

Supreme Court of Pennsylvania

Court of Common Pleas

Civil Cover Sheet

Allegheny

County

For Prothonotary Use Only:

Docket No:

TIME STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- ☒ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

Gary Toney

Lead Defendant's Name:

The Diocese of Pittsburgh

Are money damages requested? ☒ Yes ☐ No

Dollar Amount Requested: ☐ within arbitration limits
(check one) ☒ outside arbitration limits

Is this a *Class Action Suit*? ☐ Yes ☒ No

Is this an *MDJ Appeal*? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Kenneth Hardin II Hardin Thompson, P.C.

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability
☐ Product Liability (does not include mass tort)
☒ Slander/Libel/ Defamation
☐ Other: _____

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other _____
☐ Employment Dispute: Discrimination
☐ Employment Dispute: Other _____
☐ Other: _____

CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other _____
☐ Zoning Board
☐ Other: _____

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other: _____

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other: _____

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other: _____

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional: _____

NOTICE

Pennsylvania Rule of Civil Procedure 205.5. (Cover Sheet) provides, in part:

Rule 205.5. Cover Sheet

(a)(1) This rule shall apply to all actions governed by the rules of civil procedure except the following:

- (i) actions pursuant to the Protection from Abuse Act, Rules 1901 et seq.
- (ii) actions for support, Rules 1910.1 et seq.
- (iii) actions for custody, partial custody and visitation of minor children, Rules 1915.1 et seq.
- (iv) actions for divorce or annulment of marriage, Rules 1920.1 et seq.
- (v) actions in domestic relations generally, including paternity actions, Rules 1930.1 et seq.
- (vi) voluntary mediation in custody actions, Rules 1940.1 et seq.

(2) At the commencement of any action, the party initiating the action shall complete the cover sheet set forth in subdivision (e) and file it with the prothonotary.

(b) The prothonotary shall not accept a filing commencing an action without a completed cover sheet.

(c) The prothonotary shall assist a party appearing pro se in the completion of the form.

(d) A judicial district which has implemented an electronic filing system pursuant to Rule 205.4 and has promulgated those procedures pursuant to Rule 239.9 shall be exempt from the provisions of this rule.

(e) The Court Administrator of Pennsylvania, in conjunction with the Civil Procedural Rules Committee, shall design and publish the cover sheet. The latest version of the form shall be published on the website of the Administrative Office of Pennsylvania Courts at www.pacourts.us.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

GARY TONEY,

Plaintiff,

vs.

THE DIOCESE OF PITTSBURGH,
THE BRIDGEVILLE-CECIL CATHOLIC
CHURCH GROUPING, and PAMELA
FANTONI, individually,

Defendants.

CIVIL DIVISION

Case No. GD-

**PLAINTIFF'S COMPLAINT IN CIVIL
ACTION**

Filed on behalf of Plaintiff:

Gary Toney

Counsel of Record for this Party:

HARDIN THOMPSON, P.C.

Kenneth J. Hardin, II
PA ID No. 58303
Alexander T. Poorman
PA ID No. 321098
The Frick Building
437 Grant Street, Suite 620
Pittsburgh, PA 15219
(412) 315-7195
(412) 315-7386 (fax)
kenhardin@hardinlawpc.net
apoorman@hardinlawpc.net

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

GARY TONEY.	:	CIVIL ACTION
	:	
Plaintiff,	:	Case No. GD-
	:	
vs.	:	
	:	
THE DIOCESE OF PITTSBURGH,	:	
THE BRIDGEVILLE-CECIL CATHOLIC	:	
CHURCH GROUPING, and PAMELA	:	
FANTONI, individually,	:	
	:	
Defendants.	:	

NOTICE TO DEFEND

To: Pamela Fantoni
15 Walker Ave.
Carnegie, Pennsylvania 15106

Bridgeville-Cecil Catholic Church Grouping
212 Station St.
Bridgeville, PA 15017

Diocese of Pittsburgh
Department for Canon and Civil Law Services
Office for Legal Services
111 Boulevard of the Allies
Pittsburgh, PA 15222

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within TWENTY (20) days after this Complaint and Notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are hereby warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE
The Allegheny County Bar Association
11th Floor Koppers Building, 436 Seventh Avenue
Pittsburgh, Pennsylvania 15219
(412) 261-5555

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

GARY TONEY.

