

SUMMARY

For the reasons stated herein, the Court finds that neither [REDACTED], [REDACTED] nor [REDACTED] should have discovered either his injuries or the causal connection between his injuries and MacRae's acts more than six years prior to the date each instituted suit. Accordingly, the [REDACTED] actions are not barred by the statute of limitations, and the Court DENIES the Church's motions to dismiss the three [REDACTED] actions.

The Court finds that, although [REDACTED] original injury was not sufficiently serious to put a reasonable child abuse victim in his circumstances on notice of a possible violation of his rights, [REDACTED] should have discovered both the fact of his injury and the causal relationship between the injury and MacRae's acts before 1987. Since this date is more than six years prior to the date [REDACTED] instituted suit, December 8, 1988, his action is barred by the statute of limitations. Accordingly, the Court GRANTS the Church's motion to dismiss the [REDACTED] action.

The Court rules as follows on the parties' requests for findings and rulings:

Plaintiff [REDACTED] Requests

Request 2 is granted; Requests 1, 4, and 5 are neither granted nor denied; Requests 3, 6, 7, and 8 are addressed in the order.

Defendants' Requests as to [REDACTED]

Facts: Request 1, 2, 6, 7, 8, 9, 11, 13, and 16 are granted; Request 4 is granted with the exception that the end date is 1982, not 1981; Requests 10, 12, 17, and 18 are addressed in the order; Requests 14 and 15 are denied; Requests 3 and 5 were not submitted.

Law: Requests 1, 12, 13, and 14 are granted; Request 10 is granted as a general proposition; Requests 3, 4, 5, 6, 7, 8, and 11 are addressed in the order; Request 2 is denied as stated; Requests 9 and 15 are denied.

Defendants' Requests as to [REDACTED]

Facts: Requests 1, 2; 3, 4, 5, 6, 8, 10, 11, 12, 13, and 17 are granted; Requests 7 and 9 are denied as stated; Requests 14, 15, and 16 are denied.

Law: Requests 1, 15, 16, 17 are granted; Request 13 is granted as a general proposition; Requests 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, and 14 are addressed in the order; Request 5 is denied as stated; Request 18 is denied.

Defendants' Requests as to [REDACTED]

Facts: Requests 1, 2, 3, 4, 5, 6, 11 and 14 are granted; Request 9 is neither granted nor denied; Requests 7 and 10 are addressed in the order; Request 8 is denied as stated; Requests 12 and 13 are denied.

Law: Requests 1, 15, 16, 17 are granted; Request 13 is granted as a general proposition; Requests 2, 3, 4, 6, 7, 8, 9, 10, 11, 12 and 14 are addressed in the order; Request 5 is denied as stated; Request 18 is denied.

Defendants' Requests as to [REDACTED]

Facts: Requests 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 18, 19, 20, 21, 27 and 28 are granted; Request 25 is neither granted nor denied; Requests 22, 23 and 24 are addressed in order; Requests 14, 15, 16, and 26 are denied as stated; Request 13 was not submitted.

Law: Requests 1, 12, 13, 14, and 15 are granted; Request 10 is granted as a general proposition; Requests 3, 4, 5, 6, 7, 8, 9 and 11 are addressed in the order; Request 2 is denied as stated.

So ordered.

Date: August 2, 1996

Carol Ann Conboy
CAROL ANN CONBOY
PRESIDING JUSTICE

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