

# The State of New Hampshire

SUPERIOR COURT

10255

( ) COURT

(X) JURY

CHESHIRE COUNTY

WRIT OF SUMMONS

**COPY**



v. Roman Catholic Bishop of Manchester, Inc.  
153 Ash Street  
Manchester, NH 03105  
AND  
Gordon MacRae  
c/o New Hampshire State Prison  
P.O. Box 14  
Concord, NH 03301

The Sheriff or Deputy of any County is ordered to summon each defendant to file a written appearance with the Superior Court at the address listed below by the return day of this writ which is the first Tuesday of February, 1995  
YEAR MONTH

The PLAINTIFF(S) state(s):

- See attached PLEA -

and the Plaintiff(s) claim(s) damages within the jurisdictional limits of this Court.

William W. Cleary, Esq.  
INDORSER (sign and print name) William W. Cleary, Esq.

12/08/94  
DATE OF WRIT

### NOTICE TO THE DEFENDANT

The Plaintiff listed above has begun legal action against you. You do not have to physically appear in Court on the return day listed above since there will be no hearing on that day. However, if you intend to contest this matter, you or your attorney must file a written appearance form with the Clerk's Office by that date. (Appearance forms may be obtained from the Clerk's Office.) You will then receive notice from the Court of all proceedings concerning this case. If you fail to file an appearance by the return day, judgment will be entered against you for a sum of money which you will then be obligated to pay.

Witness, JOSEPH P. NADEAU, Chief Justice, Superior Court.

Stillman D. Rogers  
Stillman D. Rogers, Clerk  
NH Superior Court Cheshire County  
12 Court St PO 444  
Keene NH 03431  
(603) 352-6902

William W. Cleary, Esq.  
SIGNATURE OF PLAINTIFF/ATTORNEY  
William W. Cleary, Esq.  
PRINTED/TYPED NAME  
PARENT & CLEARY  
206 Roxbury Street  
ADDRESS  
Keene, NH 03431 / (603) 357-3928  
PHONE

RETURN OF SERVICE

\_\_\_\_\_ COUNTY \_\_\_\_\_ DATE \_\_\_\_\_, 19 \_\_\_\_\_

10256

I summoned the within named \_\_\_\_\_ by

giving in hand to \_\_\_\_\_

leaving at the abode of \_\_\_\_\_

at \_\_\_\_\_

an attested copy of this Writ/Petition to Attach at \_\_\_\_\_ a.m./p.m. this date.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
AGENCY

FEES: Service: \$ \_\_\_\_\_  
Travel: \_\_\_\_\_  
Other: \_\_\_\_\_  
TOTAL: \$ \_\_\_\_\_

IN A PLEA OF LAW IN ACCORDANCE WITH THE ATTACHED DECLARATION

PARTIES

1. Plaintiff [REDACTED] is a resident of Cheshire County. His date of birth is [REDACTED]
2. Defendant Gordon MacRae was, at the time of the events alleged in this Writ, an employee and agent of the Roman Catholic Church, Arch Diocese of Manchester. He is presently a resident of the New Hampshire State Prison serving 33 1/2 to 67 years on convictions of aggravated felonious sexual assault and felonious sexual assault.
3. Defendant Roman Catholic Bishop of Manchester, Inc. is and has been at all times pertinent to this action, a non-profit corporation with its principal place of business in the City of Manchester, New Hampshire, and administers Our Lady of Miraculous Medal in Hampton, New Hampshire, St. Bernard's Parish in Keene, New Hampshire and Sacred Heart Church in Marlborough, New Hampshire.

JURISDICTION AND VENUE

4. Jurisdiction is vested in this Court pursuant to N.H. R.S.A. 491:7.
5. This court is the proper venue for this matter since the Plaintiff [REDACTED] resides in Cheshire County and the causes of action arose primarily in Cheshire County.

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BACKGROUND FACTS

6. Plaintiff [REDACTED] was adopted and came to New Hampshire as an infant. He was raised by his family as a devout Catholic with great respect, deference and reverence for Catholic priests.

7. Prior to 1981, while attending St. Mary's Seminary in Baltimore, Maryland, the Defendant Gordon MacRae became friendly with Plaintiff [REDACTED]'s family and began to visit and stay with them at their home in [REDACTED] [REDACTED] after making gifts to Plaintiff [REDACTED] and his siblings.