Plaintiff,

vs.

THE DIOCESE OF PITTSBURGH,
THE BRIDGEVILLE-CECIL CATHOLIC
CHURCH GROUPING, and PAMELA
FANTONI, individually,

Defendants.

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CIVIL ACTION

Case No. GD-

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

AND NOW, Plaintiff, Gary Toney, by and through his counsel, Hardin Thompson, P.C. and Kenneth J. Hardin II, Esquire and Alexander T. Poorman, Esquire, files this Complaint in Civil Action against Defendants, the Diocese of Pittsburgh, the Bridgeville-Cecil Catholic Church Grouping, and Pamela Fantoni (hereinafter collectively the "Defendants") and, in support thereof, avers as follows:

THE PARTIES

1. Plaintiff Gary Toney (hereinafter "Plaintiff") is an adult individual residing at 1055 Bank Street, Bridgeville, County of Allegheny, Pennsylvania, 15017.
2. Defendant Diocese of Pittsburgh (hereinafter the "Diocese") is an administrative unit of the Roman Catholic Church having a primary address of 111 Boulevard of the Allies, Pittsburgh, County of Allegheny, Pennsylvania, 15222.

3. Defendant Bridgeville-Cecil Catholic Church Grouping is a Roman Catholic Parish Grouping having a primary administrative address of 212 Station Street, Bridgeville, County of Allegheny, Pennsylvania 15017.¹

4. Defendant Pamela Fantoni (hereinafter "Defendant Fantoni") is an adult individual residing at 15 Walker Avenue, Carnegie, County of Allegheny, Pennsylvania, 15106.

JURISDICTION

5. Personal jurisdiction and venue over all parties is proper because the transactions and occurrences giving rise to all causes of action arose out of events taking place in Allegheny County.

FACTUAL ALLEGATIONS

6. Plaintiff was a volunteer Confraternity of Christian Doctrine (hereinafter "C.C.D.") teacher at Holy Child Church within the Bridgeville-Cecil Catholic Church Grouping (hereinafter the "Parish").

7. Plaintiff has been involved in secular and religious education and instruction for over 30 years.

8. Plaintiff was heavily involved in numerous C.C.D. activities and frequently collaborated and interacted with fellow C.C.D. teachers, Parish staff, and students to assist in the planning, implementation, and delivery of religious instruction to students throughout the Parish C.C.D. program.

9. Plaintiff's sharing of teaching strategies and techniques, along with his genuine joy in sharing Christian fellowship with fellow colleagues and students, brought him into contact with Defendant Fantoni.

¹ The Bridgeville-Cecil Catholic Church Grouping consists of three separate Catholic Parishes; Saint Barbara Church Parish, Holy Child Church Parish, and Saint Mary Church Parish.

10. Defendant Fantoni was frequently accompanied by a minor student, of whom she was not a legal guardian, that she provided transportation to and from C.C.D. classes and church services held at the Parish.

11. Plaintiff came to know this minor student due to her frequently being present at C.C.D. and in the company of Defendant Fantoni, who frequently interacted with Plaintiff.

12. All interactions between Plaintiff and minor child occurred in the presence of other parishioners and/or C.C.D. teachers and staff, specifically Defendant Fantoni.

13. On or about April 15, 2019, Defendant Fantoni contacted Plaintiff via electronic correspondence, stating that “all of your good deeds and intention are being misinterpreted.”

14. In April of 2019, following the above referenced correspondence, Defendant Fantoni made a false report concerning Plaintiff to the Parish Administration on the basis that Plaintiff was “grooming a minor child,” implying that the Plaintiff was engaging in child abuse or child sexual abuse and/or otherwise engaging in misconduct involving a minor student.

15. Plaintiff became aware of this report on or about May, 17, 2019, during a phone call with a member of the Parish Administration.

16. These accusations involved the minor student who frequently accompanied Defendant Fantoni.

17. Upon information and belief, Defendant Fantoni did not make a report of any misconduct or “grooming of a minor child” to the Pennsylvania Child Abuse Reporting Hotline, also known as Childline.

18. Defendant Fantoni is a mandatory reporter under the Pennsylvania Child Protection Services Act, and would have been required to undergo specific training on how to report suspected child abuse before being permitted to work in her capacity as a Parish C.C.D. teacher.

