

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FR. MARSHALL M. ROBERTS,) COMPLAINT
)
Plaintiff,) DAMAGES OVER \$50,000
)
v.)
) Case No.
JOHN G. PFEIFFER,)
) JURY TRIAL DEMANDED
Defendant.)

VERIFIED COMPLAINT

NOW COMES the Plaintiff FR. MARSHALL M. ROBERTS (“Father Roberts” or “Plaintiff”), files his verified complaint against the Defendant JOHN G. PFEIFFER (“Defendant”), upon personal information as to his own activities, and upon information and belief as to the activities of others and all other matters, stating as follows:

NATURE OF ACTION

1. This is an action for defamation *per se*, false light, tortious interference with prospective economic advantage, tortious interference with business relations, and intentional infliction of emotional distress all arising from the Defendant engaging in a course of conduct to ruin Father Roberts’ reputation, profession, and calling.

2. By this action, Father Roberts seeks compensatory damages, punitive damages, injunctive relief, and all other relief to which he may be entitled as a matter of law.

PARTIES

3. FATHER MARSHALL ROBERTS is a citizen of the State of Kentucky and a resident of Nelson County, Kentucky.

4. JOHN G. PFEIFFER is a citizen of the State of Illinois and a resident of Cook County, Illinois.

JURISDICTION AND VENUE

5. This Court has jurisdiction over the Defendant as he resides in Cook County, Illinois (“Cook County”).

6. Additionally, this Court possesses jurisdiction over the Defendant as he engaged in most, if not all, of his wrongful conduct in and from Cook County.

7. Venue is proper as the Defendant resides in Cook County and most of the conduct at issue occurred within Cook County.

8. An actual case or controversy has arisen between the Parties.

9. The Defendant has engaged in intentional conduct with actual malice.

10. The Defendant’s intentional conduct has harmed Father Roberts.

11. Father Roberts has been injured by the Defendant’s conduct and has suffered damages resulting therefrom.

FACTUAL BACKGROUND

Background on Parties

12. Father Roberts is a well-respected clergyman.

13. Father Roberts became ordained in June 22, 1996 at St. Thomas Aquinas Seminary in Winona, Minnesota.

14. For more than twenty years, Father Roberts performed his ecclesiastical duties at churches in Minnesota, New York, Pennsylvania, and Florida.

15. Father Roberts also studied Medieval History at the prestigious Cambridge University in England.

16. For the last four (4) months, Father Roberts has worked as a clergyman at Our

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Lady of Mount Carmel Church in Boston, Kentucky. He also served for six (6) years as a “Friend of the Resistance” (another term used to refer to the Lady of Mount Carmel Church in Boston, Kentucky).

17. As part of a routine investigation, in September 28, 2002, Father Roberts passed a criminal record check from the Pennsylvania State Police conducted by Bishop O’Hara High School before he became a teacher there (attached hereto as “Exhibit A”).

18. In addition, in September 2, 2002, the Pennsylvania Department of Public Welfare Childline and Abuse Registry provided a history clearance of Father Roberts stating that “NO RECORD EXISTS in the Pennsylvania Department of Public Welfare’s statewide Central Registry listing the applicant as a perpetrator of an Indicated or Founded report of child abuse or an Indicated or Founded Report for school employees.” (Attached hereto as “Exhibit B”).

19. Additionally, Father Roberts has been and remains a well-respected member of his community.

20. Father Roberts has never met the Defendant and does not know him.

December 11th Communication

21. On or about December 11, 2017, the Defendant sent a communication by electronic mail (“email”) to Mr. Tim Cline (“December 11th Email”).

22. In his December 11th Email, the Defendant stated that Father Roberts was a “sodomy-predator-priest.”

23. Father Roberts is not a “sodomy-predator-priest.”

24. In his December 11th Email, the Defendant states that “in 1993 [Father] Roberts was kicked out of the [Institute of Christ the King] seminary when he formed an inordinate sexual attachment to a fellow seminarian with whom he had become infatuated.”

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25. Father Roberts did not get “kicked out” of the seminary of the Institute of Christ the King in Gricigliano, Italy because “he formed an inordinate sexual attachment to a fellow seminarian with whom he become infatuated.”

