

Jon A. Wilson  
Brett C. Jensen  
Michael P. Sarabia  
BROWN LAW FIRM, P.C.  
315 North 24<sup>th</sup> Street  
P.O. Drawer 849  
Billings, MT 59103-0849  
Tel. (406) 248-2611

*Attorneys for Defendant Watchtower Bible and Tract Society of New York, Inc.*

Joel M. Taylor, Esq. (*pro hac vice*)  
MILLER MCNAMARA & TAYLOR LLP  
100 South Bedford Road, Suite 340  
Mount Kisco, New York 10549  
Tel./E-Fax (845) 288-0844

Gerry P. Fagan  
Christopher T. Sweeney  
Jordan W. FitzGerald  
MOULTON BELLINGHAM PC  
27 North 27<sup>th</sup> Street, Suite 1900  
P. O. Box 2559  
Billings, Montana 59103-2559  
Telephone: (406) 248-7731

[Gerry.Fagan@moultonbellingham.com](mailto:Gerry.Fagan@moultonbellingham.com)

[Christopher.Sweeney@moultonbellingham.com](mailto:Christopher.Sweeney@moultonbellingham.com)

[Jordan.Fitzgerald@moultonbellingham.com](mailto:Jordan.Fitzgerald@moultonbellingham.com)

*Attorneys for Defendant Watch Tower Bible and Tract Society of Pennsylvania*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

TRACY CAEKAERT and  
CAMILLIA MAPLEY,

Plaintiffs,

-vs-

WATCHTOWER BIBLE AND  
TRACT SOCIETY OF NEW YORK,  
INC., and WATCH TOWER BIBLE  
AND TRACT SOCIETY OF  
PENNSYLVANIA,

Defendants.

Cause No. CV 20-52-BLG-SPW

**DEFENDANTS WATCHTOWER  
BIBLE AND TRACT SOCIETY OF  
NEW YORK, INC. AND WATCH  
TOWER BIBLE AND TRACT  
SOCIETY OF PENNSYLVANIA'S  
JOINT STATEMENT OF  
UNDISPUTED FACTS IN  
SUPPORT OF SUMMARY  
JUDGMENT**

Pursuant to Local Rule 56.1(a), Defendants Watchtower Bible and Tract Society of New York, Inc. (“WTNY”) and Watchtower Bible and Tract Society of Pennsylvania (“WTPA”) (collectively “Defendants”) provide the following Statement of Undisputed Facts in support of their Joint Motion for Summary Judgment as to Plaintiffs’ first cause of action for general negligence:

**STATEMENT OF UNDISPUTED FACTS**

1. Plaintiffs Tracy Caekaert and Camilla Mapley identify Bruce Mapley, Sr., and Gunnar Hain as their alleged sexual abusers. *See* Tracy Caekaert’s Ans. to WTNY’s Int. No. 1;<sup>1</sup> Camillia Mapley’s Ans. to WTNY’s Int. No. 1.<sup>2</sup>
2. Plaintiff Tracy Caekaert was born on May 21, 1966. Depo. Tracy Caekaert 11:25-12:3 (Feb. 9, 2023).<sup>3</sup>
3. Plaintiff Camillia Mapley was born on June 2, 1968. Depo. Camillia Mapley 12:25-13:1 (Nov. 29, 2022).<sup>4</sup>
4. Plaintiffs Tracy Caekaert and Camilla Mapley, along with their parents Bruce Mapley, Sr., and Shirley Gibson joined the Hardin Congregation of Jehovah’s Witnesses (“Hardin Congregation”) in around 1973. *See* First Amended Complaint

---

<sup>1</sup> Cited portions of Plaintiff Tracy Caekaert’s Answers to Defendant Watchtower Bible and Tract Society of New York, Inc.’s First Interrogatories will be filed as Exhibit A under seal.

<sup>2</sup> Cited portions of Plaintiff Camillia Mapley’s Answers to Defendant Watchtower Bible and Tract Society of New York, Inc.’s First Interrogatories will be filed as Exhibit B under seal.

<sup>3</sup> Cited portions of Tracy Caekaert’s deposition transcript will be filed as Exhibit C under seal.

<sup>4</sup> Cited portions of Camilla Mapley’s deposition transcript will be filed as Exhibit D under seal.

and Demand for Jury Trial (“FAC”) (Doc. 22) at ¶ 33; Ex. C, Depo. Caekaert at 36:2-5; Ex. D, Depo. Mapley at 35:17-25.

5. Plaintiffs allege that, at the time they joined the Hardin Congregation, their father Bruce Mapley, Sr., had been abusing them approximately twice per week for several years. *See* Doc. 22, FAC at ¶ 34; Ex. C, Depo. Caekaert at 83:9-22. The alleged abuse occurred at the Mapleys’ private residence or in other private homes. *Id.* *See also* Ex. A, Tracy Caekaert’s Ans. to WTNY’s Int. No. 2 (identifying abuse timeframe as 1971-1983); Ex. B, Camillia Mapley’s Ans. to WTNY’s Int. No. 2 (identifying abuse timeframe as 1971-1983); Ex. C, Depo. Caekaert at 84:23-85:8; Ex. D, Depo. Mapley at 56:9-16.

6. Plaintiffs allege Gunnar Hain abused Plaintiffs in his private residence in about 1976 or 1977. *See* Doc. 22, FAC at ¶ 36. *See also* Tracy Caekaert’s Ans. to WTNY’s Int. No. 2 (identifying abuse timeframe as 1975-1977); Camillia Mapley’s Ans. to WTNY’s Int. No. 2 (identifying abuse timeframe as 1975-1977). Tracy Caekaert and Camilla Mapley were allegedly abused by Gunnar Hain a single time. *See* Ex. C, Depo. Caekaert at 112:18-20; Ex. D, Depo. Mapley at 112:23-25.