19. Defendant Fantoni knew or should have known that Pennsylvania law required her to report any suspected child abuse for which she had a good faith basis to believe to the Child Abuse Reporting Hotline or to a state or local agency that handles such reports.

20. Rather, Defendant Fantoni made her initial disclosure to Reverend David G. Rombold, Jr., Parochial Vicar at Holy Child Parish.

21. Subsequent to this disclosure to Reverend Rombold, Defendant Fantoni's untrue statement or report was disclosed or published to Reverend Dennis Yurochko, Parish Administrator, and Mary Elizabeth Hand, Coordinator of Religious Education.

22. All of the individuals who received this report are mandatory reporters of child abuse under Pennsylvania law.

23. None of the individuals who received this false report took any steps to make a report with the Child Abuse Reporting Hotline or to a state or local agency that handles such reports.

24. Said report or disclosure was blatantly false and failed to follow either the State's statutorily-created reporting procedure or Diocese of Pittsburgh protocol for handling such matters.

25. Upon receipt of this second disclosure by Reverend Dennis Yurochko and Mary Elizabeth Hand, a meeting was held involving Plaintiff, Reverend Yurochko, and Ms. Hand.

26. During this meeting, Plaintiff was subjected to accusations regarding "grooming a minor child" and other misconduct taken exclusively from Defendant Fantoni's untrue statement.

27. Despite the serious nature of alleged child abuse or predatory activity directed toward a minor child, no immediate discipline or action was taken following this meeting.

28. On or about May 31, 2019, Plaintiff received a letter from the Catechetical Administrator and Parish Administrator of the Parish, barring him from continuing as a volunteer C.C.D. instructor. A true and accurate copy of the Parish's May 31, 2019 correspondence is attached hereto as **Exhibit A**.

29. The letter further stated that Plaintiff was barred from participating as a volunteer instructor or group leader for Youth Ministry, Vacation Bible School, and Young Adult Ministry.

30. Upon receipt of this correspondence, Plaintiff experienced extreme mental anguish, emotional distress, and public humiliation.

31. Upon information and belief, rumors of these accusations have spread throughout the Parish.

32. Upon information and belief, Defendant Fantoni has grievously fractured Plaintiff's standing in his church and social community by destroying Plaintiff's professional and personal reputation with employees, representatives, volunteers, and parishioners within the Parish.

33. Defendant Fantoni ruined Plaintiff's pristine employment record as an educator with over 30 years of experience, jeopardizing the possibility of obtaining a future teaching position or earning the appropriate salary in future employment opportunities.

34. Defendant Fantoni has also ruined Plaintiff's pristine record with the Diocese of Pittsburgh.

COUNT I – DEFAMATION
Gary Toney v. Pamela Fantoni

35. Plaintiff hereby incorporates by reference Paragraphs 1 through 34 as if each were set forth more fully at length herein.

36. Defendant Fantoni negligently or with actual malice made false and defamatory statements regarding Plaintiff to Plaintiff's superiors, colleagues, and/or supervisors, all of whom were specifically identified herein.

37. Plaintiff was defamed by a blatantly false accusation by Defendant Fantoni concerning the "grooming of a minor child and other misconduct," thereby alleging that Plaintiff was engaged in child abuse, criminal activity, and predatory behavior of a sexual nature directed at a minor child.

38. Said defamation occurred in the form of a disclosure to a member of the Parish Administration, who was not Defendant Fantoni's direct supervisor or directly involved in the Parish's religious education program, resulting in subsequent disclosures to additional Parish Administrators, staff, and volunteers.

39. The disclosure was published to Parish Administrators, persons involved with the C.C.D. program, persons involved with other religious educational programs, and to the parishioners of the Parish.

40. These defamatory statements had a tendency and did put the Plaintiff in a false light, were meant to harass and continue to harass the Plaintiff, put the Plaintiff in imminent fear of the Defendant Fantoni making additional comments to colleagues and/or supervisors, and caused the Plaintiff great anxiety and emotional distress.

41. Defendant Fantoni's defamatory disclosure applied directly to Plaintiff, imputing misconduct to him, including alleged criminal conduct and serious and/or loathsome sexual misconduct.