26. At no time did Father Roberts form “an inordinate sexual attachment to a fellow seminarian with whom he became infatuated.”

27. Furthermore, in the December 11th Email, the Defendant falsely states that “[Father] Roberts was part of the homosexual ring in the *Society of St. John* in Scranton PA in the late 1990s and early 2000s.”

28. Father Roberts has never been part of any “homosexual ring”.

29. In the December 11th Email, the Defendant falsely states that as Father Roberts “was not as bold/open as the other predators . . . investigators did not uncover as much evidence of [Father] Roberts sleeping with a high school boy.”

30. Father Roberts has never slept with any children, let alone “high school boy[s].”

31. In the December 11th Email, the Defendant also falsely states that “[Father] Roberts knew of the almost-daily homosexuality/molesting which his fellow priests committed.”

32. Father Roberts did not possess any knowledge of “homosexual conduct” that his fellow priests committed.

33. Father Roberts has no knowledge of any molestation that his fellow priests committed.

34. In the December 11th Email, the Defendant also falsely states that Father Roberts “. . . also himself engaged in homosexual conduct.”

35. Father Roberts has never engaged in “homosexual conduct”.

36. In his December 11th Email, the Defendant states that he had a conversation with

Mrs. Engel and Mr. Bendell as well as “the superior general (John Berg) of the Fraternity of St. Peter” who “agree that [Father] Roberts is a sodomite-predator.”

37. Father Roberts is not a “sodomite-predator” and has never been one.

38. Father Roberts is not a “predator” and has never been one.

39. The Defendant continues to falsely state in his December 11th Email that “one summary of the FSSP [Priestly Fraternity of Saint Peter] findings . . . described [Father] Roberts at [sic] a ‘third SSJ [Society of St. John] predator priest back on the prowl.’”

40. The Defendant is and has never been a so-called “SSJ [Society of St. John] predator priest.”

41. The Defendant falsely states in his December 11th Email that “[Father] Roberts was expelled [from St. Michael the Archangel Church] because of homosexual conduct with one man on two occasions when [Father] Roberts did not know he was being watched.”

42. Father Roberts was never expelled from St. Michael the Archangel Church because of “homosexual conduct with one man on two occasions.”

43. In his December 11th Email, the Defendant falsely states that “parishioners kept careful watch on [Father] Roberts any time he was with young boys and so he had no opportunity to molest them.”

44. Father Roberts denies that any parishioners at St. Michael the Archangel Church in Jacksonville, Florida ever “kept careful watch” on him “any time he was with young boys . . . so he had no opportunity to molest them.”

45. Father Roberts denies ever molesting any child or engaging in conduct that would create any concern about him being with any child or parishioner.

46. The false statements made by the Defendant in his December 11th Email accused

Father Roberts of engaging in child molestation throughout his service as a clergyman.

47. Father Roberts has never engaged in any child molestation.

48. The false statements made by the Defendant in his December 11th Email accused Father Roberts of engaging in “homosexual conduct” throughout his service as a clergyman.

49. Father Roberts has never engaged in any “homosexual conduct”.

50. The false statements made by the Defendant in his December 11th Email accused Father Roberts of engaging in predatory behavior throughout his service as a clergyman.

51. Father Roberts has never engaged in any predatory behavior towards others.

52. In fact, Father Roberts has never been charged or convicted of any criminal offense or conduct unbecoming of one in his profession.

53. The Defendant’s December 11th Email contained false statements.

54. Upon information and belief, the Defendant made and continues to make similar false statements about Father Roberts to other third parties.

55. The foregoing statements made by the Defendant about Father Roberts were false and defamatory (“False and Defamatory Statements”).

Public Perception

56. Since the publication of the False and Defamatory Statements, any individual hearing and/or reading the statements might believe that Father Roberts engaged in criminal conduct.

57. Since the publication of the False and Defamatory Statements, any individual hearing and/or reading the statements might believe that Father Roberts engages in unprofessional behavior in breaking his vows as a clergyman.

Intent and Actual Malice

58. The Defendant acted with intent and actual malice when he engaged in the

foregoing conduct because he had knowledge that the statements he made about Father Roberts were false when he made them and, by making them, he intended to harm Father Roberts.

