NO. 58005

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Exhibit 1

DOCKET NO.:	:	SUPERIOR COURT
JOHN DOE	:	
v.	:	JUDICIAL DISTRICT OF HARTFORD
CONNECTICUT RIVERS COUNCIL, INC., BOY SCOUTS OF AMERICA, and BOY SCOUTS OF AMERICA CORPORATION	:	AT HARTFORD SEPTEMBER 15, 2016

AFFIDAVIT OF JEFFREY DEITZ, M.D.

I, Jeffrey Deitz, M.D. being duly sworn, depose and state:

1. I am a licensed Psychiatrist and have been in practice as a psychologist for forty-two (42) years. I am currently an associate professor of psychiatry at the Frank Netter School of Medicine at Quinnipiac University.

2. I have personally met and evaluated John Doe. Based on my assessment of John Doe and the traumatic emotional injuries he suffered when he was sexually assaulted by a Scout Master while a youth participant in Boy Scouts in Ledyard, Connecticut, my professional opinion is that publishing John Doe's birth identity in publicly available filings in a civil lawsuit poses a serious threat to his emotional well-being.

3. John Doe is a young man who earns a living paving roads and parking lots. It is my opinion that if John Doe's identity becomes publicly available in court filings and becomes known in his residential community and to coworkers, it likely would subject John Doe to further shame, embarrassment and a powerful negative stigma in his community that could significantly

deepen the emotional trauma he has already sustained. If people become aware John Doe was victimized in this way, John Doe is likely to be exposed to intrusive conversations or treatment by others, whose conduct would reasonably be calculated to cause further injury to John Doe. In my professional opinion, John Doe's identity should not be publicly known at this time, as it would be against his best interests and would be likely to cause further injury to John Doe.

4. Accordingly, I strongly believe that allowing John Doe to pursue civil claims under the pseudonym "John Doe" and/or "Doe" is required to allow John Doe to pursue his case without causing him additional emotional trauma, intrusion and injury.

The foregoing statements are true and accurate, to the best of my belief and knowledge.

Jeffrey Deitz, M.D.

STATE OF CONNECTICUT)
ss: Stamford
COUNTY OF Fairfield)

Personally appeared, Jeffrey Deitz, M.D., signers and sealers of the foregoing instrument, and acknowledged the same to be their free act and deed, before me.

NOTARY PUBLIC

LINDA L. WRIGHT
NOTARY PUBLIC
MY COMMISSION EXPIRES NOVEMBER 30, 2019

Exhibit 2

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JOHN DOE	:	
v.	:	JUDICIAL DISTRICT OF HARTFORD
CONNECTICUT RIVERS COUNCIL, INC., BOY SCOUTS OF AMERICA, and BOY SCOUTS OF AMERICA CORPORATION	:	AT HARTFORD SEPTEMBER 28, 2016

COMPLAINT

FIRST COUNT: **(As to defendants Connecticut Rivers Council, Inc., Boy Scouts of America)**

1. Prior to bringing this action, plaintiff John Doe (the "plaintiff") sought and obtained an *ex parte* Order pursuant to Practice Book § 11-20A(h)(2) the Superior Court of Connecticut, Judicial District of Hartford at Hartford, granting him permission to use the pseudonym John Doe for purposes of filing the present action.

2. At all times relevant to plaintiff's claims of liability, plaintiff was a minor resident of the Town of Ledyard, New London, Connecticut.

3. At all times relevant to plaintiff's claims of liability, Boy Scouts of America Corporation ("BSA") was a Texas corporation with its principal offices in Irving, Texas. BSA was and is today an organization that initiates, charters, authorizes and regulates the formation and operation of Boy Scout councils throughout the United States, including in Connecticut. BSA and its local

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councils provide various youth programs, including programs designed to build character and leadership skills.

4. At all times relevant to plaintiff's claims of liability, defendant the Connecticut Rivers Council, Inc., Boy Scouts of America (the "Connecticut Rivers Council") was a Connecticut Corporation with its principal place of business in East Hartford, Connecticut. The Connecticut Rivers Council was chartered and authorized by BSA to provide, and did provide, various Boy Scouting youth programs, including programs designed to build character and leadership skills.