42. Recipients of Defendant Fantoni's defamatory disclosure clearly understood the meaning of the defamatory communication as evidenced by the subsequent actions taken based

upon Defendant Fantoni's wrongful conduct by the Parish Administrators and C.C.D. personnel against Plaintiff.

43. As a direct and proximate result of Defendant Fantoni's wrongful conduct, Plaintiff was dismissed from his position as a Parish C.C.D. instructor and barred from future opportunities to serve a teacher or instructor in the Parish's religious education programs.

44. As a direct and proximate result of Defendant Fantoni's wrongful conduct, Plaintiff has suffered loss of goodwill, harm to his reputation, loss of esteem and standing in the community, permanent damage to his reputation within the Parish, emotional distress, and humiliation.

45. The accusation that Plaintiff was grooming a minor child is false.

46. Defendant Fantoni published the remarks to third parties, identified in averments set forth above, with knowledge of the falsity of the statements or in reckless disregard of their truth or falsity.

47. The publication was not privileged

48. The defamatory statement abused a conditional privilege.

49. The publication of these remarks has resulted in damage to Plaintiff's reputation within vocation and within the community and Parish, including, but not limited to, the following:

- a. Being removed from his current position as a C.C.D. teacher within the Parish;
- b. Permanent damage to his reputation in the Parish;
- c. A permanent record on his file with the Diocese of Pittsburgh containing information from Defendant Fantoni's defamatory statement;
- d. Permanent damage to his future employment opportunities;
- e. Humiliation, mortification, and embarrassment;
- f. Constant fear of having his reputation defamed;

- g. Sleeplessness, anxiety, loss of enjoyment of life, and thoughts of self-harm; and
- h. Other damages that may arise during the course of discovery and throughout this trial.

WHEREFORE, Plaintiff Gary Toney respectfully requests judgment be entered in his favor and against Defendant Pamela Fantoni, in an amount in excess of the arbitration limits, together with interest, costs, and such other and further relief as this Court deems appropriate.

**COUNT II – INTENTIONAL TORTIOUS INTERFERENCE WITH RELATIONS AND
PROSPECTIVE RELATIONS**
Gary Toney v. Pamela Fantoni,

50. Plaintiff hereby incorporates by reference Paragraphs 1 through 49 as if each were set forth more fully at length herein.

51. At all relevant times hereto, Plaintiff held a position as a C.C.D. instructor within the Parish until his dismissal from service on May 31, 2019.

52. Plaintiff also holds valid and current Pennsylvania Teaching Certificates in the areas of Elementary Education, English, Social Studies, and Communications.

53. In order to serve as a C.C.D. teacher within the Parish and Diocese, Plaintiff was required to pass required clearances, undergo specified training, and agree to follow and conform with all rules under state law and the Pastoral Code of Conduct.

54. Plaintiff passed all clearances and conducted himself at all times in accordance with the Parish's and/or Diocese's rules, regulations, and guidelines.

55. Plaintiff was respected and liked by his fellow C.C.D. teachers, and was a frequent source of information, knowledge, and support for other instructors.

56. Plaintiff maintained an exemplary relationship with the Parish and Diocese, and had expressed his interest in assisting with Vacation Bible School and Youth Bible Study to give even more of his time and talents to the parishioners of the Parish.

57. Parish officials had advised Plaintiff that they would be very happy to have his involvement with Vacation Bible School and Youth Bible Study.

58. Defendant Fantoni interfered with the Plaintiff's relationship with the Parish and Diocese of Pittsburgh through her aforementioned defamatory conduct, all of which was intended to cause the Parish and/or Diocese of Pittsburgh to remove Plaintiff from his current position as a C.C.D. instructor and to bar his future involvement and participation in other religious education programs and activities.

59. Defendant Fantoni succeeded, in part, and as a sole and direct result of the Defendant Fantoni's conduct, Plaintiff was dismissed from his position teaching C.C.D. within the Parish and barred from future involvement in religious education activities.

60. Defendant Fantoni's conduct was willful, wanton, and malicious.

61. Defendant Fantoni's publication of her defamatory statement was not privileged and the statement abused a conditional privilege.

62. As a direct and proximate result of the Defendant Fantoni's conduct, the Plaintiff suffered dismissal from his position as a C.C.D. teacher, damage to his relations with the Parish and/or Diocese of Pittsburgh, and damage to his future employment opportunities.