8. In 1982 while a deacon at the St. Francis Parish in Groveton, New Hampshire, the Defendant Gordon MacRae counseled Plaintiff [REDACTED] and his brother [REDACTED] concerning the separation of their parents.

9. During the period of 1982 to 1984 while Defendant Gordon MacRae was an associate priest at Our Lady of Miraculous Medal in Hampton, New Hampshire and at St. Bernard's Parish in Keene, New Hampshire, he continued to counsel Plaintiff [REDACTED] concerning his relationship with his parents.

10. At all times during the relationship between Plaintiff [REDACTED] and Defendant Gordon MacRae, Father MacRae was under the supervision and authority of the Bishop of Manchester.

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11. From approximately June 1982 through June of 1983, Defendant Gordon MacRae was employed by and in the services of Defendant Roman Catholic Bishop of Manchester as Associate Pastor of the Hampton Church under the direct supervision of Monsignor Gerard Boucher, who was directly employed by and in the service of the Catholic Bishop of Manchester serving as Pastor of The Hampton Church.

12. Upon information and belief, during the spring of 1983, a young man by the name of [REDACTED] went to Monsignor Boucher and told Monsignor Boucher that something was not right with his relationship with Defendant Gordon MacRae. Monsignor Boucher responded to [REDACTED] by telling him not to worry, that Defendant MacRae would be leaving soon anyway. After this conversation, but before Defendant Gordon MacRae was transferred, Defendant MacRae fondled the sexual organs of [REDACTED] at least three or four more times.

13. In June of 1983, the Defendant Roman Catholic Bishop of Manchester, Inc. authorized the transfer of Defendant MacRae to Saint Bernard's Parish, in Keene, New Hampshire.

14. On or about September 1983, [REDACTED] went to Father Jim Watson, who was then employed by and in the service of Defendant Roman Catholic Bishop of Manchester, serving as Pastor of The Hampton Church. [REDACTED] told Father Watson that Defendant MacRae had done things to him that made him feel uncomfortable. In response, Father Watson told [REDACTED]

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[REDACTED] that these were very serious allegations and that [REDACTED] might want to reconsider.

15. At all times pertinent to this action, Defendant Roman Catholic Bishop of Manchester was the supervisory authority responsible for Defendant MacRae, Monsignor Boucher and Father Watson.

16. Upon information and belief, which information Plaintiff [REDACTED] believes to be true, at all times pertinent to this action, prior to Defendant MacRae's ordination as a Priest in the Roman Catholic Church, Defendant Roman Catholic Bishop of Manchester was also the supervisory authority responsible for other Priests in its service within the State of New Hampshire. Said other Priests had allowed Defendant MacRae admission into churches throughout the State of New Hampshire with unidentified teenagers, even after they had received notice of concerns about Defendant MacRae's appropriateness for Priesthood, based on evidence of psychological dysfunction. Through their actions, such priests had facilitated Defendant MacRae in his sexual molestation of said unidentified teenagers, including the aforementioned [REDACTED] and [REDACTED] and [REDACTED] brothers of Plaintiff [REDACTED] [REDACTED]

17. At the time of his assignment to Saint Bernard's Parish, Father Gordon MacRae was under the supervision of the Roman Catholic Bishop of Manchester, Inc., who had actual knowledge

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of Defendant MacRae's sexual interest in young boys as evidenced by a 1983 report to Bishop Odore Gendron, the then acting Bishop of Manchester, by the New Hampshire Division of Children and Youth Services and by the previously alleged conversations between [REDACTED] and Monsignor Boucher and Father Watson.

18. In the spring of 1982, while on a trip to Our Lady of Miraculous Medal, in Hampton, New Hampshire, Defendant MacRae supplied [REDACTED], then 13 years old, with alcohol, which he consumed and then became sick on. Defendant MacRae then had [REDACTED] remove his clothes and shower in his presence.

19. After showering, Defendant Gordon MacRae laid [REDACTED] down on a bed and fondled Plaintiff [REDACTED] genitals with his hands and kissed him all over his body.

20. This incident culminated with Defendant MacRae performing fellatio on [REDACTED]

21. During this same trip to Hampton, New Hampshire, Defendant MacRae removed [REDACTED] clothes and attempted to engage in anal sex with him.

22. During the years from 1982 until 1985, this pattern of attack was repeated on [REDACTED] approximately 20 times.

23. During the years from 1979 until 1985, Defendant MacRae plied [REDACTED] with gifts and money in an attempt to gain his continued cooperation.