5. At all times relevant to plaintiff's claims of liability, BSA provided policies, procedures and guidelines to its chartered local Boy Scout councils, including the Connecticut Rivers Council, regarding criteria and information BSA considered necessary for the local councils to consider when selecting, training and supervising individuals to serve as Boy Scout troop leaders.

6. At all times relevant to plaintiff's claims of liability, BSA provided policies, procedures and guidelines to its chartered local Boy Scout councils, including the Connecticut Rivers Council, about how to conduct Boy Scout activities, including those policies, procedures and guidelines it considered necessary to protect minor participants from harm while they participated in Boy Scout activities.

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7. At all times relevant to plaintiff's claims of liability, the Connecticut Rivers Council was required by BSA to follow BSA's policies, procedures, and guidelines regarding the selection and supervision of Boy Scout leaders, as well as the operation of local Boy Scout councils.

8. At all times relevant to plaintiff's claims of liability, BSA undertook to provide and did provide policies, procedures and guidelines that it considered necessary to protect participants, including minors, from harm while they participated in Boy Scout activities.

9. Local Boy Scout councils, including the Connecticut Rivers Council, relied on BSA policies, procedures and guidelines to protect participants from injury while they participated in Boy Scout activities.

10. BSA also provided its local councils, including the Connecticut Rivers Council, with program development and evaluation, camp and office planning and professional personnel support that it considered necessary for conducting successful Boy Scout programs. BSA's local councils, in turn, provided BSA with funds to support the national organization of BSA.

11. For more than forty years before John Doe joined the Boy Scouts, BSA had been aware of numerous instances across the country of sexual misconduct by adult Boy Scout troop leaders directed towards minor Boy Scout members.

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12. For more than forty years before John Doe joined the Boy Scouts, BSA maintained files, which BSA referred to as "the Confidential Files," or the "Ineligible Volunteer Files" (the "Confidential Files").

13. The Confidential Files included, among other things, information on suspected instances of child sexual abuse by Boy Scout troop leaders, as well as other alleged sexual misconduct during Boy Scout activities across the United States.

14. As a result of maintaining the Files, BSA was aware of many hundreds of instances of alleged sexual misconduct involving Boy Scout troop leaders that were reported to BSA before the mid-1990's.

15. BSA kept the Files locked in its national headquarters, and strictly confidential from its local councils, its Boy Scout youth participants, the parents of youth participants and the general public.

16. In the late 1980's, to address the issue of sexual abuse taking place in Boy Scout activities, BSA implemented Youth Protection Guidelines intended to train and educate volunteer leaders, parents and youth Boy Scouts how to best protect Scouts from the dangers of child sexual abuse during Boy Scout activities.

17. As part of its Youth Protection Guidelines, BSA established a "two-deep" leadership policy, which prohibited single adult Boy Scout leaders from being alone with a non-relative youth Boy Scouts during Scouting activities.

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18. As part of its Youth Protection Guidelines, BSA also prohibited one-on-one activities involving adults and non-relative youth Boy Scouts during Scout activities.

19. As part of its Youth Protection Guidelines, BSA provided local councils, including the Connecticut Rivers Council, as well as parents and youth Boy Scouts with information about the dangers of sexual abuse.

20. At all times relevant to plaintiff's claims of liability, the Connecticut Rivers Council selected individuals to serve as its Boy Scout adult troop leaders and scout masters, and BSA reviewed and approved each individual chosen by Connecticut Rivers Council to serve as an adult Boy Scout leader.

21. At all times relevant to plaintiff's claims of liability, the Connecticut Rivers Council, pursuant to BSA's programming requirements, also provided training to each individual selected to serve as a Boy Scout adult troop leader and monitored the actions and performance of each individual who served as a Boy Scout adult troop leader.

22. At all times relevant to plaintiff's claims of liability against defendants, the Connecticut Rivers Council provided its participants with a variety of Boy Scout activities, which were sanctioned by BSA, and which were organized and operated pursuant to BSA policies, procedures and guidelines.