59. The foregoing conduct engaged in by the Defendant shall hereinafter be referred to as the “Wrongful Conduct.”

Harm

60. Father Roberts has suffered, and continues to suffer, harm arising from the Defendant’s Wrongful Conduct.

61. The Defendant’s Wrongful Conduct has caused Father Roberts to suffer and continue to suffer from harmed reputation. Additionally, individuals have chosen not to associate with him. Further, his church has lost parishioners.

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COUNT ONE
AS AND FOR A FIRST CAUSE OF ACTION
DEFAMATION PER SE

62. The Plaintiff hereby incorporates by reference Paragraphs 1 through 61 above in this First Count as though fully set forth herein.

63. In his December 11th Email, the Defendant made false statements about the Plaintiff.

64. In his December 11th Email, the Defendant falsely stated that the Plaintiff was a “sodomy-predator-priest.”

65. The Plaintiff is not a “sodomy-predator-priest.”

66. The Defendant falsely stated that the Plaintiff in 1993 “was kicked out of the [Institute of Christ the King] seminary when he formed an inordinate sexual attachment to a fellow seminarian with whom he had become infatuated.”

67. The Plaintiff never formed a sexual attachment with any seminarian while the Plaintiff attended the seminary of the Institute of Christ the King in Gricigliano, Italy in 1993.

68. The Plaintiff was also never expelled from the seminary of the Institute of Christ the King in Gricigliano, Italy in 1993 for forming a sexual attachment with a fellow seminarian.

69. The Plaintiff was never kicked out of the seminary of the Institute of Christ the King in Gricigliano, Italy in 1993.

70. In his December 11th Email, the Defendant falsely stated that the Plaintiff “was part of the homosexual ring in the *Society of St. John* in Scranton PA in the late 1990s and early 2000s.”

71. The Plaintiff was never part of a “homosexual ring in the *Society of St. John*” in Scranton, Pennsylvania in the late 1990s and early 2000s.

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72. The Plaintiff has never been a part of any “homosexual ring” anywhere.

73. In his December 11th Email, the Defendant falsely states that as the Plaintiff “was not as bold/open as the other predators . . . investigators did not uncover as much evidence of [Father] Roberts sleeping with a high school boy.”

74. The Plaintiff has never slept with any children. He considers such illegal conduct abhorrent.

75. In his December 11th Email, the Defendant also falsely states that the Plaintiff “knew of the almost-daily homosexuality/molesting which his fellow priests committed and he also himself engaged in homosexual conduct.”

76. The Plaintiff has no knowledge of any “homosexuality/molesting” that his fellow priests may or may not have committed.

77. The Plaintiff has no knowledge of any molesting that his fellow priests may or may not have committed.

78. The Plaintiff has never “engaged in homosexual conduct.”

79. In his December 11th email, the Defendant falsely repeats that the Plaintiff is a “predator” based on a conversation he had with several individuals including, Mrs. Engel, Mr. Bendell and John Berg.

80. Father Roberts is not a predator and has never been one.

81. The Defendant falsely states in his December 11th Email that the Plaintiff was a “third SSJ predator priest back on the prowl” based on a “summary of the FSSP’s [Priestly Fraternity of Saint Peter] findings.”

82. The Plaintiff denies ever being a “predator priest” or engaging in any conduct such a term conveys.

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83. The Defendant falsely states in his December 11th Email that the Plaintiff was expelled from St. Michael the Archangel Church in Jacksonville, Florida because of “homosexual conduct” with another man.

84. The Plaintiff was never expelled from St. Michael the Archangel Church in Jacksonville, Florida because of “homosexual conduct” with another man.

85. In his December 11th email, the Defendant falsely states that the “parishioners kept careful watch on [Father] Roberts any time he was with young boys and so he had no opportunity to molest them.”

86. The Plaintiff denies ever having the parishioners at St. Michael the Archangel Church keep a “careful watch” on him any time he was in the presence of children.

87. By stating that the Plaintiff is a “sodomy-predator-priest” and that he “knew of the almost-daily homosexuality/molesting which his fellow priests committed,” the Defendant’s False and Defamatory Statements convey a meaning that the Plaintiff complicitly allowed the abuse of children to occur, thereby imputing criminal conduct onto the Plaintiff, lack of integrity, lack of ability, and prejudicing him in his profession.

