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## Wis. diocese loses insurance coverage in fraud trial

by Tom Gallagher

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The Green Bay, Wis., diocese has lost its insurance coverage in a civil suit alleging fraud related to sexual assaults by a priest.

Troy and Todd Merryfield sued the diocese for fraud and fraudulent non-disclosure regarding sexual misconduct by Fr. Patrick Feeney.

Feeney, since defrocked, was convicted in 2004 of assaulting the brothers in 1978. He is serving a 15-year prison sentence.

After the suit was filed, the diocese's insurance company, Indiana Insurance, asked to be dismissed from the case, claiming since the Diocese's actions were intentional, the policy didn't cover the case.

In a ruling signed July 15, Outagamie County Judge Nancy Krueger agreed and dismissed the insurance company.

"The Plaintiffs allege the Diocese acted with an intent to keep knowledge of Father Feeney's past actions from the parishes to which it sent him and by extension from the Plaintiffs. As the policy specifically excludes coverage for intentional acts, Indiana has no obligation under this policy to defend and indemnify the Diocese in this matter," Krueger wrote.

Lawyer Jeff Anderson, who represents the Merryfields, said he is not concerned that the diocese lacks insurance coverage, saying it has adequate resources to pay whatever damages award a jury makes.

"We want the children to be protected and we want those who have been wounded to be compensated," Anderson said. "And it's the Diocese of Green Bay's corporate officers that need to be held, ultimately, to

account for the misdeeds of the past so it doesn't get repeated in the future."

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