23. At all times relevant to plaintiff's claims of liability against defendants, Joseph Dabrow was a resident of the Town of Ledyard, New London County, Connecticut who served as

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a Boy Scout Scoutmaster and/or adult troop leader of a Boy Scout troop in the Connecticut Rivers Council known as Troop 42 ("Troop 42"), which held regular meetings in Ledyard, Connecticut.

24. Under the guidance and with the assistance of BSA, the Connecticut Rivers Council selected Dabrow to be a Boy Scout adult troop leader, trained Dabrow on how to properly serve as a Boy Scout adult troop leader, and monitored Dabrow's performance and role as a Boy Scout adult leader and interactions with youth Boy Scout members.

25. At all times relevant to plaintiff's claims of liability, Troop 42 and its adult leaders, including Dabrow, were authorized, sanctioned and recognized as Boy Scout adult troop leaders by both BSA and the Connecticut Rivers Council, and were subject to the supervision, policies, procedures and guidelines of BSA and the Connecticut Rivers Council.

26. At all times relevant to plaintiff's claims of liability, Boy Scout adult leaders in the Troop 42, including Dabrow, were employees, volunteers, agents, apparent agents and/or authorized representatives of BSA and the Connecticut Rivers Council.

27. At all times relevant to plaintiff's claims of liability, the Connecticut Rivers Council was responsible for overseeing and monitoring Dabrow's participation in Boy Scout activities, including but not limited to, ensuring that Dabrow followed BSA policies, procedures and guidelines, and that he did not intentionally injure any Boy Scout members.

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28. At all times relevant to plaintiff's claims of liability, BSA and the Connecticut Rivers Council also encouraged adult troop leaders, including Dabrow, to interact closely with minor children who were Boy Scout troop members, and to supervise and lead various Boy Scout programs and outings.

29. At all times relevant to plaintiff's claims of liability, Troop 42 owned a home located at 56 Highland Drive, Ledyard, Connecticut (the "Home"), which served both as the clubhouse for Troop 42 where regular troop meetings took place and as a residence for Dabrow.

30. Connecticut Rivers Council knew or should have known that Troop 42 owned the Home during this time period and that the Home was used by Troop 42 for Boy Scout meetings and activities.

31. At all times relevant to plaintiff's claims of liability, Connecticut Rivers Council also knew or should have known that Dabrow lived at the Home during the time he was the Troop 42 Scoutmaster.

32. By authorizing and allowing Dabrow to function as a Boy Scout adult leader and by encouraging private interactions between Dabrow and minor Boy Scout participants in and outside of the Home, BSA and the Connecticut Rivers Council represented to their minor participants, including plaintiff, and to the families of Boy Scout participants that Dabrow was fit, qualified and competent to serve as an adult leader of minor Boy Scout participants and to

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provide minors with instruction and guidance according to the values and goals espoused by BSA and the Fairfield County Council.

33. Plaintiff John Doe was a minor child who was a Boy Scout member of Boy Scout Troop 42, in the mid to late-1990's.

34. During the time period that John Doe was a member of Troop 42, Dabrow served as an assistant scoutmaster, scoutmaster, and/or troop leader of Troop 42.

35. As part of its youth programs during the mid to late-1990's, Troop 42, with the knowledge and approval of the Connecticut Rivers Council, organized and sanctioned troop meetings and events attended by adult leaders and minor Boy Scout members, many of which occurred at the Home. During these meetings and events, Dabrow participated as a Boy Scout adult leader and John Doe attended as a minor Boy Scout member.

36. More than once after Boy Scout meetings or events at the Highland Drive address Dabrow was permitted to be alone with the plaintiff at the Home, during which time Dabrow showed John Doe pornography and sexually assaulted and battered John Doe.

37. As part of its youth programs in the mid to late-1990's, the Connecticut Rivers Council and Troop 42 provided training and activities to its youth Boy Scout participants, including John Doe, which included recreational swimming at the United States Naval Submarine Base pool in New London, Connecticut.

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38. On multiple occasions during the mid to late-1990's, Dabrow, in his capacity as a Boy Scout adult leader, instructed and encouraged John Doe to engage in such activities as part of his participation in Boy Scout activities.