88. The Plaintiff did not engage in any criminal conduct relating to the cover up of child molestation or child abuse.

89. By stating that the Plaintiff was “sleeping with a high school boy,” the Defendant’s False and Defamatory Statement conveys a meaning that the Plaintiff engaged in criminal conduct relating to child molestation and child abuse.

90. The Plaintiff did not engage in any criminal conduct relating to child molestation or child abuse.

91. The Plaintiff did not and has not engaged in any criminal conduct whatsoever.

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92. The Defendant falsely stated that the Plaintiff engaged in “homosexual conduct” on multiple occasions when he was in Scranton, Pennsylvania and when he was a clergyman in St. Michael the Archangel Church in Jacksonville, Florida.

93. The Plaintiff did not engage in any “homosexual conduct.”

94. By the foregoing statements, the Defendant falsely stated and conveyed the meaning that the Plaintiff engaged in unprofessional conduct, lacked integrity, and lacked ability as a clergyman.

95. The Plaintiff did not engage in unprofessional conduct as a clergyman. He does not lack integrity or ability.

96. The Defendant published the False and Defamatory Statements concerning the Plaintiff to Mr. Tim Cline and other third parties.

97. The Defendant published the False and Defamatory Statements concerning the Plaintiff on the Internet.

98. Upon information and belief, the Defendant published the False and Defamatory Statements and other false statements to other third parties.

99. The False and Defamatory Statements identified the Plaintiff by name.

100. Persons other than the Plaintiff and the Defendant would and actually have reasonably understood that the False and Defamatory Statements related to and were about the Plaintiff.

101. The Defendant presented the False and Defamatory Statements as fact.

102. The False and Defamatory Statements constituted unprivileged publication of defamatory statements by the Defendant to Tim Cline and other third parties.

103. The Defendant knew the False and Defamatory Statements to be false.

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104. The Defendant made the False and Defamatory Statements with actual malice knowing the falsity of the statements with an intent to cause Father Roberts harm.

105. In the alternative, the Defendant made the False and Defamatory Statements with actual malice with reckless disregard to whether they were false or not with an intent to cause Father Roberts harm.

106. The False and Defamatory Statements constitute defamation *per se* because they impute an inability to perform Father Roberts' duties of employment and profession as a clergyman.

107. The False and Defamatory Statements constitute defamation *per se* because they impute a lack of integrity in the discharge of Father Roberts' duties of employment and profession as a clergyman.

108. The False and Defamatory Statements constitute defamation *per se* because they prejudice Father Roberts in his profession as a clergyman.

109. The False and Defamatory Statements constitute defamation *per se* because they impute criminal conduct.

110. As a result of the Defendant's conduct and the publication of the False and Defamatory Statements, Father Roberts has suffered and continues to suffer damages including, but not limited to, harmed reputation.

111. WHEREFORE, the Plaintiff seeks an award of compensatory and punitive damages arising from the Defendant's *per se* defamation of him.

COUNT TWO
AS AND FOR A SECOND CAUSE OF ACTION
FALSE LIGHT

112. The Plaintiff hereby incorporates by reference Paragraphs 1 through 111 above in this Second Count as though fully set forth herein.

113. In his December 11th Email, Defendant falsely stated that the Plaintiff was a “sodomy-predator-priest.”

114. The Plaintiff is not a “sodomy-predator-priest.”

115. The Defendant falsely stated that the Plaintiff in 1993 “was kicked out of the [Institute of Christ the King] seminary when he formed an inordinate sexual attachment to a fellow seminarian with whom he had become infatuated.”

116. The Plaintiff did not form “an inordinate sexual attachment to a fellow seminarian with whom he had become infatuated” while the Plaintiff attended the seminary of the Institute of Christ the King in Gricigliano, Italy in 1993.

117. The Plaintiff was also not “kicked out of the [Institute of Christ the King] seminary when he formed an inordinate sexual attachment to a fellow seminarian with whom he had become infatuated.”

118. The Plaintiff was never kicked out of the seminary of the Institute of Christ the King in Gricigliano, Italy in 1993.

119. In his December 11th Email, the Defendant falsely stated that the Plaintiff “was part of the homosexual ring in the *Society of St. John* in Scranton PA in the late 1990s and early 2000s.”