7. Gunnar Hain’s relationship with the Mapley family arose from a friendship between him and Bruce Mapley, Sr. *See* Ex. C, Depo. Caekaert at 68:20-22.

8. Gunnar Hain, Bruce Mapley, Sr., Tracy Caekaert, and Camilla Mapley are the only known eyewitnesses to the alleged abuse. *See* Ex. C, Depo. Caekaert at 88:21-25. *Accord* Ex. D, Depo. Mapley at 87:16-88:7 (additionally identifies Gunnar's daughter Rhonda Hain Klessens Bell as an eyewitness).

9. None of the alleged abuse by Bruce Mapley, Sr., or Gunnar Hain occurred on property owned or controlled by the Hardin Congregation, WTNY, or WTPA. *See* Ex. A, Tracy Caekaert's Ans. to WTNY's Int. No. 4; Ex. B, Camillia Mapley's Ans. to WTNY's Int. No. 4; Tracy Caekaert's Resp. to WTPA's RFA No. 1;<sup>5</sup> Camillia Mapley's Resp. to WTPA's RFA No. 1.<sup>6</sup>

10. Plaintiffs were not abused during the course of activities sanctioned by the Hardin Congregation, WTNY, or WTPA. Ex. D, Depo. Mapley at 114:15-116:2.

**DATED** this 12<sup>th</sup> day of April, 2024.

BROWN LAW FIRM, P.C.

By: /s/ Jon A. Wilson

JON A. WILSON

BRETT C. JENSEN

MICHAEL P. SARABIA

*Attorneys for Defendant Watchtower Bible  
and Tract Society of New York, Inc.*

---

<sup>5</sup> Cited portions of Plaintiff Tracy Caekaert's Responses to Defendant Watch Tower Bible and Tract Society of Pennsylvania's First Discovery Requests will be filed as Exhibit E under seal.

<sup>6</sup> Cited portions of Plaintiff Camilla Mapley's Responses to Defendant Watch Tower Bible and Tract Society of Pennsylvania's First Discovery Requests will be filed as Exhibit F under seal.

MOULTON BELLINGHAM PC

By: /s/ Jordan W. FitzGerald

GERRY P. FAGAN

CHRISTOPHER T. SWEENEY

JORDAN W. FITZGERALD

*Attorneys for Defendant Watch Tower Bible  
and Tract Society of Pennsylvania*

**Exhibit A**

Plaintiffs requested that these discovery responses be treated as “Confidential” pursuant to the Stipulated Confidentiality Agreement and Protective Order adopted by the Court on January 27, 2022. *See* ECF Docs. 110-1 and 111.

Therefore, the responses designated as Exhibit A to Defendants’ Joint Statement of Undisputed Facts will be filed immediately following the entry of this document into the record. This filing under seal is preauthorized pursuant to L.R. 5.2(b)(3) and ECF Docs. 110-1 and 111.

## **Exhibit B**



Plaintiffs requested that these discovery responses be treated as “Confidential” pursuant to the Stipulated Confidentiality Agreement and Protective Order adopted by the Court on January 27, 2022. *See* ECF Docs. 110-1 and 111.

Therefore, the responses designated as Exhibit B to Defendants’ Joint Statement of Undisputed Facts will be filed immediately following the entry of this document into the record. This filing under seal is preauthorized pursuant to L.R. 5.2(b)(3) and ECF Docs. 110-1 and 111.

## **Exhibit C**

During this deposition, Plaintiffs requested the transcript be treated as “Confidential” pursuant to the Stipulated Confidentiality Agreement and Protective Order adopted by the Court on January 27, 2022. *See* ECF Docs. 110-1 and 111.

Therefore, the transcript designated as Exhibit C to Defendants’ Joint Statement of Undisputed Facts will be filed immediately following the entry of this document into the record. This filing under seal is preauthorized pursuant to L.R. 5.2(b)(3) and ECF Docs. 110-1 and 111.

## **Exhibit D**

During this deposition, Plaintiffs requested the transcript be treated as “Confidential” pursuant to the Stipulated Confidentiality Agreement and Protective Order adopted by the Court on January 27, 2022. *See* ECF Docs. 110-1 and 111.

Therefore, the transcript designated as Exhibit D to Defendants’ Joint Statement of Undisputed Facts will be filed immediately following the entry of this document into the record. This filing under seal is preauthorized pursuant to L.R. 5.2(b)(3) and ECF Docs. 110-1 and 111.

## **Exhibit E**

Plaintiffs requested that these discovery responses be treated as “Confidential” pursuant to the Stipulated Confidentiality Agreement and Protective Order adopted by the Court on January 27, 2022. *See* ECF Docs. 110-1 and 111.

Therefore, the responses designated as Exhibit E to Defendants’ Joint Statement of Undisputed Facts will be filed immediately following the entry of this document into the record. This filing under seal is preauthorized pursuant to L.R. 5.2(b)(3) and ECF Docs. 110-1 and 111.

## **Exhibit F**



Plaintiffs requested that these discovery responses be treated as “Confidential” pursuant to the Stipulated Confidentiality Agreement and Protective Order adopted by the Court on January 27, 2022. *See* ECF Docs. 110-1 and 111.

Therefore, the responses designated as Exhibit F to Defendants’ Joint Statement of Undisputed Facts will be filed immediately following the entry of this document into the record. This filing under seal is preauthorized pursuant to L.R. 5.2(b)(3) and ECF Docs. 110-1 and 111.