WHEREFORE, Plaintiff Gary Toney respectfully requests judgment be entered in his favor and against Defendant Pamela Fantoni, in an amount in excess of the arbitration limits, together with interest, costs, and such other and further relief as this Court deems appropriate.

COUNT III – PUBLICALLY PLACING PERSON IN FALSE LIGHT

Gary Toney v. Pamela Fantoni

63. Plaintiff hereby incorporates by reference Paragraphs 1 through 62 as if each were set forth more fully at length herein.

64. Defendant Fantoni sought to maliciously and falsely accuse the Plaintiff of “grooming a minor child.”

65. The false light in which the Plaintiff was placed would be highly offensive to a reasonable person.

66. Defendant Fantoni had knowledge of or acted in reckless disregard as to the falsity of the Plaintiff’s interactions with the minor student in this matter and the false light in which the Plaintiff was placed by the dissemination of such false, defamatory information.

WHEREFORE, Plaintiff Gary Toney respectfully requests judgment be entered in his favor and against Defendant Pamela Fantoni, in an amount in excess of the arbitration limits, together with interest, costs, and such other and further relief as this Court deems appropriate.

COUNT IV – INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS

Gary Toney v. Pamela Fantoni

67. Plaintiff hereby incorporates by reference Paragraphs 1 through 66 as if each were set forth more fully at length herein.

68. The Defendant Fantoni’s conduct, including, but not limited to, making false reports that Plaintiff engaged in child abuse or was “grooming a minor child”, was intentional and/or reckless.

69. By virtue of Defendant Fantoni’s defamatory statement imputing that Plaintiff committed a serious criminal offense, as well as loathsome and/or serious sexual misconduct,

Defendant Fantoni's conduct was so outrageous and extreme that it went beyond all possible bounds of decency and was atrocious and utterly intolerable in a civilized community.

70. As a direct and proximate result of Defendant Fantoni's actions described herein, Plaintiff has suffered, and continues to suffer, severe emotional distress, loss of sleep, physical manifestations of the mental and emotional distress this has caused him, and other damages.

WHEREFORE, Plaintiff Gary Toney respectfully requests judgment be entered in his favor and against Defendant Pamela Fantoni, in an amount in excess of the arbitration limits, together with interest, costs, and such other and further relief as this Court deems appropriate.

**COUNT V – TORTIOUS INTERFERENCE WITH PROSPECTIVE EMPLOYMENT
RELATIONS**
Gary Toney v. Diocese of Pittsburgh and the Bridgeville-Cecil Catholic Church Grouping

71. Plaintiff hereby incorporates by reference Paragraphs 1 through 70 as if each were set forth more fully at length herein.

72. For approximately 30 years, Plaintiff has earned his living through employment in the education field.

73. This has included teaching in public and private or parochial schools along with serving as a substitute teacher in these schools.

74. Plaintiff maintains a current Pennsylvania teaching certificate and actively posts his name and resume for consideration for open teaching positions on the state-wide teacher employment portal, pa.educator.net.

75. Defendants Diocese of Pittsburgh and the Bridgeville-Cecil Catholic Church Grouping have not made any report under the Pennsylvania Child Protective Services Act as required to by law for reports of child abuse or suspected child abuse, including predatory behavior of a sexual nature directed at a child, that are believed to be made in good faith.

76. Defendants Diocese of Pittsburgh and the Bridgeville-Cecil Catholic Church Grouping dismissed Plaintiff from his position as a C.C.D. teacher within the Parish and barred him from all future participation in youth religious education activities based solely off an improper, untrue report from Defendant Fantoni.

77. Defendants Diocese of Pittsburgh and the Bridgeville-Cecil Catholic Church Grouping further issued correspondence that labelled Plaintiff as engaging in the “grooming of a minor child,” thereby validating the false accusations made by Defendant Fantoni in her untrue report to the Parish.

78. Defendants Diocese of Pittsburgh and the Bridgeville-Cecil Catholic Church Grouping failed to perform an appropriate investigation or review of this matter before rendering their decision.

79. Merely by stating that Plaintiff was removed from his C.C.D. teaching position due to allegations of child abuse and/or sexually predatory behavior directed toward a minor child, Plaintiff would be barred from consideration for future teaching positions, whether paid or volunteer.

80. Plaintiff would be required to provide this information as part of any application for a teaching position within the Commonwealth.