120. The Plaintiff was never part of a “homosexual ring in the *Society of St. John*” in Scranton, Pennsylvania in the late 1990s and early 2000s.

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121. The Plaintiff has never been a part of any “homosexual ring” anywhere.

122. In his December 11th Email, the Defendant falsely states that as the Plaintiff “was not as bold/open as the other predators . . . investigators did not uncover as much evidence of [Father] Roberts sleeping with a high school boy.”

123. The Plaintiff has never slept with any children. He considers such illegal conduct abhorrent.

124. In his December 11th Email, the Defendant also falsely states that the Plaintiff “knew of the almost-daily homosexuality/molesting which his fellow priests committed and he also himself engaged in homosexual conduct.”

125. The Plaintiff has no knowledge of any “homosexuality/molesting” that his fellow priests may or may not have committed.

126. The Plaintiff has no knowledge of any molesting that his fellow priests may or may not have committed.

127. The Plaintiff has never “engaged in homosexual conduct.”

128. In his December 11th Email, the Defendant falsely states that the Plaintiff “is a sodomite-predator” based on a conversation he had with Mrs. Engel and Mr. Bendell as well as “the superior general (John Berg) of the Fraternity of St. Peter.”

129. Father Roberts is not a “sodomite-predator” and has never been one.

130. The Defendant falsely states in his December 11th Email that the Plaintiff was a “third SSJ predator priest back on the prowl” based on a “summary of the FSSP’s [Priestly Fraternity of Saint Peter] findings.”

131. The Plaintiff is not and has never been a “predator priest” or engaged in any conduct such a term conveys.

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132. The Defendant falsely states in his December 11th Email that the Plaintiff “was expelled [from St. Michael the Archangel Church] because of homosexual conduct with one man on two occasions when [Father] Roberts did not know he was being watched.”

133. The Plaintiff was never “expelled” from St. Michael the Archangel Church in Jacksonville, Florida “because of homosexual conduct with one man on two occasions.”

134. In his December 11th Email, the Defendant falsely states that the “parishioners kept careful watch on [Father] Roberts any time he was with young boys and so he had no opportunity to molest them.”

135. The Plaintiff denies ever having the parishioners at St. Michael the Archangel Church keep a “careful watch” on him “any time he was with young boys . . . so he had no opportunity to molest them.”

136. The Defendant published the False and Defamatory Statements within the December 11th Email to third parties.

137. Upon information and belief, the Defendant has continued to publish the statements throughout the Plaintiff’s religious organization and community.

138. The December 11th Email and related communications identified the Plaintiff by name.

139. Persons other than the Plaintiff and the Defendant would and actually have reasonably understood that the December 11th Email and related to communications related to and was about the Plaintiff.

140. The Defendant made the foregoing statements throughout religious communities.

141. By publishing the False and Defamatory Statements throughout the religious communities, the Defendant intentionally published the statements to a wide audience.

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142. The Defamatory Statements made by the Defendant about the Plaintiff are and would be highly offensive to a reasonable person.

143. The Defendant knew the False and Defamatory Statements to be false and untrue when he published them.

144. The Defendant published the False and Defamatory Statements with actual malice knowing the falsity of the statements contained therein.

145. The false light in which the Defendant placed the Plaintiff is and would be highly offensive to a reasonable person.

146. Based on the foregoing, the Defendant acted with actual malice when he published the False and Defamatory Statements.

147. As a result of the Defendant casting the Plaintiff in a false light, the Plaintiff has suffered and continues to suffer damages including, but not limited to, harmed reputation.

148. WHEREFORE, the Plaintiff seeks an award of compensatory and punitive damages arising from the Defendant casting him in a false light.

COUNT THREE
AS AND FOR A THIRD CAUSE OF ACTION
TORTIOUS INTEREFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE

149. The Plaintiff hereby incorporates by reference Paragraphs 1 through 148 above in this Third Count as though fully set forth herein.

150. The Plaintiff, as a clergyman for the Our Lady of Mount Carmel Church in Boston, Kentucky, held a reasonable expectancy of potential parishioners becoming patrons of his church.

151. The Defendant had knowledge of the Plaintiff's expectancy potential parishioners becoming patrons of his church.

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152. The Defendant published the False and Defamatory Statements to harm the Plaintiff.