39. On at least one occasion, Dabrow was permitted to be alone with John Doe while on a trip to the Naval Submarine Base pool, during which time Dabrow sexually assaulted and battered plaintiff.

40. At the time Dabrow sexually assaulted and battered John Doe as outlined above, John Doe was approximately 11-13 years old.

41. The Connecticut Rivers Council, by its employees, agents, volunteers, apparent agents and/or representatives, was negligent in failing to take appropriate measures to ensure the safety and well-being of the children, including John Doe, who participated in Boy Scout activities and in failing to take adequate steps to prevent John Doe from being sexually assaulted and battered by Dabrow.

42. By authorizing and/or permitting Dabrow to reside in the Troop 42 clubhouse, the very same building where official Troop 42 meetings took place, the Connecticut Rivers Council increased the risk that minor Boy Scouts like John Doe would be injured.

43. By authorizing and/or permitting Dabrow to be alone with John Doe on trips to the naval submarine base, the Connecticut Rivers Council increased the risk that minor Boy Scouts like John Doe would be injured.

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44. As a result of the negligence of the Connecticut Rivers Council, John Doe was sexually assaulted and battered multiple times by Dabrow, causing him to suffer serious and permanent physical injury, invasion and damages, as well as extensive permanent emotional and psychological injuries arising directly from the physical injury and invasion he suffered.

45. As a further result of the negligence of Connecticut Rivers Council, John Doe has suffered and will continue to suffer significant loss in the enjoyment of his life's activities.

46. As a further result of the negligence of Connecticut Rivers Council, John Doe has suffered extreme disruption in his interactions and relationships with other people and in the way he functions in the world.

47. As a further result of the negligence of Connecticut Rivers Council, plaintiff has suffered economic losses.

SECOND COUNT: (As to defendant Connecticut Rivers Council, Inc., Boy Scouts of America)

1 - 43. Paragraphs 1 through 43 of the First Count are incorporated here as paragraphs 1 through 43 of this, the Second Count.

44. As a result of the negligence of the Connecticut Rivers Council, John Doe was sexually assaulted and battered multiple times by Dabrow, causing him severe emotional distress, resulting in illness and bodily harm.

45. The Connecticut Rivers Council should have realized that its negligent conduct posed an unreasonable risk of causing John Doe to suffer severe emotional distress, and should

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have understood that such emotional distress might result in illness and/or bodily injury.

46. The Connecticut Rivers Council's negligence was extreme and outrageous.

47. As a result of the negligence of the Connecticut Rivers Council, John Doe was sexually assaulted and battered multiple times by Dabrow, causing him to suffer serious and permanent physical injury, invasion and damages, as well as extensive permanent emotional and psychological injuries arising directly from the physical injury and invasion he suffered.

48. As a further result of the negligence of Connecticut Rivers Council, John Doe has suffered and will continue to suffer significant losses in the enjoyment of his life's activities.

49. As a further result of the negligence of Connecticut Rivers Council, John Doe has suffered extreme disruption in his interactions and relationships with other people and in the way he functions in the world.

50. As a further result of the negligence of Connecticut Rivers Council, John Doe has suffered economic losses.

THIRD COUNT: (As to defendant Connecticut Rivers Council, Inc., Boy Scouts of America)

1 - 43. Paragraphs 1 through 43 of the Second Count are incorporated here as paragraphs 1 through 43 of this, the Third Count.

44. Before Dabrow assaulted John Doe, Connecticut Rivers Council was aware of the dangers of sexual misconduct in Boy Scout activities. Despite this knowledge, Connecticut Rivers Council did not take appropriate precautions to protect John Doe from becoming a victim

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of sexual misconduct, and instead permitted the adult Scoutmaster Dabrow to meet with youth Boy Scout participants in a meeting place where Dabrow lived, which provided a high risk environment for sexual victimization of youth.

45. The conduct of the Connecticut Rivers Council in failing to take appropriate measures to ensure the safety and well-being of children and in failing to take adequate steps to prevent the sexual assault and battery of children, including John Doe, was willful, wanton and/or in reckless disregard of the safety and well-being of others.

