

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

SUPERIOR COURT DEPARTMENT

C. A. No. 18-2332

_____)
JANE DOE 1 and JANE DOE 2,)
Plaintiffs)
)
v.)
)
R.E. and J.E.)
Defendants.)
_____)

FILED OF THE
 IN THE OFFICE OF
 CLERK OF COURTS
 FOR THE COUNTY OF MIDDLESEX
 AUG 15 2018
 Clerk

COMPLAINT AND JURY DEMAND

1. Plaintiffs JANE DOE 1 (“DOE 1”) and JANE DOE 2 (“DOE 2”) (together, “DAUGHTERS”) seek compensation for personal injuries and damages they sustained as a result of defendant R.E. (“R.E.” or “FATHER”) sexually abusing them when they were minors and defendant J.E. (“J.E.” or “MOTHER”) negligently causing and/or contributing to the abuse.

2. DOE 1 is an individual who resides in Worcester County, Massachusetts. To protect her privacy, she files this Complaint under an alias. DOE 1 is identified in a separate Affidavit which will be served upon defendants.

3. DOE 2 is an individual who resides in Middlesex County, Massachusetts. To protect her privacy, she files this Complaint under an alias. DOE 2 is identified in a separate Affidavit which will be served upon defendants.

4. R.E. (“FATHER”) and J.E. (“MOTHER”) are married and are plaintiffs’ parents. They are individuals who reside together in Middlesex County, Massachusetts. They are being

sued under aliases to protect plaintiffs' privacy. They are also identified in plaintiffs' affidavits.

5. FATHER sexually abused DAUGHTERS regularly when they were minors.

Among other things, beginning when DAUGHTERS were 4 years old, FATHER rubbed DAUGHTERS genitals and digitally penetrated them regularly until DOE 1 was 18 and DOE 2 was 12.

6. Many of these sexually abusive incidents occurred in the bathtub. FATHER regularly bathed nude with DAUGHTERS (starting at age 6 for DOE 1 and age 4 for DOE 2) at their home in Middlesex County, MA. At times he was erect and pulled DAUGHTERS onto his lap. He rubbed their chests and genitals and digitally penetrated them.

7. Beginning when DOE 1 was approximately 16 years old and continuing until she was 18, FATHER repeatedly raped her while they were living in Massachusetts and El Paso, Texas. He told DOE 1 that he wanted to impregnate her.

8. After DOE 1 returned from Texas, MOTHER sent DOE 2 (then 7 years old) to live with FATHER in Texas. During their approximately four months in Texas, FATHER and DOE 2 shared a bedroom with only one bed. FATHER continued to bathe naked with DOE 2, rub her chest and genitals and digitally penetrate her approximately every other day. While in Texas, to keep her compliant, FATHER regularly physically and verbally abused DOE 2, kept her underfed and tired, and engaged her as an unwitting accomplice in schemes such as hiding parrots from border patrol. FATHER also watched DOE 2 change clothes in her bedroom through age of majority.

9. When DAUGHTERS were young, FATHER took naked photos of them. He hired an artist to photograph DOE 2 nude outdoors, and create a painting that included DOE 2

naked. MOTHER and FATHER displayed that painting on the family's living room wall and allowed its dissemination on the internet.

10. FATHER aided his ability to conduct the sexual abuse by, among other things, physically harming DAUGHTERS, threatening physical harm (among other things, he told DOE 1 that he would have her lobotomized if she told of the abuse), isolating them socially, warning of financial despair, and promising benefits for cheerful acquiescence.

11. MOTHER witnessed FATHER naked in the bathtub with DAUGHTERS and did nothing to stop it. MOTHER knew FATHER was the only one cleaning DAUGHTERS from the age of approximately 4 for DOE 2 and 6 for DOE 1.

12. DOE 1 is over 53 years old. She began to connect her injuries to FATHER's abuse approximately three and a half years ago after contacting a friend. Thereafter, DOE 1 began to connect her injuries to MOTHER's misconduct that contributed to FATHER's sexual abuse.

13. DOE 2 is younger than 53 years old and her claims against FATHER fall within the statute of limitations, G.L. c. 260 §4C. DOE 2 was not able to connect her injuries to MOTHER's misconduct that contributed to FATHER's abuse until, at the earliest, conversations with her sisters prompted by a late April 2018 news article about sexual abuse.

COUNT I
(Assault and Battery Against R.E.)

14. DAUGHTERS incorporate Paragraphs 1 through 13 as if fully set forth herein.

15. FATHER repeatedly sexually assaulted and forcibly sexually abused DAUGHTERS over a period of time spanning early childhood through adolescence (for DOE 2)

and until age 18 (for DOE 1).

16. As a result of FATHER's sexual abuse, DOEs 1 and 2 suffered and continue to suffer severe and permanent emotional distress, physical harm and consequential damages.

COUNT II
(Intentional Infliction of Emotional Distress Against R.E.)

17. DAUGHTERS incorporate Paragraphs 1 through 16 as if fully set forth herein.

18. By sexually abusing DAUGHTERS, verbally and physically threatening them, and taking naked photographs of them, FATHER intended to inflict emotional distress on DAUGHTERS.

19. FATHER's conduct was extreme and outrageous and beyond all possible bounds of decency and was utterly intolerable in a civilized society.

20. FATHER's abusive conduct caused DOEs 1 and 2 emotional distress.

21. DAUGHTERS' emotional distress was severe and of a nature that no reasonable person could be expected to endure it.

COUNT III
(Negligence Against J.E.)

22. DAUGHTERS incorporate Paragraphs 1 through 21 as if fully set forth herein.

23. MOTHER owed DAUGHTERS a duty to keep them safe from harm and to protect them from a sexually abusive FATHER.

24. MOTHER knew or should have known that FATHER was sexually abusing DAUGHTERS. MOTHER contributed to the sexual abuse by, among other things, witnessing FATHER naked in the bathtub with DAUGHTERS and doing nothing about it. MOTHER allowed FATHER to take naked photographs of DAUGHTERS and hire an artist to photograph

and paint DOE 2 naked.

25. MOTHER's neglect enabled FATHER to repeatedly and regularly abuse DAUGHTERS. MOTHER breached her duty to her DAUGHTERS by failing to protect them from and contributing to FATHER's abuse.

26. As a result of MOTHER's negligence, DAUGHTERS suffered and continue to suffer severe and permanent emotional distress, physical harm and consequential damages.

WHEREFORE, plaintiffs JANE DOE 1 and JANE DOE 2 request that this Court:


- a. Enter judgment on all Counts in their favor, and against Defendants;
- b. Award damages in an amount deemed just by this Court, plus interest, attorneys' fees, costs and other expenses;
- c. Grant all such further relief that the Court deems appropriate and just.

JURY DEMAND

Plaintiffs demand a jury trial on all issues so triable.

Respectfully submitted,
JANE DOE 1 and JANE DOE 2,

By their attorney,



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