153. The Defendant expressly intended to direct potential parishioners away from doing business with the Plaintiff through publication of the False and Defamatory Statements on the Internet.

154. The Defendant expressly intended to direct potential parishioners from becoming members of the Plaintiffs church through publication of the False and Defamatory Statements.

155. The Defendant made the False and Defamatory Statements with the reasonable expectation that prospective parishioners who read and/or heard the False and Defamatory Statements would not choose the Our Lady of Mount Carmel Church in Boston, Kentucky.

156. Indeed, the False and Defamatory Statements identified the Plaintiff by name.

157. The publication of the False and Defamatory Statements constitutes an intentional and unjustifiable interference with prospective parishioners of the Plaintiff and the Our Lady of Mount Carmel Church.

158. The publication of the False and Defamatory Statements constitutes an intentional and unjustifiable interference with potential parishioners of the Plaintiff and the Our Lady of Mount Carmel Church.

159. The publication of the False and Defamatory Statements caused potential parishioners to refrain from contacting, joining, and/or becoming patrons of the Plaintiff and Our Lady of Mount Carmel Church. As such, the Our Lady of Mount Carmel Church, where the Plaintiff provides services, suffered a loss of monetary donations subsequent to the publication of the False and Defamatory Statements.

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160. As a result of the Defendant’s conduct and the publication of the False and Defamatory Statements, the Plaintiff has suffered and continues to suffer damages including, but not limited to loss of potential parishioners. The False and Defamatory Statements have made it more difficult to find new parishioners to attend the Plaintiff’s services at Our Lady of Mount Carmel Church.

161. WHEREFORE, based upon the Defendant’s tortious interference with their prospective economic advantage, the Plaintiffs seek:

- A. An award of compensatory damages in an amount to be determined at trial;
- B. An award of punitive damages in an amount to be determined at trial;
- C. Injunctive relief in a form of an order:
 - i. Enjoining the Defendant from interfering with persons interested in the Plaintiff’s services;
 - ii. Compelling the Defendant to engage in any such further conduct necessary to effectuate the foregoing relief; and,
- D. Any such other relief to which the Plaintiffs may be entitled or as justice may require.

COUNT FOUR
AS AND FOR A FOURTH CAUSE OF ACTION
TORTIOUS INTEREFERENCE WITH BUSINESS RELATIONS

162. The Plaintiff hereby incorporates by reference Paragraphs 1 through 161 above in this Fourth Count as though fully set forth herein.

163. The Plaintiff, as a clergyman for the Our Lady of Mount Carmel Church in Boston, Kentucky, held valid relationships with parishioners who were patrons of his church.

164. The Defendant had knowledge of the relationships between parishioners and the Plaintiff.

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165. The Defendant published the False and Defamatory Statements to harm the Plaintiff.

166. The Defendant expressly intended to direct parishioners away the Plaintiff and his church through publication of the False and Defamatory Statements.

167. The Defendant made the False and Defamatory Statements with the reasonable expectation that parishioners who read and/or heard the False and Defamatory Statements would no longer attend the Plaintiff's services as a clergyman at the Our Lady of Mount Carmel Church in Boston, Kentucky.

168. Indeed, the False and Defamatory Statements identified the Plaintiff by name.

169. The publication of the False and Defamatory Statements constitutes an intentional and unjustifiable interference with the relationship between the Plaintiff and patrons of the Our Lady of Mount Carmel Church.

170. The publication of the False and Defamatory Statements caused parishioners to refrain from contacting and/or interacting with the Plaintiff and Our Lady of Mount Carmel Church. As such, the Our Lady of Mount Carmel Church, where the Plaintiff works, suffered a loss of monetary donations subsequent to the publication of the False and Defamatory Statements.

171. As a result of the Defendant's conduct and the publication of the False and Defamatory Statements, the Plaintiff has suffered and continues to suffer damages including, but not limited to, loss of parishioners and funds emanating therefrom.

