News



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A New York woman sued the Diocese of Buffalo, New York, a diocesan-run high school and a Maryland-based order of Franciscan priests for $300 million, saying she was sexually abused by a priest of the order for three years at the school.

Gail Holler-Kennedy, 55, of Niagara County, New York, said she endured multiple sexual assaults from 1978 to 1981 by Father Mark Andrzejczuk, a Conventual Franciscan who taught at Cardinal O'Hara High School, where she was student at the time, according to the lawsuit filed Feb. 22 in State Supreme Court.

In New York, the State Supreme Court is the trial-level court of general jurisdiction. The New York Appellate Court is the state's highest court.

The case is among the first in the state to be filed under the Child Victims Act, which New York Gov. Andrew Cuomo signed into law Feb. 13. The law expanded the age

for filing lawsuits from 23 to 55 for plaintiffs who experienced childhood sexual abuse to pursue civil and criminal charges against their perpetrators.

Boston attorney Mitchell Garabedian, who is representing Holler-Kennedy, told Catholic News Service the lawsuit was filed before his client turned 55 Feb. 24 "to protect her rights" under the new law.

Holler-Kennedy also is represented by the law firm of Simmons Hanly Conroy LLC of New York City.

The lawsuit seeks $50 million in compensatory damages and $250 million in punitive damages.

The lawsuit specifically names the St. Anthony of Padua Province of the Conventual Franciscans Minor based in Ellicott City, Maryland, as a defendant. The province is now known as Our Lady of the Angels.

Andrzejczuk died in 2011.

The order did not return calls seeking comment. Through a spokeswoman, the diocese declined comment on the lawsuit.

Holler-Kennedy was 14 when the abuse began, according to the court filing. Andrzejczuk, a science teacher, wrote passes to excuse her from another class and sexually assaulted her in an empty classroom twice a week, the complaint said.

"My client, by coming forward, is empowering herself and ... has shown a tremendous amount of courage," Garabedian said.

Given that the abuse occurred over three years, Garabedian said, officials of the Buffalo Diocese, the school and the Franciscan province should have known about the unusual relationship between the priest and a student. He said the church officials were responsible for investigating Andrzejczuk and protecting the safety of students while he was employed by the school.

The Child Victims Act also includes a one-year "look back window" to allow adults abused as children to file claims no matter how long ago they said the abuse occurred. The window opens in six months.

After initially opposing the bill, the New York State Catholic Conference removed its opposition to it when the Legislature expanded the retroactive window to include

both private and public institutions. The conference explained that support for all victims – regardless of where the abuse occurred – had been a critical reason the bishops could not support earlier versions of the legislation.

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