81. Defendants Diocese of Pittsburgh and the Bridgeville-Cecil Catholic Church Grouping’s conduct was willful, wanton, and malicious.

82. Defendants Diocese of Pittsburgh and the Bridgeville-Cecil Catholic Church Grouping’s actions and reporting were an abuse of a conditional privilege.

83. As a direct and proximate result of the Defendants Diocese of Pittsburgh and the Bridgeville-Cecil Catholic Church Grouping's conduct, the Plaintiff suffered damage to his future employment opportunities.

WHEREFORE, Plaintiff Gary Toney respectfully requests judgment be entered in his favor and against Defendant Pamela Fantoni, in an amount in excess of the arbitration limits, together with interest, costs, and such other and further relief as this Court deems appropriate.

Respectfully submitted,

HARDIN THOMPSON, P.C.

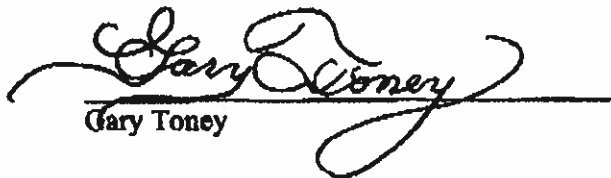


Kenneth J. Hardin II PA ID 58303
Alexander T. Poorman PA ID 321098
The Frick Building
437 Grant Street, Suite 620
Pittsburgh, PA 15219
(412) 315-7195
(412) 315-7386 (fax)
KenHardin@hardinlawpc.net
Counsel for Plaintiff

VERIFICATION

I verify that the foregoing statements in the *Complaint in Civil Action* are true and correct; that the attached *Complaint in Civil Action* is based upon information which I have furnished to my counsel and information which has been gathered by my counsel in the preparation of the lawsuit. The language of the Complaint in Civil Action is that of counsel and not the plaintiff. I have read the Complaint in Civil Action and to the extent that the Complaint in Civil Action is based upon information which I have given to my counsel, it is true and correct to the best of my knowledge, information, and belief. To the extent that the content of the Complaint in Civil Action is that of counsel, I have relied upon counsel in making this verification. I understand that false statements herein made are subject to the penalties of 18 Pa. Con. Stat. Ann. §4904 relating to the unsworn falsification to authorities.

9-19-19
DATE


Gary Toney

EXHIBIT

A

Bridgeville-Cecil Catholic Church Grouping

Parish Office Address

212 Station Street
Bridgeville, PA 15017



Saint Barbara
Church



Holy Child
Church



Saint Mary
Church

Phone: 412-221-5213 or
412-221-1560

Fax: 412-257-2461

Emails: stbarb@comcast.net

holychildparish@verizon.net or

stmarysch@comcast.net

May 31, 2019

Mr. Gary Toney
1005 Bank St.
Bridgeville, Pa, 15017

Dear Mr. Toney,

As you are aware, the parish received a call alerting us to some boundary violations between yourself and one of the students in our Religious Education Program. These concerns were raised with you by Mrs. Elizabeth Hand, Catechetical Administrator, and Reverend Dennis Yurochko, Parish Administrator. It was clear from the meeting that you did not understand your part in this and how uncomfortable your actions made the student, her family, and those entrusted with her care.

Due to recent events and after consultation with the Diocesan Safe Environment office, we will no longer accept your volunteer services in our Parish for any youth programs: Religious Education for Children (CCD), Vacation Bible School, Youth Ministry or Young Adult Ministry.

We do not come to this decision lightly. We are disappointed that you have failed to understand the importance of professional boundaries between student and teacher. As you know, we take the safety of our students very seriously. We believe that this is the best course of action for all involved.

You are still welcome to attend Mass and any adult functions in our parish.

Sincerely,

Mary Elizabeth Hand
Catechetical Administrator

Rev. Dennis Yurochko
Parish Administrator

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

GARY TONEY.

Plaintiff,

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THE BRIDGEVILLE-CECIL CATHOLIC
CHURCH GROUPING, and PAMELA
FANTONI, individually,

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CIVIL ACTION

Case No. GD-

JURY TRIAL DEMANDED

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Hardin Thompson, P.C.

Signature: Stephanie Rathy

Name: Stephanie Rathy

Attorney No. (if applicable): _____