172. WHEREFORE, based upon the Defendant's tortious interference with the Plaintiff's business relations, the Plaintiff seeks:

E. An award of compensatory damages in an amount to be determined at trial;

- F. An award of punitive damages in an amount to be determined at trial;
- G. Injunctive relief in a form of an order:
- iii. Enjoining the Defendant from interfering with the Plaintiff's relationships with patrons of his church;
 - iv. Compelling the Defendant to engage in any such further conduct necessary to effectuate the foregoing relief; and,
- H. Any such other relief to which the Plaintiffs may be entitled or as justice may require.

COUNT FIVE

AS AND FOR A FIFTH CAUSE OF ACTION

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

173. The Plaintiff hereby incorporates by reference Paragraphs 1 through 172 above in this Fifth Count as though fully set forth herein.

174. By publishing these False and Defamatory Statements, the Defendant entered into a continuous extreme and outrageous course of conduct directed toward the Plaintiff.

175. By publishing the False and Defamatory Statements, the Defendant accused the Plaintiff of complicitly covering up criminal activity in the form of child abuse and accusing him of actually committing child abuse.

176. By falsely stating that the Plaintiff has been removed as a clergyman from several churches for engaging in "homosexual conduct," the Defendant attacked the Plaintiff by implying that he has engaged in unprofessional conduct as a clergyman.

177. By falsely stating that the Plaintiff has engaged in "homosexual conduct," the Defendant has further attacked the Plaintiff by implying that he has broken his vows as a clergyman and is unfit to serve as a clergyman for any church.

178. The Defendant's conduct was made with either the intent to cause emotional distress to the Plaintiff or with reckless disregard as to whether such conduct would cause severe emotional distress to the Plaintiff.

179. The Defendant's conduct by publishing these False and Defamatory Statements caused the Plaintiff to suffer severe emotional distress.

180. The Defendant's conduct by publishing these False and Defamatory Statements actually and proximately caused the Plaintiff to suffer severe and emotional distress.

181. WHEREFORE, the Plaintiff seeks an award of compensatory damages and punitive damages arising from the Defendant's conduct causing the Plaintiff to suffer severe emotional distress.

GENERAL

182. Where conditions precedent are alleged, Father Roberts avers that all conditions precedent have been performed or have occurred.

183. The Plaintiff demands a jury trial.

PRAYER FOR RELIEF

WHEREFORE, PLAINTIFF FR. MARSHALL M. ROBERTS accordingly and respectfully demands judgment against DEFENDANT JOHN G. PFIEFFER as follows:

1. That PLAINTIFF FR. MARSHALL M. ROBERTS be awarded compensatory damages in an amount to be determined at trial;
 2. That PLAINTIFF FR. MARSHALL M. ROBERTS be awarded punitive damages in an amount to be determined at trial;
 3. That PLAINTIFF FR. MARSHALL M. ROBERTS be awarded injunctive relief;
- and,
4. That PLAINTIFF FR. MARSHALL M. ROBERTS be awarded any such other and further relief to which he may be entitled as a matter of law and as deemed appropriate by this Court.

Dated: Chicago, Illinois
March 5, 2018

Respectfully submitted,
PLAINTIFF,
FR. MARSHALL M. ROBERTS,

By: /s/ Charles Lee Mudd Jr.
One of His Attorneys
Charles Lee Mudd Jr. (ARDC No. 6257957)
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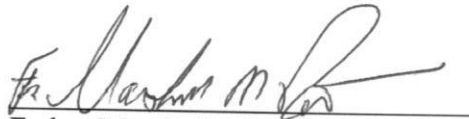
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STATE OF ILLINOIS
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FR. MARSHALL M. ROBERTS,)
)
Plaintiff,)
)
v.) **VERIFICATION OF**
) **FR. MARSHALL M. ROBERTS**
JOHN G. PFEIFFER,)
)
Defendant.)

FATHER MARSHALL M. ROBERTS, being first duly sworn, deposes and states as follows:

That deponent is the Plaintiff; that deponent has read the foregoing Verified Complaint and knows the contents thereof; that the same is true to the deponent's own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters deponent believes them to be true.

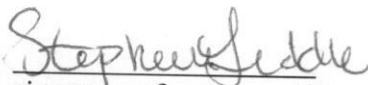

Father Marshall M. Roberts

State of Kentucky

County of Hardin

Signed (or subscribed or attested) before me on 02/23/18 (date) by

Father Marshall M. Roberts (name of person).


signature of notary public



My commission expires on 07/06/19 (date).

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