46. As a result of the recklessness of the Connecticut Rivers Council, plaintiff was sexually assaulted and battered multiple times by Dabrow, causing plaintiff to suffer serious and permanent physical injury, invasion and damages, as well as extensive permanent emotional and psychological injuries arising directly from the physical injury and invasion he suffered.

47. As a further result of the recklessness of Connecticut Rivers Council, plaintiff has suffered and will continue to suffer significant losses in the enjoyment of his life's activities.

48. As a further result of the recklessness of Connecticut Rivers Council, plaintiff has suffered extreme disruption in his interactions and relationships with other people and in the way plaintiff functions in the world.

49. As a further result of the recklessness of Connecticut Rivers Council, plaintiff has suffered economic losses.

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50. Plaintiff is entitled to an award of punitive damages against Connecticut Rivers Council, as a result of the willful, wanton and reckless conduct of Connecticut Rivers Council.

FOURTH COUNT: (As to Boy Scouts of America)

1 - 40. Paragraphs 1 through 40 of the First Count are incorporated here as paragraphs 1 through 40 of this, the Fourth Count.

41. BSA, by its employees, agents, volunteers, apparent agents and/or representatives, was negligent in failing to take adequate measures to ensure the safety and well-being of the children, including John Doe, who participated in Boy Scout activities and in failing to take adequate steps to prevent John Doe from being sexually assaulted and battered by Dabrow.

42. By failing to share information BSA had accumulated over decades about the nature and incidence of sexual abuse in Boy Scout activities with its local councils, including the Connecticut Rivers Council, and by otherwise failing to adequately assist local councils in preventing child sexual abuse in Boy Scout activities, BSA increased the risk that minor Boy Scouts like John Doe would be injured.

43. As a result of the negligence of BSA, John Doe was sexually assaulted and battered multiple times by Dabrow, causing him to suffer serious and permanent physical injury, invasion and damages, as well as extensive permanent emotional and psychological injuries arising directly from the physical injury and invasion he suffered.

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44. As a further result of the negligence of BSA, John Doe has suffered and will continue to suffer significant loss in the enjoyment of his life's activities.

45. As a further result of the negligence of BSA, John Doe has suffered extreme disruption in his interactions and relationships with other people and in the way he functions in the world.

46. As a further result of the negligence of BSA, plaintiff has suffered economic losses.

FIFTH COUNT: (As to Boy Scouts of America)

1 - 42. Paragraphs 1 through 42 of the Fourth Count are incorporated here as paragraphs 1 through 42 of this, the Fifth Count.

44. As a result of the negligence of BSA, John Doe was sexually assaulted and battered multiple times by Dabrow, causing him severe emotional distress, resulting in illness and bodily harm.

45. BSA should have realized that its negligent conduct posed an unreasonable risk of causing John Doe to suffer severe emotional distress, and should have understood that such emotional distress might result in illness and/or bodily injury.

46. BSA's negligence was extreme and outrageous.

47. As a result of the negligence of BSA, John Doe was sexually assaulted and battered multiple times by Dabrow, causing him to suffer serious and permanent physical injury, invasion

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and damages, as well as extensive permanent emotional and psychological injuries arising directly from the physical injury and invasion he suffered.

48. As a further result of the negligence of BSA, John Doe has suffered and will continue to suffer significant losses in the enjoyment of his life's activities.

49. As a further result of the negligence of BSA, John Doe has suffered extreme disruption in his interactions and relationships with other people and in the way he functions in the world.

50. As a further result of the negligence of BSA, John Doe has suffered economic losses.

SIXTH COUNT: (As to Boy Scouts of America)

1 - 42. Paragraphs 1 through 42 of the Fourth Count are incorporated here as paragraphs 1 through 42 of this, the Sixth Count.

43. Before Dabrow assaulted John Doe, BSA was aware of the dangers of sexual misconduct in Boy Scout activities. Despite this knowledge, BSA did not take appropriate precautions to protect John Doe from becoming a victim of sexual misconduct, and instead concealed information about widespread sexual abuse during Boy Scout activities from its local councils.

44. The conduct of the BSA in failing to take appropriate measures to ensure the safety and well-being of children and in failing to take adequate steps to prevent the sexual assault and

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battery of children, including John Doe, was willful, wanton and/or in reckless disregard of the safety and well-being of others.

45. As a result of the recklessness of BSA, plaintiff was sexually assaulted and battered multiple times by Dabrow, causing plaintiff to suffer serious and permanent physical injury, invasion and damages, as well as extensive permanent emotional and psychological injuries arising directly from the physical injury and invasion he suffered.

46. As a further result of the recklessness of BSA, plaintiff has suffered and will continue to suffer significant losses in the enjoyment of his life's activities.

47. As a further result of the recklessness of BSA, plaintiff has suffered extreme disruption in his interactions and relationships with other people and in the way plaintiff functions in the world.

48. As a further result of the recklessness of BSA, plaintiff has suffered economic losses.

49. Plaintiff is entitled to an award of punitive damages against BSA, as a result of the willful, wanton and reckless conduct of BSA.

SILVER GOLUB & TEITELL LLP • ATTORNEYS AT LAW
THE HERITAGE BUILDING • 184 ATLANTIC STREET • STAMFORD, CONNECTICUT 06901 • (203) 325-4491 • JURIS NO. 58005

THE PLAINTIFF,

BY _____

PAUL A. SLAGER
MICHAEL R. KENNEDY
SILVER GOLUB & TEITELL LLP
184 ATLANTIC STREET
STAMFORD, CT 06901

THE HERITAGE BUILDING • 184 ATLANTIC STREET • STAMFORD, CONNECTICUT 06901 • (203) 325-4491 • JURIS NO. 58005
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CLAIMS FOR RELIEF

The Plaintiff claims compensatory and punitive damages, as well as attorneys' fees, costs and whatever other relief is deemed just and proper, against each defendant in an amount greater than the jurisdictional minimum amount of FIFTEEN THOUSAND ($15,000.00) DOLLARS; and statutory punitive damages pursuant to Gen Stats. § 42a-110g(a) and attorneys' fees and costs pursuant to Gen Stats. § 42a-110g(d) (on the Fourth Count).

THE PLAINTIFF,

BY _____

PAUL A. SLAGER
MICHAEL R. KENNEDY
SILVER GOLUB & TEITELL LLP
184 ATLANTIC STREET
STAMFORD, CT 06901

TO THE CLERK:
PLEASE ENTER THE FOLLOWING APPEARANCE FOR THE PLAINTIFFS:

SILVER GOLUB & TEITELL, LLP
184 ATLANTIC STREET
STAMFORD, CONNECTICUT 06901
(203) 325-4491; JURIS #058005

DOCKET NO.: CV16-5042896	:	SUPERIOR COURT
JOHN DOE	:	
v.	:	JUDICIAL DISTRICT OF HARTFORD
CONNECTICUT RIVERS COUNCIL, INC., BOY SCOUTS OF AMERICA, and BOY SCOUTS OF AMERICA CORPORATION	:	AT HARTFORD SEPTEMBER 28, 2016

ORDER

1. Plaintiff's *ex parte* motion for permission to use pseudonyms is granted.

2. The Court concludes that this Order is necessary to preserve an interest which is determined to override the public's interest in knowing the name of the plaintiff.

3. The Court has considered reasonable alternatives to this Order and this Order is no broader than necessary to protect such overriding interest.

4. The overriding interest being protected by this Order is maintaining the privacy and confidentiality of the plaintiff's birth identity, which should be protected in order to avoid causing further trauma, stigma and humiliation to the plaintiff.

5. This effect of this Order is temporary, until further court order. ~~pending a~~ hearing pursuant to practice Book § 11-20A(h)(2) on the continuing use of such pseudonyms, which shall be held at 95 Washington St., Hartford CT ~~on~~ on November 28, 2016 (not less than 15 days after the return date of the Complaint). Hearing time 9:30 am in Courtroom TBD.

6. A copy of this Order is to be served with the Complaint.

FILED

SEP 28 2016

HARTFORD J.D.

THE COURT (, J.)

(Robaina, J) 9/28/16

Judge/Asst. Clerk

ABulewich, Jr